



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204

Eric J. Holcomb, Governor
Michael Smith, Commissioner

March 14, 2024

Kari Carmany-George, Planning and Environmental Specialist
Federal Highway Administration (FHWA)
575 N. Pennsylvania Street, Room 254
Indianapolis, IN 46204

Dear Ms. Carmany-George:

The Indiana Department of Transportation (INDOT) proposes to finalize the environmental review process for the following project:

Des No: 1700788

Route: Blackiston Mill Road (Rd.)

County and Location: Floyd and Clark Counties (see attached project location maps, Appendix A, pages A-36 to A-38)

Pursuant to 40 CFR, Part 1500.4(q) and paragraph 5 of the Department of Transportation (DOT) Order 5610.1C implementing the National Environmental Policy Act (NEPA) of 1969, INDOT is requesting review of the enclosed Finding of No Significant Impact (FONSI) request packet for the above referenced project. This information packet includes the following documentation:

Appendix A: Approved Environmental Assessment (Text Only and Figures 1 to 3)

Appendix B: Public Involvement Documentation

Appendix C: FY 2024-2028 STIP Update

Appendix D: Commitments Table

Project Location:

The proposed undertaking is located approximately 0.20 mile east of Charlestown Road (Rd.) in New Albany Township, Floyd County and Jeffersonville Township, Clark County, Indiana. The project area is within the New Albany-Clarksville-Jeffersonville urban area boundary and thus is within the Kentuckiana Regional Planning and Development Agency's boundary (KIPDA). Specifically, the project is located in Section 63, Township 2 South, Range 6 East. The project area includes Blackiston Mill Rd. and the bridge that crosses Silver Creek. The western terminus is approximately 0.20 mile east of Charlestown Rd., and the eastern terminus is approximately 1,050 feet (ft.) southeast of the southern portion of Silver Creek, just southeast of Starlight Drive (Dr.)

Project Description / Type of Work:

The project will realign Blackiston Mill Rd., beginning just east of Blackiston Blvd. near Silverwood Court, by shifting the roadway to the north and curving to the southeast as it approaches a new bridge over Silver Creek. The proposed structure is a three-span bridge with spans of 66 ft. - 9 inches, 80 ft. and 66 ft. - 9 inches. The total length of the new bridge will be 215 ft. - 2 ¾ inches. The concrete deck will provide a clear roadway width of 26 ft. - 10 inches (two 12 ft. wide driving lanes and 1 ft. - 5-inch-wide gutter). The concrete deck will be 8 inches thick. A 6-ft.-wide sidewalk with 10-inch-wide Bridge Railing will be provided on both sides of the bridge. Southeast of the new bridge, Blackiston Mill Rd. will continue to curve to the southeast until Walnut Grove Dr., at which point Blackiston Mill Rd. will return to its existing alignment. The roadway southeast of the bridge will be raised from its current low point elevation of 433 ft. Above Mean Sea Level (AMSL) to 442 ft. AMSL to meet the approximate 25-year flood elevation (Q25); this will reduce the frequency of roadway flooding by backwater from the Ohio River. An area of compensatory excavation southeast of the crossing will provide flood storage to make up for the roadway grade rise and minimize downstream impacts.

The purpose of the project is to provide connectivity for pedestrian access, increase access and safety for the vehicular and pedestrian traffic on Blackiston Mill Rd. without increasing vehicular traffic on other local roadways, address the

roadway flooding of the southeast approach to the bridge, and to provide a structure with a rating of 8 (very good) or better.

Environmental Justice Analysis:

Under FHWA Order 6640.23A, FHWA and the project sponsor, as a recipient of funding from FHWA, are responsible to ensure that their programs, policies, and activities do not have a disproportionately high and adverse effect on minority or low-income populations. Per the current INDOT Categorical Exclusion Manual, an Environmental Justice (EJ) Analysis is required for any project that has two or more relocations or 0.5 acre of additional permanent ROW. The project will require approximately 10.52 acres of permanent ROW with seven family or twelve individual relocations. Therefore, an EJ Analysis is required.

Potential EJ impacts are detected by locating minority and low-income populations relative to a reference population to determine if populations of EJ concern exist and whether there could be disproportionately high and adverse impacts to them. The reference population may be a county, city or town and is called the community of comparison (COC). In this project, the COC is comprised of Jeffersonville city, Clark County, IN and New Albany city, Floyd County, IN. The community that overlaps the project area is called the affected community (AC). In this project, the AC's include Census Tracts 505.01 and 505.04 in Clark County and Census Tracts 703.01, 709.01, and 710.05 in Floyd County. An AC has a population of concern for EJ if the population is more than 50% minority or low-income or if the low-income or minority population is 125% of the COC. Data from the 2021 American Community Survey (ACS) 5-year estimates was obtained from the US Census Bureau Website <https://data.census.gov/cedsci/> on March 7, 2023 by Metric Environmental. (2019 data was used for Census tract 505.01 as no 2021 data was available.) The data collected for minority and low-income populations within the AC's are summarized in the below table.

	COC – Jeffersonville city, Clark County, and New Albany city, Floyd County, IN	AC1 – Census Tract 505.04, Clark County, IN	AC2 – Census Tract 505.01, Clark County, IN (2019 5YR data)	AC3 – Census Tract 703.01, Floyd County, IN	AC4 – Census Tract 709.01, Floyd County, IN	AC5 – Census Tract 710.05, Floyd County, IN
Percent Minority	22.35%	26.73%	12.64%	2.38%	20.59%	7.91%
125% of COC	27.94%	AC < 125% COC	AC < 125% COC	AC < 125% COC	AC < 125% COC	AC < 125% COC
EJ Population of Concern		No	No	No	No	No
Percent Low-Income	14.04%	31.51%	7.57%	2.29%	7.38%	4.25%
125% of COC	17.55%	AC > 125% COC	AC < 125% COC	AC < 125% COC	AC < 125% COC	AC < 125% COC
EJ Population of Concern		Yes	No	No	No	No

AC1 has a low-income population of EJ concern. No other Affected Communities in the identified project area have low-income or minority population of EJ concern in comparison to the Community of Concern. AC1 Census Tract contains the location of the displacements for the preferred alternative. Blackiston Mill Rd. is the dividing line between Census Tracts AC1 and AC2 in Clark County, and Silver Creek is the dividing line for the Counties and Townships. Mitigation efforts listed in the ROW and Relocation section of this FONSI request, will reduce the impacts to the EJ community. Therefore, based upon the minimization and mitigation efforts, census information and EJ analysis, the proposed project indicates no disproportionately adverse impacts and displacements within an identified EJ Community.

The benefits of the project to both EJ and non-EJ communities include vehicular and pedestrian safety and mobility, minimization of roadway flooding, and improved pavement conditions. The project is expected to positively impact community cohesion by improving the roadway and extending the local sidewalk system. This will enable residents of the community and pedestrians to safely travel within the community. Buses and other modes of transportation will also be able to use the bridge to access the US Social Security Administration office, the Southern Indiana Rehab Hospital and

retail shopping opportunities. Currently no transit vehicles utilize the roadway or bridge based on existing safety conditions of the roadway and bridge.

Right-of-Way (ROW) and Relocations:

The project will require approximately 5.79 acres of permanent ROW from residential properties. The project also requires approximately 4.73 acres of compensatory excavation (permanent ROW) from residential properties and two public streets that are unrecorded plats, to realign Blackiston Mill Rd. and complete project construction. Approximately 0.42 acres of temporary ROW will be required for driveway reconstruction, lawn grading, and road and bridge removal. Acquisition of permanent and temporary ROW will be required from 24 parcels. Three residential buildings, located on one parcel will be displaced by the project. One residence is an apartment building housing five families (ten people) and two other buildings on the property, a log cabin and a trailer, house two individuals separately for a total of twelve individuals or seven family units.

The acquisition and relocation program will be conducted in accordance with 49 CFR 24 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) as amended. Relocation resources are available to all residential owners and tenants without discrimination, fair housing is open to all persons regardless of race, color, religion, sex, or national origin. No person displaced by this project will be required to move from a displaced dwelling unless replacement housing is available to that person that is comparable, decent, safe, and sanitary.

In order to facilitate applicable and suitable relocation measures, INDOT and Floyd County will work with relocation specialists and identify specific information concerning the residential owners and tenants during the ROW process. The ROW and relocation specialists will follow the INDOT Real-Estate Manual, August 2021 and all federal and state guidelines <https://www.in.gov/indot/resources/manuals/real-estate-manual-and-resources/>. A Relocation Specialist was present at the Public Hearing and information was available concerning the ROW and relocation processes. It is anticipated the owner and tenants will receive the following general benefits:

Owners	Moving Expenses, price differential payment, closing cost reimbursement, incidental expense reimbursement, increase mortgage reimbursement
Tenants	Moving expenses, rental assistance payment or downpayment assistance payment

Pre-relocation interviews are anticipated with all owners and tenants. Information collected will follow current state and federal ROW procedures. During those meetings, individual commitments concerning each household can be determined based on family, monetary assistance needed, access to church, local or specific shopping, doctors, work, etc. Individual household needs will be evaluated and met, when possible, for these items and others.

Additionally, and if needed in a tight housing market, INDOT and Floyd County will be prepared to adapt policies to allow tenants to rent/sell or purchase homes quickly, rather than the usual 45-60 days. Also, rental comparables and prospective properties could rent quickly; therefore, agents should be able to “re-comp” and increase relocation payments to make new rentals affordable. A Conceptual Stage Relocation Survey (CSRS) will be conducted by INDOT Office of Real Estate. INDOT will also identify and engage either internally or externally, a Relocation Reviewer, that will function as oversight to the relocation process. This Reviewer will add a layer of assurances to the agencies and public that all state and federal measures are followed appropriately.

Public Involvement and Documentation

A legal notice was published in the *NEWS AND TRIBUNE* on June 16 and June 19, 2018, offering the public the opportunity to attend a public meeting on June 26, 2018 at 4:00 pm or 6:00 pm at the Purdue Technology Center Campus on Technology Avenue, off Innovation Boulevard, in New Albany, Indiana. In addition, the legal notice was mailed to seventy-eight project stakeholders and adjacent property owners.

Two Public Information Meetings were held at 4:00 PM and 6:00 PM on June 26, 2018 at the Purdue Technology Center Campus to introduce the project, show the alternatives being studied, and to receive public input. Approximately 43

residents and local business owners attended the meeting. General comments involved flooding issues, traffic growth and access issues, and if there would be sidewalks or bikeway on new bridge.

The approved Environmental Assessment (EA) was released for public and agency review and comment by INDOT and FHWA (Appendix A) on September 30, 2023. The first public comment period was advertised in the *News and Tribune* on September 30 and October 7, 2023; and was established from September 30 to October 26, 2023. The Public Hearing (PH) was held on October 11, 2023. No public comments were received during the first comment period.. After the PH, a second public comment period was advertised in the *News and Tribune* on January 31, 2024 and February 7, 2024 (Appendix B). A second public comment period was established from January 31, 2024 to March 1, 2024. INDOT's Seymour District certified the public involvement on March 14, 2024. No public comments were received. Three agency comments were received, see Appendix B. Comments from the public meeting and agencies are addressed in the table below.

The approved EA was available for review and comment before, during and after the PH, and for two weeks prior to and two weeks after the PH and during both comment periods at the following locations:

- INDOT Seymour District Office, 185 Agrico Lane, Seymour IN 47274
- New-Albany – Floyd County Public Library, 180 West Spring Street, New Albany IN 47150 (EA document was available from September 30, 2023 through March 1, 2024).
- A project webpage was created prior to the public hearing to ensure project information was available on-line via the Floyd County IN page and the INDOT Seymour District page.

A PH was held on Wednesday October 11, 2023, at the Prosser Vocational School, 4202 Charleston Road, New Albany, IN, from 6 to 8PM. The presentation started at 6:20PM (Appendix B, pages B-1 to B-15). The PH was advertised in the *NEWS and TRIBUNE* on September 30, and October 7, 2023 (Attachment B, pages B-34 to B-37). Area residents were mailed a notification letter and / or a letter was hand-delivered during the week of October 1st to properties within the corridor. Message signs advertising the public meeting were posted on October 6, 2023 along Blackiston Mill Road at the bridge location (Appendix B, page B-38). Copies of handouts, the comment form, presentation, newspaper advertisements, and transcript (Appendix B, pages B-18 to B-28) are included in Appendix B. A Quick Response (QR) code was included on the project information sheet for people to download the EA (Appendix B, Pages B-16 to 17). The FHWA Relocation (<https://www.in.gov/indot/projects/files/FHWA-Relocation-Brochure-GREEN.pdf>) and the Acquisition (<https://www.in.gov/indot/projects/files/FHWA-Acquisition-Brochure-BLUE.pdf>) brochures were available (in English and Spanish) and distributed to the attendees at the hearing.

Forty-one people signed the registration sheet. An additional 10 people from the project team and local government also attended. Sign-in sheets are provided in Appendix B, pages B-29 to B-33. One official comment was received during the public hearing and was related to the schedule and that the project should have been completed already. No response was needed.

A project discussion was held, and additional questions were asked during the public hearing and after the conclusion of the presentation. Those questions and comments were discussed and are summarized in the table below and are included in the public hearing transcript (Appendix B, pages B-18 to B-28). Agency comments received during the second comment period (January 31 to March 1, 2024) are also included in the table below.

Public Hearing Comments	Response
Schedule – this project should have been completed already, based on safety.	No response.
Is the Dam on Silver Creek being removed or staying?	The dam will not be removed. This project is to replace the bridge, not remove the dam.
Bicycle and pedestrian access on bridge	The bridge will have wider lanes, shoulders, and sidewalks on both sides of the new structure. The structure and approaches are being designed in accordance with applicable INDOT guidelines.

What maintenance and repairs are being conducted on the existing bridge?	The existing bridge deck is failing in several places. Floyd County has been patching the existing bridge deck to keep the bridge open. Metal plates have also been installed on the bridge deck.
Why can't the bridge deck be replaced on the existing structure without replacing the entire bridge?	The new bridge is addressing other concerns including lane width, flooding, the curvature of the road, and adding pedestrian access
What is the plan for the existing bridge?	At this time, the plan is to demolish the bridge. Floyd County is responsible for maintaining the bridge, the county does not have an interest in maintaining the bridge once the new bridge is constructed.
Can signs be added on both approaches to alert people about the metal plates on the bridge?	That is something that can be done. <i>(Signage added along roadway in 2023.)</i>
Agency Comments	Responses
<u>INDOT Aviation</u> - no tall structure permit is required for the project if all equipment being used is under 180 feet in height.	This information is included in the EA. No response needed.
<u>IDNR</u> - wanted to verify you are only asking for general comments on this project and not an environmental review, which we completed for this project in 2021 under ER-23388. It doesn't look as though any project details have changed since then.	Confirmed, no environmental review needed.
<u>USEPA</u> - As currently proposed, stormwater will not be filtered before discharging into Silver Creek, resulting in water quality impacts. Acknowledging the Indiana Department of Natural Resources-Division of Fish & Wildlife's (IDNR) and U.S. Fish and Wildlife Services' recommendations regarding stream impacts, EPA recommends capturing and pre-treating stormwater runoff. The location(s) of treatment areas should be addressed in the Final EA.	Sediment and erosion control measures will be implemented to avoid and minimize impacts to wetlands and streams. Stormwater will be filtered, and a Construction Stormwater General Permit (CSGP) is being applied for. Sediment will be treated as per permit conditions. Catch basin filters can be added.
<u>USEPA</u> - Commit to including applicable measures identified in the enclosed Construction Emission Control Checklist to reduce air impacts.	Applicable measures to address construction emission controls will be followed as noted on the checklist. INDOT Standard Specifications section 107.08 contains regulations regarding dust and air pollution during construction. Pay items are normally included with projects on an as-needed basis dependent on scope of work for dust control and erosion prevention. The Diesel Emission Reduction Checklist was reviewed. Idling of construction vehicles will not exceed five minutes.
<u>USEPA</u> - Establish material hauling routes away from places where children live, learn, and play, to the extent feasible. Consider homes, schools, daycares, and playgrounds. In addition to air quality benefits, careful routing may protect children from vehicle-pedestrian accidents. Identify potential material hauling routes.	Haul routes in the project area are limited. No schools or parks are located in the immediate vicinity. School bus companies will be notified of construction timing to minimize conflicts between busses and construction vehicles. Busses do not use the existing bridge.
<u>USEPA</u> - Clarify that the EJ analysis did identify disproportionate impacts to a low-income community from this project, as it is not guaranteed that proposed mitigation measures will fully address impacts to those being relocated, and EO 14096 does not require only consideration of "disproportionately	Noted.

high and adverse effects.” Under EO 14096, EJ is now evaluated based simply on disproportionate and adverse impacts.	
<u>USEPA</u> - Add a commitment to conduct interviews during and subsequent to relocation with all displaced tenants to identify opportunities to address remaining impacts that may not have been offset during the relocation process.	Comment noted. INDOT will follow appropriate federal and state guidelines for displacements and replacement housing.
<u>USEPA</u> - Discuss whether raising the roadway to meet the 25-year flood elevation is adequate to reduce the number of times the bridge may be closed due to flooding. Consider the expected life of the bridge. Provide additional information on the decision to engineer to that elevation in relation to forecasted flooding to avoid the same problems experienced at the existing bridge.	The existing structure and roadway does not convey flood events as the roadway is situated below Silver Creek. Residences and businesses incur flooding to their structures and the roadway is not usable for a period of time. The new structure will raise the profile of the crossing to the 25-year flood elevation to alleviate flooding concerns for residents and businesses. Based on the geography, topography and the environmental constraints of the local neighborhood, the 25-year flood event was chosen. Raising the roadway and bridge higher for a 50-year flood event would displace additional residences and have an undesired rollercoaster effect for traveling vehicles.
<u>USEPA</u> - Describe climate resilience and adaption considerations for stormwater management.	INDOT will follow federal and state regulations for stormwater management and will obtain all pertinent permits.
<u>USEPA</u> - Discuss when noise impacts due to construction are expected. Identify whether work will be confined to weekdays (e.g., 8:00 a.m. – 5:00 p.m.).	As per INDOT directives, construction time frames will be limited as per the contractual documents.
<u>USEPA</u> - Replacing raw materials with recycled materials for infrastructure components.	Recycled materials will be recommended where possible.
<u>USEPA</u> - Because fish, crayfish, and dead mussels were observed in the stream, discuss any coordination already undertaken or planned to be undertaken with the U.S. Fish and Wildlife Service (USFWS) or the Indiana Department of Natural Resources (IDNR) regarding the need for a formal mussel survey.	An updated USFWS Endangered Species Listing was generated on March 4, 2024. No mussels, fish, or crayfish are included on the listing. No mussel surveys will be undertaken.
<u>USEPA</u> - Whenever construction and earthmoving take place, there is a strong possibility for Noxious and Invasive Species (NNIS) to be brought into the project area on equipment. Commit to utilizing standard best management practices (e.g., washing equipment) to eliminate the spread of NNIS into, as well as out of, the project area.	Plans will be updated and best management practices concerning construction equipment will be added for control of noxious weeds.
<u>USEPA</u> - Discuss how Indiana guidelines to aquatic invasive species management will be incorporated into the proposed project.	Plans will be updated and best management practices concerning construction equipment will be added for control of invasive species management.
<u>USEPA</u> - In addition to the Avoidance and Minimization Measures commitments included in the Final EA, EPA recommends adding “Do Not Disturb” labels on engineering plans and in the field for archaeology sites, bat roosts, bird nests, etc. with active nesting seasons clearly marked.	Plans will be updated and Do Not Disturb labels will be added for appropriate sensitive features.

USEPA - Approximately 1.8 acres of trees will be removed. Commit to taking all reasonable efforts to avoid tree removal and, for those trees that must be removed, recommend replacement at a 1:1 ratio.	Mapping in the EA showed general areas for replacement tree locations. Reasonable efforts will be made to further minimize impacts to trees. Native species will be identified as replacement trees in permit applications.
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As noted on the sign-in sheets (Appendix B, pages B-29 to B-33) four residents of the apartment building (to be displaced) were present at the PH. Area residents were mailed a notification letter and / or a letter was hand-delivered to properties within the corridor (Appendix B, pages B-39 to B-41). Message signs advertising the public meeting were posted along Blackiston Mill Road at the bridge location (Appendix B, page B-38) and in the front yard of the apartment building, near the driveway entrances.

No comment forms were returned at the hearing or mailed in after the hearing. No public comments were received during the second comment period from January 31, 2024 to March 1, 2024. Updated Commitments Table is included as Appendix D.

Wetlands, Stream, and Other Aquatic Resources:

A Waters of the US Determination / Wetland Delineation Report was completed for the project on June 4, 2021. It was determined approximately 350 linear feet of stream length will be impacted by the project. Three streams were identified within the Project Study Limits (PSL) would likely be considered jurisdictional waters of the US:

- Silver Creek – perennial stream
- UNT1 to Silver Creek East – ephemeral stream
- UNT2 to Silver Creek West – ephemeral stream

One wetland was identified in the PSL. Wetland A was classified as a Palustrine, Scrub-Shrub, Broad-Leaved Deciduous, Temporarily Flooded (PSS1A) wetland. This wetland was located in a depression north of the intersection of Blackiston Mill Rd. and Silverwood Court. Wetland A was 0.011 acre and wholly contained within the PSL. No impacts are expected to the wetland resource based on the project engineering design in relation to the location of the wetland.

A Low-head dam exists in the project area in Silver Creek. The current bridge is located below the dam and the proposed bridge will be located above the dam. No impacts to the dam are anticipated by the project and the project will not remove the dam.

Terrestrial Resources:

Approximately 8.0 acres of terrestrial habitat will be impacted, of which approximately 1.8 acres are trees, to construct the new road alignment to the new bridge, grading, and compensatory storage. All efforts to minimize terrestrial impacts were considered during the design phase of the project. The construction limits have been reduced to the extent that is practical to build the project while limiting terrestrial disturbance. The tree species to be removed are American elm (*Ulmus americana*), sugar maple (*Acer saccharum*) red oak (*Quercus rubra*), American beech (*Fagus grandifolia*), Silver maple (*Acer saccharinum*), Green ash (*Fraxinus pennsylvanica*), Pignut hickory (*Carya glabra*), American sycamore (*Platanus occidentalis*), black walnut (*Juglans nigra*), Boxelder maple (*Acer negundo*), Cottonwood (*Populus deltoides*), White mulberry (*Morus alba*), Ash species (*Fraxinus spp.*), Black cherry (*Prunus serotina*), Tulip poplar (*Liriodendron tulipifera*), Sweetgum (*Liquidambar styraciflua*), Shagbark hickory (*Carya ovata*), and Butternut hickory (*Carya cordiformis*). All disturbed areas will be stabilized, graded and re-seeded per INDOT standard specifications. Terrestrial mitigation areas have been identified in the project area if required by the IDNR Construction in a Floodway permit.

Historic and Cultural Resources:

On April 20, 2022, the INDOT Cultural Resources Officer (CRO), on behalf of the FHWA, approved the 800.11 Documentation and issued a “No Adverse Effect” finding for this project. Following this finding, the effect documentation was provided to the State Historic Preservation Officer (SHPO) and other consulting parties for a 30-day review and comment period on April 21, 2022. The SHPO responded with their concurrence regarding “No Adverse Effect” finding on May 10, 2022. A deadline date of May 23, 2022 was established to provide comments on the “No Adverse Effect” finding. As no comments were received regarding the “No Adverse Effect” finding during the 30-day comment period, the

responsibilities of the FHWA under Section 106 were fulfilled and cultural resource coordination was completed. This information was included in the EA (Appendix A).

Environmental Commitments:

There are 22 commitments listed as Firm commitments and 14 included for Further Consideration in the EA. Updated commitments based on comments received from the agencies now have 27 commitments listed as Firm Commitments and 14 included for Further Consideration. These updated commitments are included in the FONSI packet as Appendix D.

FY 2024-2028 STIP Update:

At the time this project was released for public involvement by INDOT and FHWA, the project was listed in the FY 2020-2025 KIPDA Transportation Improvement Program (TIP) and 2024-2028 State Transportation Improvement Program (STIP), Mod 28.

The project is listed on the KIPDA TIP, which is included in the STIP. Please see Appendix C.

Upon the satisfactory completion of your review of this FONSI request information packet, we would request that FHWA prepare the necessary FONSI in order to complete the NEPA process. Please contact Linda Zug at (412) 639-6949 or by E-mail at lindaz@metricenv.com if there are any questions or if additional information is needed.

Sincerely,





Andrew Passmore
Team Lead NEPA Document Review Team
Environmental Services Division, INDOT

APPENDIX A: Approved EA

FHWA-Indiana Environmental Document
CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM
GENERAL PROJECT INFORMATION

Road No./County:	Blackiston Mill Road (Rd.), Floyd and Clark Counties
Designation Number(s):	1700788
Project Description/Termini:	Bridge Project, Structure No. 22-00051, National Bridge Inventory (NBI) No. 2200050, over Silver Creek, approximately 0.20 mile east of Charleston Rd.

	Categorical Exclusion, Level 2 – Required Signatories: INDOT DE and/or INDOT ESD
	Categorical Exclusion, Level 3 – Required Signatories: INDOT ESD
	Categorical Exclusion, Level 4 – Required Signatories: INDOT ESD and FHWA
X	Environmental Assessment (EA) – Required Signatories: INDOT ESD and FHWA
	Additional Investigation (AI) – The proposed action included a design change from the original approved environmental document. Required Signatories must include the appropriate environmental approval authority

Release for Public Involvement	Digitally signed by KARSTIN MARIE KARSTIN MARIE CARMANY-GEORGE Date: 2023.09.21 14:31:23 -04'00'	 September 19, 2023
	_____ FHWA Signature and Date	_____ INDOT ESD Signature and Date
Certification of Public Involvement	 3/14/24 _____ INDOT Consultant Services Signature and Date	
INDOT DE/ESD Reviewer Signature and Date:	 _____ September 19, 2023	
Name and Organization of CE/EA Preparer:	_____ Linda S. Zug / Metric Environmental, LLC	

Note: Refer to the most current INDOT CE Manual, guidance language, and other ESD resources for further guidance regarding any section of this form.

Indiana Department of Transportation

County Floyd and ClarkRoute Blackiston Mill Rd.Des. No. 1700788

Part I – Public Involvement

Every Federal action requires some level of public involvement, providing for early and continuous opportunities throughout the project development process. **The level of public involvement should be commensurate with the proposed action.**

Does the project have a historic bridge processed under the Historic Bridges PA*?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If No, then: Opportunity for a Public Hearing Required?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*A public hearing is required for all historic bridges processed under the Historic Bridges Programmatic Agreement between INDOT, FHWA, SHPO, and the ACHP.

Discuss what public involvement activities (legal notices, letters to affected property owners and residents (i.e. notice of entry), meetings, special purpose meetings, newspaper articles, etc.) have occurred for this project.

Notice of Entry letters were mailed to potentially affected property owners near the project area on October 21, 2019, notifying them about the project and that individuals responsible for land surveying and field activities may be seen in the area. A sample copy of the Notice of Entry letter is included in Appendix G, page G-1.

A legal notice was published in the *NEWS AND TRIBUNE* on June 16 and June 19, 2018, offering the public the opportunity to attend a public information meeting on June 26, 2018 at 4:00 pm or 6:00 pm at the Purdue Technology Center Campus on Technology Avenue, off Innovation Boulevard, in New Albany, Indiana (Appendix G, pages G-2 to G-3). In addition, the legal notice was mailed to seventy-eight project stakeholders and adjacent property owners.

Public Information Meetings were held at 4:00 PM and 6:00 PM on June 26, 2018 at the Purdue Technology Center Campus to introduce the project, show the alternatives being studied, and to receive public input. The project fact sheet, meeting sign-in sheets, and questions and answers are provided in Appendix G, pages G-4 to G-10. Approximately 43 residents and local business owners attended the meeting. General comments involved flooding issues, traffic growth and access issues, and if there would be sidewalks or bikeway on new bridge.

To meet the public involvement requirements of Section 106, a legal notice of FHWA's finding of No Adverse Effect was published in the *NEWS AND TRIBUNE* on April 23, 2022 offering the public an opportunity to submit comment pursuant to 36 CFR 800.2(d), 800.3(e), and 800.6(a)(4). The public comment period closed 30 days later on May 23, 2022. The text of the public notice and the affidavit of publication appear in Appendix D, pages D-104 to D-105. No comments or responses were received.

The project will meet the minimum requirements described in the current *Indiana Department of Transportation (INDOT) Project Development Public Involvement Procedures Manual* which requires the project sponsor to offer the public an opportunity to submit comments and/or request a public hearing. Therefore, a legal notice will appear in a local publication contingent upon the release of this document for public involvement. This document will be revised after the public involvement requirements are fulfilled.

The EA will be available for review and comment during the public hearing and for two weeks prior to and after the public hearing, with an anticipated advertisement date of Summer 2023. Document comments will be solicited by the project team from the local communities. A public hearing is expected to be held in Summer 2023. The public hearing will be held at a time / place that is convenient to those being relocated and the relocates will receive direct mailings / information about the hearing. The public hearing will provide an additional opportunity for all interested and affected parties to identify themselves and express their opinions regarding the human and environmental impacts associated with the proposed project and maintenance of traffic plan. After the Public Hearing, the public comments will be summarized and responded to. If no substantive environmental comments or issues are raised during the public comment period, a finding of no significant impact (FONSI) is expected to be issued for the project.

Public Controversy on Environmental Grounds

Discuss public controversy concerning community and/or natural resource impacts, including what is being done during the project to minimize impacts.

At this time, there is no substantial public controversy concerning impacts to the community or to natural resources.

Indiana Department of Transportation

County Floyd and Clark Route Blackiston Mill Rd. Des. No. 1700788

Part II - General Project Identification, Description, and Design Information

Sponsor of the Project: Floyd County Commissioners INDOT District: Seymour

Local Name of the Facility: Floyd County Bridge No. 22-00051, Blackiston Mill Rd. over Silver Creek

Funding Source (mark all that apply): Federal State Local Other*

*If other is selected, please identify the funding source:

PURPOSE AND NEED:

The need should describe the specific transportation problem or deficiency that the project will address. The purpose should describe the goal or objective of the project. The solution to the traffic problem should NOT be discussed in this section.

Need: The need for this project is a result of the deteriorated condition of Structure No. 22-00051, NBI No. 2200050. Based on the *Bridge Inspection Report*, dated March 27, 2021, the bridge wearing surface and substructure have a condition rating of 4 (poor) out of 9 (excellent), the deck has a condition rating of 6 (satisfactory) out of 9, the superstructure has a condition rating of 7 (good) out of 9, and the channel has a condition rating of 5 (fair) out of 9. The bridge deck exhibits hairline cracks and efflorescence. The wearing surface exhibits cracks and holes in the pavement throughout. The substructure exhibits open joints between stones and erosion behind the northwest, northeast, and southwest wingwalls. The northwest approach to the bridge has a steep vertical profile grade and substandard horizontal curve. The bridge is narrow does not include pedestrian or bicycle accessibility (no protected or identified ped or bike lane). The bridge and approaches are considered structurally deficient and functionally obsolete. The southeast approach to the bridge is below the existing bridge structure; therefore, the area and bridge floods frequently due to backwater from the Ohio River, causing the road and bridge to be closed to traffic. (The latest flooding event occurred in February 2018 with the high water reaching an approximate elevation of 440 feet (ft.) Above Mean Sea Level (AMSL), with the roadway low point elevation at 433 ft. AMSL.) The excerpt of the Inspection Report is located in Appendix I, pages I-1 to I-14.

Purpose: The purpose of the project is to provide safe connectivity for pedestrian access, provide increased accessibility for vehicular, bicycle and pedestrian traffic on Blackiston Mill Rd. and bridge, address the flooding of the southeast approach to the bridge, and to provide a structure with a rating of 8 (very good) or better.

PROJECT DESCRIPTION (PREFERRED ALTERNATIVE):

County: Floyd and Clark Municipality: Jeffersonville and New Albany

Limits of Proposed Work: The western terminus is approximately 0.20 mile east of Charlestown Rd., and the eastern terminus is approximately 1,050 ft. southeast of the southern portion of Silver Creek, just northeast of Starlight Drive (Dr.)

Total Work Length: 0.3 Mile(s) Total Work Area: 11 Acre(s)

Is an Interstate Access Document (IAD)¹ required?

If yes, when did the FHWA provide a Determination of Engineering and Operational Acceptability?

Yes ¹	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date: <input style="width: 100%;" type="text"/>	

¹If an IAD is required; a copy of the approved CE/EA document must be submitted to the FHWA with a request for final approval of the IAD.

Describe location of project including township, range, city, county, roads, etc. Existing conditions should include current conditions, current deficiencies, roadway description, surrounding features, etc. Preferred alternative should include the scope of work, anticipated impacts, and how the project will meet the Purpose and Need. Logical termini and independent utility also need discussed.

This is page 3 of 35 Project name: Blackiston Mill Rd., Bridge No. 22-0051 Date: September 11, 2023

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Floyd County Commissioners, with partial funding from the Federal Highway Administration (FHWA), intends to proceed with a bridge project, Bridge No. 22-00051, NBI No. 2200050 that carries Blackiston Mill Rd. over Silver Creek.

Location: The proposed undertaking is located approximately 0.20 mile east of Charlestown Rd. in New Albany, Floyd County and Jeffersonville, Clark County, Indiana (Appendix B, page B-1). The project area is within the New Albany-Clarksville-Jeffersonville urban area boundary and thus is within the Kentuckiana Regional Planning and Development Agency's boundary (KIPDA). Specifically, the project is located in Section 63, Township 2 South, Range 6 East as illustrated on the New Albany, Indiana 7.5-Minute United States Geological Survey (USGS) topographic quadrangles (Appendix B, page B-2).

The project area includes Blackiston Mill Rd. and the bridge that crosses Silver Creek. The western terminus is approximately 0.20 mile east of Charlestown Rd., and the eastern terminus is approximately 1,050 ft. southeast of the southern portion of Silver Creek, just northeast of Starlight Dr.

Existing Conditions: The existing structure has a precast concrete I-beam superstructure constructed in 1966 with a masonry substructure built in 1888. It is 176 ft. long with two spans. The original bridge at this location was an iron bridge built in 1888, replaced in 1920, and collapsed under the weight of concrete mixer truck in 1963 during bridge repairs. The current bridge reused the original 1888 bridge's masonry piers and abutments. It was reopened to traffic in December 1966. A rehabilitation project in 2009 repaired the joints, bridge railing and asphalt pavement. The roadway width from curb to curb is 21.9 ft. Guardrails are present; however, no sidewalks are provided in either direction.

Within the project limits, Blackiston Mill Rd. consists of an urban minor arterial roadway with three 11 ft. wide travel lanes and 2 ft. wide curb and gutter on each side, west of Blackiston Boulevard (Blvd.). Blackiston Mill Rd. transitions to a two-lane road east of Blackiston Blvd. with no shoulders and a steep vertical profile grade and substandard horizontal curve for the approach to the bridge. The southeast approach to the bridge is also a two-lane road with 11 ft. wide lanes and no shoulders. The roadway has existing guardrail connected to the bridge railing in all four corners of the bridge. A low-head dam is located in Silver Creek adjacent to the existing Blackiston Mill Bridge. Land use in the project area is commercial and residential.

Preferred Alternative: The preferred alternative will realign Blackiston Mill Rd., beginning just east of Blackiston Blvd. near Silverwood Court, by shifting the roadway to the north and curving to the southeast as it approaches a new bridge over Silver Creek. The proposed structure is a three-span bridge with spans of 66 ft. - 9 inches, 80 ft. and 66 ft. - 9 inches. The total length of the new bridge will be 215 ft. - 2 ¾ inches. The concrete deck will provide a clear roadway width of 26 ft. - 10 inches (two 12 ft. wide driving lanes and 1 ft. - 5 inch wide gutter). The concrete deck will be 8 inches thick. A 6-ft.-wide sidewalk with 10 inch wide bridge Railing will be provided on both sides of the bridge. The substructures are assumed to consist of a solid cantilever concrete abutment supported on a spread concrete footing on the north end of the bridge, two concrete wall piers supported on concrete spread footings, and a concrete integral end bent on steel H-piles on the south end of the bridge. Southeast of the new bridge, Blackiston Mill Rd. will continue to curve to the southeast until Walnut Grove Dr., at which point Blackiston Mill Rd. will return to its existing alignment. The roadway southeast of the bridge will be raised from its current low point elevation of 433 ft. AMSL to 442 ft. AMSL to meet the approximate 25-year flood elevation (Q25); this will reduce the frequency of flooding by backwater from the Ohio River. A 4.73 acre area of excavation located southeast of the crossing will provide flood storage and mitigation to compensate for the roadway grade rise and minimize downstream impacts. A deed restriction will be placed to protect this area/acreage from development.

The lane widths on Blackiston Mill Rd. for the 3-lane section from the beginning of the project to approximately 240 ft. northwest of the new bridge will be 11 ft. The three 11-ft. wide lanes will transition to two 12 ft. wide lanes for a distance of 135 ft., continuing to approximately 30 ft. southeast of the bridge. The lanes will then transition to 11 ft. wide and continue to approximately 270 ft. southeast of Walnut Grove Dr. The new roadway will provide a 6 ft. wide sidewalk adjacent to the back of the curb and gutter on each side of the road. The new alignment will transition into the existing alignment over a 290 ft. distance with 2 ft. earthen shoulders and no sidewalk. Existing curb and gutter will also be replaced. Silverwood Court will be realigned to improve sight distance at the intersection with the realigned Blackiston Mill Rd. The shift in the alignment of Silverwood Court will also provide left turn lanes on Blackiston Mill Rd. to Silverwood Court and a commercial drive where none currently exist. Approximately 200 ft. of Walnut Grove Dr. will be shifted to the northwest due to the higher elevation of Blackiston Mill Rd. The intersection of Blackiston Mill Rd. and Walnut Grove Dr. will be reconstructed to accommodate the new alignments. The commercial and residential drives southeast of the bridge will be reconstructed due to the new roadway elevation being raised above Q25. New stormwater pipes and inlets will be installed throughout the project area. The existing bridge and approximately 250 ft. of the north approach and 165 ft. of the south approach will be removed.

The low-head dam in Silver Creek will not be impacted by the project. A comment received from the Indiana Department of Natural Resources (IDNR) stated that the Indiana Division of Fish and Wildlife strongly recommends removing the dam. However, the

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Blackiston Mill Rd. and Bridge project does not include removal of the dam and the owners of the dam do not want the dam removed. Stage 3 design plans will incorporate updated scour measures and will have bridge footings designed for both low flow and high-water conditions.

Traffic will remain on Blackiston Mill Rd. during construction and will continue using the existing bridge as the proposed bridge and road approaches are being constructed. Once construction for the new structure and approaches are complete, Blackiston Mill Rd. will be closed. The closure to Blackiston Mill Rd. is estimated to be 45 days. The northern detour route is approximately 5.8 miles, and the southern detour route is approximately 6.4 miles in length. Refer to the Maintenance of Traffic (MOT) section in this document.

The preferred alternative will meet the purpose and need of the project by providing safe connectivity for pedestrian access, providing increased accessibility for vehicular, bicycle and pedestrian traffic on Blackiston Mill Rd. and bridge, address the flooding of the southeast approach to the bridge, and providing a structure with a rating of 8 (very good) or better. Local Public Agencies are interested in reducing the frequency Blackiston Mill Rd. is closed due to flooding. Blackiston Mill Rd. and bridge project can commence as a single and complete project that can be constructed independent of other projects in the area. No other vehicular bridges traverse Silver Creek within or adjacent to the project area. The closest bridges over Silver Creek are on I-265, over 2 miles from the project area, and on Providence Way / South Spur over three miles from the project area.

Logical Termini/Independent Utility: The preferred alternative has independent utility because it meets the purpose and need of the project without being connected to any other actions in the area. The preferred alternative has logical termini because it encompasses only the area necessary to improve the deficiencies along Blackiston Mill Rd. Bridge and roadway. Every effort to avoid, minimize, and/or mitigate project impacts will be made.

OTHER ALTERNATIVES CONSIDERED:

Provide a header for each alternative. Describe all discarded alternatives, including the No Build Alternative. Explain why each discarded alternative was not selected. Make sure to state how each alternative meets or does not meet the Purpose and Need and why.

Based on the existing topography, roadway network and commercial development within the project limits, five preliminary alternatives were established for analysis in the corridor, including the No Build Alternative. Each build alternative includes the addition of a sidewalk on both sides of the road. Existing curb and gutter would be replaced to provide the necessary number of lanes needed. Alternative 2 is not included below as it is considered the Preferred Alternative. See Appendix B, page B-64 showing the alternatives.

Alternative 1: The alignment for Alternative 1 would follow existing Blackiston Mill Rd. from Charlestown Rd. to Blackiston Blvd. It would shift slightly to the north on new alignment and curves to the southeast with a less severe horizontal curve radius and flatter vertical profile than the existing road as it approaches the new bridge over Silver Creek. The new bridge would be located between the existing bridge and the existing dam on Silver Creek. The lane widths on Blackiston Mill Rd. would be reduced from 12 ft. to 11 ft. to provide a 6 ft. sidewalk adjacent to the back of the curb and gutter on each side of the road. Silverwood Court would be realigned to provide a skew angle of 70° or better to improve the drive sight distance. The drives on the south side of the road east of the bridge would be lengthened to the south due to the new road being raised to prevent flooding. Purpose and Need would be met with this alternative. Alternative 2 (Preferred Alternative) improves the horizontal and vertical alignment of Blackiston Mill Rd. better and was the most accepted alternative by the public and existing businesses. Therefore, Alternative 1 was discarded from further consideration.

Alternative 3: The alignment for Alternative 3 would follow existing Blackiston Blvd. from Charlestown Rd. to the end of the cul-de-sac on Blackiston Court. It would curve to the south on new alignment with a flatter horizontal curve radius than Alternative 2 as it approaches the new bridge over Silver Creek. The new bridge would be located approximately 135 ft. upstream of the existing dam on Silver Creek. Blackiston Blvd. and Blackiston Court would be widened to 3 lanes to accommodate the increased traffic volumes and provide a two-way left-turn lane (TWLTL) from Payne-Koehler Rd. and the bridge. The lane widths on Blackiston Blvd. and Blackiston Court would be reduced from 14 ft. to 11 ft. to provide a sidewalk on each side of the road without the need to acquire additional right-of-way (ROW). Silverwood Court would be raised in grade to connect to the elevated roadway. One relocation would be required for a residential property between Silverwood Court and Silver Creek. A new traffic signal would be required for this alternative at the intersection of Charlestown Rd. and Blackiston Blvd. This alternative does not meet Purpose and Need as the increased accessibility for vehicular, bicycle and pedestrian traffic on Blackiston Mill Rd. and bridge would not be met. Therefore, Alternative 3 was discarded from further consideration.

Alternative 4: The alignment for Alternative 4 would follow the existing commercial (Kroger) drive opposite Mt. Tabor Rd. from Charlestown Rd. to the 90° turn in the drive. It would extend southeast, crossing the creek with a new bridge, and then meandering back along the creek to align with Blackiston Mill Rd. A retaining wall would have to be constructed along Slate Run to support the

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new approach at the Kroger Dr. as it comes into the new bridge. This alternative does not meet Purpose and Need for increased accessibility for vehicular, bicycle and pedestrian traffic on Blackiston Mill Rd. and bridge. This alignment would not have the direct connection to the hospital, the SSA and shopping along Blackiston Mill Rd. and does not have the support of the local government, businesses, or public. Therefore, Alternative 4 was discarded from further consideration.

No Build Alternative: The No Build Alternative was considered for this project. It was decided that this alternative would not improve the bridge or roadway and would eventually lead to closure of the bridge which would result in an increase in congestion on local roadways and increased travel time for residents and businesses. This alternative does not meet the stated Purpose and Need to provide safe connectivity for pedestrian access, increase access for the vehicular, bicycle and pedestrian traffic on Blackiston Mill Rd. and bridge, address the flooding of the southeast approach to the bridge, and to provide a structure with a rating of 8 (very good) or better for the project area and was discarded from further consideration.

The No Build Alternative is not feasible, prudent or practicable because (Mark all that apply)

- It would not correct existing capacity deficiencies;
- It would not correct existing safety hazards;
- It would not correct the existing roadway geometric deficiencies;
- It would not correct existing deteriorated conditions and maintenance problems; or
- It would result in serious impacts to the motoring public and general welfare of the economy.
- Other (Describe):

ROADWAY CHARACTER:

If the proposed action includes multiple roadways, complete and duplicate for each roadway.

Name of Roadway: Blackiston Mill Rd.
 Functional Classification: Minor Arterial
 Current ADT: 14,132 VPD (2016) Design Year ADT: 16,335 VPD (2042)
 Design Hour Volume (DHV): 1,272 Truck Percentage (%): 7% AADT
 Designed Speed (mph): 30 mph Legal Speed (mph): 30 mph

	Existing	Proposed
Number of Lanes:	2	2
Type of Lanes:	travel	travel
Pavement Width:	11 ft.	12 ft.
Shoulder Width:	0-2 ft.	2 ft.
Median Width:	n/a ft.	n/a ft.
Sidewalk Width:	n/a ft.	6 ft.

Setting: Urban Suburban Rural
 Topography: Level Rolling Hilly

BRIDGES AND/OR SMALL STRUCTURE(S):

If the proposed action includes multiple structures, complete and duplicate for each bridge and/or small structure. Include both existing and proposed bridge(s) and/or small structure(s) in this section.

Structure/NBI Number(s): Floyd County Bridge No. 22-00051 / NBI No. 2200050 Sufficiency Rating: 44.9, 03/27/21 Bridge Inspection Report
 (Rating, Source of Information)

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	Existing		Proposed
Bridge/Structure Type:	Pre-cast concrete I-Beam		Three-span with concrete deck
Number of Spans:	2		3
Weight Restrictions:	n/a	ton	n/a
Height Restrictions:	n/a	ft.	n/a
Curb to Curb Width:	21.9	ft.	27
Outside to Outside Width:	24.1	ft.	30
Shoulder Width:	0	ft.	2

Describe impacts and work involving bridge(s), culvert(s), pipe(s), and small structure(s). Provide details for small structure(s): structure number, type, size (length and dia.), location and impacts to water. Use a table if the number of small structures becomes large. If the table exceeds a complete page, put it in the appendix and summarize the information below with a citation to the table.

The existing two span 176-ft. long structure (Structure No. 22-00051, NBI No. 2200050) is a pre-stressed concrete stringer/multi beam or girder bridge, which was constructed in 1920, reconstructed in 1966, and rehabilitated in 2009. The bridge width is 21.9 ft. Based on the *Bridge Inspection Report*, dated March 27, 2021, the bridge wearing surface and substructure have a condition rating of 4 out of 9, the deck has a condition rating of 6 out of 9, the superstructure has a condition rating of 7 out of 9, and the channel has a condition rating of 5 out of 9. The bridge deck exhibits hairline cracks and efflorescence. The wearing surface exhibits cracks and holes in the pavement throughout. The substructure exhibits open joints between stones and erosion behind the northwest, northeast, and southwest wingwalls. The excerpt of the report is located in Appendix I, pages I-1 to I-14. The bridge will remain open during construction until construction of tie-ins are needed. The existing bridge will be demolished once construction of the new structure and roadway is complete and open to the public.

The proposed structure will be a three-span bridge with spans of 66 ft. - 9 inches, 80 ft., and 66 ft. - 9 inches. The total length of the new bridge will be 215 ft. - 2 ¾ inches. The concrete deck will provide a clear roadway width of 26 ft. - 10 inches (two 12 ft. wide driving lanes and 1 ft. - 5 inch wide gutter). The concrete deck will be 8 inches thick. A 6 ft. wide sidewalk with 10 inch wide bridge Railing will be provided on both sides of the bridge. The substructures will consist of a solid cantilever concrete abutment supported on a spread concrete footing on the north end of the bridge, two concrete wall piers supported on concrete spread footings, and a concrete integral end bent on steel H-piles on the south end of the bridge. The bridge will be constructed east of the existing bridge.

Metric Environmental researched previous cultural resource investigations in the project area with reviews of various local, state, and federal reports and websites. As a result of identification and evaluation efforts for this project, the Blackiston Mill Rd. Bridge has lost much of its integrity and was not recommended eligible for National Register of Historic Places (NRHP) listing.

No other bridges, small structures, or pipes will be impacted during this project.

MAINTENANCE OF TRAFFIC (MOT) DURING CONSTRUCTION:

	Yes	No
Is a temporary bridge proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is a temporary roadway proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project involve the use of a detour or require a ramp closure? (describe below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made for access by local traffic and so posted.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made for through-traffic dependent businesses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made to accommodate any local special events or festivals.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will the proposed MOT substantially change the environmental consequences of the action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there substantial controversy associated with the proposed method for MOT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project require a sidewalk, curb ramp, and/or bicycle lane closure? (describe below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Provisions will be made for access by pedestrians and/or bicyclist and so posted (describe below).	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discuss closures, detours, and/or facilities (if any) that will be provided for maintenance of traffic. Any known impacts from these temporary measures should be quantified to the extent possible, particularly with respect to properties such as Section 4(f) resources and wetlands. Discuss any pedestrian/bicycle closures. Any local concerns about access and traffic flow should be detailed as well.

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The MOT for the project will initially continue to use the existing bridge crossing and roadway network. Traffic will remain on Blackiston Mill Rd. and continue to use the bridge as the proposed bridge and road approaches are being constructed. Once the new bridge and other roadway improvements have been constructed, the existing bridge and roadways will be closed to all traffic and a detour will be in effect to construct the tie ins, anticipated at 45 days. Traffic will be required to use a detour route that will be marked with appropriate construction and detour signs. The northern route is approximately 5.8 miles, and the southern route is approximately 6.4 miles in length.

The detour route will use the following roadway network:

Blackiston Mill Rd., Potters Lane, Greentree North, Veterans Parkway, I-65, I-265, Charlestown Rd., Slate Run Rd., Silver Street, Brown Station Way, and back onto Blackiston Mill Rd., for a total of approximately 12.2 miles roundtrip. The closure to construct the tie-ins is estimated to last about 45 days, please see Appendix B, page B-40.

No pedestrian or bicycle detour is anticipated because the current bridge has no specific pedestrian or bicycle identified access.

The closures/lane restrictions will pose a temporary inconvenience to traveling motorists (including school buses and emergency services); however, no significant delays are anticipated, and all inconveniences and delays will cease upon project completion.

ESTIMATED PROJECT COST AND SCHEDULE:

Engineering: \$ 505,525 (2020) Right-of-Way: \$ 1,500,000 (2024) Construction: \$ 4,608,183 (2025)

Anticipated Start Date of Construction: September 2025

RIGHT OF WAY:

Land Use Impacts	Amount (acres)	
	Permanent	Temporary
Residential	10.52	0.42
Commercial	0	0
Agricultural	0	0
Forest	0	0
Wetlands	0	0
Other:	0	0
Other:	0	0
TOTAL	10.52	0.42

Describe both Permanent and Temporary right-of-way and describe their current use. Typical and Maximum right-of-way widths (existing and proposed) should also be discussed. Any advance acquisition, reacquisition or easements, either known or suspected, and their impacts on the environmental analysis should be discussed.

The existing ROW on Blackiston Mill Rd. varies throughout the project area from a width of 35 ft. at the western terminus to a width of approximately 24 ft. across Silver Creek and 24 ft. at the eastern terminus. Surrounding ROW includes Blackiston Mill Rd., other local roadways including Blackiston Blvd, Walnut Grove Rd., Starlight Dr. and Silverwood Court, and commercial and residential properties, with parking lots, grassy yards, and driveways.

The project will require approximately 10.52 acres of permanent ROW from residential properties and two public streets that are unrecorded plats, to realign Blackiston Mill Rd. and complete project construction. Approximately 0.42 acres of temporary ROW will be required for driveway reconstruction, lawn grading, and road and bridge removal. Acquisition of permanent and temporary ROW will be required from 24 parcels. Three residential buildings, all rental properties, located on one parcel will be displaced by the project. One residential building is an apartment building housing five families (ten people) and two other buildings on the property, a log cabin and a trailer, house two individuals separately for a total of twelve individuals or seven family units. According to the property owner, the tenants living and renting units on the property know about the upcoming project and impact to the property / buildings. At this time, the property owner stated that rental agreements with the tenants are month to month.

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The acquisition and relocation program will be conducted in accordance with 49 CFR 24 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) as amended. Relocation resources are available to all residential owners and tenants without discrimination, fair housing is open to all persons regardless of race, color, religion, sex, or national origin. No person displaced by this project will be required to move from a displaced dwelling unless replacement housing is available to that person that is comparable, decent, safe and sanitary. See additional information concerning **Relocations of People, Businesses and Farms**, on page 30 of this EA.

If the scope of work or permanent or temporary ROW amounts change, the INDOT Environmental Services Division (ESD) and the INDOT District Environmental Section will be contacted immediately.

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Part III – Identification and Evaluation of Impacts of the Proposed Action

SECTION A - EARLY COORDINATION:

List the date(s) coordination was sent and all resource agencies that were contacted as a part of the development of this Environmental Study. Also, include the date of their response or indicate that no response was received.

Early coordination letters were sent on January 29, 2021, Appendix C, pages C-1 to C-7.

Agency	Date Sent	Date Response Received	Appendix C
FHWA, Seymour District	January 29, 2021	No response received	n/a
Indiana Geological & Water Survey (IGWS)	January 29, 2021	January 29, 2021	C-8 to C-10
Indiana Department of Natural Resources (IDNR – DFW)	January 29, 2021	February 26, 2021	C-11 to C-13
National Park Service (NPS)	January 29, 2021	No response received	n/a
Indiana Department of Environmental Management Wellhead Protection Proximity (IDEM – WPP)	January 29, 2021	January 29, 2021	C-46
US Department of Housing and Urban Development (HUD)	January 29, 2021	No response received	n/a
INDOT, Seymour District	January 29, 2021	No response received	n/a
US Fish and Wildlife Service (USFWS)	January 29, 2021	February 25, 2021	C-14 to C-15
INDOT, Office of Aviation	January 29, 2021	January 29, 2021	C-43
Natural Resources Conservation Service (NRCS)	January 29, 2021	February 18, 2021	C-45
US Army Corps of Engineers (USACE)	January 29, 2021	No response received	n/a
KIPDA	January 29, 2021	No response received	n/a
Floyd County – County Council	January 29, 2021	No response received	n/a
Clark County – County Council	January 29, 2021	No response received	n/a
City of New Albany, IN	January 29, 2021	February 5, 2021	C-44
Clark County Commissioner President	January 29, 2021	No response received	n/a
Floyd County Surveyor	January 29, 2021	No response received	n/a
Clark County Surveyor	January 29, 2021	No response received	n/a
Floyd County Highway Dept.	January 29, 2021	No response received	n/a
Clark County Highway Dept.	January 29, 2021	No response received	n/a
Floyd County Emergency Management	January 29, 2021	No response received	n/a
Clark County Emergency Management	January 29, 2021	No response received	n/a
City of New Albany Mayor	January 29, 2021	No response received	n/a
Town of Clarksville Town President	January 29, 2021	No response received	n/a
New Hope Baptist Church	January 29, 2021	No response received	n/a
Southern Indiana Rehab Hospital	January 29, 2021	No response received	n/a
Clarksville MS4 Coordinator	January 29, 2021	No response received	n/a
New Albany MS4 Coordinator	January 29, 2021	No response received	n/a

All applicable recommendations are included in the Environmental Commitments section of this EA document.

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SECTION B – ECOLOGICAL RESOURCES:

Streams, Rivers, Watercourses & Other Jurisdictional Features

- Federal Wild and Scenic Rivers
- State Natural, Scenic or Recreational Rivers
- Nationwide Rivers Inventory (NRI) listed
- Outstanding Rivers List for Indiana
- Navigable Waterways

Presence

X

Impacts

Yes	No
X	

Total stream(s) in project area: 899 Linear feet Total impacted stream(s): 350 Linear feet

Stream Name	Classification	Total Size in Project Area (linear feet)	Impacted linear feet	Comments (i.e. location, flow direction, likely Water of the US, appendix reference)
Silver Creek	Perennial	337	140	Flows east to west through the north central portion of the project area, likely jurisdictional Water of the US, Appendix F, pages F-12 and F-20
UNT 1 to Silver Creek East	Ephemeral	215	15	Flows north to south from north of Silver Creek, likely jurisdictional Water of the US, Appendix F, pages F-13 and F-20
UNT 2 to Silver Creek West	Ephemeral	347	195	Flows southeast from north of Silver Creek, likely jurisdictional Water of the US, Appendix F, pages F-13 and F-20

Describe all streams, rivers, watercourses and other jurisdictional features adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if the streams or rivers are listed on any federal or state lists for Indiana. Include if features are likely subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.

Based on the desktop review, the aerial map of the project area, and the Red Flag Investigation (RFI) report (Appendix E, pages E-3 and E-9) there are 11 streams, rivers, watercourses or other jurisdictional features within the 0.5 mile search radius. There are three streams, rivers, watercourses, or other jurisdictional features within or adjacent to the project area. That number was confirmed by the site visits conducted on May 14, 2020 and May 11, 2021 by Metric Environmental.

A Waters of the US Determination / Wetland Delineation Report was completed for the project on June 4, 2021. Please refer to Appendix F, pages F-1 to F-50 for the Waters of the US Determination / Wetland Delineation Report. It was determined the three streams identified within the Project Study Limits (PSL) would likely be considered jurisdictional waters of the US. The US Army Corps of Engineers (USACE) makes all final determinations regarding jurisdiction.

Silver Creek flows from east to west and is approximately 337 linear ft. (1.044 ac.) long within the PSL. Silver Creek flows into the Ohio River, a Section 10 Traditional Navigable Waterway (TNW). Therefore, Silver Creek should likely be considered a jurisdictional Water of the U.S. The stream is associated with a solid blue line on the USGS topographic map, indicating it has perennial flow. This stream was associated with a National Wetlands Inventory (NWI) polygon, and was classified as a Riverine, Lower Perennial, Unconsolidated Bottom, Permanently Flooded (R2UBH) stream. The Ordinary High Water Mark (OHWM) was 135 ft. wide and 4.8 ft. deep within the PSL. The stream substrate consisted of cobble, gravel, bedrock, silt, and artificial substrate, with gravel and silt being predominant. In-stream cover consisted of undercut banks, overhanging vegetation, shallows, pools, rootwads, oxbows, aquatic macrophytes, and logs/woody debris. Sinuosity was low, development was fair, and there was moderate stability. The water velocity was fast with a moderate gradient. Functional riffles and pools were observed. Fish, crayfish, and dead mussels were observed in the stream. According to the USGS Indiana StreamStats, the drainage area upstream of Silver Creek at the PSL is 212 square miles. This stream had a Qualitative Habitat Evaluation Index (QHEI) score of 62.5, which classifies it as good (Appendix F, pages F-37 to F-38).

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Unnamed Tributary (UNT) 1 to Silver Creek flows from north to south and is approximately 215 linear ft. (0.019 ac.) within the PSL. UNT 1 to Silver Creek flows into Silver Creek, a likely jurisdictional Water of the U.S. Therefore, UNT 1 to Silver Creek should likely be considered a jurisdictional Water of the U.S. The stream is not associated with a line on the USGS topographic map, indicating it is an ephemeral stream. UNT 1 to Silver Creek was not classified by the NWI, but it can be classified as Riverine, Ephemeral stream, Corps designation R6. The OHWM was 47 inches wide and 2.3 in. deep within the PSL. The stream substrate consisted of boulder slabs, bedrock, cobble, gravel, and silt, with bedrock and silt being predominant. The stream had moderate sinuosity and a moderate to severe gradient. No aquatic organisms were found in the stream. The floodplain consisted of mature forest on both sides of the stream. The water in stream was discolored and appeared orange in color. The source of the discoloration was outside the PSL and currently unknown. Since the stream was not mapped on USGS Indiana StreamStats, the drainage area upstream of the PSL is assumed to be less than 1 square mile. This stream had an HHEI score of 70, which classifies it as a Modified Class II Primary Headwater Habitat (PHWH) (Appendix F, pages F-39 to F-40).

UNT 2 to Silver Creek flows southeast from Culvert (CV) 6 and is approximately 347 linear ft. (0.017 ac.) long within the PSL. UNT 2 to Silver Creek flows into Silver Creek, a likely jurisdictional Water of the U.S. Therefore, UNT 2 to Silver Creek should likely be considered a jurisdictional Water of the U.S. The stream is not associated with a line on the USGS topographic map, indicating it is an ephemeral stream. UNT 2 to Silver Creek was not classified by the NWI, but it can be classified as Riverine, Ephemeral stream, Corps designation R6. The OHWM was 26 inches wide and 1 inch deep within the PSL. The stream substrate consisted of cobble, gravel, silt, and artificial substrate, with gravel and silt predominant. The stream channel had high sinuosity and a moderate to severe gradient. No aquatic organisms were found in the stream. Since the stream was not mapped on USGS Indiana StreamStats, the drainage area upstream of UNT 2 to Silver Creek is assumed to be less than 1 square mile. This stream had an HHEI score of 41, which classifies it as a Modified Class II PHWH (Appendix F, pages F-41 to F-42).

Silver Creek: (Proposed permanent impacts below the OHWM, Appendix B, page B-60.)

- Placement of two new bridge piers
- Removal of the existing pier and two end bents

Silver Creek: (Proposed temporary impacts below the OHWM, Appendix B, page B-61.)

- Two causeways at the new bridge
- Two cofferdams at the new bridge
- One causeway at the existing bridge.

UNT 2: (Proposed permanent impacts below the OHWM, Appendix B, page B-60.)

- Relocation of UNT2.

UNT 1: (Proposed permanent impacts below the OHWM, Appendix B, page B-56 and B-60.)

- Construction and realignment.

Stream mitigation will likely be required and will be determined during permitting.

The project will likely require an IDEM Section 401 Water Quality Certification permit and an USACE Section 404 permit for the stream impacts. The project will require a construction in a floodway (CIF) permit pursuant to the Flood Control Act (IC 14-28-1). Also, an IDEM Construction Stormwater General Permit (CSGP) will also likely be required due to the disturbance of more than one acre of land.

The IDNR-DFW responded on February 26, 2021 with recommendations regarding structure work, bank stabilization, minimizing in-channel disturbance, and erosion/sediment control devices (Appendix C, pages C-11 to C-13).

USFWS responded on February 25, 2021 indicating that stream impacts may require permits from the USACE, IDEM, and IDNR. Additional USFWS recommendations include restrict below low-water work in streams, restrict channel work to the minimum necessary for installation of the stream crossing structure, if riprap is used, extend it below low-water elevation to provide aquatic habitat, and avoid all work within the inundated part of the stream channel April 1 through June 30 (Appendix C- pages C-14 to C-15).

All applicable recommendations are included in the Environmental Commitments section of this document.

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Open Water Feature(s)	Presence	Impacts	
		Yes	No
Reservoirs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lakes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Farm Ponds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Retention/Detention Basin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Storm Water Management Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: <u>Low-Head Dam</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Describe all open water feature(s) identified adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if features are likely subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.

Based on the desktop review, the aerial map of the project area, and the RFI report (Appendix E, page E-3 and E-9) there are 10 open water features within the 0.5 mile search radius. There are no open water feature(s) within or adjacent to the project area. That number was confirmed by the site visits conducted on May 14, 2020 and May 11, 2021 by Metric Environmental.

A low-head dam exists in the project area in Silver Creek. No impacts to the dam are anticipated by the project and the project will not remove the dam.

A Waters of the US Determination / Wetland Delineation Report was completed for the project on June 4, 2021. Please refer to Appendix F for the Waters of the US Determination / Wetland Delineation Report. It was determined that no jurisdictional open water features are present within the project area. However, it was determined the three streams identified within the Project Study Limits (PSL) would likely be considered jurisdictional waters of the US. The USACE makes all final determinations regarding jurisdiction.

The IDNR-DFW responded on February 26, 2021 with recommendations regarding erosion/sediment control devices (Appendix C, pages C-11 to C-13).

All applicable recommendations are included in the Environmental Commitments section of this EA document.

Wetlands	Presence	Impacts	
		Yes	No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Total wetland area: 0.011 Acre(s) Total wetland area impacted: 0 Acre(s)

(If a determination has not been made for non-isolated/isolated wetlands, fill in the total wetland area impacted above.)

Wetland No.	Classification	Total Size (Acres)	Impacted Acres	Comments (i.e. location, likely Water of the US, appendix reference)
A	PSS1A	0.011	0	Adjacent to commercial and residential properties and Silverwood Court, Water of the State (Appendix F, pages F-20 and F-22).

Wetlands (Mark all that apply)	Documentation	ESD Approval Dates
	Wetland Determination	<input checked="" type="checkbox"/>
Wetland Delineation	<input checked="" type="checkbox"/>	N/A
USACE Isolated Waters Determination	<input checked="" type="checkbox"/>	N/A

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Improvements that will not result in any wetland impacts are not practicable because such avoidance would result in (Mark all that apply and explain):

- Substantial adverse impacts to adjacent homes, business or other improved properties;
- Substantially increased project costs;
- Unique engineering, traffic, maintenance, or safety problems;
- Substantial adverse social, economic, or environmental impacts, or
- The project not meeting the identified needs.

Describe all wetlands identified adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if features are likely subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.

Based on the desktop review, the aerial map of the project area, and the RFI report (Appendix E, pages E-3 and E-9) there are 24 NWI wetlands located within the 0.5 mile search radius. There is one wetland within or adjacent to the project area. That number was confirmed by the site visits on May 14, 2020 and May 11, 2021 by Metric Environmental. No impacts are expected to the wetland resource based on the project engineering design in relation to the location of the wetland.

A *Waters of the US Determination / Wetland Delineation Report* was completed for the project on June 4, 2021. Please refer to Appendix F for the *Waters of the US Determination / Wetland Delineation Report*. It was determined that Wetland A should be considered an isolated wetland and thus a Waters of the State. The USACE makes all final determinations regarding jurisdiction.

Wetland A was classified as a Palustrine, Scrub-Shrub, Broad-Leaved Deciduous, Temporarily Flooded (PSS1A) wetland. This wetland was located in a depression north of the intersection of Blackiston Mill Rd. and Silverwood Court. Wetland A was 0.011 acre and wholly contained within the PSL. The boundaries of Wetland A were delineated by a lack of wetland vegetation and increased elevation. The wetland likely receives drainage on a consistent basis during rain events. This wetland was not associated with a mapped NWI unit and was wholly contained within the Urban land-Udarents fragipan substratum, complex, till plain (UngB) mapped soil unit which is listed as not hydric. Based upon that and that the wetland was not abutting a jurisdictional Water of the U.S., Wetland A should be considered an isolated wetland and thus a Waters of the State. Wetland A is located adjacent to a commercial property, residential property, and road, and likely receives run-off from these sources. In addition, the wetland exhibited low plant species diversity. These factors contribute to the conclusion that this wetland does not support significant wildlife or aquatic habitat, and therefore should be considered to be of poor quality. Wetland A is located outside of the construction limits; therefore, no impacts to Wetland A are anticipated. Wetland A will be labeled on the engineering plans and in the field as "Do Not Disturb" (Appendix B, page B-55).

The IDNR-DFW responded on February 26, 2021 with recommendations to implement appropriate erosion and sediment control devices and not to excavate or place fill in any riparian wetland (Appendix C, pages C-11 to C-13).

USFWS responded on February 25, 2021 indicating that wetland impacts may require permits from the USACE and IDEM (Appendix C- pages C-14 to C-15).

All applicable recommendations are included in the Environmental Commitments section of this EA document.

	<u>Presence</u>	<u>Impacts</u>	
Terrestrial Habitat	<input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

Total terrestrial habitat in project area: 8.0 Acre(s) Total tree clearing: 1.8 Acre(s)

Describe types of terrestrial habitat (i.e. forested, grassland, farmland, lawn, etc) adjacent or within the project area. Include whether or not impacts will occur to habitat identified. Include total terrestrial habitat impacted and total tree clearing that will occur. Discuss measure to avoid, minimize, and mitigate if impacts will occur.

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Based on the desktop review, site visits conducted by Metric Environmental on May 14, 2020, and May 11, 2021, the aerial map of the project area (Appendix B, page B-3), the predominant land use in the project area consists of wooded floodplain and maintained lawns. The dominant vegetation along the project roadway consists of red fescue (*Festuca rubra*), blue violet (*Viola sororia*), frost aster (*Symphyotrichum pilosum*) and Kentucky bluegrass (*Poa pratensis*).

Approximately 8.0 acres of terrestrial habitat will be impacted, of which approximately 1.8 acres are trees, to construct the new road alignment to the new bridge, grading, and compensatory storage. All efforts to minimize terrestrial impacts were considered during the design phase of the project. The construction limits have been reduced to the extent that is practical to build the project while limiting terrestrial disturbance. Refer to Appendix B, pages B-55 to B-59 and B-65 for terrestrial impacts. The tree species to be removed are American elm (*Ulmus americana*), sugar maple (*Acer saccharum*) red oak (*Quercus rubra*), American beech (*Fagus grandifolia*), Silver maple (*Acer saccharinum*), Green ash (*Fraxinus pennsylvanica*), Pignut hickory (*Carya glabra*), American sycamore (*Platanus occidentalis*), black walnut (*Juglans nigra*), Boxelder maple (*Acer negundo*), Cottonwood (*Populus deltoides*), White mulberry (*Morus alba*), Ash species (*Fraxinus spp.*), Black cherry (*Prunus serotina*), Tulip poplar (*Liriodendron tulipifera*), Sweetgum (*Liquidambar styraciflua*), Shagbark hickory (*Carya ovata*), and Butternut hickory (*Carya cordiformis*). All disturbed areas will be stabilized, graded and re-seeded per INDOT standard specifications. Terrestrial habitat mitigation may be likely as a condition of the IDNR Construction in a Floodway permit. Terrestrial mitigation areas have been noted on Figure B-72.

The IDNR-DFW responded on February 26, 2021, with recommendations including a mitigation plan be developed for any unavoidable habitat impacts that will occur, replacement ratios, and types of trees and vegetation to be replanted (Appendix C, pages C-11 to C-13).

USFWS responded on February 25, 2021 with recommendations that all disturbed soil areas be revegetated immediately upon project completion, do not clear trees or understory vegetation outside the construction zone boundaries, and evaluate wildlife crossings under the bridge (Appendix C, pages C-14 to C-15).

All applicable recommendations are included in the Environmental Commitments section of this EA document.

Protected Species

Federally Listed Bats

Information for Planning and Consultation (IPaC) determination key completed
 Section 7 informal consultation completed (IPaC cannot be completed)
 Section 7 formal consultation Biological Assessment (BA) required

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Determination Received for Listed Bats from USFWS: NE NLAA LAA

Other Species not included in IPaC

Additional federal species found in project area (based on IPaC species list)
 State species (not bird) found in project area (based upon consultation with IDNR)

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Migratory Birds

Known usage or presence of birds (i.e. nests)
 State bird species based upon coordination with IDNR

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discuss IDNR coordination and species identified. Describe USFWS Section 7 consultation and determination received for Indiana bat and northern long-eared bat impacts. Discuss if other federally listed species were identified. If so, include consultation that has occurred and the determination that was received. Discuss if migratory birds have been observed and any impacts.

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Based on a desktop review and the RFI report (Appendix E, page E-4), completed by Metric Environmental on November 8, 2021, the IDNR Floyd and Clark Counties Endangered, Threatened and Rare (ETR) Species List has been checked. According to the IDNR-DFW early coordination response letter dated February 26, 2021, (Appendix C, pages C-11 to C-13) the Natural Heritage Program's Database has been checked and no plant or animal species listed as state or federally endangered, threatened and/or rare have been reported to occur in the project vicinity. IDNR-DFW provided recommendations to avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts. An INDOT 0.5 mile bat review occurred on May 12, 2020. The review did not indicate the presence of endangered bat species in or within 0.5 mile of the project area.

Project information was requested and an official species list was generated (Appendix C, pages C-16 to C-32). The project is within range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally endangered northern long-eared bat (NLEB) (*Myotis septentrionalis*). Other species were generated in the species list along with the Indiana bat and NLEB. Refer to paragraph below.

The official species list generated indicated one other species present within the project area. The Gray bat (*Myotis grisescens*). The project qualifies for the most current INDOT/USFWS agreement. Further coordination is not needed with USFWS.

Based on planned tree clearing impacts beyond 300 ft. from the existing roadway or pavement, this project does not qualify for the *Rangewide Programmatic Informal Consultation for the Indiana bat and NLEB*.

Metric Environmental conducted an inspection of one 2-story apartment building (consisting of four families/tenants), one log cabin, and one warehouse/garage on May 17, 2023. No bats or signs of bats were observed. Bats were likely not within the structures at that time. The three buildings will be removed as a result of the project. Prior to any demolition, the structures will be inspected for bats or evidence of bats. If bats, or evidence of bats, are found coordination will occur with INDOT ESD and USFWS before demolition may occur. If further coordination is needed no demolition shall occur until coordination is concluded with INDOT ESD and USFWS. The structures will be demolished and/or moved after September 30 and before April 1. External structure assessments are located on pages Appendix C, pages C-33 to C-36.

Metric Environmental conducted an inspection of the bridge on May 17, 2023. No evidence of bats was identified (Appendix C, page C-33). Construction is planned to start in 2024. USFWS Bridge/Structure Assessment are only valid for two years. If construction will begin after May 17, 2025, an inspection of the structure by a qualified individual, must be performed. Inspection of the structure should check for presence of bats/bat indicators and/or presence of birds. The results of the inspection must indicate no signs of bats or birds. If signs of bats or birds are documented during this inspection, the INDOT District Environmental Manager must be contacted immediately.

Blackiston Mill Rd. Bridge No. 22-0051 and the project's surrounding habitat is conducive for use (i.e. nests) by a bird species protected under the Migratory Bird Treaty Act (MBTA). Prior to the start of nesting season (May 1) the structure must be inspected for birds or signs of birds. If birds or signs of birds are found during the inspection avoidance and minimization measures must be implemented prior to the start of and during the nesting season. Nests without eggs or young should be removed prior to construction during the non-nesting season (September 8 – April 30) and during the nesting season if no eggs or young are present. Nests with eggs or young cannot be removed or disturbed during the nesting season (May 1 – September 7). Nests with eggs or young should be screened or buffered from active construction. Details of the required procedures are outlined in the "Potential Migratory Bird on Structure" USP/RSP.

A standard informal coordination letter was prepared and submitted for INDOT review. INDOT reviewed the standard informal coordination letter and submitted to USFWS for review on August 25, 2021. On August 26, 2021, USFWS issued a concurrence letter with the "not likely to adversely affect" finding (Appendix C, pages C-37 to C-42). The following commitments are proposed by INDOT as Avoidance and Minimization Measures (AMMs) to reduce potential impacts to listed bat species: General AMM 1 ensure all operators, employees, and contractors are aware of all transportation agencies environmental commitments; Lighting AMM 1 direct temporary lighting away from suitable habitat; Tree Removal AMM 1 Modify all phases of the project to the extent practicable to avoid tree removal in excess of what is necessary; Tree Removal AMM 2 Apply time of year restrictions for tree removal (October 1 - March 31; Tree Removal 3 ensure tree removal is limited to that specified in project plans; and Tree Removal 4 do not remove documented Indian bat or NLEB roosts, trees within 0.25 mile of roosts, or documented foraging habitat any time of year. USFWS also stated USFWS Bridge/Structure Assessments shall take place no earlier than two (2) years prior to the start of construction. If construction will begin after May 17, 2025, an inspection of the structure by a qualified individual, must be performed. Inspection of the structure should check for presence of bats/bat indicators and/or presence of birds. The results of the inspection must indicate no signs of bats or birds. If signs of bats or birds are documented during this inspection, the INDOT District Environmental Manager

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must be contacted immediately.

AMMs and/or commitments are included as firm commitments in the Environmental Commitments section of this document.

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act, as amended. If new information on endangered species at the site becomes available, or if project plans are changed, USFWS will be contacted for consultation.

Geological and Mineral Resources

- Project located within the Indiana Karst Region
- Karst features identified within or adjacent to the project area
- Oil/gas or exploration/abandoned wells identified in the project area

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Date Karst Evaluation reviewed by INDOT EWPO (if applicable): _____

Discuss if project is located in the Indiana Karst Region and if any karst features have been identified in the project area (from RFI). Discuss response received from IGWS coordination. Discuss if any mines, oil/gas, or exploration/abandoned wells were identified and if impacts will occur. Include discussion of karst study/report was completed and results. (Karst investigation must comply with the current Protection of Karst Features during Planning and Construction guidance and coordinated and reviewed by INDOT EWPO)

Based on a desktop review and the Indiana Karst Region map, the project is located outside the designated Indiana Karst Region as outlined in the most current *Protection of Karst Features during Project Development and Construction*. According to the topo map of the project area (Appendix B, page B-2), the RFI report (Appendix E, pages E-3 and E-9), there are no karst features identified within or adjacent to the project area. In the early coordination response dated January 29, 2021, the IGWS did not indicate that karst features exist in the project area (Appendix C, page C-8 to C-10). The IGWS did identify geological hazards including a high liquefaction potential, floodway, a moderate potential for bedrock resources and a low potential for sand and gravel resources. No documented active or abandoned mineral resource extraction sites are within the search radius. The aforementioned geological features will not be affected because scope of work will not involve deep excavation (i.e., greater than 12-15 ft. below ground surface). Response from IGWS has been communicated with the designer on February 9, 2021. No impacts are expected.

SECTION C – OTHER RESOURCES

Drinking Water Resources

- Wellhead Protection Area(s)
- Source Water Protection Area(s)
- Water Well(s)
- Urbanized Area Boundary
- Public Water System(s)

<u>Presence</u>	<u>Impacts</u>	
	Yes	No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- Is the project located in the St. Joseph Sole Source Aquifer (SSA):
- If Yes, is the FHWA/EPA SSA MOU Applicable?
- If Yes, is a Groundwater Assessment Required?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

Check the appropriate boxes and discuss each topic below. Provide details about impacts and summarize resource-specific coordination responses and any mitigation commitments. Reference responses in the Appendix.

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The project is located in Clark and Floyd Counties which are not located within the area of the St. Joseph Sole Source Aquifer, the only legally designated sole source aquifer in the state of Indiana. Therefore, the FHWA/EPA/INDOT Sole Source Aquifer Memorandum of Understanding (MOU) is not applicable to this project, a detailed groundwater assessment is not needed, and no impacts are expected.

The Indiana Department of Environmental Management's (IDEM) Wellhead Proximity Determinator website <http://www.in.gov/idem/cleanwater/pages/wellhead/> was accessed on March 16, 2022 by Metric Environmental. This project is not located within a Wellhead Protection Area or Source Water Area. No impacts are expected.

The Indiana Department of Natural Resources Water Well Record Database website <https://www.in.gov/dnr/water/3595.htm> was accessed on March 16, 2022 by Metric Environmental. No wells are located near this project. Therefore, no impacts are expected.

Based on a desktop review of <https://entapps.indot.in.gov/MS4/> by Metric Environmental on February 1, 2021, this project is located in an Urban Area Boundary (UAB). An early coordination letter was sent on February 1, 2021 to the New Albany and the Clarksville MS4 Coordinators (Appendix C, Pages C-6 to C-7). Neither MS4 coordinator responded within the 30-day time frame. Coordination is ongoing with the local utilities and appropriate permits will be applied for as needed, including Erosion and Control permits.

Based on a desktop review, site visits on May 14, 2020 and May 11 2021, the aerial map of the project area (Appendix B, page B-3) and the project design plans (Appendix B, pages B-37 to B-62), this project is located where there is a public water system. The public water system will not be affected because the project does not include repair, removal, or replacement of the public water system. Therefore, no impacts are expected.

Floodplains

Project located within a regulated floodplain
 Longitudinal encroachment
 Transverse encroachment
 Homes located in floodplain within 1000' up/downstream from project

Presence

X
X
X

Impacts

Yes	No
X	
X	
X	

If applicable, indicate the Floodplain Level?

Level 1 Level 2 Level 3 Level 4 Level 5

Use the IDNR Floodway Information Portal to help determine potential impacts. Include floodplain map in appendix. Discuss impacts according to the classification system. If encroachment on a flood plain will occur, coordinate with the Local Flood Plain Administrator during design to insure consistency with the local flood plain planning.

Based on a desktop review of The Indiana Department of Natural Resources Indiana Floodway Information Portal website <https://indnr.maps.arcgis.com/apps/webappviewer/index.html?id=05026dabc2e8461983e196d56a213c1e> by Metric Environmental on July 8, 2022, and the RFI report, this project is located in a regulatory floodplain as determined from the approved IDNR floodplain maps (Appendix F, page F-17). An early coordination letter was sent on January 29, 2021, to the local Floodplain Administrator. The floodplain administrator did not respond within the 30-day time frame. This project qualifies under Category 4 per the current INDOT Manual (based on the change in elevation of the new bridge (from elevation 433 ft AMSL to approximately 442 ft AMSL) and removal of the existing structure), which states:

Category 4 - Two homes are located within the base floodplain within 1,000 ft. upstream and four homes are located within the base floodplain within 1,000 ft. downstream. The proposed structure will have an effective capacity such that backwater surface elevations are not expected to significantly increase. As a result, there will be no significant adverse impacts on natural and beneficial floodplain values; no significant change in flood risks; and no significant increase in potential for interruption or termination of emergency service or emergency evacuation routes. Therefore, it has been determined that this encroachment is not significant. (The residences next to and along Blackiston Mill Rd. and bridge may still experience flooding issues depending on the severity of the flooding from the backwater of the Ohio River. However, Blackiston Mill Rd. is expected to remain open during most flooding events for safety vehicles and the traveling public.) A hydraulic design study that addresses various structure size alternates was completed by Jacobi, Toombs, and Lanz, Inc. during the preliminary design phase. The summary of this study will be included with the Field Check Plans and is listed as a firm commitment of this document.

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Farmland	Presence	Impacts	
		Yes	No
Agricultural Lands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prime Farmland (per NRCS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Total Points (from Section VII of CPA-106/AD-1006*) _____
 *If 160 or greater, see CE Manual for guidance.

Discuss existing farmland resources in the project area, impacts that will occur to farmland, and mitigation and minimization measures considered.

Based on a desktop review, site visits on May 14, 2020 and May 11, 2021 by Metric Environmental, the aerial map of the project area (Appendix B, page B-3), there is no land that meets the definition of farmland under the Farmland Protection Policy Act (FPPA) within or adjacent to the project area. The requirements of the FPPA do not apply to this project; therefore, no impacts are expected. An early coordination letter was sent on January 29, 2021, to Natural Resources Conservation Services (NRCS). Response received from the NRCS on February 18, 2021 stated the project "will not cause a conversion of prime farmland" (Appendix C, page C-45).

SECTION D – CULTURAL RESOURCES

Minor Projects PA Category(ies) and Type(s) _____ INDOT Approval Date(s) _____ N/A

Full 106 Effect Finding
 No Historic Properties Affected No Adverse Effect Adverse Effect

Eligible and/or Listed Resources Present
 NRHP Building/Site/District(s) Archaeology NRHP Bridge(s)

Documentation Prepared (mark all that apply)	ESD Approval Date(s)	SHPO Approval Date(s)
APE, Eligibility and Effect Determination	<input checked="" type="checkbox"/>	June 25, 2021
800.11 Documentation	<input checked="" type="checkbox"/>	July 26, 2021
Historic Properties Report or Short Report	<input checked="" type="checkbox"/>	April 20, 2022
Archaeological Records Check and Assessment	<input checked="" type="checkbox"/>	June 25, 2021
Archaeological Phase Ia Survey Report	<input checked="" type="checkbox"/>	July 26, 2021
Archaeological Phase Ib Work Plan	<input checked="" type="checkbox"/>	June 25, 2021
Other: Phase 1b Management Summary	<input checked="" type="checkbox"/>	October 4, 2021
		November 1, 2021
		December 9, 2021
		February 10, 2022
		March 9, 2022

Memorandum of Agreement (MOA) MOA Signature Dates (List all signatories) _____

If the project falls under the MPPA, describe the category(ies) that the project falls under and any approval dates. If the project requires full Section 106, use the headings provided. The completion of the Section 106 process requires that a Legal Notice be published in local newspapers. Please indicate the publication date, name of the paper(s) and the comment period deadline. Include any further Section 106 work which must be completed at a later date, such as mitigation from a MOA or avoidance commitments.

Area of Potential Effect (APE): Qualified professionals working for Metric Environmental and meeting the Secretary of the Interior's Professional Qualifications Standards defined an Area of Potential Effects (APE). The APE is the geographical area within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist, as defined by 36 CFR Section 800.16(d). The APE for this project expands and contracts based on viewshed. The APE extends approximately 500 ft. from each project end point on Blackiston Mill Rd., and approximately 500 to 600 ft. from each side of Blackiston Mill Rd. (Appendix D, page D-22).

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Coordination with Consulting Parties: Section 106 of the NHPA requires Federal agencies, or their representatives, to consider the effects of their undertakings on historic properties. In accordance with 36 CFR 800.2(c) and the INDOT *Cultural Resources Manual*, the potential consulting parties were invited to participate in efforts to identify historic properties potentially affected by this project, assess the project's effects, and seek ways to avoid, minimize, or mitigate any adverse effects on historic properties. Potential consulting parties were invited via email to view the consulting party coordination letter and Section 106 documentation in IN SCOPE (Appendix D, D-62 to D-65, and D-68 to D-73). On January 21, 2021 and June 25, 2021, the below agencies and organizations were invited to be consulting parties for the project (Appendix D, pages D-66 to D-67).

INDOT Cultural Resources Officer (CRO) INDR State Historic Preservation Officer (SHPO), and FHWA are automatic consulting parties. On January 28, 2022, a representative from Indiana Landmarks Southern Regional Office, suggested the River Heritage Conservancy be invited to be a consulting party on this project (Appendix D, page D-74). Subsequently, the River Heritage Conservancy was added to the consulting party list on June 25, 2021. On February 1, 2021, the SHPO responded to the consulting party coordination letter dated January 21, 2021 (Appendix D, page D-75). The SHPO did not provide recommendations for consulting parties beyond those whom were invited. On February 17, 2021, the Miami Tribe of Oklahoma agreed to be a consulting party (Appendix D, page D-76). The Eastern Shawnee Tribe of Oklahoma responded on August 17, 2021 (Appendix D, page D-85) and February 14, 2021 (Appendix D, page D-100), and the Peoria Tribe of Indians of Oklahoma responded on February 25, 2022 (Appendix D, page D-101). The Tribes all requested contact if inadvertent discoveries of human remains or funeral objects were located. No items were discovered during the archaeological investigations.

	<i>Name</i>	<i>Organization</i>	<i>Reply Received</i>
1	Beth McCord	State Historic Preservation Office	February 1, 2021
2	Laura Renwick, Community Preservation Specialist	Indiana Landmarks Southern Regional Office	Accepted – January 28, 2021
3	Horacio Urieta, P.E.	Floyd County Engineer	No response
4	David Barksdale	Floyd Co Historian	No response
5	Teresa Perkins	Jeff-Clark Preservation, Inc.	No response
6	Jeanne Burke	Clark Co Historian	No response
7		Floyd County Historical Society	No response
8	Jarrett Haley	Kentuckiana Regional Planning and Development Agency	No response
9	Teresa Baxter	Develop New Albany, Inc.	No response
10	Scott Wood, Dir of Planning	New Albany Historic Preservation Commission	No response
11	Tim Kramer	Floyd County Commissioner	No response
12	Shawn Carruthers, President	Floyd County Commissioner	No response
13	John Schellenberger	Floyd County Commissioner	No response
14	Jack Coffman, President	Clark County Commissioner	No response
15	Ryan Ramsey	Town President, Town of Clarksville	No response
16	Jeff Gahan	Mayor, City of New Albany	No response
17	Wendy Dant Chesser	One Southern Indiana Chamber of Commerce	No response
18	Jane Sarles	Clarksville Historical Society	No response
19	Susan Rademacher, Exec Dir.	River Heritage Conservancy	Accepted – February 10, 2022
20		Eastern Shawnee Tribe of Oklahoma	Accepted – August 17, 2021

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21		Miami Tribe of Oklahoma	Accepted – February 17, 2021
22		Peoria Tribe of Indians of Oklahoma	Accepted – February 25, 2022
23		Pokagon Band of Potawatomi Indians	No response
24		Shawnee Tribe	No response
25		United Keetoowah Band of Cherokee Indians	No response
26		Delaware Tribe of Indians, Oklahoma	No response
27		Delaware Tribe of Indians	No response

Archaeology: Metric Environmental completed a Phase Ia archaeological survey March 15-17, 2021 that encompassed the entire 4.3 hectares (10.8 acres) of the project area and consisted of a combination of visual inspection and shovel probing. A total of 103 shovel test probes (STPs) were excavated and one historic archaeological site (12FL0219 / 12CL1100) recorded. Site 12CL1100 was added in the October 4, 2021 updated Archaeology Report. The site encompasses the remains of former Blackiston Mill, constructed in 1853 as a grist and sawmill with a lime kiln and then used as a recreation hall, and an associated recreational park area initially developed during the 1880s. Use of the site as a public gathering spot continued through the 1970s, when it ceased to be maintained.

Avoidance or a Phase Ib investigation to further evaluate the NRHP eligibility of 12FL0219 /12CL1100 is recommended. Archaeological work should focus on assessing site integrity, the presence/absence of intact stratigraphic artifact deposits, and presence/absence of additional subsurface features. No further archaeological work is recommended for the remainder of the survey area.

On June 25, 2021 INDOT CRO concurred with the evaluations and recommendations made within the Archaeological Phase 1a and the Archaeological Phase 1a was then submitted to the SHPO and the tribe consulting parties on June 25, 2021. On July 26, 2021, the SHPO indicated the northern portion of the site (12FL0219), within Floyd County, includes the mill, lime kiln, and a portion of the dam. The southern portion, within Clark County, includes the other portion of the dam and the recreational park. Given the two periods of significance (the industrial mill activities and later recreational activities) the SHPO agrees that the site should be kept as a single archaeological site, but it should be assigned a Clark County site number in addition to the Floyd County number. The SHPO also agreed that the site either needs to be avoided, particularly the mill and lime kiln remnants, or subjected to Phase 1b reconnaissance (Appendix D, page D-83 to D-84). This is included as a firm commitment.

On August 17, 2021, Eastern Shawnee responded to please continue the project as planned; however, should this project inadvertently discover an archaeological site or object(s) please contact the Eastern Shawnee Tribe, as well as the appropriate state agencies within 24 hours (Appendix D, page D-85).

On October 4, 2021, the updated Archaeological Phase 1a, which included a Clark County site number be added to the Blackiston Mill site was added by Metric Environmental. The report references the site as 12FL0219 and 12CL1100 and was sent to the SHPO for concurrence. (Appendix D, page D-86).

On November 1, 2021, the SHPO concurred the site 12FL0219/12CL1100 is potentially eligible for inclusion in the NRHP and that the site either needs to be avoided or subjected to a Phase 1b reconnaissance (Appendix D, pages D-87 to D-88). This is included as a firm commitment.

On November 10, 2021, Metric prepared an Archaeology Work Plan to conduct a Phase 1b intensive survey and Phase II testing at site 12FL0219/12CL1100 (Appendix D, pages D-54 to D-58). On November 12, 2021, Metric sent the Phase 1b-II Archaeological Work Plan to the SHPO for review and concurrence (Appendix D, page D-89). On December 9, 2021, the SHPO concurred with the work plan with the following conditions (Appendix D, pages D-90 to D-91):

1. All archaeological investigations must be directly supervised, in the field and in the laboratory at all times by a qualified archaeologist meeting the qualification standards for a principal investigator or field or laboratory supervisor under 312 IAC 21.
2. The Phase Ib/II archaeological investigations will conform to the procedures described in the Guidebook for Indiana Historic Sites and Structures Inventory—Archaeological Sites.
3. If any human remains dating before December 31, 1939 are encountered, the discovery must be reported to the IDNR within two (2)

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business days. The discovery must be treated in accordance with IC 14-21-1 and 312 IAC 22. In that event, please call (317) 232-1646. If human remains are accidentally discovered during field investigations or related laboratory analyses and would be subject to the Native American Graves Repatriation Act (NAGPRA), the investigating or curation facility shall assure NAGPRA reporting and compliance.

4. Written permission from all landowners must be provided to our office prior to the beginning of any fieldwork.
5. At the completion of the Phase Ib investigation, our office will be consulted to determine if Phase II investigations are necessary. The locations of proposed Phase II investigations will be provided at this time.
6. Any proposed revisions to the archaeological work plan must be submitted in writing to, and approved by, the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology ("Indiana DNRDHPA") prior to implementation in the field or laboratory.
7. A report detailing the methods, techniques, analysis, and results of the proposed archaeological investigations must be submitted to the Indiana DNR-DHPA for review and comment within one year of the end of fieldwork.
8. Archaeological site survey forms and/or resurvey forms for these Phase Ib/II archaeological investigations must be submitted electronically to the Indiana DNR-DHPA SHAARD database system.
9. This plan is not transferable.

The Phase Ib fieldwork was conducted December 14-16, 2021. The survey focused on the Floyd County portion of the site. A total of 6.5 square meters (m²) (69.9 square ft. [ft²]) was excavated, consisting of five 1.0 m (3.2 ft) by 1.0 m (3.2 ft) excavation units and one 3.0 m (9.8 ft) by 0.5 m (1.6 ft) hand-excavated trench. No evidence indicating the presence of cultural features was found, and all cultural materials encountered either dated to the modern era and/or were of dubious provenience with limited informational value. Based on the Phase Ib survey results, dated January 4, 2021 (Appendix D, pages D-59 to D-61), further investigations within the project's footprint/construction area are unlikely to provide additional meaningful knowledge concerning Site 12FL0219/12CL1100 or the history of the area.

On February 10, 2022, the Management Summary reporting the results of the Phase 1b archaeological investigation was mailed to the SHPO and made available to the other consulting parties at http://erms.indot.in.gov/Section_106Documents/ (Appendix D, pages D-92 to D-97).

On February 10, 2022, a representative from the River Heritage Conservancy asked what date the 30 day review window would expire. Metric Environmental replied on March 11, 2022 (Appendix D, pages D-98 to D-99).

On February 14, 2022, Eastern Shawnee responded please continue project as planned; however, should this project inadvertently discover an archaeological site or object(s) we request that you immediately contact the Eastern Shawnee Tribe, as well as the appropriate state agencies, within 24 hours (Appendix D, page D-100).

On February 25, 2022, the Peoria Tribe of Indians of Oklahoma responded they have no objection to the proposed project; however, if at any time items are discovered which fall under the protection of Native American Graves Protection and Repatriation Act (NAGPRA), the Peoria Tribe requests immediate notification and consultation (Appendix D, page D-101).

On March 9, 2022, the SHPO responded to Metric Environmental thank you for supplying the management summary report regarding Phase Ib investigations of site 12FL0219/CL1100. The archaeological investigations which have been conducted have met the stated goals of the approved work plan. Construction can proceed as planned for the Floyd County Bridge No. 22-00051 carrying Blackiston Mill Rd. project, with the following conditions:

1. Per our letter dated December 9, 2021, approving the Phase Ib/II investigations, a full report detailing the methods, techniques, analysis, and results of the proposed Phase Ib archaeological investigations must be submitted to the DHPA for review and comment within one year of the end of fieldwork. In addition, an archaeological site form for this level of investigation for site 12FL219/CL1100 will be entered into SHAARD at the same time as submission of the full draft report.
2. Also per the approved archaeological work plan, it was decided that our office would be consulted after the Phase Ib intensive survey to determine if Phase II investigations were necessary. Based on the results of the Phase Ib intensive survey, we do not believe that Phase II investigations for those portions of the site within the projects current footprint are required.

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3. The portions of site 12FL0219/CL1100 that lie outside the proposed project area should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then additional archaeological assessment of those portions of the site will be necessary. This is included as a firm commitment in this document.

4. If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and Indiana Code 14-21-29) requires that the discovery be reported to the INDNR-DHPA within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. Part 800. The SHPO correspondence is located in Appendix D, pages D-102 to D-103.

Historic Properties: Metric Environmental researched previous investigations in the project area with an examination of the *Floyd County Interim Report, Indiana Historic Sites and Structures Inventory (IHSSI)* (2008/Historic Landmarks Foundation of Indiana) and the *Clark County Interim Report, Indiana Historic Sites and Structures Inventory* (1988/Historic Landmarks Foundation of Indiana). No previously surveyed sites were identified within the proposed APE. This finding was corroborated with a check of the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) and the Indiana Historic Buildings, Bridges and Cemeteries Map (IHBBM). The NRHP and the Indiana State Register databases also had no listed sites in the proposed APE. As a result of identification and evaluation efforts for this project, a NRHP evaluation was conducted for former Blackiston Mill and Dam. As an above ground resource, this property has lost much of its integrity was not recommended eligible for NRHP listing.

Metric Environmental completed the Historic Property Report (HPR), dated June 25, 2021. On June 25, 2022, INDOT CRO concurred with the results of the HPR and the HPR was mailed to the SHPO and made available to the other consulting parties on that same day (Appendix D, pages D-77 to D-82). On July 26, 2021, the SHPO responded that the area of potential effects "APE" proposed in the HPR appears to be of adequate size to encompass the geographic area in which direct and indirect effects of a project of this nature could occur. The SHPO also agreed that there are no above-ground resources listed or eligible for inclusion in the NRHP within the projects APE. They also agree that the Blackiston Mill and Dam as an above-ground resource has lost much of its integrity warranting eligibility for the NRHP under Criterion A, B, or C (Appendix D, pages D-83 to D-84).

Documentation Findings: On April 20, 2022, the INDOT CRO, on behalf of the FHWA, approved the 800.11 Documentation and issued a "No Adverse Effect" finding for this project. Following this finding, the effect documentation was provided to the SHPO and other consulting parties for a 30-day review and comment period on April 21, 2022 (Appendix D, pages D-3 to D-6). The SHPO responded with their concurrence regarding "No Adverse Effect" finding on May 10, 2022 (Appendix D, pages D-1 to D-2).

Public Involvement: In accordance with 36 CFR 800.2(d), 800.3(e), and 800.6(a)(4), the views of the public were sought regarding the effect of the project (Appendix D, pages D-104 to D-105). An announcement was published in the NEWS AND TRIBUNE on April 23, 2022. A deadline date of May 23, 2022 was established to provide comments on the "No Adverse Effect" finding. As no comments were received regarding the "No Adverse Effect" finding during the 30-day comment period, the responsibilities of the FHWA under Section 106 were fulfilled.

This completes the Section 106 process and the responsibilities of the FHWA under Section 106 have been fulfilled.

SECTION E – SECTION 4(f) RESOURCES/ SECTION 6(f) RESOURCES

	<u>Presence</u>	<u>Use</u>	
		Yes	No
Parks and Other Recreational Land			
Publicly owned park	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Publicly owned recreation area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (school, state/national forest, bikeway, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wildlife and Waterfowl Refuges			
National Wildlife Refuge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Natural Landmark	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Wildlife Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Nature Preserve	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Historic Properties			
Site eligible and/or listed on the NRHP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Evaluations Prepared

Programmatic Section 4(f)	<input type="checkbox"/>
"De minimis" Impact	<input type="checkbox"/>
Individual Section 4(f)	<input type="checkbox"/>
Any exception included in 23 CFR 774.13	<input type="checkbox"/>

Discuss Programmatic Section 4(f) and "de minimis" Section 4(f) impacts in the discussion below. Individual Section 4(f) documentation must be included in the appendix and summarized below. Discuss proposed alternatives that satisfy the requirements of Section 4(f). FHWA has identified various exceptions to the requirement for Section 4(f) approval. Refer to 23 CFR § 774.13 - Exceptions.

Section 4(f) of the U.S. Department of Transportation Act of 1966 prohibits the use of certain public and historic lands for federally funded transportation facilities unless there is no feasible and prudent alternative. The law applies to significant publicly owned parks, recreation areas, wildlife / waterfowl refuges, and NRHP eligible or listed historic properties regardless of ownership. Lands subject to this law are considered Section 4(f) resources.

Based on a desktop review, the aerial map of the project area (Appendix B, page B-3), and the RFI report (Appendix E, pages E-2 and E-8) there are two potential 4(f) resources located within the 0.5-mile search radius. According to the site visits on May 14, 2020 and May 11, 2021 by Metric Environmental, there are no Section 4(f) resources within or adjacent to the project area. Therefore, no use is expected.

Section 6(f) Involvement

Presence

Use

Yes

No

Section 6(f) Property

Discuss Section 6(f) resources present or not present. Discuss if any conversion would occur as a result of this project. If conversion will occur, discuss the conversion approval.

The U.S. Land and Water Conservation Fund Act of 1965 established the Land and Water Conservation Fund (LWCF), which was created to preserve, develop, and assure accessibility to outdoor recreation resources. Section 6(f) of this Act prohibits conversion of lands purchased with LWCF monies to a non-recreation use.

A review of 6(f) properties on the INDOT ESD website revealed twelve properties in Clark County and three properties in Floyd County (Appendix I, page I-15). The closest is Lapping Memorial Park, approximately 0.75 miles from the project area. None of these properties are located within or adjacent to the project areas. Therefore, there will be no impacts to 6(f) resources as a result of the project.

SECTION F – Air Quality

STIP/TIP and Conformity Status of the Project

- Is the project in the most current STIP/TIP?
- Is the project located in an MPO Area?
- Is the project in an air quality non-attainment or maintenance area?
- If Yes, then:
 - Is the project in the most current MPO TIP?
 - Is the project exempt from conformity?
- If No, then:
 - Is the project in the Transportation Plan (TP)?
 - Is a hot spot analysis required (CO/PM)?

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

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https://www.in.gov/indot/files/Pages-from-STIP_2022-2026_draft_pp0541-605-1.pdf

Location in STIP:

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Name of MPO (if applicable): Kentuckiana Regional Planning and Development Agency (KIPDA)

Location in TIP (if applicable): Louisville /Jefferson County KY-IN FY 2020-2025 Transportation Improvement Plan, pages 152-153

Level of MSAT Analysis required?

Level 1a Level 1b Level 2 Level 3 Level 4 Level 5

Describe if the project is listed in the STIP and if it is in a TIP. Describe the attainment status of the county(ies) where the project is located. Indicate whether the project is exempt from a conformity determination. If the project is not exempt, include information about the TP and TIP. Describe if a hot spot analysis is required and the MSAT Level.

This project is included in the FY 2020-2025 KIPDA Transportation Improvement Program (TIP) which has been directly incorporated into the FY 2022-2026 Statewide Transportation Improvement Program (STIP) (Appendix H, pages H-1 to H-2.)

Nonattainment area/maintenance area, not exempt - Ozone: This project is located in Floyd and Clark Counties, which are currently a maintenance area for Ozone, under the 2015 8-hour Ozone Standard (for the 1997 Ozone 8-hour standard include the following: which was revoked in 2015 but is being evaluated for conformity due to the February 16, 2018, South Coast Air Quality Management District V. Environmental Protection Agency, Et. Al. Decision.) The project’s design concept and scope are accurately reflected in both the KIPDA Transportation Plan (TP) and the Transportation Improvement Program (TIP) and both conform to the State Implementation Plan (SIP). Therefore, the conformity requirements of 40 CFR 93 have been met.

This project is located in Floyd and Clark Counties, which are currently in attainment for other criteria pollutants according to (<https://www.in.gov/idem/sips/nonattainment-status-of-counties/>) . Therefore, the conformity procedures for these other pollutants of 40 CFR Part 93 do not apply.

Greenhouse gases (GHG) are any of various gaseous compounds (such as carbon dioxide or methane) that absorb infrared radiation and trap heat in the atmosphere (www.Merriam-Webster.com). The Blackiston Mill Rd. and bridge project is not anticipated to increase future capacity or introduce new traffic to the project area. No significant actions in automobile traffic or other actions would increase emissions or GHG within the proposed project area. The bridge will be replaced, and the existing bridge will be removed. Temporary construction emissions likely would occur but would not be considered cumulatively significant for GHG. No impacts to GHG based on this bridge replacement project are anticipated.

The purpose of this project is to address the bridge deck hairline cracks and efflorescence, cracks and holes in the pavement throughout, open joints on the substructure between stones and erosion and the steep vertical profile grade and substandard horizontal curve by constructing a roadway approach to a new bridge at a higher elevation. Additionally, the southeast approach to the bridge is below the existing bridge; therefore, it floods frequently due to backwater from the Ohio River, causing the road to be closed to traffic. This project has been determined to generate minimal air quality impacts for Clean Air Act criteria pollutants and has not been linked with any special mobile source air toxic (MSAT) concerns. As such, this project will not result in changes in traffic volumes, vehicle mix, basic project location, or any other factor that would cause a meaningful increase in MSAT impacts of the project from that of the no-build alternative.

Moreover, Environmental Protection Agency (EPA) regulations for vehicle engines and fuels will cause overall MSAT emissions to decline significantly over the next several decades. Based on regulations now in effect, an analysis of national trends with EPA’s MOVES3 model forecasts a combined reduction of over 76 percent in the total annual emissions rate for the priority MSAT from 2020 to 2060 while vehicle-miles of travel are projected to increase by 31 percent (Updated interim Guidance on Mobile Source Air Toxic Analysis in NEPA documents, Federal Highway Administration, January 18, 2023). This will both reduce the background level of MSAT as well as the possibility of even minor MSAT emissions from this project.

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SECTION G - NOISE

Noise

Yes No

Is a noise analysis required in accordance with FHWA regulations and INDOT's traffic noise policy?

Date Noise Analysis was approved/technically sufficient by INDOT ESD: _____

Describe if the project is a Type I or Type III project. If it is a Type I project, describe the studies completed to date and if noise impacts were identified. If noise impacts were identified, describe if abatement is feasible and reasonable and include a statement of likelihood.

This project is a Type III project. In accordance with 23 CFR 772 and the current *Indiana Department of Transportation Traffic Noise Analysis Procedure*, this action does not require a formal noise analysis.

SECTION H – COMMUNITY IMPACTS

Regional, Community & Neighborhood Factors

- Will the proposed action comply with the local/regional development patterns for the area?
- Will the proposed action result in substantial impacts to community cohesion?
- Will the proposed action result in substantial impacts to local tax base or property values?
- Will construction activities impact community events (festivals, fairs, etc.)?
- Does the community have an approved transition plan?
- If No, are steps being made to advance the community's transition plan?
- Does the project comply with the transition plan? (explain in the discussion below)

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discuss how the project complies with the area's local/regional development patterns; whether the project will impact community cohesion; and impact community events. Discuss how the project conforms with the ADA Transition Plan.

The U.S. Department of Housing and Urban Development (HUD) was consulted as part of the early coordination process regarding possible regional, community or neighborhood factors associated with this project. No response was received. On December 1, 2021, Metric conducted an on-line review of the Indiana Festivals website (<http://www.indianafestivals.org>). There were no events identified within or near the project area that would be impacted during the construction schedule.

This project will not change the general development patterns, population density, or residential or commercial growth rate of the project area. Furthermore, there will be no permanent impacts to community cohesion, local mobility, access, pedestrian or motorist safety or emergency services as a result of the project. The project area will have increased access to Silver Creek and pedestrian access to the business and residential neighborhoods as ADA compliant sidewalks will be added to the structure. As per the approved Floyd County ADA Transition Plan, "All new construction, reconstruction, roadwork construction or alterations, including federal projects under the control and/or inspection of the County will be in compliance with the ADA". The project will not have any adverse impacts on the local tax base or property values.

Floyd County Commissioner responded on February 5, 2021 that the City of New Albany supports the project to replace the bridge over Silver Creek at Blackiston Mill Road. They anticipate the project will correct deficiencies with the current bridge and roadway alignment and allow for a better connection for the residences between Clarksville and New Albany. The City is concerned about two possible environmental issues including contamination at the former mill site, possibly leaching into Silver Creek and hazardous conditions in the dam back-flow during high water events on Silver Creek. It would be the City's preference that the dam be removed, and Silver Creek restored to its original profile. (Appendix C, page C-44). The removal of the dam is not included in this project.

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Public Facilities and Services

Discuss what public facilities and services are present in the project area and impacts (such as MOT) that will occur to them. Include how the impacts have been minimized and what coordination has occurred. Some examples of public facilities and services include health facilities, educational facilities, public and private utilities, emergency services, religious institutions, airports, transportation or public pedestrian and bicycle facilities.

Based on a desktop review, the aerial map of the project area (Appendix B, page B-3) and the RFI report (Appendix E, pages E-2 and E-8), there are five public facilities located within the 0.5 mile of the project. That number was updated to two during the site visit on May 11, 2021 by Metric Environmental. The US Social Security Administration building, and the Southern Indiana Rehab Hospital are adjacent to the project area.

No direct impacts will occur to either the US Social Security Administration (US SSA) building or the Southern Indiana Rehab Hospital facility. Indirect impacts will occur when the detour is in effect. The Blackiston Mill Rd. Bridge / Floyd County Bridge No. 22-00051 will be closed for approximately 45 days during construction and a detour will be in effect. The detour route will use the following roadway network: Blackiston Mill Rd., Potters Lane, Greentree North, Veterans Parkway, I-65, I-265, Charlestown Rd., Slate Run Rd., Silver Street, Brown Station Way, and back onto Blackiston Mill Rd., for a total of approximately 12.2 miles roundtrip. No construction issues to the driveways or the US SSA or hospital buildings will occur. The detour information will be advertised and displayed within the project area in advance of the detour going into effect. The SSA and Hospital facility will be notified of and will have access to detour route mapping information for social media purposes. Currently no identified transit routes stop at these places. An early coordination letter was sent to Southern Indiana Rehab Hospital, but no response was received.

INDOT Office of Aviation responded on January 29, 2021 if any object will exceed 200 ft. in height regardless of location, the object will need to be airspaced with the FAA 45 days prior to construction through the Obstruction Evaluation Airport Airspace Analysis (OEAAA) portal (<https://oeaaa.faa.gov/oeaaa/external/searchAction.jsp>) (Appendix C, page C-43).

All applicable recommendations are included in the Environmental Commitments section of this EA document.

It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access.

Environmental Justice (EJ) (Presidential EO 12898)

During the development of the project were EJ issues identified?

Does the project require an EJ analysis?

If YES, then:

Are any EJ populations located within the project area?

Will the project result in adversely high and disproportionate impacts to EJ populations?

	Yes	No
During the development of the project were EJ issues identified?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the project require an EJ analysis?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If YES, then:		
Are any EJ populations located within the project area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will the project result in adversely high and disproportionate impacts to EJ populations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Indicate if EJ issues were identified during project development. If an EJ analysis was not required, discuss why. If an EJ analysis was required, describe how the EJ population was identified. Include if the project has a disproportionately high or adverse effect on EJ populations and explain your reasoning. If yes, describe actions to avoid, minimize and mitigate these effects.

A Corridor study was completed in 2018 for Floyd County for the Bridge 51 / Silver Creek Bridge on Blackiston Mill Rd. Four alternatives were investigated with Alternative 2 becoming the preferred alternative. The preferred alternative will realign Blackiston Mill Rd. beginning just east of Blackiston Blvd. near Silverwood Court by shifting the roadway to the north and curving to the southeast as it approaches a new bridge over Silver Creek. The new bridge will be located upstream of the existing dam on Silver Creek. The bridge will have two 12 ft. wide lanes with curbs, and gutters, and 6 ft. wide sidewalks on both sides. Southeast of the new bridge Blackiston Mill Rd. will curve to the southeast to Walnut Grove Dr., at which point Blackiston Mill Rd. will return to its existing alignment. The roadway southeast of the bridge will be raised from its current low point elevation of 433.4 ft. to 442.4 ft. above sea level to meet the approximate 25-year flood elevation. This will reduce the frequency of flooding to Blackiston Mill Rd. caused by backwater from the Ohio River.

Acquisition of permanent and temporary ROW will be required from 24 parcels. It is anticipated that 10.52 of new permanent ROW will be acquired from residential and two public streets that are unrecorded plats, to realign Blackiston Mill Rd and Bridge for construction. Impacts to one property (identified as 13, 13A, 13B, and 13C on plan sheets in Appendix B, pages B-42 and B-43) will include an apartment building, a log cabin, trailer, and barn/garage. Displacements of 12 individuals (7 families), all renters, are anticipated by the project. The apartment building houses five families (ten people) and a log cabin and trailer on the property house two individuals separately.

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According to the property owner, the tenants living and renting units on the property know about the upcoming project and impact to the property / buildings. The property owner stated that rental agreements with the tenants are month to month. The apartment building is not currently or was not included under income-based restrictions, such as Section 8 housing programs.

Discussions with the property owner in December 2021 and updated in November 2022 indicated 12 individuals or 7 family units reside on the property. The apartment building houses five families (ten people) and a log cabin and trailer on the property house two individuals separately. The property owner stated the tenants living and renting on the property know about the upcoming displacements of their housing. No monthly rental information was available. It is assumed that the renters would be considered part of the low-income population as many have requested rental assistance. Over 27 rental unit listings are included from Clarksville, IN ranging from \$800/month to \$1,775/month depending on bedrooms and square footage, over 20 rental unit listings are available in Jeffersonville from \$925/month to \$2,000/month depending on bedrooms needed and square footage, and over 28 rental unit listings are available in New Albany from \$700/month to \$1,900/month depending on bedrooms and square footage (www.Zillow.com); accessed 09/02/2022).

Surrounding school districts include Clarksville schools, Jeffersonville School District and New Albany School District. New Albany School District is within Floyd County while Clarksville and Jeffersonville are within Clark County. The displacements would occur to residents only in Clark County and within the Clarksville school district. Depending on location, shopping and school buildings would be closer in Clarksville than at the current location. No school age children currently reside on the property.

EJ Analysis, EJ Populations

Under FHWA Order 6640.23A, FHWA and the project sponsor, as a recipient of funding from FHWA, are responsible to ensure that their programs, policies, and activities do not have a disproportionately high and adverse effect on minority or low-income populations. Per the current INDOT Categorical Exclusion Manual, an Environmental Justice (EJ) Analysis is required for any project that has two or more relocations or 0.5 acre of additional permanent ROW. The project will require approximately 10.5 acres of permanent ROW with seven family or twelve individual relocations. Therefore, an EJ Analysis is required.

Potential EJ impacts are detected by locating minority and low-income populations relative to a reference population to determine if populations of EJ concern exist and whether there could be disproportionately high and adverse impacts to them. The reference population may be a county, city or town and is called the community of comparison (COC). In this project, the COC is comprised of Jeffersonville, Clark County, IN and New Albany, Floyd County, IN. The community that overlaps the project area is called the affected community (AC). In this project, the AC's include Census Tracts 505.01 and 505.04 in Clark County and Census Tracts 703.01, 709.01, and 710.05 in Floyd County. An AC has a population of concern for EJ if the population is more than 50% minority or low-income or if the low-income or minority population is 125% of the COC. Data from the 2021 American Community Survey (ACS) 5-year estimates was obtained from the US Census Bureau Website <https://data.census.gov/cedsci/> on March 7, 2023. (2019 data was used for Census Tract 505.01 as no 2021 data was available.) The data collected for minority and low-income populations within the AC's are summarized in the below table.

Table: Minority and Low-Income Data (Source Data and 2021)						
	COC – Jeffersonville, Clark County, and New Albany, Floyd County, IN	AC1 – Census Tract 505.04, Clark County, IN	AC2 – Census Tract 505.01, Clark County, IN (2019 5YR data)	AC3 – Census Tract 703.01, Floyd County, IN	AC4 – Census Tract 709.01, Floyd County, IN	AC5 – Census Tract 710.05, Floyd County, IN
Percent Minority	22.35%	26.73%	12.64%	2.38%	20.59%	7.91%
125% of COC	27.94%	AC < 125% COC	AC < 125% COC	AC < 125% COC	AC < 125% COC	AC < 125% COC
EJ Population of Concern		No	No	No	No	No
Percent Low-Income	14.04%	31.51%	7.57%	2.29%	7.38%	4.25%
125% of COC	17.55%	AC > 125% COC	AC < 125% COC	AC < 125% COC	AC < 125% COC	AC < 125% COC
EJ Population of Concern		Yes	No	No	No	No

*Refer to the INDOT EJ guidance for calculating percentages

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AC1, Census Tract 505.04 has a percent minority of 26.73% which is below 50% and is below the 125% COC threshold. AC2 Census Tract 505.01 has a percent minority of 12.64% which is below 50% and is below 125% COC threshold. AC3 Census Tract 703.01 has a percent minority of 2.38% which is below 50% and is below 125% COC threshold. AC4 Census Tract 709.01 has a percent minority of 20.59% which is below 50% and is below 125% COC threshold. AC5, Census Tract 710.05 has a percent minority of 7.91% which is below 50% and is below the 125% COC. Therefore, none of the Affected Communities in the project area have minority populations of EJ concern in comparison to the Community of Concern.

AC1, Census Tract 505.04 has a percent low-income of 31.51% which is below 50% but is above the 125% COC threshold. AC2, Census Tract 505.01 has a percent low-income of 7.57% which is below 50% and is below the 125% COC. AC3, Census Tract 703.01 has a percent low-income of 2.29% which is below 50% and is below the 125% COC. AC4, Census Tract 709.01 has a percent low-income of 7.38% which is below 50% and is below the 125% COC. AC5, Census Tract 710.05 has a percent low-income of 4.25% which is below 50% and is below the 125% COC. Therefore, AC1 has a low-income population of EJ concern. No other Affected Communities have low-income population of EJ concern in comparison to the Community of Concern.

AC1 Census Tract contains the location of the displacements for the preferred alternative. Blackiston Mill Rd. is the dividing line between Census Tracts AC1 and AC2 in Clark County, and Silver Creek is the dividing line for the counties. See Appendix I, pages I-16 to I-38 for the maps, data, and data analysis.

Impacts associated with the project include approximately 11 acres of permanent and temporary ROW with displacements of 12 individuals (all renters) from one property. Impacts are anticipated to a census tract that identifies as including a low-income population.

The acquisition and relocation program will be conducted in accordance with 49 CFR 24 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) as amended. Relocation resources are available to all residential owners and tenants without discrimination, fair housing is open to all persons regardless of race, color, religion, sex, or national origin. No person displaced by this project will be required to move from a displaced dwelling unless replacement housing is available to that person that is comparable, decent, safe, and sanitary.

In order to facilitate applicable and suitable relocation measures, INDOT and Floyd County will work with relocation specialists and identify specific information concerning the residential owners and tenants during the ROW process. The ROW and relocation specialists will follow the INDOT Real-Estate Manual, August 2021 and all federal and state guidelines <https://www.in.gov/indot/resources/manuals/real-estate-manual-and-resources/>. It is anticipated that a Relocation Specialist will present and be available for questions at the Public Hearing.

The MOT for the project will initially continue to use the existing bridge crossing and roadway network. Traffic will remain on Blackiston Mill Rd. and continue to use the bridge as the proposed bridge and road approaches are being constructed. Once the new bridge and other roadway improvements have been constructed, a detour will be in effect to construct the tie-ins. Traffic will be required to use a detour route that will be marked with appropriate construction and detour signs. The northern route is approximately 5.8 miles, and the southern route is approximately 6.4 miles in length. The closure to Blackiston Mill Rd. is estimated to be 45 days. Vehicular and pedestrian access on Blackiston Mill Rd. and Bridge will be improved after construction is complete and is anticipated to off-set impacts associated with the 45 day detour, benefiting both EJ and non-EJ communities.

Impacts from the project to the EJ community in this area will be beneficial and / or off-setting due to enhanced opportunities for vehicular and pedestrian users on Blackiston Mill Rd. and Bridge. Pedestrian access across the area will be improved after construction is complete benefiting both EJ and non-EJ communities. The project is expected to positively impact community cohesion by improving the roadway and extending the local sidewalk system. This will enable residents of the community and pedestrians to safely travel within the community. Buses and other modes of transportation will also be able to use the bridge to access the US Social Security Administration office, the Southern Indiana Rehab Hospital and retail shopping opportunities. Currently no transit vehicles utilize the roadway or bridge.

Upon release of this EA document for public involvement, a legal advertisement will be placed in the *NEWS and TRIBUNE*, announcing the availability of the environmental document, design plans, and the availability for a public hearing. The impacted residents will be notified individually of the availability for a public hearing. This is to ensure the community and environmental justice population are aware of the project.

Pre-relocation interviews will be held with all impacted and displaced owners and tenants as per INDOT regulations. Information collected will follow current state and federal ROW procedures. During those meetings, individual commitments concerning each household can be determined based on family, monetary assistance needed, access to church, local or specific shopping, doctors, transit access, work, etc. Individual household needs will be evaluated and met when possible, for these items and others. A

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Conceptual Stage Relocation Study (CSRS) will also be conducted by the INDOT Office of Real Estate during the ROW process. These requirements have been included in the Environmental Commitments section of the EA.

Additionally, and if needed in a tight housing market, INDOT and Floyd County will be prepared to adapt policies to allow tenants to rent or purchase homes quickly, rather than the usual 45-60 days. Rental and/or prospective properties could rent or buy quickly; therefore, agents should be able to review monetary obligations as needed and increase relocation payments to make rentals affordable. These requirements have been included in the Environmental Commitments section of the EA.

INDOT will also identify and engage either internally or externally, a Relocation Reviewer, that will function as oversight to the relocation process. This Reviewer will add a layer of assurances to the agencies and public that all state and federal measures are followed appropriately. This requirement has been included in the Environmental Commitments section of the EA.

Mitigation efforts detailed throughout this section, and listed in the Relocation section, will reduce the impacts to the EJ community. A number of these efforts, i.e., pedestrian and bicycle access, combined with the mitigation measures to reduce impacts to those being relocated are not anticipated to result in a disproportionately high and adverse effect for the EJ populations of concern.

INDOT-ESD has reviewed the project information along with the Environmental Justice (EJ) Analysis for the project. With the information provided, the project will require ROW. There will be relocations. With the information provided, the relocations would not disrupt community cohesion or create a physical barrier. INDOT-ESD would not consider the impacts associated with this project as causing a disproportionately high and adverse effect on minority and/or low-income populations of EJ concern relative to non-EJ populations in accordance with the provisions of Executive Order 12898 and FHWA Order 6640.23a. No further EJ Analysis is required. INDOT-ESD's response is located in Appendix I, page I-39.

Relocation of People, Businesses or Farms

Will the proposed action result in the relocation of people, businesses or farms?
Is a BIS or CSRS required?

Yes	No
X	
X	

Number of relocations: Residences: 3 Businesses: 0 Farms: Other:

Discuss any relocations that will occur due to the project. If a BIS or CSRS is required, discuss the results in the discussion below.

The Alternative Analysis discussed previously in this EA document explains the project purpose and need, engineering design, costs, impacts, and public support for the alternatives, see table below and alternatives discussion on page 5. Limited public transit availability exists in the community, with no transit authority currently using Blackiston Mill Rd. The Transit Authority of River City (TARC), out of Kentucky, operates a service that utilizes Grant Line Rd., which is located approximately 1.5 miles from the bridge. Modernizing the bridge and roadway will offer the opportunity for accessibility for public transit vans and other vehicles to make connections to the public resources in the project area, such as the Blackiston Mill shopping center, the US SSA office, and the Southern Indiana Rehabilitation Hospital.

Blackiston Mill Rd. experiences flooding mostly from backwater resulting from flood stages of the Ohio River. Flooding currently affects the local residential and business community adjacent to the bridge. Local Public Agencies are interested in reducing the frequency Blackiston Mill Rd. is closed due to flooding. Additionally, the buildings to be displaced from the Preferred Alternative have been impacted by recent floods with photographs showing the first floor of the apartment building under water from the Flood of 2018. Relocation to an area or building that is not located within the regulatory floodplain is considered beneficial and / or off-setting to the displaced residential property. Engineering Design for the Preferred Alternative has minimized impacts to cultural, economic, public, and natural resources and facilities within the project area while increasing safety for local and through traffic while meeting the stated project purpose and need, see summary table below.

Alternative	Meets Purpose and Need	Residential and Business Impacts	Dam Impacts	Mill and Mine Impacts	Approximate Costs	Public Support
1	Yes	Yes	Yes	No	\$4.7M	No
2	Yes	Yes	No	No	\$4.9M	Yes
3	No	Yes	No	Yes	\$4.6M	No
4	No	Yes	No	No	\$6.9M	No
No Build	No	Yes (continued flooding)	No	No	\$0	No

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The Community Benefits to the local and traveling public from a new and modernized crossing over Silver Creek that increases safety, while also decreasing the flooding impacts to Blackiston Mill Rd. outweigh the ROW and displacement impacts.

The acquisition and relocation program will be conducted in accordance with 49 CFR 24 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) as amended. Relocation resources are available to all residential owners and tenants without discrimination, fair housing is open to all persons regardless of race, color, religion, sex, or national origin. No person displaced by this project will be required to move from a displaced dwelling unless replacement housing is available to that person that is comparable, decent, safe, and sanitary.

In order to facilitate applicable and suitable relocation measures, INDOT and Floyd County will work with relocation specialists and identify specific information concerning the residential owners and tenants during the ROW process. The ROW and relocation specialists will follow the INDOT Real-Estate Manual, August 2021 and all federal and state guidelines <https://www.in.gov/indot/resources/manuals/real-estate-manual-and-resources/>. It is anticipated that a Relocation Specialist will present and be available for questions at the Public Hearing. It is anticipated the owner and tenants will receive the following general benefits:

Owners	Moving expenses, price differential payment, closing cost reimbursement, incidental expense reimbursement, increase mortgage reimbursement
Tenants	Moving expenses, rental assistance payment or downpayment assistance payment

Pre-relocation interviews will be held with all impacted and displaced owners and tenants with either an in-house INDOT relocation specialist or a consultant chosen by INDOT that is an approved right-of-way or relocation specialist as per INDOT regulations. Information collected will follow current state and federal ROW procedures. During those meetings, individual commitments concerning each household can be determined based on family, monetary assistance needed, access to church, local or specific shopping, doctors, transit access, work, etc. Individual household needs will be evaluated and met when possible, for these items and other applicable household needs. A Conceptual Stage Relocation Study (CSRS) will also be conducted by the INDOT Office of Real Estate during the ROW process. These requirements have been included in the Environmental Commitments section of the EA.

Additionally, and if needed in a tight housing market, INDOT and Floyd County will be prepared to adapt policies to allow tenants to rent or purchase homes quickly, rather than the usual 45-60 days. Rental and/or prospective properties could rent or buy quickly; therefore, agents should be able to review monetary obligations as needed and increase relocation payments to make rentals affordable. This requirement has been included in the Environmental Commitments section of the EA.

INDOT will also identify and engage either internally or externally, a Relocation Reviewer, that will function as oversight to the relocation process. This Reviewer will add a layer of assurances to the agencies and public that all state and federal measures are followed appropriately. This requirement has been included in the Environmental Commitments section of the EA.

SECTION I – HAZARDOUS MATERIALS & REGULATED SUBSTANCES

Hazardous Materials & Regulated Substances (Mark all that apply)

Red Flag Investigation (RFI)

Phase I Environmental Site Assessment (Phase I ESA)

Phase II Environmental Site Assessment (Phase II ESA)

Design/Specifications for Remediation required?

Documentation

X

Date RFI concurrence by INDOT SAM (if applicable): November 18, 2021

Include a summary of the potential hazardous material concerns found during review. Discuss in depth sites found within, directly adjacent to, or ones that could impact the project area. Refer to current INDOT SAM guidance. If additional documentation (special provisions, pay quantities, etc.) will be needed, include in discussion. Include applicable commitments.

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Based on a review of Geographic Information System (GIS) and available public records, the RFI was completed by Metric Environmental and INDOT-SAM provided their concurrence on November 18, 2021, Appendix E. No sites with hazardous material concerns (hazmat sites) or sites involved with regulated substances were identified in or within 0.5 mile of the project area. Further investigation for hazardous material concerns or regulated substances is not required at this time.

Part IV – Permits and Commitments

PERMITS CHECKLIST

Permits (mark all that apply)

Likely Required

Army Corps of Engineers (404/Section10 Permit)

Nationwide Permit (NWP)	<input type="checkbox"/>
Regional General Permit (RGP)	X
Individual Permit (IP)	<input type="checkbox"/>
Other	<input type="checkbox"/>

IN Department of Environmental Management (401/Rule 5)

Nationwide Permit (NWP)	<input type="checkbox"/>
Regional General Permit (RGP)	X
Individual Permit (IP)	<input type="checkbox"/>
Isolated Wetlands	<input type="checkbox"/>
Rule 5	X
Other	<input type="checkbox"/>

IN Department of Natural Resources

Construction in a Floodway	X
Navigable Waterway Permit	<input type="checkbox"/>
Other	<input type="checkbox"/>

Mitigation Required

US Coast Guard Section 9 Bridge Permit

Others (Please discuss in the discussion below)

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

List the permits likely required for the project and summarize why the permits are needed, including permits designated as "Other."

The project will likely require an IDEM Section 401 Water Quality Certification permit and an USACE Section 404 permit for the stream impacts.

The IDNR-DFW responded to early coordination on February 26, 2021, stating that this project will require the formal approval of their agency for construction in a floodway pursuant to the Flood Control Act (IC 14-28-1) (Appendix C, pages C-11 to C-13).

An IDEM Construction Stormwater General Permit (CSGP) (previously known as a Rule 5 permit) will also likely be required due to the disturbance of more than one acre of land.

Applicable recommendations provided by the resource agencies are included in the Environmental Commitments section of this EA document. If permits are found to be necessary, the conditions of the permit will be requirements of the project and will supersede these recommendations.

It is the responsibility of the project sponsor to identify and obtain all required permits.

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ENVIRONMENTAL COMMITMENTS

List all commitments and include the name of agency/organization requesting/requiring the commitment(s). Listed commitments should be numbered.

Firm:

1. If the scope of work or permanent or temporary right-of-way amounts change, the INDOT Environmental Services Division (ESD) and the INDOT District Environmental Section will be contacted immediately. (INDOT ESD and INDOT Seymour District)
2. It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access. (INDOT ESD)
3. Any work in a wetland area within INDOT's right of way or in borrow/waste areas is prohibited unless specifically allowed in the US Army Corps of Engineers or IDEM permit. (INDOT ESD)
4. Wetland A will be labeled on the engineering plans and in the field as "Do Not Disturb". (INDOT ESD)
5. A summary of the hydraulic design study will be included in the Field Check Plans. (INDOT ESD)
6. Archaeology site 12FL0219/12CL1100 is to be avoided or subjected to Phase Ib reconnaissance. (SHPO)
7. The portions of site 12FL0219/12CL1100 that lie outside the proposed project area should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then additional archaeological assessment of those portions of the site will be necessary.
8. The acquisition and relocation program will be conducted in accordance with 49 CFR 24 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) as amended. Relocation resources are available to all residential owners and tenants without discrimination, fair housing is open to all persons regardless of race, color, religion, sex, or national origin. No person displaced by this project will be required to move from a displaced dwelling unless replacement housing is available to that person that is comparable, decent, safe, and sanitary. (FHWA)
9. Pre-relocation interviews will be held with all impacted and displaced owners and tenants with either an in-house INDOT relocation specialist or a consultant chosen by INDOT that is an approved right-of-way or relocation specialist, as per INDOT regulations. Information collected will follow current state and federal ROW procedures. During those meetings, individual commitments concerning each household can be determined based on family, monetary assistance needed, access to church, local or specific shopping, doctors, transit access, work, etc. Individual household needs will be evaluated and met when possible, for these items and other applicable household needs. (INDOT ESD)
10. A Conceptual Stage Relocation Survey (CSRS) will be conducted by INDOT Office of Real Estate. (INDOT ESD)
11. INDOT and Floyd County will be prepared to adapt policies to allow tenants to rent or purchase homes quickly, rather than the usual 45-60 days. Rental and/or prospective properties could rent or buy quickly; therefore, agents should be able to review monetary obligations as needed and increase relocation payments to make rentals affordable. (INDOT ESD)
12. INDOT will identify and engage either internally or externally, a Relocation Reviewer, that will function as oversight to the relocation process. This Reviewer will add a layer of assurances to the agencies and the public that all state and federal measures are followed appropriately. (INDOT ESD)
13. If any human remains dating before December 31, 1939 are encountered, the discovery must be reported to the IDNR within two business days. The discovery must be treated in accordance with IC 14-21-1 and 312 IAC 22. In that event, please call (317) 232-1646. If human remains are accidentally discovered during field investigations or related laboratory analyses and would be subject to the Native American Graves Repatriation Act (NAGPRA), the investigating or curation facility shall assure NAGPRA reporting and compliance. If any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, Eastern Shawnee Tribe of Oklahoma, the Miami Tribe of Oklahoma, and the Peoria Tribe of Indians of Oklahoma requests immediate consultation with the entity of jurisdiction for the location of discovery. (SHPO)
14. General AMM 1: Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs. (USFWS)

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15. Lighting AMM 1: Direct temporary lighting away from suitable habitat during the active season. (USFWS)
16. Tree Removal AMM 1: Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to the extent practicable to avoid tree removal in excess of what is required to implement the project safely. (USFWS)
17. Tree Removal AMM 2: Apply time of year (TOY) restrictions for tree removal when bats are not likely to be present (October 1 – March 31), or limit tree removal to 10 or fewer trees per project at any time of year within 100 ft. of existing road/rail surface and outside of documented roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed. (No tree clearing from April 1, - September 30). (USFWS and IDNR)
18. Tree Removal AMM 3: Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits). (USFWS)
19. Tree Removal AMM 4: Do not remove documented Indiana bat or NLEB roosts that are still suitable for roosting; or trees within 0.25 miles of roosts; or documented foraging habitat any time of year. (USFWS)
20. USFWS Bridge/Structure Assessment shall take place no earlier than two (2) years prior to the start of construction. If construction will begin after May 17, 2025, an inspection of the structure by a qualified individual, must be performed. Inspection of the structure should check for presence of bats/bat indicators and/or presence of birds. The results of the inspection must indicate no signs of bats or birds. If signs of bats or birds are documented during this inspection, the INDOT District Environmental Manager must be contacted immediately. (INDOT ESD)
21. Prior to any demolition, the structures will be inspected for bats or evidence of bats. If bats, or evidence of bats, are found coordination will occur with INDOT ESD and USFWS before demolition starts. The structures will be demolished and/or moved after September 30 and before April 1. If further coordination is needed no demolition can occur until coordination is concluded with INDOT ESD and USFWS. (USFWS).
22. Blackiston Mill Rd. Bridge No. 22-0051 and the project's surrounding habitat is conducive for use (i.e. nests) by a bird species protected under the Migratory Bird Treaty Act (MBTA). Prior to the start of nesting season (May 1) the structure must be inspected for birds or signs of birds. If birds or signs of birds are found during the inspection avoidance and minimization measures must be implemented prior to the start of and during the nesting season. Nests without eggs or young should be removed prior to construction during the non-nesting season (September 8 – April 30) and during the nesting season if no eggs or young are present. Nests with eggs or young cannot be removed or disturbed during the nesting season (May 1 – September 7). Nests with eggs or young should be screened or buffered from active construction. Details of the required procedures are outlined in the "Potential Migratory Bird on Structure" USP/RSP. (USFWS)
- For Further Consideration:**
23. Do not excavate in the low flow area except for the placement of piers, foundations, and riprap, or removal of the old structure. (IDNR-DFW)
24. Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds. (IDNR-DFW)
25. Do not cut any trees suitable for Indiana bat or Northern long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30. (IDNR-DFW)
26. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids. (IDNR-DFW)
27. The new, replacement, or rehabbed structure should not create conditions that are less favorable for wildlife passage under the structure compared to the current conditions. (IDNR-DFW)
28. Riprap or other hard bank stabilization materials should only be used at the toe of slopes up to the ordinary high water mark (OHWM) with the exception of areas directly under bridges. The banks above the OHWM must be restored, stabilized, and revegetated using geotextiles and a mixture of grasses, sedges, wildflowers, shrubs, and trees native to Central Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion. (IDNR-DFW)

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29. Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to non-wetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, at least 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10 inches dbh or greater (5:1 mitigation based on the number of large trees). (IDNR-DFW)

30. Revegetate all disturbed soil areas immediately upon project completion, using native trees and shrubs in the riparian zone wherever feasible and reforestation occur along all impacted riparian areas, extending at least 50 feet (preferably 100) perpendicular from the streambank (USFWS)

31. Minimize the extent of hard armor (riprap) in bank stabilization by using bioengineering techniques whenever possible. If riprap is utilized for bank stabilization, extend it below low-water elevation to provide aquatic habitat. (USFWS)

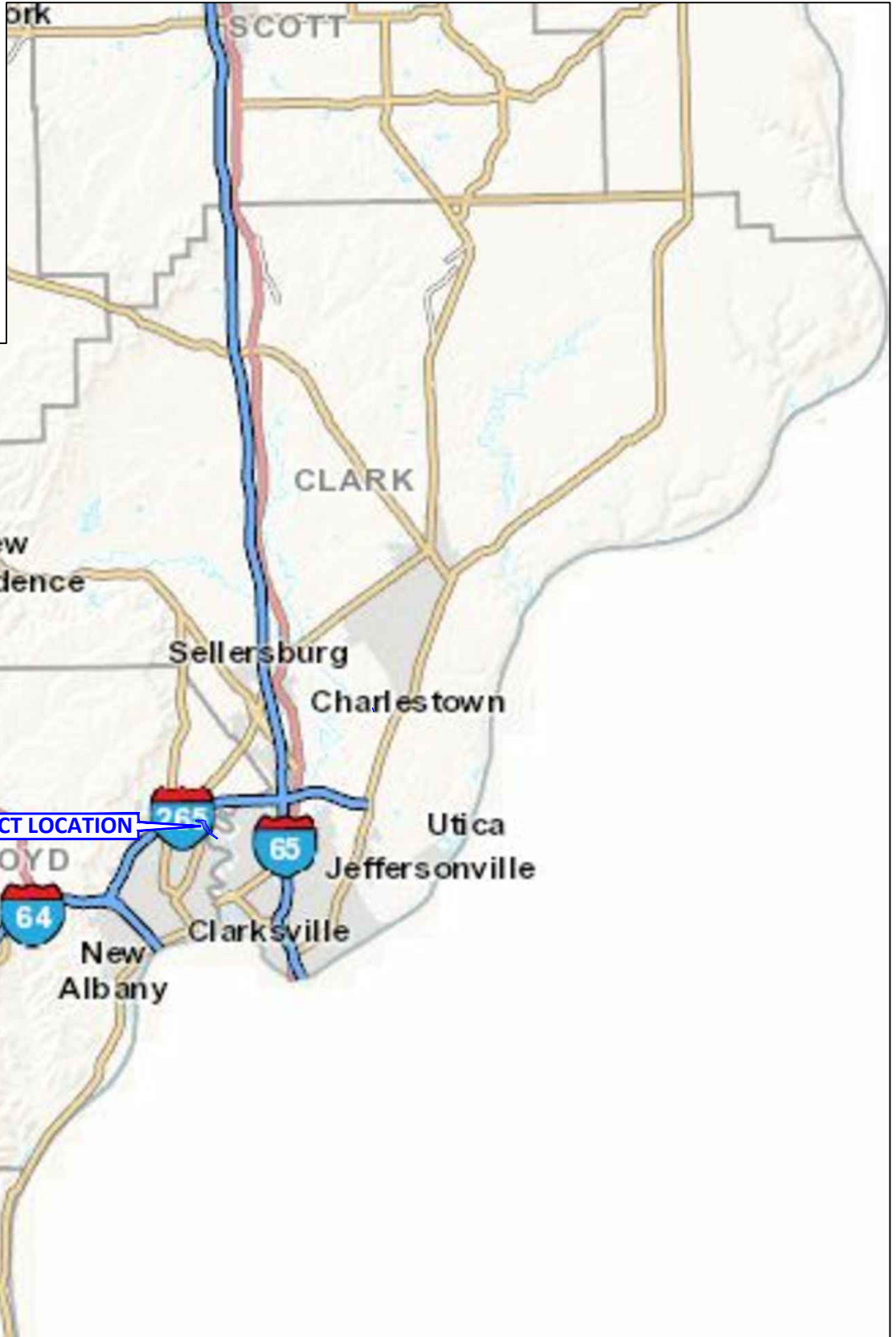
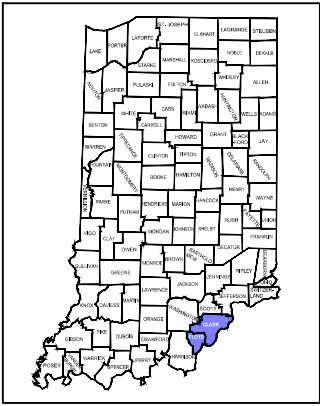
32. Use best methods to contain soil and sediment runoff during construction. Use silt curtains or other devices at the downstream end of the project to contain bottom sediment in the newly excavated channel and to prevent it from adding to the downstream sediment load. Maintain such devices by removal of accumulated sediment. (USFWS)

33. Restrict below low-water work in streams to placement of culverts, piers, pilings and/or footings, shaping of the spill slopes around the bridge abutments, and placement of riprap. (USFWS)

34. Culverts should span the active stream channel, should be either embedded or a 3-sided or open-arch culvert, and be installed where practicable on an essentially flat slope. When an open-bottom culvert or arch is used in a stream, which has a good natural bottom substrate, such as gravel, cobbles and boulders, the existing substrate should be left undisturbed beneath the culvert to provide natural habitat for the aquatic community. (USFWS)

35. Avoid all work within the inundated part of the stream channel (in perennial streams and larger intermittent streams) during the fish spawning season (April 1 through June 30), except for work within sealed structures such as caissons or cofferdams that were installed prior to the spawning season. No equipment shall be operated below OHWM during this time unless the machinery is within the caissons or on the cofferdams. (USFWS)

36. Evaluate wildlife crossings under bridge/culverts projects in appropriate situations. Suitable crossings include flat areas below bridge abutments with suitable ground cover, high water shelves in culverts, amphibian tunnels and diversion. (USFWS)

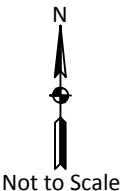


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Source: <http://maps.indiana.edu/>

Location Map
 Bridge Project
 Blackiton Mill Road Over Silver Creek
 New Albany and Jeffersonville Townships,
 Floyd and Clark Counties, Indiana
 Des. No. 1700788
 Metric Project # 18-0145

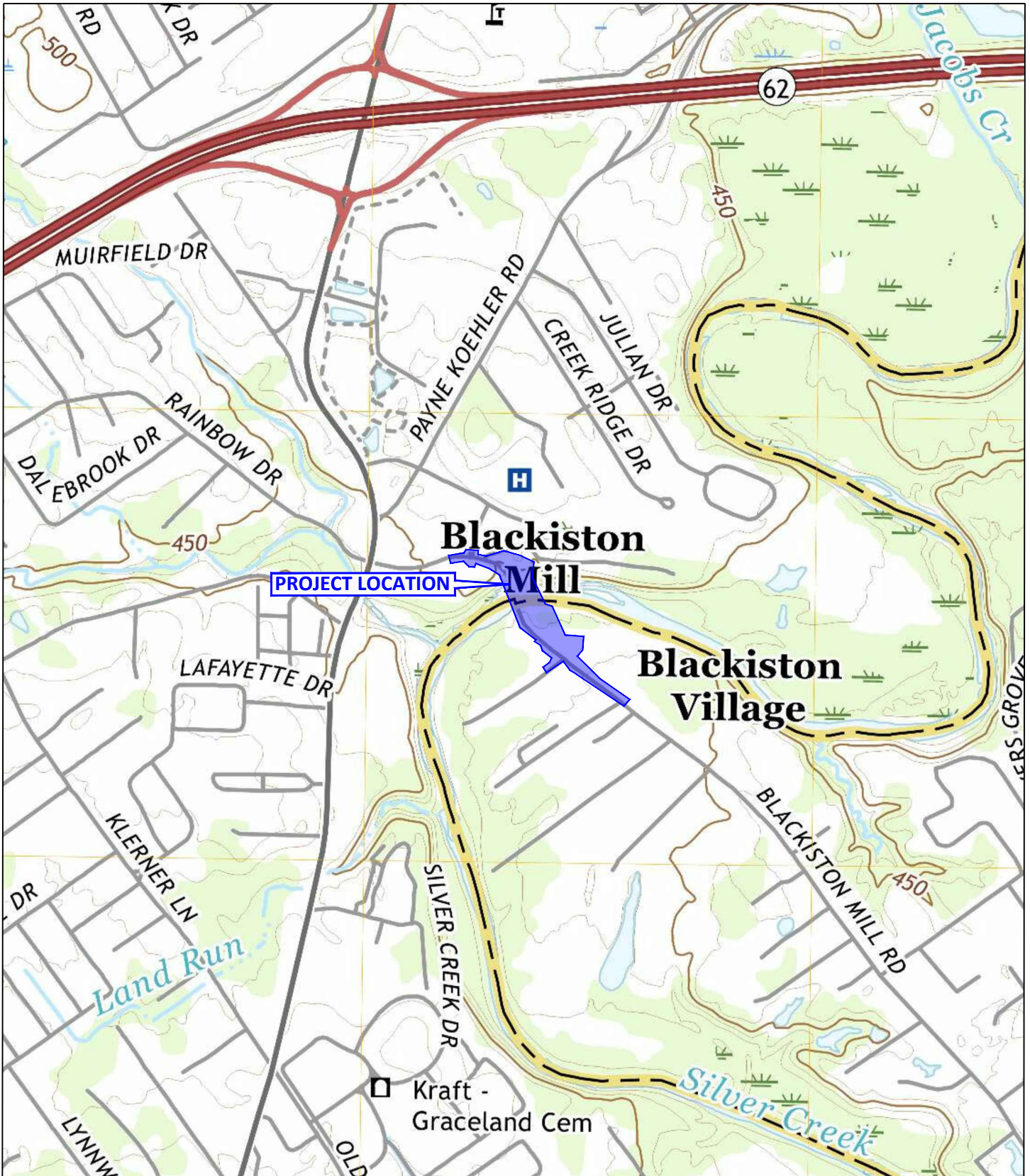
All locations approximate



Not to Scale



Drawn by: ILJ
 Checked by: SC
 Approved by: JRP
 Date: January, 2021

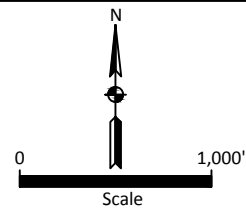


Source: <https://ngmdb.usgs.gov/topoview/viewer/#14/38.3343/-85.7949>

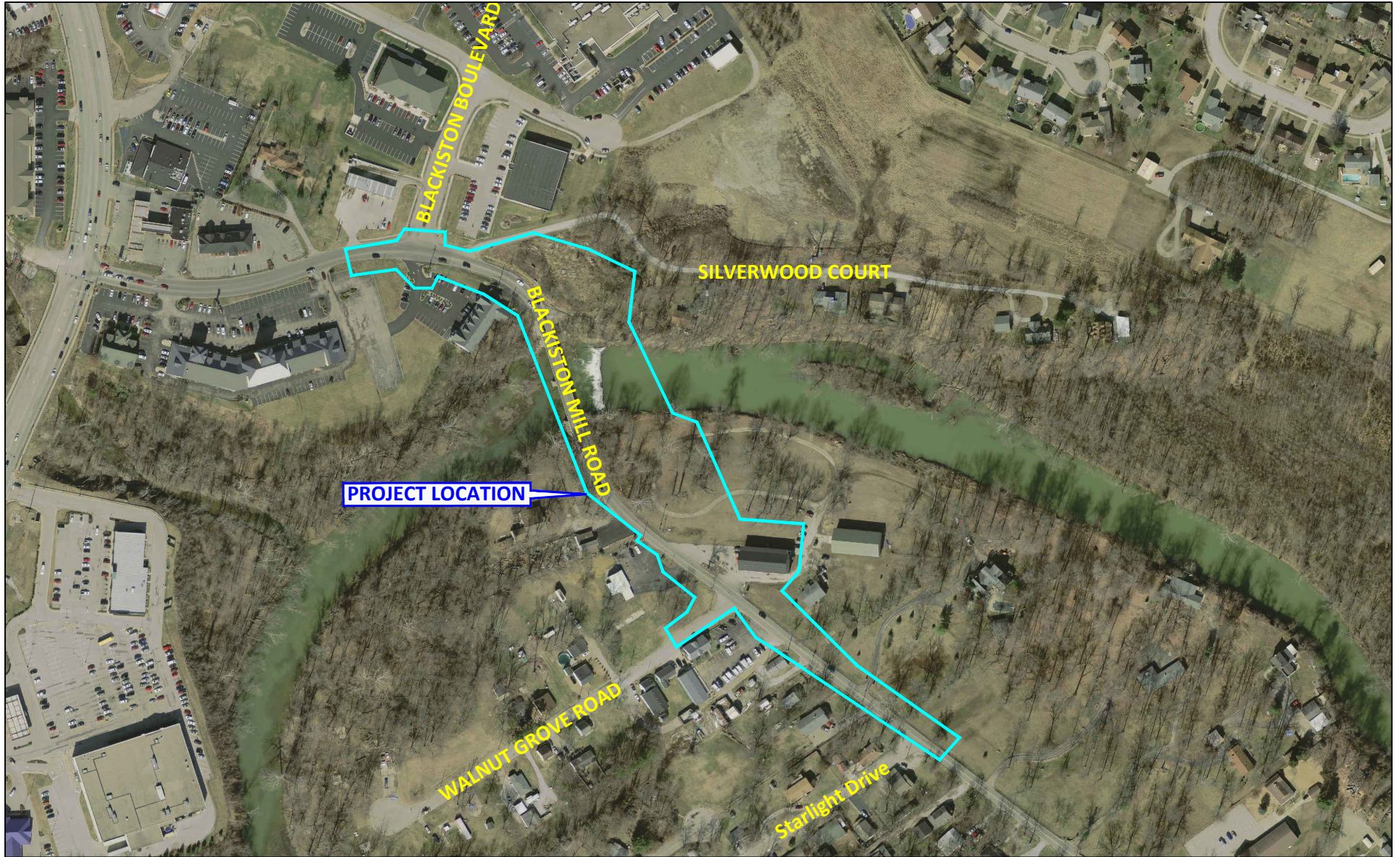
P:\2018\18-0145 - JTL - Floyd Co - Blackiston Mill Rd Bridge 51 Project\4 - Deliverables\Exhibits\EC\Topo Map - 2021.dwg

USGS Topographic Map
 Bridge Project
 Blackiton Mill Road Over Silver Creek
 New Albany and Jeffersonville Townships,
 Floyd and Clark Counties, Indiana
 Des. No. 1700788
 Metric Project # 18-0145

Note: All locations are approximate
 Base map:
 2019 New Albany, IN
 7.5 Minute Quadrangle



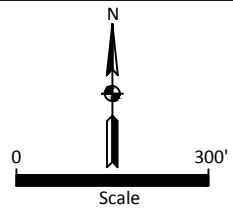
	Drawn by: <u>ILJ</u>
	Checked by: <u>SC</u>
	Approved by: <u>JRP</u>
	Date: <u>January, 2021</u>



Source: <http://maps.indiana.edu/>

2012 Aerial Photograph
Bridge Project
Blackiston Mill Road Over Silver Creek
New Albany and Jeffersonville Townships,
Floyd County, Indiana
Des. No. 1700788
Metric Project # 18-0145

Note: All locations are approximate




Drawn by: ILJ
Checked by: SC
Approved by: JRP
Date: January, 2021

APPENDIX B: Public Involvement Documentation



Floyd County Bridge No. 51 Public Information Meeting



Jacobi, Toombs & Lanz

**Blackiston Mill Road
Floyd County and Clark County
New Albany and Clarksville**

October 11, 2023





Welcome and Housekeeping

- Welcome and thank you for joining us today
- Location of Emergency Exits
- This Hearing will be recorded and transcribed for the final environmental document
- Questions and the Public Comment Period will begin after this Presentation.





Introductions

Floyd County

- Don Lopp, Director of Operations and Planning
- Nick Creevy, Planning Director
- Floyd County Commissioners

Metric Environmental

- Linda Zug, Senior Project Manager, NEPA Compliance
- Luella Beth Hillen, Director of NEPA Services

Jacobi, Toombs & Lanz

- Aaron Sutherland, P.E. Transportation Team Leader
- Steve Marshall, P.E., P.L.S., Survey Team Leader

Government Affiliations

- Indiana Department of Transportation (INDOT)
- Federal Highway Administration (FHWA)



Meeting Agenda

1. Meeting Purpose
2. Project Purpose and Need
3. Project Description
4. Project Schedule
5. Environmental Process
6. Questions and Comments
7. Contacts

Open House With the Project Team to Follow the Presentation and Public Comment Period



Meeting Purpose

- Provide a Project Update to the Public
- Identify the Purpose and Need of the Project
- Inform the Public on the Ongoing Environmental Process





Project Purpose and Need

Purpose:

- Replace Bridge
- Improve Safety
- Provide Pedestrian Access

Need:

- Safety Concerns
- Improve Access During Flood Conditions
- Community Connectivity





Project Description

Replacement of the Existing Bridge Along
Blackiston Mill Road Over Silver Creek

- Blackiston Mill Road Will Be Realigned From Blackiston Blvd. to Silverwood Court
 - The Proposed Alignment Will Improve Safety
- Existing Road will remain open during a majority of construction

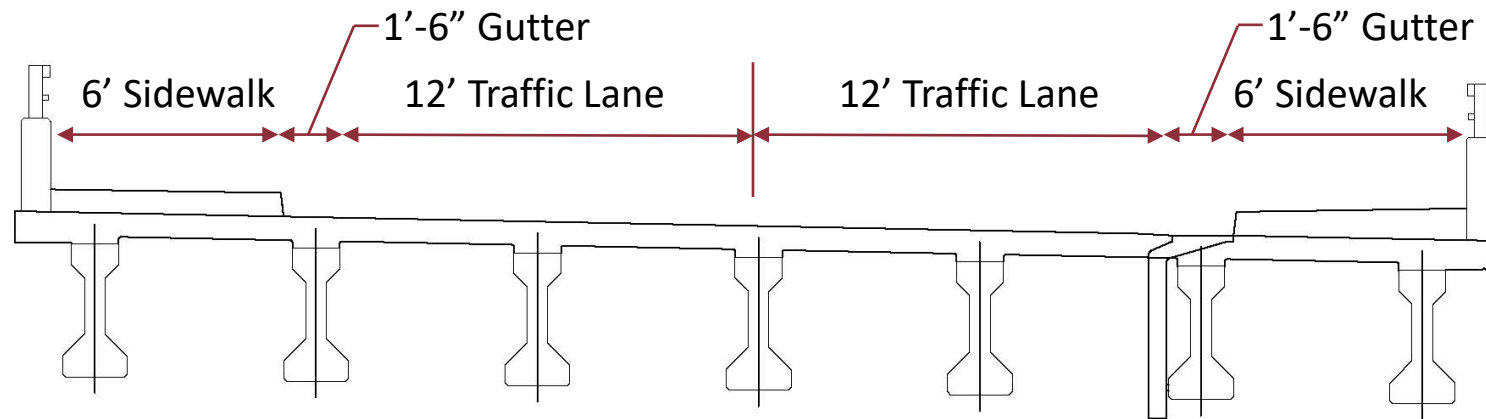
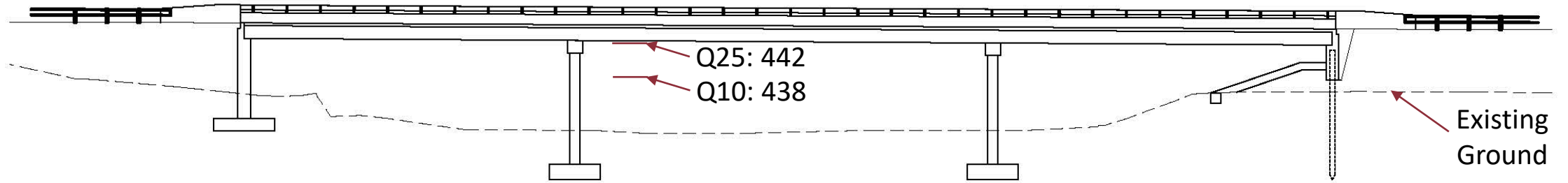




Project Description

Replacement of the Existing Bridge Along
Blackiston Mill Road Over Silver Creek

- Roadway and bridge will be raised approximately nine feet (9')
 - Reduce number of road closures due to flood events
- Three eleven feet (11') wide lanes each side of bridge
- Two twelve feet (12') lanes over the bridge
- Includes curb and gutter, sidewalk, and storm sewers





Project Schedule

- Environmental Clearance 2023
- Right-of-Way 2024
- Project Letting 2025
- Construction 2025-26
- Open to Traffic 2026





Environmental Process - Overview

FHWA-Indiana Environmental Document
 CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM
 GENERAL PROJECT INFORMATION

Road No./County: Blackiston Mill Road (Rd.), Floyd and Clark Counties

Designation Number(s): 1700788

Project Description/Termini: Bridge Project, Structure No. 22-00051, National Bridge Inventory (NBI) No. 2200050, over Silver Creek, approximately 0.20 mile east of Charleston Rd.

<input type="checkbox"/>	Categorical Exclusion, Level 2 – Required Signatories: INDOT DE and/or INDOT ESD
<input type="checkbox"/>	Categorical Exclusion, Level 3 – Required Signatories: INDOT ESD
<input type="checkbox"/>	Categorical Exclusion, Level 4 – Required Signatories: INDOT ESD and FHWA
<input checked="" type="checkbox"/>	Environmental Assessment (EA) – Required Signatories: INDOT ESD and FHWA
<input type="checkbox"/>	Additional Investigation (AI) – The proposed action included a design change from the original approved environmental document. Required Signatories must include the appropriate environmental approval authority

Release for Public Involvement

Digitally signed by
 KARSTIN MARIE CARMANY-GEORGE
 Date: 2023.09.21 14:31:23 -0400
 September 19, 2023
 FHWA Signature and Date INDOT ESD Signature and Date

Certification of Public Involvement

 INDOT Consultant Services Signature and Date

INDOT DE/ESD Reviewer Signature and Date: [Signature] September 19, 2023

Name and Organization of CE/EA Preparer: Linda S. Zug / Metric Environmental, LLC

Note: Refer to the most current INDOT CE Manual, guidance language, and other ESD resources for further guidance regarding any section of this form.

Version: December 2021

- Environmental Field Studies
 - Natural Resources – Waters, wetlands, trees, threatened and endangered species
 - Cultural Resources – Historic resources and archaeology investigations
 - Community Resources – Displacements, community features, air and noise
- Environmental Documentation
 - Environmental Assessment – use QR code on form
 - Available for review online (Floyd County website)
 - Paper copies at Floyd County office, INDOT Seymour office and New Albany Library



Environmental Process – Detail

- Impacts to Silver Creek and Floodplains
- State and Federal Permits
- Displacements of up to 12 individuals / 7 families
- Right-of-Way (ROW) impacts of 10.52 acres
- Environmental Justice Investigations
- Environmental Assessment Review and Public Hearing (October 11, 2023)
- Approval by Floyd County, INDOT and FHWA
- Finalization of National Environmental Policy Act (NEPA) with the Finding of No Significant Impact (FONSI)

- Next Steps: Final Design and purchasing of ROW
 - More information can be found at <https://www.in.gov/indot/projects/real-estate/>



How to Submit Comments

- Return Comment form today in the box provided
- Send by mail to:
 - Linda Zug at Metric Environmental
6958 Hillside Court
Indianapolis, IN 46250
- Send by email to:
 - Linda Zug at Lindaz@metricenv.com
- COMPLETE by October 26, 2023





Questions and Public Comment

- The Project team will take a few quick questions
- Public Comment Period will begin immediately after
 - If you want to register to give Public Comments, see Linda
 - Remember the Public Hearing is being recorded
 - All comments will be included in the final Environmental Document
 - If you want to hand deliver public comments, those are also being accepted.





BLACKISTON MILL ROAD, FLOYD COUNTY and CLARK COUNTY, IN PUBLIC HEARING SURVEY

Please complete the survey below and leave this form in the collection box at the Sign-in Table. If you wish to complete this form at home, please return it via mail to the address provided at the end of the survey by October 26, 2023.

1. How frequently do you travel Blackiston Mill Road and use the bridge crossing Silver Creek? (Please check one of the below.)

- Daily
- Several Times a Week
- Several Times a Month
- Less than Once a Month
- Almost Never

2. Are you aware of any environmentally sensitive features (i.e., socioeconomic resources, natural resources, historic resources, public facilities, flooding issues, etc.) within the project area that the design team should know about?"

3. Are you aware of any engineering, traffic, geotechnical, or technical issues the project team should know about?

4. Do you have any other comments concerning the project?

Please get in touch with Linda with project questions and/or return this form by October 26 by mail to:

Ms. Linda Zug
METRIC ENVIRONMENTAL, LLC.
6958 Hillside Court, Indianapolis, IN 46250

Phone: (412) 639-6949 (cell)
Email: Lindaz@metricenv.com



BLACKISTON MILL ROAD, FLOYD COUNTY and CLARK COUNTY, IN PUBLIC HEARING INFORMATION

PROJECT DESCRIPTION

- Blackiston Mill Road will be realigned from Blackiston Blvd. to Silverwood Court
 - Existing Roads will remain open during the majority of construction.
- Roadway and bridge will be raised approximately nine feet (9')
 - Reduce the number of road closures due to flood events.
- Three eleven feet (11') wide lanes on each side of the bridge
- Two twelve feet (12') lanes over the bridge.
- Includes new curb and gutter, sidewalks, and storm sewers.

PROJECT IMPACTS and IMPROVEMENTS

- Natural Resource Impacts to Silver Creek and associated floodplains and tree removal with replacement; the dam will not be impacted.
- Community Impacts include right-of-way and residential displacements.
- Improvements to community connectivity and pedestrian safety.
- Improved access to Southern Indiana Rehab Hospital and the other businesses along Blackiston Mill Road.
- ROW information can be found at <https://www.in.gov/indot/projects/real-estate/>

PROPOSED PROJECT SCHEDULE

- Environmental Clearance 2023
- Right-of-Way 2024
- Project Letting 2025
- Construction 2025-26
- Open to Traffic 2026

Please use the QR Code to access the EA for additional project information.
Contact Linda Zug with project questions at Lindaz@metricenv.com or 412-639-6949



Jacobi, Toombs & Lanz



18-0145 Floyd County Bridge 51 – Public Hearing

Recording

(Don Lopp-Floyd Co. speaking) The reason that we're here is to deal with an update on Bridge 51, which is Blackiston Mill Road Bridge.

We'll get into some details very quickly.

I would like to introduce the folks who are in the room.

We've got Mr. Al Knable back in the back, Commissioner John Schellenberger and Commissioner Jason Sharp here from Floyd County.

There are representatives from other communities, Mike Mustain, from Clarksville, John Miller from Clark County, and Scott Weber from New Albany.

So, appreciate all of you coming tonight.

I want to go through some of the reasons why we're having a public hearing. This is a federally funded project. It is funded through Federal Highway Administration funds for the replacement of Blackiston Mill Road Bridge.

You'll see a Des number; I believe it's up there. It starts with the number 17.

That's the year that this project got started to get its federal funds. So, this project has been ongoing prior to 2017, but actually started to get its federal funds in 2017. We must go through a process to obtain these funds. It's a step-by-step process that has to take place.

Tonight's meeting is to provide use of public results of the environmental assessment that took place on the site and surrounding the site.

If you have questions about the schedule, we'll have some information about that.

If you have questions about maintenance, I would ask you to see myself or the County engineer Horatio Urieta at the end of the meeting.

This meeting is to take public comment on what you hear tonight from the environmental assessment and the environmental assessment team and then also to provide you with an update of where we stand in terms of scheduling of the project.

It's a multi-step project.

As I said before, we went through a period of design for the bridge.

We submitted environmental documents to different federal agencies.

We have this public hearing as the final step for comment. That document, once this hearing is over, will be transcribed.

We have a recorder here, we'll be going around if you have public comment, to have that transcribed as part of the record that goes to INDOT, Indiana Department of Transportation, and then it goes to federal highways.

We anticipate that that approval will take place from late December to the 1st of January.

We need that, it's our next step in this process.

Once that step's completed, if you are possibly a property owner that may be affected by this bridge, that's when this process of right away acquisition and notification will take place.

So, it won't be until January and after we've gotten the approval for the environmental clearance, that we'll start right-of-way, the right-of-way process.

I think there's some general information that's provided to property owners about that tonight.

So that after right-of-way is complete, then we'll submit the full set of plans to the INDOT and get a letting date in the future.

Questions, we're going to do the presentation first, then we're going to ask for public comment. Like I said, we will be transcribing these.

So, if you want to stand and say your name, your address and then ask your question or make your public comment.

If you don't feel comfortable making a public comment, we have forms here to the left that you can write your comment down.

And then there's also going to be a time after this meeting that we will be accepting public comment for another 2 weeks in terms of receiving that public comment.

So that's kind of the ground rules again and high lights about the environmental assessment then.

And we'll talk about the schedule at the end.

Again, if you have questions regarding the ongoing maintenance, please see myself or Mr. Urieta at the end of the meeting and we can get him.

We'll give kind of an update of what's going on in terms of maintenance of the bridge.

So Aaron Sutherland with Jacobi Tombs, I'm going to hand off the presentation to him.

Thank you.

(Aaron Sutherland speaking) Goes that way and we're adding pedestrian access across the bridge to help anyone that's using that corridor.

We're also able to raise the road to increase accessibility during flood conditions.

The higher road will reduce the amount that the road gets closed when the river's up and that will help maintain the community connectivity.

This bridge connects Clark and Floyd County as well as involving Clarksville.

So it's a very critical infrastructure. It's important to all those municipalities.

So the bridge is going to be built on a new alignment that will be slightly upstream with the existing dam and the bridge. We're going to start and we'll tie it there on the New Albany side there Blackiston Blvd. and Silverwood Court and then continue along to Starlight Drive in Clarksville.

The new alignment will have much more gradual curves that are out there now like in the road safer to travel and it will be less steep.

Transition up into New Albany will be over a longer route so it'll be a smoother transition.

This new alignment also allows us to keep the road open during most of the construction.

So we will have some detours that will be necessary when the contractor ties in at the two ends of the project. But for the bulk of the construction the road will be open.

So, starting on the Clarksville side heading towards the bridge into New Albany, the road will start making a gradual climb; that's how we'll get the road up and out of some of the flood conditions.

As for the project itself, the low point of the road in Clarksville will be raised approximately 9 feet.

Currently the road over tops around a 10-year flood event with the Ohio River. This area is all controlled by the Ohio River. As the water in the river rises, it starts backing up Silver Creek.

The road begins to over top there on the Clarksville side around the 10-year before coming up and eventually going over the bridge.

New Albany, I think, the last major event we had was around 2018. The road got shut down and actually got up to the bridge.

We will have (3) 11-foot lanes on the approach to the bridge on both sides and then the bridge itself will have (2) 12-foot lanes, some gutter and then two sidewalks on each side, 6-foot wide. It'll be elevated. So, it'll be a safer crossing.

So this section, down here at the bottom, kind of shows what the bridge would look like going across with the (2) 12-foot travel lanes with the sidewalk on each side.

The drawing there on the top shows a rough representation of what the bridge would look like coming across Silver Creek.

And with the approaches and everything being reached out, you can see currently the bridge goes under the water around that Q10 elevation there that lower one. And so we're getting up above the 25 years. So that'll significantly keep the road open much more.

As for the schedule of the project, we are wrapping up the environmental. Tonight's the major milestone and we'll be able to get that complete hopefully this year, like Don said, into next year.

And then the right-of-way acquisition is the next phase. Where we're at in the environmental, we're not allowed to go into specifics on right-of-way acquisition, but that's why we have the pamphlets on the way in that go over the INDOT process both for the acquisition and relocation, if it comes to that. So first of the year if you own property, or are a tenant along the corridor, you will be contacted and will follow that procedure.

So the letting, we're looking at 2025 with construction to follow and anticipate the road to be open in 2026.

I think with that, let me turn it over to Linda, to go over the environmental process.

(Linda Zug Speaking) Hi, everybody. Can you hear me?

Is that better? Yeah.

Today we're here to talk about the environmental process, the environmental process involved with documentation of all the impacts across (22) different categories of environmental studies; natural resources, cultural resource, and community resources. We obviously had wetlands, streams, we had houses nearby, cultural resources. I think maybe if you were around, you probably saw us digging a couple of years ago, but we were out digging a number of years ago.

The environmental documentation includes all that information.

It is a 383-page document with all the attachments, but the actual information that most people would want to read about from your pages.

It's all a check box with some other extra information added in.

So we have a QR code, I'll get to eventually, but it's on the, it's on one of the handouts. If you take a picture of that, you'll get the entire document.

The environmental assessment is what the document is called. It's a little more of an elevated process. It goes to federal highways and INDOT Central office to be approved, and we have at this point in

time, all the signatures for that to be available for publication for us today for everyone to look at. And then we will be, as we said, we had about two weeks after this period here for comments.

The environmental document is available for review on the Floyd County website.

It's also paper copies are at the Floyd County office, the INDOT Seymour office and in the New Albany library.

We have these are the different impacts we have on this project area and this is what we're going through at this point in time.

We have the impacts of Silver Creek and the floodplains where we're getting permits for that. We're in the process of getting those permits now. We have displacements of a couple of houses where the old furniture and carpet store was. That building will be displaced along with other buildings on that property. So, we did environmental justice investigations for that.

We have review and the public hearing, which is today, and once this is done, the next two weeks after when we get everyone's comments in and transcribe the public meeting, we will be able to put together a document called the Finding of No Significant Impact.

We don't expect to have a lot of comments. If you guys have comments, that's great. We'll take whatever comments you have, but we don't expect to have a whole bunch of extra comments because of the project. After that, we've already talked about the right of way process and final design and letting.

If you want information about the right of way process, there's a website on here too it should be on your handout also if you need additional information on that.

You said how to comment, submit comments? Leave it in the box up here on the table if you want to put your comments in the box. If you get a chance to fill it out today that would be great. If not, you can send a comment form to me in the mail to the office and or you can e-mail the comments to me at my e-mail address. All that information is on the comment form.

So if you can please call, you know finish that within two weeks, by the end of the month folks have comments through the end of the month.

So pretty much that's it, we're at the end of our presentation here.

If you have any questions, we'll take questions.

We have this sign-up sheet and if anybody had specific comments they wanted to give, we have a box if you wanted to make specific comments that would be great.

If not, then we'll just take a look and start taking questions. If you don't want to say anything, that's perfectly fine, you can just hand us your comment or come and talk to us.

We'll be here for the next hour and a half or so.

So we have one person, who said they wanted to say something.

Yes.

Mr. Pearcy. If there's anybody else that wants to stand up and we'll bring the recorder over so that we can make sure that we catch your comment or question.

(Mr. Pearcy) The only comment I have as a citizen of Floyd County, I'm very concerned about the aspects of the project because of the current condition and it's as a just a person was a community. It's very hard to comprehend and understand the time frame and I understand there's a lot of hands in the fire and federal money, but our government spends money left and right on things. This should be deemed an emergency in my opinion.

You know, I think they're messing with potential tragedy, and I think it's a safety concern for everybody that lives in these two communities, our guests in the area. And so my comments just about safety, I want the project done. I wish it would have been done many years ago. But anyway, that's it for me. Carl Pearcy

OK, thank you. Could you, could you state your name for me?

Just Carl, Carl Pearcy. P E A R C Y I live in Floyd County.

(Beth Hillen) OK, thank you.

Any other questions, comments?

(Beth Hillen) And you can have questions that aren't formal comments. You can just ask any of us questions.

If you have a formal comment that you'd like to have put into the record, that's where I will come and ask you your name and have you speak into the recorder.

(Mr. Bealer Speaking) We've talked before, you and I, after that have you've decided to take the dam out or leave it?

(Linda Zug speaking) The dam is staying. The dam is not owned by INDOT.

(Mr. Bealer Speaking) Oh yeah, I know. I built it. I built it, I built it. I built the current dam.

(Linda speaking) OK, OK. As far as I know, the dam is staying.

This project does not have money to remove the dam. It's not part of this project. There's no, it's not part of the project itself.

(Mr. Bealer Speaking) So, the dam will remain. Well, it almost has to because if it's not, it'll just create a big storm sewer. There will be no Silver Creek unless it rains.

(unnamed resident) I had a question in terms of bicycle access and bicycle lanes. Hopefully over time it can become a lot more pedestrian friendly throughout its entirety and so it doesn't appear that that

is being incorporated into this project. So, is that something that's not required or because it would be so helpful? I mean currently I go out Payne culver Road or down through other ways and to be so optimal to have access to be able to get through that corridor if possible.

(Linda Zug) Are you talking about the road itself?

Well, the road in longer term, but I'm just concerned that if that's you know in terms of this bridge being done, hopefully it's going to last fifty or more years.

It would be nice to have that incorporated in the bridge even if it doesn't connect to anything at this point in time.

(Aaron Sutherland) The bridge and the lane are being made much wider than the existing ones. I think the existing bridge is 20 to 22 foot wide. So, we're going to the (2) 12-foot lanes plus additional 3-feet with the gutter and there's also the sidewalk on both sides.

So, there are not dedicated bike lanes going over the bridge.

(unnamed resident) Is that sufficient, is that sufficient for those to be incorporated in the future? I mean what's a normal width that you would have to have for car traffic? I mean is it 10 feet?

(Aaron Sutherland) Yeah, it's 10 feet.

(unnamed resident) Well, you got that good. And then it depends on the community. OK, I'll just talk to people afterwards on the side to get more detail.

Thank you.

Go ahead.

(unnamed resident 2) It seems that sidewalks would make perfect bicycle lanes.

(Linda Zug) There are two sidewalks there. They may not be accessible depending on the curbs or whatever.

(unnamed resident 2) But yeah, well, I mean you could, all you have to do is make the sidewalks handicap accessible. That gets your ramp down.

(Linda Zug) I'm not a bicycle person.

(unnamed resident 2) I mean, I ride up Charles Road all the time on the sidewalk; it's perfect.

Thank you.

(unnamed resident 2) It's probably fair to make note that the drawing that you have is only a portion of the bridge. The other contracts are in New Albany and Clarksville.

So sidewalks are probably going to continue away from the bridge all the way through Clarksville.

I'd say eventually they're working their way this way. I don't know, going into New Albany what their plans are.

I'm not a bicycle person either but if you can't ride a bicycle in 36 inches, you can't ride a bicycle.

{laughter} (Linda Zug) We don't need to start a discussion.

Yes, Sir.

(unnamed resident 3) There's been a recent lot of repairs to maintain the bridge to a safe condition. What do you anticipate as far as repairs and maintenance to keep the bridge in passable condition until the new bridge is ready to be used?

(Don Lopp) Well, I will say that's probably a question that our county engineers would probably answer. Horatio, if you'd like to kind of give an update on the maintenance part.

(Horatio Urieta) So this bridge, I'm Horatio, I'm Floyd County engineer.

This bridge owns a unique status. The substructure and the beam supporting the deck are in really good shape. Nothing that we have to worry about.

What is causing the problem is the concrete deck. The concrete deck itself in some areas is thicker than another areas. The area that is failing the deck is about 6 inches and a half, perhaps seven.

Who built it? Why it was built that way, we don't know.

But the bridge, have you seen it? In the deck has been falling in different areas. We've been patching it, trying to get it to work and keep it functioning for the people in a safe manner.

In conjunction with United Consultants, we did an investigation and evaluated the deck, and we determined that having a deck, half the deck coming from New Albany to Clarksville, that first span be metal plated because that's the worst area of the bridge.

The bridge itself has to be repaired properly to last longer, where the county will need to invest perhaps \$500k. And then investing in \$500k for 3-4-5 more years, when we're going to have a new bridge, what are we going to do with the bridge? New Albany does not want to keep maintaining the bridge. Town of Clarksville does not want to be maintaining on the bridge. So the bridge is going to be demolished.

So, I don't think it's a good point to invest that amount of money, to make a good feasible and safety

bridge. What we're trying to do is extend the life as much as we can until the new bridge is on.

(unnamed resident 3) So what is a person's life worth? I ride a motorcycle. You know what it's like riding a motorcycle across those metal plates?

(Horatio Urieta) That's a great question.

(unnamed resident 3) And you know what those plates are like when they're wet?

(Horatio Urieta) That's a great question, let me tell you.

(unnamed resident 3) So yes, it's worth that money to fix that bridge.

(Horatio Urieta) Let me answer.

Three guys that work for the road department for more than 15 years, and those three guys ride motorcycles for fun. They go on long trips and all that. They say that in a bridge, coming that way from New Albany to the bridge, before you get to the joint of the bridge, you as a motorcycle driver should be vertical.

(unnamed resident 3) It's not true. I ride that a lot.

(Horatio Urieta) That's what they told me. Then what speed you drive?

(unnamed resident 3) That's the probably true.

(Horatio Urieta) So but they told me when you get to the joint of the bridge, it's got to be vertical and you have no problem.

(unnamed resident 3) Even straight up in the middle it's slick, if you have to break or you have to do anything you're going down and that bridge will kill somebody.

(Horatio Urieta) Well, it depends on what velocity you drive. If you want to go, and I don't know, 15 or 10 mph, probably it will not be a problem. At about 50, obviously it's going to give you some headaches. Like I said, we have three guys that they say, hey, not a problem. So, what else can I say?

(unnamed resident 3) It's an opinion.

(unnamed resident 4) If the structure is sound to use, why can't you just put a new bridge on top of the structure you're talking about? You said it was sound, the only thing wrong was with the top, right? So why can't you do that?

(Horatio Urieta) Well, that's what I said.

(unnamed resident 4) Well, no, I mean not tear it down. Now, why can't you just put a new top on instead of replacing the whole bridge?

Why would you tear it down? It's got a good structure because the foundation is good. And wouldn't it be OK to just go ahead and fix the one you got?

(Horatio Urieta) If that is done, then it will take at least four to six months to get it done. Once it's done and the new bridge is in place what are we going to do with the money invested?

(unnamed resident 4) I don't understand why you need to replace the bridge if the structure's good.

(Aaron Sutherland) The new alignment is addressing some other concerns, it's going to be a much wider bridge, we're adding sidewalk. So, the existing structure can't, is not wide enough for the new lanes. It's very tight, That's why we're shifting it over.

(unnamed resident 4) What about the roads to go to the bridge.

(Horatio Urieta) You see the picture.

(Aaron Sutherland) We'll maintain access to all the properties, and we can go up and look at the drawings after the meeting if there are any questions you have.

(unnamed resident 5) So what's the plan for the bridge after the doing is complete?

I've heard once they thought they'd leave it as a walking bridge and I was going to be the one to do that right

(Don Lopp) At this time the plan is to demolish the bridge, and again to kind of reiterate the rationale of why this project is being done in terms of a new bridge, there's several things: There's the, there's the curvature of the road in terms of making that a more gradual curve. There's the heightening of the bridge to eliminate go from Q10 to Q25 to allow additional access during flooding events, wider lanes. So those are the rationale of this project.

(unnamed resident 5) I mean I understand why you're building to do it. I just was wondering what the old one is going to happen.

(Don Lopp) At this time there has been those statements made about the possibility of a walking bridge. We've not heard anything officially from anyone who's interested in it. The county is responsible for maintaining the bridge and once that project's done, the county doesn't have an interest in maintaining that bridge.

Now if there's another entity or municipality who wants to have that looked at as a walking bridge where I think the county would be interested in having a discussion.

(unnamed resident 5) Well, how about at least additional signage to caution people about the condition when they approach it?

(Donn Lopp) That's something we can do.

(Mr. Bealer) I'll buy the bridge.

(Don Lopp) But again, tonight's meeting is for us to get through that next stage of process with federal funds and that's the environmental assessment.

So, if you want to stay after for discussions about maintenance, we're more than happy to discuss.

(Aaron Sutherland) Do you have any other questions directed about the environmental assessment or questions about that?

That's the true purpose of this weekend.

Any other questions? If not, we'll conclude our presentation.

Again, any of the team will be around to talk one-on-one.


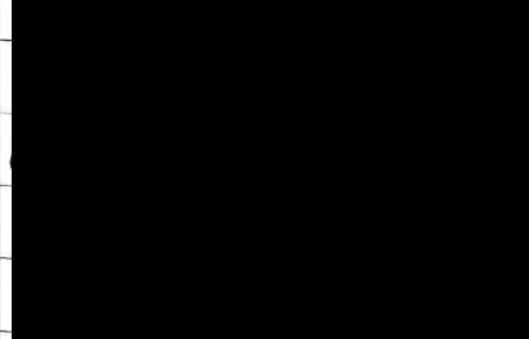
FORMAL COMMENT AND RESPONSE SUMMARY TABLE

Formal Comment	Response
Schedule – this project should have been completed already, based on safety.	No response.


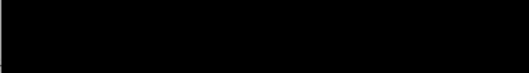


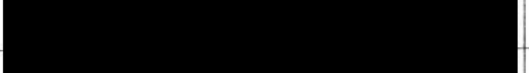
PUBLIC HEARING SIGN-IN SHEET
DES. NO. 1700788
BLACKISTON MILL ROAD AND BRIDGE OVER SILVER CREEK
FLOYD AND CLARK COUNTIES, INDIANA
WEDNESDAY, OCTOBER 11, 2023, 6:00 PM
PROSSER VOCATIONAL SCHOOL, 4202 CHARLESTON ROAD, NEW ALBANY, IN 47150

NAME (PLEASE PRINT)	ADDRESS	E-MAIL ADDRESS	CHECK BOX IF SPEAKING
Kim Randy Raptor	121 Bowling Ln.	[REDACTED]	
Jim Noble	3209 Blackiston Mill Rd		
PAUL GRAMIAK	1706 BRIARWOOD DR.	[REDACTED]	
Michael Mustain	708 Flat Wood Dr Clarksville	[REDACTED]	
Tommy DeFoston	2615 Blackiston Mill Rd Clarksville	[REDACTED]	
Terry Meredith	119 Silver Creek Dr. CLARKSVILLE	[REDACTED]	
Rebecca Embury	2832 Blackiston Mill Rd #1	[REDACTED]	
Justin Myers	2803 Blackiston Mill Rd	[REDACTED]	
Vance Shepherd	1110 Blackiston Ct New Albany	[REDACTED]	
Candra Shepherd	1110 Silverwood Ct New Albany	[REDACTED]	
Tyler McGeorge	—	INDOT	
R. B. Sh	—		
Michael Burch	3832 Blackiston Mill #3	[REDACTED]	

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NAME (PLEASE PRINT)	ADDRESS	E-MAIL ADDRESS	CHECK BOX IF SPEAKING
GREG FIFER			
Greg Whitt	2709 Blackiston Mill Rd CV. 116 47159		
Jason Sharp	3750 Kephly Rd. Georgetown, TN 47628		
Jorge Lantz	New Albany, IN		
John Miller	6218 Laurel Court		
Ed Wilkinson	1028 Castlewood Dr. NA		
Rebekah Lidenr	1100 Silverwood Ct		
Peggy Beckmann	"		
RON NEAL	3910 PLYME WHEELER RD., NA.		
Nick Crum			
Portia Nixie	193 Tyler Dr.		
Laura Hoke Beard	2832 Blackiston Mill Rd #CJ		
Lavry Beelee	2820 Blackiston Mill Rd		
Scott Blair	3925 Rainbow Dr.		

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NAME (PLEASE PRINT)	ADDRESS	E-MAIL ADDRESS	CHECK BOX IF SPEAKING
Michael Sands	3245 Blackiston Blvd WA 47150		
Gary Warth	3239 Blackiston Blvd NA 47150		
Jim/mary Zimmerman	758 Spicewood Dr Clarksville, IN ⁴⁷¹³⁰		
RON HOWARD	3309 MELLWOOD DR., New Albany, IN 47150		
Leav Meader	2305 Blackiston Mill Rd. Cville		
Janet Campbell	3934 Payne Koehler Rd New Albany 47150		
Jerry Proffitt	2520 Blackiston Mill Rd Clarksville		
Drew Passmore	INDOT		
Tery Summers	INDOT		

LEGAL NOTICE OF PUBLIC HEARING**Proposed Bridge and Roadway Improvement Project of Blackiston Mill Road in Clark and Floyd Counties, IN**

The Indiana Department of Transportation (INDOT) will host a public hearing on Wednesday, October 11th, 2023, from 6:00 pm to 8:00 pm with a formal presentation at 6:30 pm, at the Prosser Vocational School located at 4202 Charlestown Road, New Albany, Indiana 47150. The purpose of the public hearing is to offer all interested persons an opportunity to comment on the environmental document and engineering plans to replace and realign Blackiston Mill Road over Silver Creek from approximately 0.20 mile east of Charlestown Road (Rd.) to approximately 1,500 feet southeast of Starlight Drive.

The primary purpose of the project is to provide safe connectivity for pedestrian access, provide increased accessibility for vehicular, bicycle and pedestrian traffic on Blackiston Mill Rd. and bridge, and to address the flooding of the southeast approach to the bridge. The need for this project is a result of the deteriorated condition of the bridge structure along with the steep vertical profile grade and substandard horizontal curve. The bridge is narrow and does not include pedestrian or bicycle accessibility (no protected or identified pedestrian or bicycle lane). The southeast approach to the bridge is below the existing bridge structure; therefore, the area and bridge floods frequently due to backwater from the Ohio River, causing the road and bridge to be closed to traffic.

As proposed, the project will realign Blackiston Mill Rd., beginning just east of Blackiston Blvd. near Silverwood Court, by shifting the roadway to the north and curving to the southeast as it approaches a new bridge over Silver Creek. The concrete deck will provide a clear roadway width of 26 ft. - 10 inches (two 12 ft. wide driving lanes and 1 ft. - 5-inch-wide gutter). A 6-ft.-wide sidewalk with 10-inch-wide bridge railing will be provided on both sides of the bridge. Southeast of the new bridge, Blackiston Mill Rd. will continue to curve to the southeast until Walnut Grove Dr., at which point Blackiston Mill Rd. will return to its existing alignment. The roadway southeast of the bridge will be raised from its current low point elevation of 433 ft. above mean sea level (AMSL) to 442 ft. AMSL to meet the approximate 25-year flood elevation; this will reduce the frequency of flooding by backwater from the Ohio River. A 4.73-acre area of excavation located southeast of the crossing will provide flood storage and mitigation to compensate for the roadway grade rise and minimize downstream impacts. A deed restriction will be placed to protect this area/acreage from development. The low-head dam on Silver Creek will not be impacted by the project.

The Maintenance of Traffic (MOT) plan for the project has traffic remaining on Blackiston Mill Rd. during construction that will continue using the existing bridge as the proposed bridge and road approaches are being constructed. Once construction for the new structure and approaches are complete, Blackiston Mill Rd. will be closed. The closure to Blackiston Mill Rd. is estimated to be 45 days. The detour route will use the following roadway network: Blackiston Mill Rd., Potters Lane, Greentree North, Veterans Parkway, I-65, I-265, Charlestown Rd., Slate Run Rd., Silver Street, Brown Station Way, and back onto Blackiston Mill Rd., for a total of approximately 12.2 miles roundtrip.

Federal and local funds are proposed to be used for construction of this project. Floyd County, INDOT and the Federal Highway Administration have agreed that this project poses minimal impact to the natural, cultural, and social environment. An Environmental Assessment (EA) environmental document has been prepared for the project. The environmental documentation and preliminary design information is available to view prior at the following locations:

1. New Albany-Floyd County Public Library - 180 West Spring Street, New Albany, IN 47150
2. INDOT Seymour District Office - 185 Agricola Lane, Seymour IN 47274 or 855-INDOT4U (855-463-6848)

A project webpage will be created prior to the public hearing to ensure project information is available on-line via the INDOT Seymour District page. In addition, project information, including the environmental document, will be mailed upon request.

Public statements for the record will be taken as part of the public hearing procedure. All verbal statements recorded during the public hearing and all written comments submitted prior to, during and for a period of two (2) weeks following the hearing date, will be evaluated, considered and addressed in subsequent environmental documentation. Written comments may be submitted prior to the public hearing and within the comment period to Linda Zug at Metric Environmental, LLC., 6958 Hillsdale Court, Indianapolis, IN 46250. E-Mail: lindaz@metricenv.com INDOT respectfully requests comments be submitted by Thursday, October 26, 2023.

With advance notice, INDOT will provide accommodations for persons with disabilities with regard to participation and access to project information as part of the hearing's process including arranging auxiliary aids, interpretation services for the hearing impaired, services for the sight impaired and other services as needed. In addition, INDOT will provide accommodations for persons of Limited English Proficiency (LEP) requiring auxiliary aids including language interpretation services and document conversion. Should accommodation be required please contact Terry Summers at INDOT Seymour District at (812) 524-3749 or tsummers@indot.in.gov

If the public hearing is postponed due to inclement weather, it will be rescheduled for a later date and time, and the public comment period will be extended.

This notice is published in compliance with Code of Federal Regulations, Title 23, Section 771 (CFR 771.111(h)(1)) which states: "Each State must have procedures approved by the FHWA to carry out a public involvement/public hearing program." 23 CFR 450.212(a)(7) states: "Public involvement procedures shall provide for periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all and revision of the process as necessary." approved by the Federal Highway Administration, U.S. Department of Transportation on August 16, 2012. hspaxlp

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Floyd County Government
(Governmental Unit)

FLOYD County, Indiana

To:
NEWS AND TRIBUNE
221 SPRING STREET
PO BOX 867
JEFFERSONVILLE, IN 47130
FED ID # 82-2664009

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines	----- <u>110</u>
Body -- number of lines	-----
Tail -- number of lines	-----
Total number of lines in notice	----- <u>110</u>

COMPUTATION OF CHARGES

<u>110</u> lines, <u>2</u> columns wide equals <u>220</u> equivalent lines at <u>5414</u> cents per line	-----	\$ <u>119.11</u>
Additional charges for notices containing rule or tabular work (50 per cent of above amount)	-----
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)	-----
TOTAL AMOUNT OF CLAIM	-----	\$ <u>119.11</u>

DATA FOR COMPUTING COST

Width of single column in picas..... Size of type...7...point.
Number of insertions...1.....

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper times. The dates of publication being as follows:

9/30/2023

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- Newspaper has a Web site, but due to technical problem or error, public notice was posted on
- Newspaper has a Web site but refuses to post the public notice.

Meresa Weatherup

Bookkeeper

Date 11-08-23

1851495

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(Governmental Unit)

FLOYD County, Indiana

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10/07/2023

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Theresa Wheatley

Bookkeeper

Date 11-08-2023

185 2506



Figure 1 - Public Hearing sign on Blackiston Mill Road, facing southeast, October 11, 2023



Figure 2 - Public Hearing sign on Blackiston Mill Road, at the intersection of Walnut Grove Road and driveway, facing southeast. October 11, 2023

19039-FLOYD CO. BRIDGE 51 MAILING LIST

Mail to Owner	Owner Street	Owner City, ST & ZIP	Mail to Resident	Property Street (If Diff From Owner Steet)	Property City, St & Zip (If Diff From Owner Steet)
Sherman R Nixe and Alice G Nixe	3005 Blackiston Mill Road	Clarksville, IN 47129		-	-
James R Disponett II	3009 Blackiston Mill Rd	Clarksville, IN 47129		-	-
Koerber's Properties LLC	3095 Blackiston Mill Rd	New Albany, IN 47150		-	-
William and Juanita Ridener	1100 Silverwood Ct	New Albany, IN 47150		-	-
Joseph & Pamela Kraft Enterprises LLC	320 Washington Place	New Albany, IN 47150		NA	NA
Woodsilver, LLC	3910 Payne Koehler Rd	New Albany, IN 47150		NA	NA
Silver Creek Water Corp.	P O Box 102	Sellersburg, IN 47172		NA	NA
Graf Properties LLC	7515 Old Highway 111	Memphis, IN 47143		NA	NA
River Heritage Conservancy Inc	PO Box 486	Jeffersonville, IN 47131		NA	NA
Albanessa Venture LLC	1102 48th St	Moline, IL 61265	Resident	3700 Blackiston Blvd.	New Albany, IN 47150
Myong Kang	149 Forest Drive	Jeffersonville, IN 47130	Resident	2917 Blackiston Mill Rd.	Clarksville, IN 47129
Ershco LLC	1800 N Elm St	Henderson, KY 42420	Resident	3105 Blackiston Mill Rd	New Albany, IN 47150
Clearleaf Short Alternative Fund LP	2307 Watterson Trail	Louisville, KY 40299	Resident	3013 Blackiston Mill Rd.	Clarksville, IN 47129
Future Freedom Inc.	2602 N Old 56	Salem, IN 47167	Resident	3108 Blackiston Mill Rd	New Albany, IN 47150
Ramiro Gandara Sr.	7705 Wolfpen Ridge Dr	Prospect KY 40059	Resident	2929 Blackiston Mill Rd.	Clarksville, IN 47129
James M Noble	8802 E Shady Lane	Pekin, IN 47165	Resident	3209 Blackiston Mill Road	Clarksville, IN 47129
Disponett & Disponett Property, LLP	P O Box 3531	Clarksville, IN 47129	Resident	109 Walnut Grove	Clarksville, IN 47129
Pillar Capital LLC	P O Box 578	Floyds Knobs, IN 47119	Resident	3120-3124 Blackiston Mill Rd	New Albany, IN 47150
TCB Properties	3579 Hamby Rd	Georgetown, IN 47122	Resident	3205 Blackiston Mill Road	Clarksville, IN 47129
Larry W. Beeler	2820 Blackiston Mill Road	Clarksville, IN 47129	Resident	2818 Blackiston Mill Rd.	Clarksville, IN 47129
				-	-
				NA	NA
			Resident	2832 Blackiston Mill Rd.	Clarksville, IN 47129
			Resident	2832 Blackiston Mill Rd. Apt. 1	Clarksville, IN 47129
			Resident	2832 Blackiston Mill Rd. Apt. 2	Clarksville, IN 47129
			Resident	2832 Blackiston Mill Rd. Apt. 3	Clarksville, IN 47129
			Resident	2832 Blackiston Mill Rd. Apt. 4	Clarksville, IN 47129
			Resident	2832 Blackiston Mill Rd. Apt. 5	Clarksville, IN 47129
			Resident	2830 Blackiston Mill Rd.	Clarksville, IN 47129
Larry Beeler & Nancy Beeler	2820 Blackiston Mill Road	Clarksville, IN 47129			



DES. # 1700788

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A project webpage will be created prior to the public hearing to ensure project information is available on-line via the Floyd County IN page [Floyd County Indiana Government](#) and the INDOT Seymour District page. In addition, project information, including the environmental document, will be mailed upon request.

Public statements for the record will be taken as part of the public hearing procedure. All verbal statements recorded during the public hearing and all written comments submitted prior to, during and for a period of two (2) weeks following the hearing date, will be evaluated, considered and addressed in subsequent environmental documentation. Written comments may be submitted prior to the public hearing and within the comment period to Linda Zug at Metric Environmental, LLC., 6958 Hillside Court, Indianapolis, IN 46250. E-Mail: lindaz@metricenv.com **INDOT respectfully requests comments be submitted by Thursday, October 26, 2023.**

With advance notice, INDOT will provide accommodations for persons with disabilities with regard to participation and access to project information as part of the hearing's process including arranging auxiliary aids, interpretation services for the hearing impaired, services for the sight impaired and other services as needed. In addition, INDOT will provide accommodations for persons of Limited English Proficiency (LEP) requiring auxiliary aids including language interpretation services and document conversion. Should accommodation be required please contact Terry Summers at INDOT Seymour District at (812) 524-3749 or tsummers@indot.IN.gov

If the public hearing is postponed due to inclement weather, it will be rescheduled for a later date and time, and the public comment period will be extended.

This notice is published in compliance with Code of Federal Regulations, Title 23, Section 771 (CFR 771.111(h)(1)) which states: "Each State must have procedures approved by the FHWA to carry out a public involvement/public hearing program." 23 CFR 450.212(a)(7) states: "Public involvement procedures shall provide for periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all and revision of the process as necessary." approved by the Federal Highway Administration, U.S. Department of Transportation on August 16, 2012.

Floyd County Planner
(Governmental Unit)
Floyd County, Indiana

To:
NEWS AND TRIBUNE
221 SPRING STREET
PO BOX 867
JEFFERSONVILLE, IN 47130
FED ID # 82-2664009

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines

Head -- number of lines 89
Body -- number of lines
Tail -- number of lines
Total number of lines in notice 89

COMPUTATION OF CHARGES

89 lines, 2 columns wide equals 178 equivalent lines at cents per line \$ 147.88
Additional charges for notices containing rule or tabular work (50 per cent of above amount)
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)
TOTAL AMOUNT OF CLAIM \$ 147.88

DATA FOR COMPUTING COST

Width of single column in picas Size of type 7 point.
Number of insertions 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper times. The dates of publication being as follows:

1/31 & 2/1 2024

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- Newspaper has a Web site, but due to technical problem or error, public notice was posted on
- Newspaper has a Web site but refuses to post the public notice.

Candice Henderson
Bookkeeper

Date 2/26/24
Ad# 1868843

Floyd County Planner
(Governmental Unit)
Floyd County, Indiana

To:
NEWS AND TRIBUNE
221 SPRING STREET
PO BOX 867
JEFFERSONVILLE, IN 47130
FED ID # 82-2664009

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I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper times. The dates of publication being as follows:

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- Newspaper has a Web site but refuses to post the public notice.

Date 2/26/24
Ad# 1868843

Candice Henderson
Bookkeeper

INDIANA MEDIA GROUP
PO BOX 607
GREENSBURG IN 47240-0607
(877)253-7755
Fax (765)648-4229

ORDER CONFIRMATION (CONTINUED)

Salesperson: LEGALS

Printed at 02/26/24 14:23 by jgall

Acct #: 178955

Ad #: 1868843

Status: Expired

DES. # 1700788

LEGAL NOTICE OF PUBLIC COMMENT / REQUEST FOR PUBLIC HEARING

Proposed Bridge and Roadway Improvement Project of Blackiston Mill Road in Clark and Floyd Counties, IN

The Indiana Department of Transportation (INDOT): The purpose of this legal advertisement is to offer all interested persons an opportunity to request a second public hearing and to comment on the environmental document and engineering plans to replace and realign Blackiston Mill Road over Silver Creek from approximately 0.20 mile east of Charlestown Road (Rd.) to approximately 1,500 feet southeast of Starlight Drive.

The primary purpose of the project is to provide safe connectivity for pedestrian access, provide increased accessibility for vehicular, bicycle and pedestrian traffic on Blackiston Mill Rd. and bridge, and to address the flooding of the southeast approach to the bridge. The need for this project is a result of the deteriorated condition of the bridge structure along with the steep vertical profile grade and substandard horizontal curve. The bridge is narrow and does not include pedestrian or bicycle accessibility (no protected or identified pedestrian or bicycle lane). The southeast approach to the bridge is below the existing bridge structure; therefore, the area and bridge floods frequently due to backwater from the Ohio River, causing the road and bridge to be closed to traffic.

As proposed, the project will realign Blackiston Mill Rd., beginning just east of Blackiston Blvd. near Silverwood Court, by shifting the roadway to the north and curving to the southeast as it approaches a new bridge over Silver Creek. The concrete deck will provide a clear roadway width of 26 ft. - 10 inches (two 12 ft. wide driving lanes and 1 ft. - 5-inch-wide gutter). A 6-ft.-wide sidewalk with 10-inch-wide bridge railing will be provided on both sides of the bridge. Southeast of the new bridge, Blackiston Mill Rd. will continue to curve to the southeast until Walnut Grove Dr., at which point Blackiston Mill Rd. will return to its existing alignment. The roadway southeast of the bridge will be raised from its current low point elevation of 433 ft. above mean sea level (AMSL) to 442 ft. AMSL to meet the approximate 25-year flood elevation; this will reduce the frequency of flooding by backwater from the Ohio River. A 4.73-acre area of excavation located southeast of the crossing will provide flood storage and mitigation to compensate for the roadway grade rise and minimize downstream impacts. A deed restriction will be placed to protect this area/acreage from development. The low-head dam on Silver Creek will not be impacted by the project.

The Maintenance of Traffic (MOT) plan for the project has traffic remaining on Blackiston Mill Rd. during construction that will continue using the existing bridge as the proposed bridge and road approaches are being constructed. Once construction for the new structure and approaches are complete, Blackiston Mill Rd. will be closed. The closure to Blackiston Mill Rd. is estimated to be 45 days. The detour route will use the following roadway network: Blackiston Mill Rd., Potters Lane, Greentree North, Veterans Parkway, I-65, I-265, Charlestown Rd., State Run Rd., Silver Street, Brown Station Way, and back onto Blackiston Mill Rd., for a total of approximately 12.2 miles roundtrip.

Federal and local funds are proposed to be used for construction of this project. Floyd County, INDOT and the Federal Highway Administration have agreed that this project poses minimal impact to the natural, cultural, and social environment. An Environmental Assessment (EA) environmental document has been prepared for the project. The environmental documentation and preliminary design information is available to view at the following location:

1. New Albany-Floyd County Public Library, Reference Section - 180 West Spring Street, New Albany, IN 47150

The EA will be available for review at the library until March 1, 2024. A project webpage has been created to ensure project information is available on-line via the INDOT Seymour District page <https://www.in.gov/indot/about-indot/central-office/welcome-to-the-seymour-district/blackiston-mill-road-over-silver-creek-bridge-project/>. In addition, project information, including the environmental document, can be mailed or emailed upon request.

Written comments or the request for a second public hearing can be submitted to Linda Zug at Metric Environmental, LLC., 6958 Hillside Court, Indianapolis, IN 46250. E-Mail: lindaz@metricenv.com **INDOT respectfully requests comments be submitted by Friday, February 16, 2024.**

This notice is published in compliance with Code of Federal Regulations, Title 23, Section 771 (CFR 771.111(h)(1)) which states: "Each State must have procedures approved by the FHWA to carry out a public involvement/public hearing program." 23 CFR 450.212(a)(7) states: "Public involvement procedures shall provide for periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all and revision of the process as necessary." approved by the Federal Highway Administration, U.S. Department of Transportation on August 16, 2012. hspaxlp

From: [Linda Zug](#)
To: mwro_compliance@nps.gov; environmentalreview@dnr.in.gov; erik.r.sandstedt@hud.gov; [McCloskey, Elizabeth; tlewandowski@indot.in.gov](mailto:McCloskey,Elizabeth;tlewandowski@indot.in.gov); [Allen, John - NRCS, Indianapolis, IN; pelloso.Elizabeth@epa.gov](mailto:Allen,John-NRCS,Indianapolis,IN;pelloso.Elizabeth@epa.gov); regulatoryapplicationsLRL@usace.army.mil; sdoherty@clarkcounty.in.gov; jcoffman@clarkcounty.in.gov; druckman@clarkcounty.in.gov; sdaniel@clarkcounty.in.gov; emergencymanagement@clarkcounty.in.gov; kbaity@townofclarksville.com; mayor@cityofnewalbany.com; paldridge@cityofnewalbany.com; commissioners@floydcounty.in.gov; [Horacio Urieta; kbarrow@floydcounty.in.gov; cmoore@floydcounty.in.gov; jbrinkworth@floydcounty.in.gov](mailto:HoracioUrieta;kbarrow@floydcounty.in.gov;cmoore@floydcounty.in.gov;jbrinkworth@floydcounty.in.gov)
Cc: [Carmany-George, Karstin \(FHWA\); Passmore, Andrew D; Fair, Terri; Summers, Terry; Carleton, Greg; R5NEPA@epa.gov](mailto:Carmany-George,Karstin(FHWA);Passmore,AndrewD;Fair,Terri;Summers,Terry;Carleton,Greg;R5NEPA@epa.gov); jarrett.haley@kipda.org; andy.rush@kipda.org; [Don Lopp](mailto:DonLopp); [Aaron Sutherland](mailto:AaronSutherland)
Subject: DES No. 1700788 Blackiston Mill Road over Silver Creek, New Albany and Jeffersonville Townships, Floyd and Clark Counties, IN
Date: Monday, January 29, 2024 5:29:00 PM
Attachments: [image001.png](#)

<https://www.in.gov/indot/about-indot/central-office/welcome-to-the-seymour-district/blackiston-mill-road-over-silver-creek-bridge-project/>

Good afternoon – an email link will be forthcoming to the environmental documents for the Blackiston Mill Road Bridge (Floyd County Bridge 51) project. Please review the documents for the Environmental Assessment (EA), the Public Hearing, and FONSI documents from the link and send questions or comments to Linda Zug (lindaz@metricenv.com) by **Friday February 16, 2024**. A public comment period is being advertised in the *News and Tribune* during this same time period. A public hearing was held for the project on October 13, 2023. The EA Document is also listed on the Seymour District webpage link above.

Thank you in advance for your time and have a great day.



Linda S. Zug

Senior Project Manager

O 317.400.1633

M 412.639.6949

6958 Hillside Court
Indianapolis, IN 46250
www.metricenv.com

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Indiana | Kentucky | Ohio | West Virginia | Pennsylvania

From: [Lewandowski, Tyler](#)
To: [Linda Zug](#)
Subject: RE: DES No. 1700788 Blackiston Mill Road over Silver Creek, New Albany and Jeffersonville Townships, Floyd and Clark Counties, IN
Date: Tuesday, January 30, 2024 8:11:23 AM
Attachments: [image002.png](#)
[image003.png](#)

Good morning,

After review, no tall structure permit is required for the project if all equipment being used is under 180 feet in height. Please let our office know if you have any further questions.

Thank you,

Tyler Lewandowski
Project Manager
INDOT Office of Aviation
(317) 495-4875
tlewandowski@indot.in.gov
www.aviation.indot.in.gov



From: Linda Zug <lindaz@metricenv.com>
Sent: Monday, January 29, 2024 5:30 PM
To: mwro_compliance@nps.gov; DNR Environmental Review <environmentalreview@dnr.IN.gov>; erik.r.sandstedt@hud.gov; McCloskey, Elizabeth <elizabeth_mccloskey@fws.gov>; Lewandowski, Tyler <TLewandowski@indot.IN.gov>; Allen, John - NRCS, Indianapolis, IN <john.allen@usda.gov>; peloso.Elizabeth@epa.gov; regulatoryapplicationsLRL@usace.army.mil; sdoherty@clarkcounty.in.gov; jcoffman@clarkcounty.in.gov; druckman@clarkcounty.in.gov; sdaniel@clarkcounty.in.gov; emergencymanagement@clarkcounty.in.gov; kbaity@townofclarksville.com; mayor@cityofnewalbany.com; paldridge@cityofnewalbany.com; commissioners@floydcounty.in.gov; Horacio Urieta <HUrieta@floydcounty.in.gov>; Kent Barrow <kbarrow@floydcounty.in.gov>; cmoore@floydcounty.in.gov; jbrinkworth@floydcounty.in.gov
Cc: Carmany-George, Karstin (FHWA) <k.carmanygeorge@dot.gov>; Passmore, Andrew D <APassmore@indot.IN.gov>; Fair, Terri <TFair@indot.IN.gov>; Summers, Terry <TSUMMERS@indot.IN.gov>; Carleton, Greg <GCARLETON@indot.IN.gov>; R5NEPA@epa.gov; jarrett.haley@kipda.org; andy.rush@kipda.org; Don Lopp <dlopp@floydcounty.in.gov>; Aaron Sutherland <a.sutherland@jtleng.com>
Subject: DES No. 1700788 Blackiston Mill Road over Silver Creek, New Albany and Jeffersonville Townships, Floyd and Clark Counties, IN

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<https://www.in.gov/indot/about-indot/central-office/welcome-to-the-seymour->

[district/blackiston-mill-road-over-silver-creek-bridge-project/](#)

Good afternoon – an email link will be forthcoming to the environmental documents for the Blackiston Mill Road Bridge (Floyd County Bridge 51) project. Please review the documents for the Environmental Assessment (EA), the Public Hearing, and FONSI documents from the link and send questions or comments to Linda Zug (lindaz@metricenv.com) by **Friday February 16, 2024**. A public comment period is being advertised in the *News and Tribune* during this same time period. A public hearing was held for the project on October 13, 2023. The EA Document is also listed on the Seymour District webpage link above.

Thank you in advance for your time and have a great day.



Linda S. Zug

Senior Project Manager

O 317.400.1633

M 412.639.6949

6958 Hillsdale Court
Indianapolis, IN 46250
www.metricenv.com

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Indiana | Kentucky | Ohio | West Virginia | Pennsylvania

From: [DNR Environmental Review](#)
To: [Linda Zug](#)
Subject: CLARIFICATION NEEDED: DES No. 1700788 Blackiston Mill Road over Silver Creek, New Albany and Jeffersonville Townships, Floyd and Clark Counties, IN
Date: Thursday, February 1, 2024 10:07:10 AM
Attachments: [image001.png](#)

External Message: *This message originated outside of Metric Environmental.
Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Hi Linda,

I wanted to verify you are only asking for general comments on this project and not an environmental review, which we completed for this project in 2021 under ER-23388. It doesn't look as though any project details have changed since then.

Thanks.

Kind regards,

Elizabeth Adkins (she/her)
Environmental Review Biologist
Indiana Department of Natural Resources
Division of Fish & Wildlife: Environmental Unit
EAdkins@dnr.IN.gov
dnr.IN.gov/fish-and-wildlife

From: Linda Zug <lindaz@metricenv.com>

Sent: Monday, January 29, 2024 5:30 PM

To: mwro_compliance@nps.gov; DNR Environmental Review <environmentalreview@dnr.IN.gov>; erik.r.sandstedt@hud.gov; McCloskey, Elizabeth <elizabeth_mccloskey@fws.gov>; Lewandowski, Tyler <TLewandowski@indot.IN.gov>; Allen, John - NRCS, Indianapolis, IN <john.allen@usda.gov>; pelloso.Elizabeth@epa.gov; regulatoryapplicationsLRL@usace.army.mil; sdoherty@clarkcounty.in.gov; jcoffman@clarkcounty.in.gov; druckman@clarkcounty.in.gov; sdaniel@clarkcounty.in.gov; emergencymanagement@clarkcounty.in.gov; kbaity@townofclarksville.com; mayor@cityofnewalbany.com; paldridge@cityofnewalbany.com; commissioners@floydcounty.in.gov; Horacio Urieta <HUrieta@floydcounty.in.gov>; Kent Barrow <kbarrow@floydcounty.in.gov>; cmoore@floydcounty.in.gov; jbrinkworth@floydcounty.in.gov
Cc: Carmany-George, Karstin (FHWA) <k.carmanygeorge@dot.gov>; Passmore, Andrew D <APassmore@indot.IN.gov>; Fair, Terri <TFair@indot.IN.gov>; Summers, Terry <TSUMMERS@indot.IN.gov>; Carleton, Greg <GCARLETON@indot.IN.gov>; R5NEPA@epa.gov; jarrett.haley@kipda.org; andy.rush@kipda.org; Don Lopp <dlopp@floydcounty.in.gov>; Aaron Sutherland <a.sutherland@jtleng.com>

Subject: DES No. 1700788 Blackiston Mill Road over Silver Creek, New Albany and Jeffersonville Townships, Floyd and Clark Counties, IN

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<https://www.in.gov/indot/about-indot/central-office/welcome-to-the-seymour-district/blackiston-mill-road-over-silver-creek-bridge-project/>

Good afternoon – an email link will be forthcoming to the environmental documents for the Blackiston Mill Road Bridge

(Floyd County Bridge 51) project. Please review the documents for the Environmental Assessment (EA), the Public Hearing, and FONSI documents from the link and send questions or comments to Linda Zug (lindaz@metricenv.com) by **Friday February 16, 2024**. A public comment period is being advertised in the *News and Tribune* during this same time period. A public hearing was held for the project on October 13, 2023. The EA Document is also listed on the Seymour District webpage link above.

Thank you in advance for your time and have a great day.



Linda S. Zug

Senior Project Manager

O 317.400.1633

M 412.639.6949

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REGION 5

CHICAGO, IL 60604

February 28, 2024

VIA ELECTRONIC MAIL ONLY

Kari Carmany-George
Environmental Program Manager, Indiana Division
Federal Highway Administration
U.S. Department of Transportation
575 North Pennsylvania Street
Indianapolis, Indiana 46204

Andrew Passmore
Team Lead, NEPA Document Review Team
Indiana Department of Transportation
Environmental Services Division
100 North Senate Avenue
Indianapolis, Indiana 46204

Re: EPA Comments: Draft Environmental Assessment - Blackiston Mill Road Bridge Project, Floyd and Clark Counties, Indiana

Dear Ms. Carmany-George and Mr. Passmore:

The U.S. Environmental Protection Agency (EPA) has reviewed the Federal Highway Administration's (FHWA) Environmental Assessment Form (hereafter: Draft EA) dated September 21, 2023, regarding the above-mentioned proposed project. This letter provides EPA's comments on the Draft EA pursuant to our authorities under the National Environmental Policy Act (NEPA), the Council on Environmental Quality's (CEQ) NEPA Implementing Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

The project area includes a portion of the existing Blackiston Mill Road and a bridge crossing Silver Creek. The existing bridge over Silver Creek was constructed in 1888 and replaced in 1966 using the original 1888 bridge's masonry piers and abutments. A 2021 bridge inspection report indicated the bridge and approaches are structurally deficient and functionally obsolete. Additionally, the southeast approach to the Bridge is below the existing bridge structure, resulting in frequent flooding, causing the road and bridge to be closed to traffic. The proposed project is designed to provide increased accessibility for vehicular, bicycle and pedestrian traffic on Blackiston Mill Road and bridge; address flooding of the southeast approach to the bridge; and correct deficiencies with the current bridge and roadway alignment, allowing for a better connection for the residences between Clarksville and New Albany.

In order to remedy the existing deficiencies, the Draft EA identified a Preferred Alternative that proposes the relocation of Blackiston Mill Road and construction of a new three-span bridge with two

12 ft. wide driving lanes and a 6-ft.-wide sidewalk on both sides of the bridge. A third lane will be added to Blackiston Mill Road to the northwest of the new bridge to accommodate a turning lane into the business district. The roadway to the southeast of the bridge will be raised from its current low point elevation of 433 ft. above mean sea level (AMSL) to 442 ft. AMSL to meet the 25-year flood elevation. An excavation area (approximately 4.75 acres) will be created located southeast of the bridge crossing to provide flood storage to compensate for the roadway grade rise and minimize downstream impacts. An existing historic low-head dam in Silver Creek located near the original bridge will not be impacted by the proposed project.

Based on our review of the Draft EA, EPA has comments focused on aquatic features, air quality, climate change, environmental justice, threatened and endangered species, non-native invasive species, and general environmental best practices. EPA's detailed comments are enclosed with this letter. We recommend that FHWA address these comments before finalizing the Environmental Assessment.

Thank you for the opportunity to provide input. Please send an electronic copy of future NEPA documents to R5NEPA@epa.gov. If you would like to discuss the contents of this letter further, please contact Kathy Kowal, lead reviewer for this project, at kowal.kathleen@epa.gov. Ms. Kowal is also available at 312-353-5206.

Sincerely,

**KRYSTLE
MCCLAIN**

Digitally signed by
KRYSTLE MCCLAIN
Date: 2024.02.28
08:12:52 -06'00'

Krystle Z. McClain, P.E.
NEPA Program Supervisor
Tribal and Multimedia Programs Office

Enclosures:

EPA Detailed Comments
Construction Emission Control Checklist

CC:

Deb Snyder, USACE-Indianapolis Field Office (deborah.d.snyder@usace.army.mil)
Robin McWilliams Munson, USFWS (Robin_McWilliams@fws.gov)
Graham Wrin, IDEM-401 WQC (gcwrin@idem.in.gov)
Matt Buffington, IDNR (mbuffington@dnr.in.gov)

EPA Detailed Comments

Blackiston Mill Road Bridge Project, Floyd and Clark Counties, Indiana

February 28, 2024

Aquatic Features

The Draft EA indicates 350 feet of stream impacts are expected and mitigation will be determined during permitting. With increased impervious surface from a wider bridge deck and an additional turning lane to the northwest of the bridge, it is important to consider water filtration for stormwater runoff.

Recommendations for the Final Environmental Assessment:

- As currently proposed, stormwater will not be filtered before discharging into Silver Creek, resulting in water quality impacts. Acknowledging the Indiana Department of Natural Resources-Division of Fish & Wildlife's (IDNR) and U.S. Fish and Wildlife Services' recommendations regarding stream impacts, EPA recommends capturing and pre-treating stormwater runoff. The location(s) of treatment areas should be addressed in the Final EA.

Air Quality

Recommendations for the Final Environmental Assessment:

- Commit to including applicable measures identified in the enclosed Construction Emission Control Checklist to reduce air impacts.
- Establish material hauling routes away from places where children live, learn, and play, to the extent feasible. Consider homes, schools, daycares, and playgrounds. In addition to air quality benefits, careful routing may protect children from vehicle-pedestrian accidents. Identify potential material hauling routes.

Environmental Justice (EJ) Concerns

Executive Order (EO) 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994) was supplemented by Executive Order 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All (April 26, 2023) which directs Federal agencies, as appropriate and consistent with applicable law: to identify, analyze, and address disproportionate and adverse human health and environmental effects (including risks) and hazards of Federal activities, including those related to climate change and cumulative impacts of environmental and other burdens on communities with EJ concerns. EO 14096 also directs EPA to assess whether each agency analyzes and avoids or mitigates disproportionate human health and environmental effects on communities with EJ concerns in carrying out its Clean Air Act Section 309 responsibilities.

The Draft EA indicates that the preferred alternative will displace 12 individuals due to acquisition of permanent and temporary right of way from 24 parcels. Additionally, the EJ analysis identifies one census tract as a low-income population of EJ concern, which is also where all individuals who will be

displaced by the preferred alternative reside. The Environmental Assessment Form identifies several general benefits for the public as well as the low-income community due to the improved roadway and pedestrian access. However, the proposed commitments to address impacts to the displaced individuals from the low-income area do not guarantee that impacts from relocation will be offset for these individuals. The commitment regarding pre-location interviews notes that individual household needs identified in pre-relocation interviews will be met when possible, which does not guarantee potential impacts to relocated individuals will be offset by the proposed mitigation measures. EPA recommends the following consistent with EO 14096:

Recommendations for the Final Environmental Assessment:

- Clarify that the EJ analysis did identify disproportionate impacts to a low-income community from this project, as it is not guaranteed that proposed mitigation measures will fully address impacts to those being relocated, and EO 14096 does not require only consideration of “disproportionately high and adverse effects.” Under EO 14096, EJ is now evaluated based simply on disproportionate and adverse impacts. The Fact Sheet that accompanied the EO states, *“The Executive Order uses the term “disproportionate and adverse” as a simpler, modernized version of the phrase “disproportionately high and adverse” used in EO 12898. Those phrases have the same meaning, but removing the word “high” eliminates potential misunderstanding that agencies should only be considering large disproportionate effects.”*
- Add a commitment to conduct interviews during and subsequent to relocation with all displaced tenants to identify opportunities to address remaining impacts that may not have been offset during the relocation process.

Climate Change

Executive Order 14008: Tackling the Climate Crisis at Home and Abroad states, *“The United States and the world face a profound climate crisis. We have a narrow moment to pursue action...to avoid the most catastrophic impacts of that crisis and to seize the opportunity that tackling climate change presents.”* The U.S. Global Change Research Program’s National Climate Assessment provides data and scenarios that may be helpful in assessing trends in temperature, precipitation, and frequency and severity of storm events.¹

Federal courts have consistently held that NEPA requires agencies to disclose and consider climate impacts in their reviews, including impacts from GHG emissions. On January 9, 2023, the Council on Environmental Quality (CEQ) published interim guidance to assist Federal agencies in assessing and disclosing climate change impacts during environmental reviews.² CEQ developed this interim guidance in response to Executive Order 13990 - Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis. This interim guidance was effective immediately. CEQ indicated that agencies should use this interim guidance to inform the NEPA review for all new proposed actions and may use it for evaluations in process, as agencies deem appropriate, such as informing the consideration of alternatives or helping address comments raised through the public

¹ Information on changing climate conditions is available through the National Climate Assessment at: <https://nca2023.globalchange.gov/>

² <https://www.federalregister.gov/documents/2023/01/09/2023-00158/national-environmental-policy-act-guidance-on-consideration-of-greenhouse-gas-emissions-and-climate>

comment process. EPA recommends that FHWA apply the interim guidance as appropriate, to ensure robust consideration of potential climate impacts, mitigation, and adaptation issues.

Recommendations for the Final Environmental Assessment:

- Large storm events are occurring with increasing frequency and intensity in the Midwest due to climate change. Describing changing climate conditions (i.e., increases in frequency and severity of storm events and flooding) and assessing how such changes could impact the proposed project and the environmental impacts of the proposed project and alternatives are crucial.
- Discuss whether raising the roadway to meet the 25-year flood elevation is adequate to reduce the number of times the bridge may be closed due to flooding. Consider the expected life of the bridge. Provide additional information on the decision to engineer to that elevation in relation to forecasted flooding to avoid the same problems experienced at the existing bridge.
- Describe climate resilience and adaptation considerations for stormwater management.

Construction

Energy efficient design and material selection could reduce operations costs and promote a high-quality work environment, while also better protecting the environment. Recycling construction debris also preserves valuable landfill space and makes use of materials that have high embodied energy. Confining construction noise to weekdays could reduce noise impacts to sensitive receptors (e.g., residential area located to the southeast of the bridge).

Recommendations for the Final Environmental Assessment:

- Discuss when noise impacts due to construction are expected. Identify whether work will be confined to weekdays (e.g., 8:00 a.m. – 5:00 p.m.).
- Replacing raw materials with recycled materials for infrastructure components. Options include, but are not limited to:
 - Using recycled materials to replace carbon-intensive Portland Cement in concrete as “supplementary cementitious material;” and
 - Using recycled materials in pavement applications, such as crushed recycled concrete, recycled asphalt pavement, and rubberized asphalt concrete. Also, in some circumstances, demolished onsite asphalt can be re-used (e.g., cold in-place recycling or full depth reclamation).

Threatened and Endangered Species

Recommendations for the Final Environmental Assessment:

- Because fish, crayfish, and dead mussels were observed in the stream, discuss any coordination already undertaken or planned to be undertaken with the U.S. Fish and Wildlife Service (USFWS) or the Indiana Department of Natural Resources (IDNR) regarding the need for a formal mussel survey. Provide additional information on planned mussel surveys. If mussels are found, discuss plans to relocate, including timeframes and locations.

Noxious and Invasive Species (NNIS)

Recommendations for the Final Environmental Assessment:

- Whenever construction and earthmoving take place, there is a strong possibility for NNIS to be brought into the project area on equipment. Commit to utilizing standard best management practices (e.g., washing equipment) to eliminate the spread of NNIS into, as well as out of, the project area.
- Discuss how Indiana guidelines to aquatic invasive species management³ will be incorporated into the proposed project.

General Comments

Recommendations for the Final Environmental Assessment:

- In addition to the Avoidance and Minimization Measures commitments included in the Final EA, EPA recommends adding “Do Not Disturb” labels on engineering plans and in the field for archaeology sites, bat roosts, bird nests, etc. with active nesting seasons clearly marked.
- Approximately 1.8 acres of trees will be removed. Commit to taking all reasonable efforts to avoid tree removal and, for those trees that must be removed, recommend replacement at a 1:1 ratio. The local park district(s) and/or IDNR office can aid with selection of native trees, placement, care, etc.

³ <https://www.in.gov/dnr/fish-and-wildlife/files/inansmanagementplan.pdf>

U.S. Environmental Protection Agency **Construction Emission Control Checklist**

Diesel emissions and fugitive dust from project construction may pose environmental and human health risks and should be minimized. In 2002, EPA classified diesel emissions as a likely human carcinogen, and in 2012 the International Agency for Research on Cancer concluded that diesel exhaust is carcinogenic to humans. Acute exposures can lead to other health problems, such as eye and nose irritation, headaches, nausea, asthma, and other respiratory system issues. Longer term exposure may worsen heart and lung disease.¹ We recommend FHWA consider the following protective measures and commit to applicable measures in the Environmental Assessment Form.

Mobile and Stationary Source Diesel Controls

Purchase or solicit bids that require the use of vehicles that are equipped with zero-emission technologies or the most advanced emission control systems available. Commit to the best available emissions control technologies for project equipment to meet the following standards.

- On-Highway Vehicles: On-highway vehicles should meet, or exceed, the EPA exhaust emissions standards for model year 2010 and newer heavy-duty, on-highway compression-ignition engines (e.g., long-haul trucks, refuse haulers, shuttle buses, etc.).²
- Non-road Vehicles and Equipment: Non-road vehicles and equipment should meet, or exceed, the EPA Tier 4 exhaust emissions standards for heavy-duty, non-road compression-ignition engines (e.g., construction equipment, non-road trucks, etc.).³
- Marine Vessels: Marine vessels hauling materials for infrastructure projects should meet, or exceed, the latest EPA exhaust emissions standards for marine compression-ignition engines (e.g., Tier 4 for Category 1 & 2 vessels, and Tier 3 for Category 3 vessels).⁴
- Low Emission Equipment Exemptions: The equipment specifications outlined above should be met unless: 1) a piece of specialized equipment is not available for purchase or lease within the United States; or 2) the relevant project contractor has been awarded funds to retrofit existing equipment, or purchase/lease new equipment, but the funds are not yet available.

Consider requiring the following best practices through the construction contracting or oversight process:

- Establish and enforce a clear anti-idling policy for the construction site.
- Use onsite renewable electricity generation and/or grid-based electricity rather than diesel-powered generators or other equipment.
- Use electric starting aids such as block heaters with older vehicles to warm the engine.
- Regularly maintain diesel engines to keep exhaust emissions low. Follow the manufacturer's recommended maintenance schedule and procedures. Smoke color can signal the need for maintenance (e.g., blue/black smoke indicates that an engine requires servicing or tuning).
- Where possible, retrofit older-tier or Tier 0 nonroad engines with an exhaust filtration device before it enters the construction site to capture diesel particulate matter.
- Replace the engines of older vehicles and/or equipment with diesel- or alternatively-fueled engines certified to meet newer, more stringent emissions standards (e.g., plug-in hybrid-electric

¹ Carcinogenicity of diesel-engine and gasoline-engine exhausts and some nitroarenes. *The Lancet*. June 15, 2012

² <http://www.epa.gov/otaq/standards/heavy-duty/hdci-exhaust.htm>

³ <https://www.epa.gov/emission-standards-reference-guide/epa-emission-standards-nonroad-engines-and-vehicles>

⁴ <https://www.epa.gov/emission-standards-reference-guide/all-epa-emission-standards>

vehicles, battery-electric vehicles, fuel cell electric vehicles, advanced technology locomotives, etc.), or with zero emissions electric systems. Retire older vehicles, given the significant contribution of vehicle emissions to the poor air quality conditions. Implement programs to encourage the voluntary removal from use and the marketplace of pre-2010 model year on-highway vehicles (e.g., scrappage rebates) and replace them with newer vehicles that meet or exceed the latest EPA exhaust emissions standards, or with zero emissions electric vehicles and/or equipment.

Fugitive Dust Source Controls

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative, where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations where appropriate and operate water trucks for stabilization of surfaces under windy conditions.
- When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph.

Occupational Health

- Reduce exposure through work practices and training, such as maintaining filtration devices and training diesel-equipment operators to perform routine inspections.
- Position the exhaust pipe so that diesel fumes are directed away from the operator and nearby workers, reducing the fume concentration to which personnel are exposed.
- Use enclosed, climate-controlled cabs pressurized and equipped with high-efficiency particulate air (HEPA) filters to reduce the operators' exposure to diesel fumes. Pressurization ensures that air moves from inside to outside. HEPA filters ensure that any incoming air is filtered first.
- Use respirators, which are only an interim measure to control exposure to diesel emissions. In most cases, an N95 respirator is adequate. Workers must be trained and fit-tested before they wear respirators. Depending on the type of work being conducted, and if oil is present, concentrations of particulates present will determine the efficiency and type of mask and respirator. Personnel familiar with the selection, care, and use of respirators must perform the fit testing. Respirators must bear a National Institute for Occupational Safety and Health approval number.

NEPA Documentation

- Per Executive Order 13045 on Children's Health⁵, EPA recommends the lead agency and project proponent pay particular attention to worksite proximity to places where children live, learn, and play, such as homes, schools, and playgrounds. Construction emission reduction measures should be strictly implemented near these locations in order to be protective of children's health.
- Specify how impacts to sensitive receptors, such as children, elderly, and the infirm will be minimized. For example, locate construction equipment and staging zones away from sensitive receptors and fresh air intakes to buildings and air conditioners.

⁵ Children may be more highly exposed to contaminants because they generally eat more food, drink more water, and have higher inhalation rates relative to their size. Also, children's normal activities, such as putting their hands in their mouths or playing on the ground, can result in higher exposures to contaminants as compared with adults. Children may be more vulnerable to the toxic effects of contaminants because their bodies and systems are not fully developed, and their growing organs are more easily harmed. EPA views childhood as a sequence of life stages, from conception through fetal development, infancy, and adolescence.

**APPENDIX C: FY 2023-2026
KIPDA TIP Update**

Indiana Maintenance Projects

Sponsor Agency: Clark County **Project Name:** Clark County Bridge 413

KIPDA ID:	State ID/DES #:	Open to Public:	County/Countries:	Project Cost:	AQ Analysis Status:
2836	1902768	2027	Clark	\$4,672,650	Exempt

Project Description:

Clark County Bridge 413 is located over abandoned railroad tracks that have been removed and converted to a pedestrian path. The bridge will be removed and replaced with a three-sided culvert. Following construction, Clark County will relinquish the structure to the Town of Clarksville.

Justification:

The Clark County Bridge 413 is located on Brown's Station Way over an abandoned CSX line. Brown's Station Way is classified as a freeway. The latest round on inspections identified the surface of Bridge 413 as "poor" and improvements were recommended. According to the latest bridge design codes a bridge located on a freeway must have 8-10 foot shoulders on either side of the throughway. Bridge 413 does not have shoulders. Any improvements to the bridge should include adding shoulders to the bridge.

Phase:	Year:	Funding Category:	Federal:	State/Local:	Total:
ROW	2024	Bridge	\$155,200	\$38,800	\$194,000
U	2025	Bridge	\$258,000	\$64,500	\$322,500
C	2025	Bridge	\$387,000	\$96,750	\$483,750
C	2025	Bridge	\$2,580,000	\$645,000	\$3,225,000
Total			\$3,380,200	\$845,050	\$4,225,250

Sponsor Agency: Floyd County **Project Name:** Replacement of Bridge 51

KIPDA ID:	State ID/DES #:	Open to Public:	County/Countries:	Project Cost:	AQ Analysis Status:
1558	1700788	2027	Clark, Floyd	\$7,000,000	Exempt

Project Description:

Replacement of Bridge 51 over Silver Creek and reconstruction of approaches on Blackiston Mill Road. Total project length is approximately 0.312 miles.

Justification:

The proposed replacement bridge will be approximately 250 feet long, with 700 foot approaches. Bridge 51 carries Blackiston Mill Road over Silver Creek and currently serves as a critical link between the City of New Albany and the Town of Clarksville. The bridge structure itself is the responsibility of Floyd County, with the northern approach being in the City of New Albany and the southern approach in the Town of Clarksville and Clark County. In our 2018 Bridge Inspection Report, Bridge 51 scored a 39.2 Sufficiency Rating.

Phase:	Year:	Funding Category:	Federal:	State/Local:	Total:
ROW	2024	STBG-MPO	\$1,200,000	\$300,000	\$1,500,000
C	2024	STBG-MPO	\$3,608,183	\$1,000,000	\$4,608,183
Total			\$4,808,183	\$1,300,000	\$6,108,183

Sponsor Agency: INDOT **Project Name:** Bridge Over I-65

KIPDA ID:	State ID/DES #:	Open to Public:	County/Countries:	Project Cost:	AQ Analysis Status:
2843	2000346	2024	Clark	\$1,556,281	Exempt

Project Description:

Bridge deck overlay project over I-65, 0.44 miles south of I-265.

Justification:

The purpose of this project is to correct the deficiencies in the wearing surface and deck to help further protect the structure and extend the service life of the bridge.

Phase:	Year:	Funding Category:	Federal:	State/Local:	Total:
C	2024	NHPP	\$495,000	\$55,000	\$550,000
C	2024	NHPP	\$731,413	\$81,268	\$812,681
Total			\$1,226,413	\$136,268	\$1,362,681



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N758-Executive Office
Indianapolis, Indiana 46204

PHONE: (855) 463-6848

Eric Holcomb, Governor
Michael Smith, Commissioner

April 26, 2022

Mr. Jermaine R. Hannon, Division Administrator
FHWA Indiana Division
575 North Pennsylvania St., Room 254
Indianapolis, IN 46204

Ms. Kelley Brookins, Regional Administrator
FTA Region 5
200 West Adams St.
Suite 320
Chicago, IL 60606-5253

Dear Mr. Hannon /Ms. Brookins:

The Indiana Department of Transportation is pleased to submit its Draft FY 2022-2026 Statewide Transportation Improvement Program (STIP) for review and comment by your offices.

Included in the final submitted document is a listing of the state's expansion/preservation and local small urban and rural and rural transit projects. The following Metropolitan Planning Organization TIP's will be included in the FY 2022-2026 STIP by reference, pending FHWA approval in May 2022.

Area Plan Commission of Tippecanoe County (APCTC)	FY 2022-2026
• <i>Version 3/10/2022</i>	
Bloomington-Monroe County Metropolitan Planning Organization (BMCMPPO)	FY 2022-2026
• <i>Version 3/11/2022</i>	
Columbus Area Metropolitan Planning Organization (CAMPO)	FY 2022-2026
• <i>Version 3/22/2021</i>	
Delaware-Muncie Metropolitan Plan Commission (DMMPC)	FY 2022-2025
• <i>Version 12/15/2021</i>	
Evansville Metropolitan Planning Organization (EMPO)	FY 2022-2026
• <i>Version 3/10/2022</i>	
Kokomo-Howard County Governmental Coordinating Council (KHCGCC)	FY 2022-2026
• <i>Version 3/10/2022</i>	
Kentuckiana Regional Planning and Development Agency (KIPDA)	FY 2020-2025
• <i>Version 3/29/2022</i>	
Indianapolis Metropolitan Planning Organization (IMPO)	FY 2022-2025
• <i>Version 8/18/2021</i>	
Michiana Area Council of Governments (MACOG)	FY 2022-2026
• <i>Version 3/09/2022</i>	

Madison County Council of Governments (MCCOG)	FY 2022-2026
• <i>Version 7/13/2021</i>	
Northeastern Indiana Regional Coordinating Council (NIRCC)	FY 2022-2026
• <i>Version 3/28/2022</i>	
Northwestern Indiana Regional Planning Commission (NIRPC)	FY 2022-2026
• <i>Version 3/17/2022</i>	
Ohio-Kentucky-Indiana Regional Council of Governments (OKI)	FY 2020-2023
• <i>Version 03/10/2022</i>	
Terre Haute Area Metropolitan Planning Organization (THAMPO)	FY 2020-2024
• <i>Version 08/26/2021</i>	

In addition, INDOT has expanded our public involvement process by taking advantage of virtual meeting techniques and allowing accessibility to online documents, materials, virtual meeting registration, recorded virtual meetings, and comment forms. INDOT also leveraged our planning partner contacts (MPOs, RPOs, LTAP), social media, and notifications sent to local libraries, housing authorities, senior aging centers, and local newspapers across the state.

We greatly appreciate FHWA/FTA support in the development of the STIP 2022-2026 and look forward to working together to achieve our mutual goals. Should you have any questions pertaining to this amendment, please contact Michael McNeil, STIP Specialist at 317-232-0223 or at mmcneil@indot.in.gov.

Sincerely,



Michael Smith, Commissioner
Indiana Department of Transportation

cc: (w/enclosure): FTA
Michelle Allen, FHWA
Jeffrey Brooks, INDOT
Kristin Brier, INDOT
Kathy Eaton-McKalip, INDOT
Louis Feagans, INDOT
Roy Nunnally, INDOT
Larry Buckel, INDOT
Jay Mitchell, INDOT
Jason Casteel, INDOT
Michael McNeil, INDOT



Federal Transit Administration
Region V
200 West Adams St., Suite 320
Chicago, IL 60606-5253

U.S. Department
of Transportation

Federal Highway Administration
Indiana Division
575 N. Pennsylvania St., Rm 254
Indianapolis, IN 46204-1576

June 17, 2022

Mr. Michael Smith
Commissioner
Indiana Department of Transportation
100 N Senate Ave. N955
Indianapolis, IN 46204

SUBJECT: Indiana FY2022-2026 STIP Approval and Associated Federal Planning Finding

Dear Mr. Smith:

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our review of the FY2022-2026 Indiana Statewide Transportation Improvement Program (INSTIP), which was submitted by the INDOT request letter dated April 27, 2022.

Based on our review of the information provided, certifications of the Statewide and Metropolitan transportation planning processes for and within the state of Indiana, and our participation in those transportation planning processes (including planning certification reviews conducted in Transportation Management Areas), FHWA and FTA are jointly approving the FY2022-2026 STIP, including the Metropolitan Planning Organization (MPO) Transportation Improvement Programs (TIPs) directly incorporated into the STIP, subject to the corrective actions identified in the attached Federal Planning Finding (FPF) report. FHWA and FTA consider the projects in the 5th year for informational purposes only, and our approval does not exceed four years per 23 CFR 450.220(c).

FHWA and FTA are required under 23 CFR 450.220(b) to document and issue an FPF in conjunction with the approval of the FY2022-2026 STIP. At a minimum, the FPF verifies that the development of the STIP is consistent with the provisions of both the Statewide and Metropolitan transportation planning requirements. FHWA and FTA find that the Indiana FY2022-2026 STIP substantially meets the transportation planning requirements and are approving the STIP subject to the corrective actions outlined in the FPF. This approval is effective June 17, 2022, and is given with the understanding that an eligibility determination of individual projects for funding must be met, and INDOT must ensure the satisfaction of all administrative and statutory requirements, as well as address the corrective actions outlined in the attached report. FHWA and FTA will continue to partner with INDOT to ensure the previously developed action plan (attached) is implemented to address the corrective actions. If progress is not made in addressing the corrective actions, future amendments to the FY2022-2026 STIP, or adoption of the FY2024-2028 STIP, may not be approved by USDOT.

If you have questions or need additional information concerning our approval and the FPF, please contact Ms. Michelle Allen of the FHWA Indiana Division at (317) 226-7344, or by email at michelle.allen@dot.gov, or Mr. Jason Ciavarella of the FTA Region 5 Office at (312) 353-1653, or by email at jason.ciavarella@dot.gov.

Sincerely,

**KELLEY
BROOKINS** Digitally signed by
KELLEY BROOKINS
Date: 2022.06.13
10:08:34 -05'00'

Kelley Brookins
Regional Administrator
FTA Region V

Sincerely,

**JERMAINE
R HANNON** Digitally signed by
JERMAINE R
HANNON
Date: 2022.06.13
15:57:46 -04'00'

Jermaine R. Hannon
Division Administrator
FHWA Indiana Division

cc: (transmitted by e-mail)
Louis Feagans, INDOT
Roy Nunnally, INDOT
Karen Hicks, INDOT

Attachments have been removed for the purposes of this NEPA document.

APPENDIX D: Commitments Table

Indiana Department of Transportation

County Floyd and Clark

Route Blackiston Mill Rd.

Des. No. 1700788

ENVIRONMENTAL COMMITMENTS

List all commitments and include the name of agency/organization requesting/requiring the commitment(s). Listed commitments should be numbered.

Firm:

1. If the scope of work or permanent or temporary right-of-way amounts change, the INDOT Environmental Services Division (ESD) and the INDOT District Environmental Section will be contacted immediately. (INDOT ESD and INDOT Seymour District)
2. It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access. (INDOT ESD)
3. Any work in a wetland area within INDOT's right of way or in borrow/waste areas is prohibited unless specifically allowed in the US Army Corps of Engineers or IDEM permit. (INDOT ESD)
4. Wetland A will be labeled on the engineering plans and in the field as "Do Not Disturb". (INDOT ESD)
5. A summary of the hydraulic design study will be included in the Field Check Plans. (INDOT ESD)
6. Archaeology site 12FL0219/12CL1100 is to be avoided or subjected to Phase Ib reconnaissance. (SHPO)
7. The portions of site 12FL0219/12CL1100 that lie outside the proposed project area should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then additional archaeological assessment of those portions of the site will be necessary. (SHPO)
8. The acquisition and relocation program will be conducted in accordance with 49 CFR 24 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act) as amended. Relocation resources are available to all residential owners and tenants without discrimination, fair housing is open to all persons regardless of race, color, religion, sex, or national origin. No person displaced by this project will be required to move from a displaced dwelling unless replacement housing is available to that person that is comparable, decent, safe, and sanitary. (FHWA)
9. Pre-relocation interviews will be held with all impacted and displaced owners and tenants with either an in-house INDOT relocation specialist or a consultant chosen by INDOT that is an approved right-of-way or relocation specialist, as per INDOT regulations. Information collected will follow current state and federal ROW procedures. During those meetings, individual commitments concerning each household can be determined based on family, monetary assistance needed, access to church, local or specific shopping, doctors, transit access, work, etc. Individual household needs will be evaluated and met when possible, for these items and other applicable household needs. (INDOT ESD)
10. A Conceptual Stage Relocation Survey (CSRS) will be conducted by INDOT Office of Real Estate. (INDOT ESD)
11. INDOT and Floyd County will be prepared to adapt policies to allow tenants to rent or purchase homes quickly, rather than the usual 45-60 days. Rental and/or prospective properties could rent or buy quickly; therefore, agents should be able to review monetary obligations as needed and increase relocation payments to make rentals affordable. (INDOT ESD)
12. INDOT will identify and engage either internally or externally, a Relocation Reviewer, that will function as oversight to the relocation process. This Reviewer will add a layer of assurances to the agencies and the public that all state and federal measures are followed appropriately. (INDOT ESD)
13. If any human remains dating before December 31, 1939 are encountered, the discovery must be reported to the IDNR within two business days. The discovery must be treated in accordance with IC 14-21-1 and 312 IAC 22. In that event, please call (317) 232-1646. If human remains are accidentally discovered during field investigations or related laboratory analyses and would be subject to the Native American Graves Repatriation Act (NAGPRA), the investigating or curation facility shall assure NAGPRA reporting and compliance. If any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, Eastern Shawnee Tribe of

Indiana Department of Transportation

County Floyd and Clark

Route Blackiston Mill Rd.

Des. No. 1700788

Oklahoma, the Miami Tribe of Oklahoma, and the Peoria Tribe of Indians of Oklahoma requests immediate consultation with the entity of jurisdiction for the location of discovery. (SHPO)

14. General AMM 1: Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs. (USFWS)

15. Lighting AMM 1: Direct temporary lighting away from suitable habitat during the active season. (USFWS)

16. Tree Removal AMM 1: Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to the extent practicable to avoid tree removal in excess of what is required to implement the project safely. (USFWS)

17. Tree Removal AMM 2: Apply time of year (TOY) restrictions for tree removal when bats are not likely to be present (October 1 – March 31), or limit tree removal to 10 or fewer trees per project at any time of year within 100 ft. of existing road/rail surface and outside of documented roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed. (No tree clearing from April 1, - September 30). (USFWS and IDNR)

18. Tree Removal AMM 3: Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits). (USFWS)

19. Tree Removal AMM 4: Do not remove documented Indiana bat or NLEB roosts that are still suitable for roosting; or trees within 0.25 miles of roosts; or documented foraging habitat any time of year. (USFWS)

20. USFWS Bridge/Structure Assessment shall take place no earlier than two (2) years prior to the start of construction. If construction begins after May 17, 2025, an inspection of the structure by a qualified individual must be performed. Inspection of the structure should check for presence of bats/bat indicators and/or presence of birds. The results of the inspection must indicate no signs of bats or birds. If signs of bats or birds are documented during this inspection, the INDOT District Environmental Manager must be contacted immediately. (INDOT ESD)

21. Prior to any demolition, the structures will be inspected for bats or evidence of bats. If bats, or evidence of bats, are found coordination will occur with INDOT ESD and USFWS before demolition starts. The structures will be demolished and/or moved after September 30 and before April 1. If further coordination is needed no demolition can occur until coordination is concluded with INDOT ESD and USFWS. (USFWS).

22. Blackiston Mill Rd. Bridge No. 22-0051 and the project's surrounding habitat is conducive for use (i.e. nests) by a bird species protected under the Migratory Bird Treaty Act (MBTA). Prior to the start of nesting season (May 1) the structure must be inspected for birds or signs of birds. If birds or signs of birds are found during the inspection avoidance and minimization measures must be implemented prior to the start of and during the nesting season. Nests without eggs or young should be removed prior to construction during the non-nesting season (September 8 – April 30) and during the nesting season if no eggs or young are present. Nests with eggs or young cannot be removed or disturbed during the nesting season (May 1 – September 7). Nests with eggs or young should be screened or buffered from active construction. Details of the required procedures are outlined in the "Potential Migratory Bird on Structure" USP/RSP. (USFWS)

23. Recycled materials will be recommended where possible. (INDOT Seymour District)

24. Plans will be updated and best management practices concerning construction equipment will be added for control of noxious weeds. (INDOT Seymour District)

25. Plans will be updated and best management practices concerning construction equipment will be added for control of invasive species management. (INDOT Seymour District)

26. Plans will be updated and Do Not Disturb labels will be added for appropriate sensitive features. (INDOT Seymour District)

27. Stormwater sediment and erosion control measures will add catch basin filters. (INDOT Seymour District)

For Further Consideration:

28. Do not excavate in the low flow area except for the placement of piers, foundations, and riprap, or removal of the old structure. (IDNR-DFW)

Indiana Department of Transportation

County Floyd and Clark

Route Blackiston Mill Rd.

Des. No. 1700788

29. Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds. (IDNR-DFW)
30. Do not cut any trees suitable for Indiana bat or Northern long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30. (IDNR-DFW)
31. Use minimum average 6-inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids. (IDNR-DFW)
32. The new, replacement, or rehabbed structure should not create conditions that are less favorable for wildlife passage under the structure compared to the current conditions. (IDNR-DFW)
33. Riprap or other hard bank stabilization materials should only be used at the toe of slopes up to the ordinary high water mark (OHWM) with the exception of areas directly under bridges. The banks above the OHWM must be restored, stabilized, and revegetated using geotextiles and a mixture of grasses, sedges, wildflowers, shrubs, and trees native to Central Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion. (IDNR-DFW)
34. Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to non-wetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, at least 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10 inches dbh or greater (5:1 mitigation based on the number of large trees). (IDNR-DFW)
35. Revegetate all disturbed soil areas immediately upon project completion, using native trees and shrubs in the riparian zone wherever feasible and reforestation occur along all impacted riparian areas, extending at least 50 feet (preferably 100) perpendicular from the streambank (USFWS)
36. Minimize the extent of hard armor (riprap) in bank stabilization by using bioengineering techniques whenever possible. If riprap is utilized for bank stabilization, extend it below low-water elevation to provide aquatic habitat. (USFWS)
37. Use best methods to contain soil and sediment runoff during construction. Use silt curtains or other devices at the downstream end of the project to contain bottom sediment in the newly excavated channel and to prevent it from adding to the downstream sediment load. Maintain such devices by removal of accumulated sediment. (USFWS)
38. Restrict below low-water work in streams to placement of culverts, piers, pilings and/or footings, shaping of the spill slopes around the bridge abutments, and placement of riprap. (USFWS)
39. Culverts should span the active stream channel, should be either embedded or a 3-sided or open-arch culvert, and be installed where practicable on an essentially flat slope. When an open-bottom culvert or arch is used in a stream, which has a good natural bottom substrate, such as gravel, cobbles and boulders, the existing substrate should be left undisturbed beneath the culvert to provide natural habitat for the aquatic community. (USFWS)
40. Avoid all work within the inundated part of the stream channel (in perennial streams and larger intermittent streams) during the fish spawning season (April 1 through June 30), except for work within sealed structures such as caissons or cofferdams that were installed prior to the spawning season. No equipment shall be operated below OHWM during this time unless the machinery is within the caissons or on the cofferdams. (USFWS)
41. Evaluate wildlife crossings under bridge/culverts projects in appropriate situations. Suitable crossings include flat areas below bridge abutments with suitable ground cover, high water shelves in culverts, amphibian tunnels and diversion. (USFWS)