

Appendix C

Early Coordination



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204

PHONE: (317) 232-5113
FAX: (317) 233-4929

Eric Holcomb, Governor
Joe McGuinness, Commissioner

March 27, 2020

<<Address>>

Re: Contract R41588, Two (2) Small Structure Replacements, Located along SR-234 in Montgomery County, Indiana

To Whom It May Concern:

The Indiana Department of Transportation (INDOT) and Federal Highway Administration (FHWA) intends to proceed with a project involving two (2) small structures along SR 234 in Montgomery County, Indiana. This letter is part of the early coordination phase of the environmental review process. Burgess & Niple, Inc. (B&N) is requesting comments from your area of expertise regarding any possible environmental effects associated with this project. **Please use the above contract number and description in your reply.** We will incorporate your comments into a study of the project's environmental impacts.

DES #1800154, SR 234, 7.28 miles west of SR 75:

The proposed project will replace the small structure, CV-234-054-46.02, to improve hydraulic efficiency and extend the life of the structure and the roadway over the structure. The replacement structure consists of a 6 ft by 4 ft reinforced concrete box structure, sumped 6 inches that is 65 ft in length. There will be approximately 20 ft of full depth pavement replacement and the remaining 188 feet on either side of the structure will be limited to shoulder widening and slope grading. Rip rap will be placed at both ends of the pipe to prevent erosion. There will be approximately 0.5 acres of permanent right of way. Road closure will be required for approximately 30 days. The official detour will utilize US 231, SR 236, and SR 75.

DES #1800155, SR 234, 6.55 miles west of SR 75:

The proposed project will replace the small structure, CV- 234-054-46.50, to improve hydraulic efficiency and extend the life of the structure and the roadway over the structure. The replacement structure consists of a 6ft by 3 ft concrete box structure, sumped 6 inches that is 84 ft in length. There will be approximately 20 ft of full depth pavement replacement and the remaining 188 feet on either side of the structure will be limited to shoulder widening and slope grading. Rip rap will be placed at both ends of the pipe to prevent erosion. There will be approximately 0.5 acres of permanent right of way. Road closure will be required for approximately 30 days. The official detour will utilize US 231, SR 236, and SR 75.

The location of the culverts are primarily rural, with the majority of the surrounding land being maintained agricultural fields. Coordination with the INDOT Environmental Services-Ecological and Waterway Permitting will occur. This project qualifies for the application of the USFWS range-wide programmatic informal consultation for the Indiana bat and northern long eared bat and project information will be submitted through USFWS's Information for Planning and Consultation (IPaC) separately. The INDOT Cultural Resources Office (CRO) will review the project area for archaeological and historic resources for Section 106 compliance.

Should we not receive your response within thirty (30) calendar days from the date of this letter, it will be assumed that your agency feels that there will be no adverse effects incurred as a result of the proposed project. However, if you find that an extension to the response time is necessary, a reasonable amount may be granted upon request.

If you have any questions regarding this matter, please feel free to contact me at 317-237-2760 x1540 or by email at Matthew.Kestner@burgessniple.com. Thank you in advance for your input.

Sincerely,

Matthew Kestner

Matthew Kestner
Environmental Scientist
Burgess & Niple

MK:

Attachments

Maps, Photographs

List of ECL Recipients

**Maps and photographs removed to avoid
duplication within the CE. Refer to
Appendix B for excluded Attachments.**

The following agencies received Early Coordination Letters:

Federal Highway Administration
Room 254, Federal Office Building
575 North Pennsylvania Street
Indianapolis, IN 46204
(Electronic Coordination)

Indiana Geological Survey
611 North Walnut Grove
Bloomington, IN 47405
(Electronic Coordination)

Chief, Groundwater Section
Indiana Department of Environmental Management
100 N. Senate Avenue
Indianapolis, IN 46204

Environmental Coordinator
Indiana Department of Natural Resources
Division of Fish and Wildlife
Room W264, IGC South
402 West Washington Street
Indianapolis, IN 46204-2641
(Electronic Coordination)

Indiana Department of Environmental Management
(Electronic Coordination)

Manager, Public Hearings
100 N. Senate Avenue, Rm. 642
Indianapolis, IN 46204

Field Environmental Officer
Chicago Regional Office
U.S. Department of Housing and Urban Development
Metcalf Federal Building
77 West Jackson Boulevard, Room 2401
Chicago, IL 60604
(Electronic Coordination)

Regional Environmental Coordinator
Midwest Regional Office
National Park Service
601 Riverfront Drive
Omaha, NE 68102

Indiana Department of Transportation
Environmental Services
Crawfordsville District

Field Supervisor
U.S. Fish & Wildlife Service
Bloomington Field Office
620 South Walker St.
Bloomington, IN 47403
(Electronic Coordination)

Chief, Environmental Resources
Department of the Army
Louisville District, Corps of Engineers
Attn: CEPMP-P-E
P.O. Box 59
Louisville, KY 40201-0059

Montgomery County Council Members
100 E Main St
Crawfordsville, IN 47933

Montgomery County Commissioner Members
110 W South Blvd
Crawfordsville, IN 47933

Montgomery County Surveyor
110 W South Blvd
Crawfordsville, IN 47933

Montgomery County Emergency Management
1201 Elmore Street
Crawfordsville, IN 47933

Montgomery County Highway Department
818 N Whitlock Ave
Crawfordsville, IN 47933

Organization and Project Information

Project ID:
Des. ID: DES #1800154 and DES #1800155
Project Title: Contract R41588, Two (2) Small Structure Replacements, Located along SR-234 in Montgomery
Name of Organization: Burgess and Niple
Requested by: Matthew Kestner

Environmental Assessment Report

1. Geological Hazards:
 - Moderate liquefaction potential
 - 1% Annual Chance Flood Hazard
2. Mineral Resources:
 - Bedrock Resource: Moderate Potential
 - Sand and Gravel Resource: Low Potential
3. Active or abandoned mineral resources extraction sites:
 - None documented in the area

*All map layers from Indiana Map (maps.indiana.edu)

DISCLAIMER:

This document was compiled by Indiana University, Indiana Geological Survey, using data believed to be accurate; however, a degree of error is inherent in all data. This product is distributed "AS-IS" without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability to a particular purpose or use. No attempt has been made in either the design or production of these data and document to define the limits or jurisdiction of any federal, state, or local government. The data used to assemble this document are intended for use only at the published scale of the source data or smaller (see the metadata links below) and are for reference purposes only. They are not to be construed as a legal document or survey instrument. A detailed on-the-ground survey and historical analysis of a single site may differ from these data and this document.

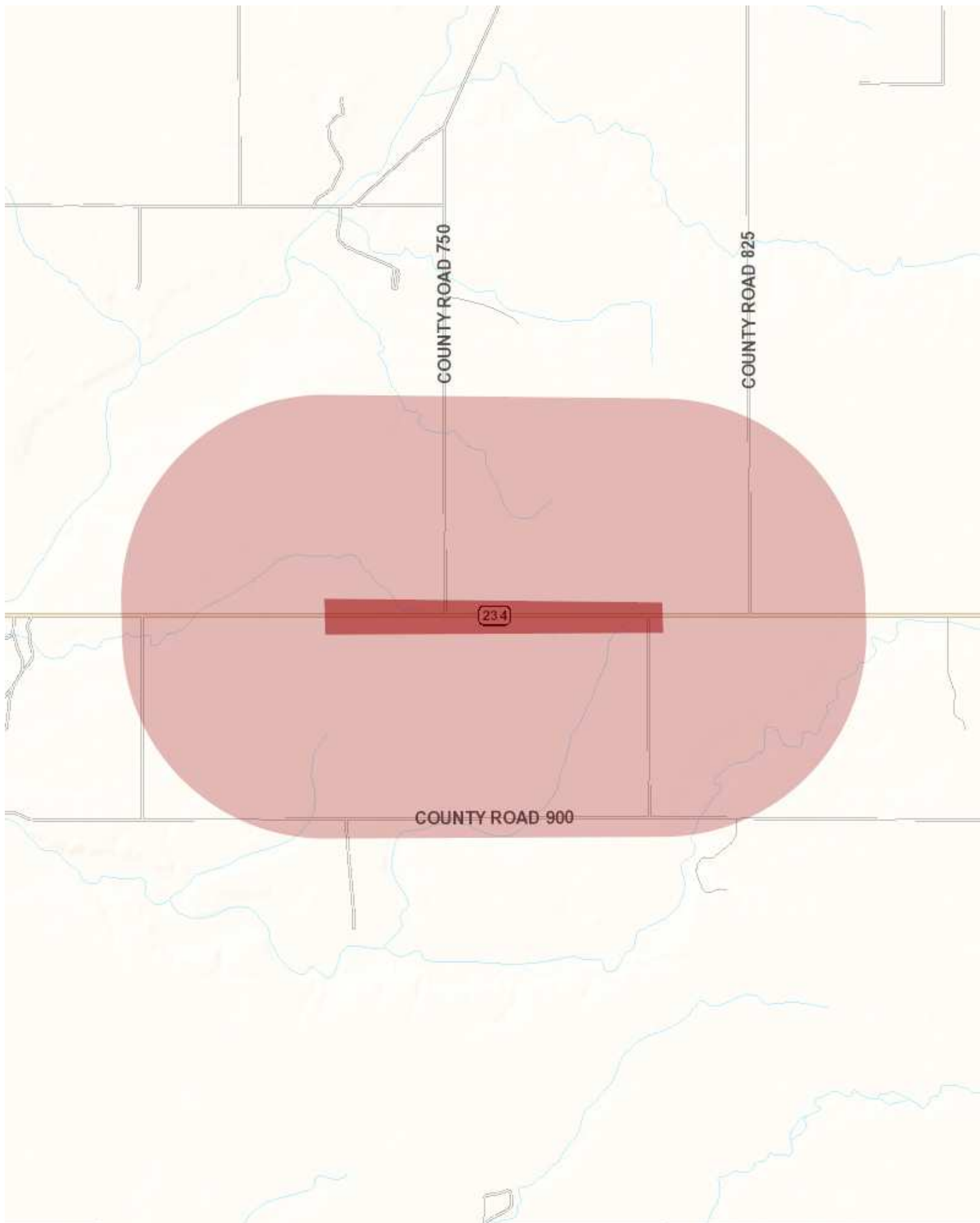
This information was furnished by Indiana Geological Survey

Address: 420 N. Walnut St., Bloomington, IN 47404

Email: IGSEnvir@indiana.edu

Phone: 812 855-7428

Date: March 27, 2020



Metadata:

- https://maps.indiana.edu/metadata/Geology/Seismic_Earthquake_Liquefaction_Potential.html
- https://maps.indiana.edu/metadata/Geology/Industrial_Minerals_Sand_Gravel_Resources.html
- https://maps.indiana.edu/metadata/Hydrology/Floodplains_FIRM.html
- https://maps.indiana.edu/metadata/Geology/Bedrock_Geology.html

State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Fish and Wildlife
Early Coordination/Environmental Assessment

DNR #: ER-22591

Request Received: May 21, 2020

Requestor: Burgess and Niple Inc
Matthew Kestner
251 North Illinois Street, Suite 920
Indianapolis, IN 46204-1935

Project: SR 234 small structure replacements at 7.28 miles west of SR 75 (CV-234-054-46.02; Des #1800154) and 6.55 miles west of SR 75 (CV- 234-054-46.50; Des #1800155); Contract #R-41588

County/Site info: Montgomery

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

Regulatory Assessment: Formal approval by the Department of Natural Resources under the regulatory programs administered by the Division of Water is not required for these projects.

Natural Heritage Database: The Natural Heritage Program's data have been checked. To date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity.

Fish & Wildlife Comments: Avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts. The following are recommendations that address potential impacts identified in the proposed project area:

1) Crossing Structure:

For purposes of maintaining fish and wildlife passage through a crossing structure, the Environmental Unit recommends bridges rather than culverts and bottomless culverts rather than box or pipe culverts. Wide culverts are better than narrow culverts, and culverts with shorter through lengths are better than culverts with longer through lengths. If box or pipe culverts are used, the bottoms should be buried a minimum of 6" (or 20% of the culvert height/pipe diameter, whichever is greater up to a maximum of 2') below the stream bed elevation to allow a natural streambed to form within or under the crossing structure. Crossings should: span the entire channel width (a minimum of 1.2 times the OHWM width); maintain the natural stream substrate within the structure; have a minimum openness ratio (height x width / length) of 0.25; and have stream depth, channel width, and water velocities during low-flow conditions that are approximate to those in the natural stream channel. Banklines should be restored within box and pipe structures to allow for wildlife passage above the ordinary highwater mark.

The new, replacement, or rehabbed structure, and any bank stabilization under the structure, should not create conditions that are less favorable for wildlife passage under the structure compared to the current conditions. The Division of Fish and Wildlife would like to emphasize the importance of wildlife passage issues and transportation infrastructure projects. The following is a good place to start in terms of resources to consider in the design of stream crossing structures:
<http://www.fs.fed.us/wildlifecrossings/library/>.

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The following are recommended resources for designing and constructing stream crossings for maintenance of instream habitat and aquatic organism passage:

https://www.fs.fed.us/biology/nsaec/fishxing/aop_pdfs.html;

<https://www.fhwa.dot.gov/engineering/hydraulics/pubs/11008/hif11008.pdf>.

2) Bank Stabilization:

Some form of bank and/or streambed stabilization is almost always needed with the construction, repair, replacement, or modification of a stream channel or crossing structure. For streambank stabilization and erosion control, regrading to a stable slope (2:1 or shallower) and establishing native vegetation along the banks are typically the most effective techniques. A variety of methods to accomplish this include: planting plugs, whips, container stock, seeding, and live stakes. In addition to vegetation establishment, some additional level of bioengineered bank stabilization may be needed under certain circumstances (inability to regrade to a stable slope, flow velocities that exceed the limits of vegetation alone, etc.). Combining vegetation with any of the following bank stabilization methods can provide additional bank protection while not compromising benefits to fish, wildlife, and botanical resources: geotextiles (erosion control blankets and/or turf reinforcement mats that are heavy-duty, biodegradable, and net free or that use loose-woven / Leno-woven netting to minimize the entrapment and snaring of small-bodied wildlife such as snakes and turtles), vegetated geogrids or soil lifts, fiber rolls, glacial stone, or riprap. Information about bioengineering techniques can be found at <http://www.in.gov/legislative/iac/20120404-IR-312120154NRA.xml.pdf>. Additionally, the following is a link to a USDA/NRCS document that outlines many different bioengineering techniques for streambank stabilization: <http://directives.sc.egov.usda.gov/17553.wba>.

Riprap or other hard bank stabilization materials should be used only at the toe of the sideslopes up to the ordinary high water mark (OHWM) with the exception of areas directly under bridges for instance. The banks above the OHWM should 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. For streambed stabilization or scour protection, riprap or other stabilization materials should not be placed in the active stream channel above the existing streambed or flowline elevation unless specifically designed and installed for grade control and aquatic organism passage. This is to prevent obstructions to the movement of aquatic organisms upstream and downstream.

The additional measures listed below should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources:

1. Revegetate all bare and disturbed areas that are not currently mowed and maintained with a mixture of grasses, sedges, and wildflowers native to Central Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion; turf-type grasses (including low-endophyte, friendly endophyte, and endophyte free tall fescue but excluding all other varieties of tall fescue) may be used in currently mowed areas only.
2. Minimize and contain within the project limits inchannel disturbance and the clearing of trees and brush.
3. Do not work in the waterway from April 1 through June 30 without the prior written approval of the Division of Fish and Wildlife.
4. Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumpharounds.
5. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids.
6. Do not use broken concrete as riprap.

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7. Underlay the riprap with a bedding layer of well graded aggregate or a geotextile to prevent piping of soil underneath the riprap.
8. Minimize the movement of resuspended bottom sediment from the immediate project area.
9. Do not deposit or allow demolition/construction materials or debris to fall or otherwise enter the waterway.
10. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.

Contact Staff:

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife
Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.

Christie L. Stanifer

Date: June 19, 2020

Christie L. Stanifer
Environ. Coordinator
Division of Fish and Wildlife

From: [McWilliams, Robin](#)
To: [Kestner, Matthew](#)
Subject: Re: [EXTERNAL] Contract R41588, Two (2) Small Structure Replacements, Located along SR-234 in Montgomery County, Indiana
Date: Tuesday, April 7, 2020 10:10:13 AM

Dear Matthew,

This responds to your recent letter requesting our comments on the aforementioned project.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

The project is within the range of the Indiana bat (*Myotis sodalis*) and northern long-eared bat (*Myotis septentrionalis*) and should follow the new Indiana bat/northern long-eared bat programmatic consultation process, if applicable (i.e. a federal transportation nexus is established). The Service has 14 days after the "Not Likely to Adversely Affect" determination letter is generated. We will review that information once it is received; if you do not receive a response within 14 days, we have no additional comments.

Based on a review of the information you provided, the U.S. Fish and Wildlife Service has no objection to the project as currently proposed. However, should new information arise pertaining to project plans or a revised species list be published, it will be necessary for the Federal agency to reinstate consultation. Standard recommendations are provided below.

We appreciate the opportunity to comment at this early stage of project planning. If you have any questions about our recommendations, please call (812) 334-4261 x. 207.

Sincerely,
Robin McWilliams Munson

Standard Recommendations:

1. Do not clear trees or understory vegetation outside the construction zone boundaries. (**This restriction is not related to the "tree clearing" restriction for potential Indiana Bat habitat.**)
2. 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. 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.
3. Restrict channel work and vegetation clearing to the minimum necessary for installation of the stream crossing structure.
4. 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.

5. Implement temporary erosion and sediment control methods within areas of disturbed soil. All disturbed soil areas upon project completion will be vegetated following INDOT's standard specifications.

6. 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 Ordinary High Water Mark during this time unless the machinery is within the caissons or on the cofferdams.

7. 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 fencing

Robin McWilliams Munson
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
620 South Walker Street
Bloomington, IN 46142
812-334-4261

[Mon-Tues 8-3:30p](#)

[Wed-Thurs 8:30-3p Telework](#)

From: Kestner, Matthew <Matthew.Kestner@burgessniple.com>

Sent: Friday, March 27, 2020 1:41 PM

To: McWilliams, Robin <robin_mcwilliams@fws.gov>

Subject: [EXTERNAL] Contract R41588, Two (2) Small Structure Replacements, Located along SR-234 in Montgomery County, Indiana

Please find the attached ECL letter and Attachments for the following projects under Contract No. R-41588:

Des. No. 1800154, SR 234, 7.28 miles west of SR 75

Des. No. 1800155, SR 234, 6.55 miles west of SR 75

Please let me know if you have any questions or comments.

Thank you,

Matthew Kestner, GIT
Geologist

Burgess & Niple, Inc.
317.237.2760 x1540
Cell 304.580.1098
251 N. Illinois Ave.

Indiana Department of Environmental Management

We Protect Hoosiers and Our Environment.

100 North Senate Avenue - Indianapolis, IN 46204
(800) 451-6027 - (317) 232-8603 - www.idem.IN.gov

Burgess and Niple
Matthew Kestner
251 N. Illinois Ave.
Indianapolis , IN 46204

To Engineers and Consultants Proposing Roadway Construction Projects:

RE: Contract R41588, Two (2) Small Structure Replacements, Located along SR-234 in Montgomery County, Indiana DES #1800154, SR 234, 7.28 miles west of SR 75: The proposed project will replace the small structure, CV-234-054-46.02, to improve hydraulic efficiency and extend the life of the structure and the roadway over the structure. The replacement structure consists of a 6 ft by 4 ft reinforced concrete box structure, sumped 6 inches that is 65 ft in length. There will be approximately 20 ft of full depth pavement replacement and the remaining 188 feet on either side of the structure will be limited to shoulder widening and slope grading. Rip rap will be placed at both ends of the pipe to prevent erosion. There will be approximately 0.5 acres of permanent right of way. Road closure will be required for approximately 30 days. The official detour will utilize US 231, SR 236, and SR 75. DES #1800155, SR 234, 6.55 miles west of SR 75: The proposed project will replace the small structure, CV- 234-054-46.50, to improve hydraulic efficiency and extend the life of the structure and the roadway over the structure. The replacement structure consists of a 6ft by 3 ft concrete box structure, sumped 6 inches that is 84 ft in length. There will be approximately 20 ft of full depth pavement replacement and the remaining 188 feet on either side of the structure will be limited to shoulder widening and slope grading. Rip rap will be placed at both ends of the pipe to prevent erosion. There will be approximately 0.5 acres of permanent right of way. Road closure will be required for approximately 30 days. The official detour will utilize US 231, SR 236, and SR 75.

This letter from the Indiana Department of Environmental Management (IDEM) serves as a standardized response to enquiries inviting IDEM comments on roadway construction, reconstruction, or other improvement projects within existing roadway corridors when the proposed scope of the project is beneath the threshold requiring a formal National Environmental Policy Act-mandated Environmental Assessment or Environmental Impact Statement. As the letter attempts to address all roadway-related environmental topics of potential concern, it is possible that not every topic addressed in the letter will be applicable to your particular roadway project.

For additional information on specific roadway-related topics of interest, please visit the appropriate Web pages cited below, many of which provide contact information for persons within the various program areas who can answer questions not fully addressed in this letter. Also please be mindful that some environmental requirements may be subject to change and so each person intending to include a copy of this letter in their project documentation packet is advised to download the most recently revised version of the letter; found at: <http://www.in.gov/idem/5283.htm> (<http://www.in.gov/idem/5283.htm>).

To ensure that all environmentally-related issues are adequately addressed, IDEM recommends that you read this letter in its entirety, and consider each of the following issues as you move forward with the planning of your proposed roadway construction, reconstruction, or improvement project:

WATER AND BIOTIC QUALITY

1. Section 404 of the Clean Water Act requires that you obtain a permit from the U.S. Army Corps of Engineers (USACE) before discharging dredged or fill materials into any wetlands or other waters, such as rivers, lakes, streams, and ditches. Other activities regulated include the relocation, channelization, widening, or other such alteration of a stream, and the mechanical clearing (use of heavy construction equipment) of wetlands. Thus, as a project owner or sponsor, it is your responsibility to ensure that no wetlands are disturbed without the proper permit. Although you may initially refer to the U.S. Fish and Wildlife Service National Wetland Inventory maps as a means of identifying potential areas of concern, please be mindful that those maps do not depict jurisdictional wetlands regulated by the USACE or the Department of Environmental Management. A valid jurisdictional wetlands determination can only be made by the USACE, using the 1987 Wetland Delineation Manual.

USACE recommends that you have a consultant check to determine whether your project will abut, or lie within, a wetland area. To view a list of consultants that have requested to be included on a list posted by the USACE on their Web site, see USACE Permits and Public Notices (<http://www.lrl.usace.army.mil/orf/default.asp>) (<http://www.lrl.usace.army.mil/orf/default.asp>) and then click on "Information" from the menu on the right-hand side of that page. Their "Consultant List" is the fourth entry down on the "Information" page. Please note that the USACE posts all consultants that request to appear on the list, and that inclusion of any particular consultant on the list does not represent an endorsement of that consultant by the USACE, or by IDEM.

Much of northern Indiana (Newton, Lake, Porter, LaPorte, St. Joseph, Elkhart, LaGrange, Steuben, and Dekalb counties; large portions of Jasper, Starke, Marshall, Noble, Allen, and Adams counties; and lesser portions of Benton, White, Pulaski, Kosciusko, and Wells counties) is served by the USACE District Office in Detroit (313-226-6812). The central and southern portions of the state (large portions of Benton, White, Pulaski, Kosciusko, and Wells counties; smaller portions of Jasper, Starke, Marshall, Noble, Allen, and Adams counties; and all other Indiana counties located in north-central, central, and southern Indiana) are served by the USACE Louisville District Office (502-315-6733).

Additional information on contacting these U.S. Army Corps of Engineers (USACE) District Offices, government agencies with jurisdiction over wetlands, and other water quality issues, can be found at <http://www.in.gov/idem/4396.htm> (<http://www.in.gov/idem/4396.htm>). IDEM recommends that impacts to wetlands and other water resources be avoided to the fullest extent.

2. In the event a Section 404 wetlands permit is required from the USACE, you also must obtain a Section 401 Water Quality Certification from the IDEM Office of Water Quality Wetlands Program. To learn more about the Wetlands Program, visit: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>).
3. If the USACE determines that a wetland or other water body is isolated and not subject to Clean Water Act regulation, it is still regulated by the state of Indiana. A State Isolated Wetland permit from IDEM's Office of Water Quality (OWQ) is required for any activity that results in the discharge of dredged or fill materials into isolated wetlands. To learn more about isolated wetlands, contact the OWQ Wetlands Program at 317-233-8488.

4. If your project will involve over a 0.5 acre of wetland impact, stream relocation, or other large-scale alterations to water bodies such as the creation of a dam or a water diversion, you should seek additional input from the OWQ Wetlands Program staff. Consult the Web at: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>) for the appropriate staff contact to further discuss your project.
5. Work within the one-hundred year floodway of a given water body is regulated by the Department of Natural Resources, Division of Water. The Division issues permits for activities regulated under the follow statutes:
 - IC 14-26-2 Lakes Preservation Act 312 IAC 11
 - IC 14-26-5 Lowering of Ten Acre Lakes Act No related code
 - IC 14-28-1 Flood Control Act 310 IAC 6-1
 - IC 14-29-1 Navigable Waterways Act 312 IAC 6
 - IC 14-29-3 Sand and Gravel Permits Act 312 IAC 6
 - IC 14-29-4 Construction of Channels Act No related code

For information on these Indiana (statutory) Code and Indiana Administrative Code citations, see the DNR Web site at: <http://www.in.gov/dnr/water/9451.htm> (<http://www.in.gov/dnr/water/9451.htm>) . Contact the DNR Division of Water at 317-232-4160 for further information.

The physical disturbance of the stream and riparian vegetation, especially large trees overhanging any affected water bodies should be limited to only that which is absolutely necessary to complete the project. The shade provided by the large overhanging trees helps maintain proper stream temperatures and dissolved oxygen for aquatic life.

6. For projects involving construction activity (which includes clearing, grading, excavation and other land disturbing activities) that result in the disturbance of one (1), or more, acres of total land area, contact the Office of Water Quality – Watershed Planning Branch (317/233-1864) regarding the need for of a Rule 5 Storm Water Runoff Permit. Visit the following Web page
 - <http://www.in.gov/idem/4902.htm> (<http://www.in.gov/idem/4902.htm>)

To obtain, and operate under, a Rule 5 permit you will first need to develop a Construction Plan (<http://www.in.gov/idem/4917.htm#constreq> (<http://www.in.gov/idem/4917.htm#constreq>)), and as described in 327 IAC 15-5-6.5 (<http://www.in.gov/legislative/iac/T03270/A00150> [PDF] (<http://www.in.gov/legislative/iac/T03270/A00150.PDF>), pages 16 through 19). Before you may apply for a Rule 5 Permit, or begin construction, you must submit your Construction Plan to your county Soil and Water Conservation District (SWCD) (<http://www.in.gov/isda/soil/contacts/map.html> (<http://www.in.gov/isda/soil/contacts/map.html>)).

Upon receipt of the construction plan, personnel of the SWCD or the Indiana Department of Environmental Management will review the plan to determine if it meets the requirements of 327 IAC 15-5. Plans that are deemed deficient will require re-submittal. If the plan is sufficient you will be notified and instructed to submit the verification to IDEM as part of the Rule 5 Notice of Intent (NOI) submittal. Once construction begins, staff of the SWCD or Indiana Department of Environmental Management will perform inspections of activities at the site for compliance with the regulation.

Please be mindful that approximately 149 Municipal Separate Storm Sewer System (MS4) areas are now being established by various local governmental entities throughout the state as part of the implementation of Phase II federal storm water requirements. All of these MS4 areas will eventually take responsibility for Construction Plan review, inspection, and enforcement. As these MS4 areas obtain program approval from IDEM, they will be added to a list of MS4 areas posted on the IDEM Website at: <http://www.in.gov/idem/4900.htm> (<http://www.in.gov/idem/4900.htm>).

If your project is located in an IDEM-approved MS4 area, please contact the local MS4 program about meeting their storm water requirements. Once the MS4 approves the plan, the NOI can be submitted to IDEM.

Regardless of the size of your project, or which agency you work with to meet storm water requirements, IDEM recommends that appropriate structures and techniques be utilized both during the construction phase, and after completion of the project, to minimize the impacts associated with storm water runoff. The use of appropriate planning and site development and appropriate storm water quality measures are recommended to prevent soil from leaving the construction site during active land disturbance and for post construction water quality concerns. Information and assistance regarding storm water related to construction activities are available from the Soil and Water Conservation District (SWCD) offices in each county or from IDEM.

7. For projects involving impacts to fish and botanical resources, contact the Department of Natural Resources - Division of Fish and Wildlife (317/232-4080) for addition project input.
8. For projects involving water main construction, water main extensions, and new public water supplies, contact the Office of Water Quality - Drinking Water Branch (317-308-3299) regarding the need for permits.
9. For projects involving effluent discharges to waters of the State of Indiana , contact the Office of Water Quality - Permits Branch (317-233-0468) regarding the need for a National Pollutant Discharge Elimination System (NPDES) permit.
10. For projects involving the construction of wastewater facilities and sewer lines, contact the Office of Water Quality - Permits Branch (317-232-8675) regarding the need for permits.

AIR QUALITY

The above-noted project should be designed to minimize any impact on ambient air quality in, or near, the project area. The project must comply with all federal and state air pollution regulations. Consideration should be given to the following:

1. Regarding open burning, and disposing of organic debris generated by land clearing activities; some types of open burning are allowed (<http://www.in.gov/idem/4148.htm> (<http://www.in.gov/idem/4148.htm>)) under specific conditions. You also can seek an open burning variance from IDEM.

However, IDEM generally recommends that you take vegetative wastes to a registered yard waste composting facility or that the waste be chipped or shredded with composting on site (you must register with IDEM if more than 2,000 pounds is to be composted; contact 317/232-0066). The finished compost can then be used as a mulch or soil amendment. You also may bury any vegetative wastes (such as leaves, twigs, branches, limbs, tree trunks and stumps) onsite, although burying large quantities of such material can lead to subsidence problems, later on.

Reasonable precautions must be taken to minimize fugitive dust emissions from construction and demolition activities. For example, wetting the area with water, constructing wind barriers, or treating dusty areas with chemical stabilizers (such as calcium chloride or several other commercial products). Dirt tracked onto paved roads from unpaved areas should be minimized.

Additionally, if construction or demolition is conducted in a wooded area where blackbirds have roosted or abandoned buildings or building sections in which pigeons or bats have roosted for 3-5 years precautionary measures should be taken to avoid an outbreak of histoplasmosis. This disease is caused by the fungus *Histoplasma capsulatum*, which stems from bird or bat droppings that have accumulated in one area for 3-5

years. The spores from this fungus become airborne when the area is disturbed and can cause infections over an entire community downwind of the site. The area should be wetted down prior to cleanup or demolition of the project site. For more detailed information on histoplasmosis prevention and control, please contact the Acute Disease Control Division of the Indiana State Department of Health at (317) 233-7272.

2. The U.S. EPA and the Surgeon General recommend that people not have long-term exposure to radon at levels above 4 pCi/L. (For a county-by-county map of predicted radon levels in Indiana, visit: <http://www.in.gov/idem/4145.htm> (<http://www.in.gov/idem/4145.htm>).

The U.S. EPA further recommends that all homes (and apartments within three stories of ground level) be tested for radon. If in-home radon levels are determined to be 4 pCi/L, or higher, EPA recommends a follow-up test. If the second test confirms that radon levels are 4 pCi/L, or higher, EPA recommends the installation of radon-reduction measures. (For a list of qualified radon testers and radon mitigation (or reduction) specialists visit: http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf (http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf)). It also is recommended that radon reduction measures be built into all new homes, particularly in areas like Indiana that have moderate to high predicted radon levels.

To learn more about radon, radon risks, and ways to reduce exposure visit:

<http://www.in.gov/isdh/regsvcs/radhealth/radon.htm> (<http://www.in.gov/isdh/regsvcs/radhealth/radon.htm>), <http://www.in.gov/idem/4145.htm> (<http://www.in.gov/idem/4145.htm>), or <http://www.epa.gov/radon/index.html> (<http://www.epa.gov/radon/index.html>).

3. With respect to asbestos removal: all facilities slated for renovation or demolition (except residential buildings that have (4) four or fewer dwelling units and which will not be used for commercial purposes) must be inspected by an Indiana-licensed asbestos inspector prior to the commencement of any renovation or demolition activities. If regulated asbestos-containing material (RACM) that may become airborne is found, any subsequent demolition, renovation, or asbestos removal activities must be performed in accordance with the proper notification and emission control requirements.

If no asbestos is found where a renovation activity will occur, or if the renovation involves removal of less than 260 linear feet of RACM off of pipes, less than 160 square feet of RACM off of other facility components, or less than 35 cubic feet of RACM off of all facility components, the owner or operator of the project does not need to notify IDEM before beginning the renovation activity.

For questions on asbestos demolition and renovation activities, you can also call IDEM's Lead/Asbestos section at 1-888-574-8150.

However, in all cases where a demolition activity will occur (even if no asbestos is found), the owner or operator must still notify IDEM 10 working days prior to the demolition, using the form found at <http://www.in.gov/icpr/webfile/formsdiv/44593.pdf> (<http://www.in.gov/icpr/webfile/formsdiv/44593.pdf>).

Anyone submitting a renovation/demolition notification form will be billed a notification fee based upon the amount of friable asbestos containing material to be removed or demolished. Projects that involve the removal of more than 2,600 linear feet of friable asbestos containing materials on pipes, or 1,600 square feet or 400 cubic feet of friable asbestos containing material on other facility components, will be billed a fee of \$150 per project; projects below these amounts will be billed a fee of \$50 per project. All notification remitters will be billed on a quarterly basis.

For more information about IDEM policy regarding asbestos removal and disposal, visit:
<http://www.in.gov/idem/4983.htm> (<http://www.in.gov/idem/4983.htm>).

4. With respect to lead-based paint removal: IDEM encourages all efforts to minimize human exposure to lead-based paint chips and dust. IDEM is particularly concerned that young children exposed to lead can suffer from learning disabilities. Although lead-based paint abatement efforts are not mandatory, any abatement that is conducted within housing built before January 1, 1978, or a child-occupied facility is required to comply with all lead-based paint work practice standards, licensing and notification requirements. For more information about lead-based paint removal visit: <http://www.in.gov/isdh/19131.htm> (<http://www.in.gov/isdh/19131.htm>).
5. Ensure that asphalt paving plants are permitted and operate properly. The use of cutback asphalt, or asphalt emulsion containing more than seven percent (7%) oil distillate, is prohibited during the months April through October. See 326 IAC 8-5-2, Asphalt Paving Rule (<http://www.ai.org/legislative/iac/T03260/A00080.PDF> (<http://www.ai.org/legislative/iac/T03260/A00080.PDF>)).
6. If your project involves the construction of a new source of air emissions or the modification of an existing source of air emissions or air pollution control equipment, it will need to be reviewed by the IDEM Office of Air Quality (OAQ). A registration or permit may be required under 326 IAC 2 (View at: www.ai.org/legislative/iac/t03260/a00020.pdf (<http://www.ai.org/legislative/iac/t03260/a00020.pdf>)). New sources that use or emit hazardous air pollutants may be subject to Section 112 of the Clean Air Act and corresponding state air regulations governing hazardous air pollutants.
7. For more information on air permits visit: <http://www.in.gov/idem/4223.htm> (<http://www.in.gov/idem/4223.htm>), or to initiate the IDEM air permitting process, please contact the Office of Air Quality Permit Reviewer of the Day at (317) 233-0178 or OAMPROD atdem.state.in.us.

LAND QUALITY

In order to maintain compliance with all applicable laws regarding contamination and/or proper waste disposal, IDEM recommends that:

1. If the site is found to contain any areas used to dispose of solid or hazardous waste, you need to contact the Office of Land Quality (OLQ) at 317-308-3103.
2. All solid wastes generated by the project, or removed from the project site, need to be taken to a properly permitted solid waste processing or disposal facility. For more information, visit <http://www.in.gov/idem/4998.htm> (<http://www.in.gov/idem/4998.htm>).
3. If any contaminated soils are discovered during this project, they may be subject to disposal as hazardous waste. Please contact the OLQ at 317-308-3103 to obtain information on proper disposal procedures.
4. If PCBs are found at this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding management of any PCB wastes from this site.
5. If there are any asbestos disposal issues related to this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding the management of asbestos wastes (Asbestos removal is addressed above, under Air Quality).
6. If the project involves the installation or removal of an underground storage tank, or involves contamination from an underground storage tank, you must contact the IDEM Underground Storage Tank program at

317/308-3039. See: <http://www.in.gov/idem/4999.htm> (<http://www.in.gov/idem/4999.htm>).

FINAL REMARKS

Should you need to obtain any environmental permits in association with this proposed project, please be mindful that IC 13-15-8 requires that you notify all adjoining property owners and/or occupants within ten days your submittal of each permit application. However, if you are seeking multiple permits, you can still meet the notification requirement with a single notice if all required permit applications are submitted with the same ten day period.

Should the scope of the proposed project be expanded to the extent that a National Environmental Policy Act Environmental Assessment (EA) or Environmental Impact Statement (EIS) is required, IDEM will actively participate in any early interagency coordination review of the project.

Meanwhile, please note that this letter does not constitute a permit, license, endorsement or any other form of approval on the part of the Indiana Department of Environmental Management regarding any project for which a copy of this letter is used. Also note that it is the responsibility of the project engineer or consultant using this letter to ensure that the most current draft of this document, which is located at <http://www.in.gov/idem/5284.htm> (<http://www.in.gov/idem/5284.htm>), is used.

Signature(s) of the Applicant

I acknowledge that the following proposed roadway project will be financed in part, or in whole, by public monies.

Project Description

Contract R41588, Two (2) Small Structure Replacements, Located along SR-234 in Montgomery County, Indiana
DES #1800154, SR 234, 7.28 miles west of SR 75: The proposed project will replace the small structure, CV-234-054-46.02, to improve hydraulic efficiency and extend the life of the structure and the roadway over the structure. The replacement structure consists of a 6 ft by 4 ft reinforced concrete box structure, sumped 6 inches that is 65 ft in length. There will be approximately 20 ft of full depth pavement replacement and the remaining 188 feet on either side of the structure will be limited to shoulder widening and slope grading. Rip rap will be placed at both ends of the pipe to prevent erosion. There will be approximately 0.5 acres of permanent right of way. Road closure will be required for approximately 30 days. The official detour will utilize US 231, SR 236, and SR 75.
DES #1800155, SR 234, 6.55 miles west of SR 75: The proposed project will replace the small structure, CV- 234-054-46.50, to improve hydraulic efficiency and extend the life of the structure and the roadway over the structure. The replacement structure consists of a 6ft by 3 ft concrete box structure, sumped 6 inches that is 84 ft in length. There will be approximately 20 ft of full depth pavement replacement and the remaining 188 feet on either side of the structure will be limited to shoulder widening and slope grading. Rip rap will be placed at both ends of the pipe to prevent erosion. There will be approximately 0.5 acres of permanent right of way. Road closure will be required for approximately 30 days. The official detour will utilize US 231, SR 236, and SR 75.

With my signature, I do hereby affirm that I have read the letter from the Indiana Department of Environment that appears directly above. In addition, I understand that in order to complete that project in which I am interested, with a minimum of impact to the environment, I must consider all the issues addressed in the aforementioned letter, and further, that I must obtain any required permits.

Date: 12/2/2020

Signature of the INDOT

Project Engineer or Other Responsible Agent Tamara Montgomery INDOT Project Manager

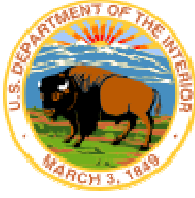
Date: 12/2/2020

Signature of the

For Hire Consultant

Matthew Kestner

Matthew Kestner



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

Phone: (812) 334-4261 Fax: (812) 334-4273

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>

In Reply Refer To:

November 12, 2020

Consultation Code: 03E12000-2021-SLI-0181

Event Code: 03E12000-2021-E-00825

Project Name: Des. No.: 1800155 - SR 234 - Small Structure Replacement

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service if they determine their project “may affect” listed species or critical habitat.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website <http://ecos.fws.gov/ipac/> at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at - <http://www.fws.gov/midwest/endangered/section7/s7process/index.html>. This website contains step-by-step instructions which will help you

determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process.

For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*) and Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at <http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html> to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

(812) 334-4261

Project Summary

Consultation Code: 03E12000-2021-SLI-0181

Event Code: 03E12000-2021-E-00825

Project Name: Des. No.: 1800155 - SR 234 - Small Structure Replacement

Project Type: TRANSPORTATION

Project Description: The project culvert (CV-234-054-46.50) is beneath SR 234 and is located 6.55 mi. west of SR 75 in Montgomery County, IN. The existing structure consists of triple 24-inch diameter corrugated metal pipes with a length of 30 feet at a skew of 30° to the roadway. The existing culvert has approximately 2 feet cover. The maximum horizontal opening between the three 24-inch barrels is 8 feet with a maximum vertical opening of 2 feet. The headwall exists at both ends of structure and has spalling with exposed rebar at both ends. The preferred replacement structure consists of a 6 ft by 3 ft concrete box structure, sumped 6 inches that is 84 ft. in length. Rip rap will be placed at both ends of the pipe to prevent erosion.

No suitable summer bat habitat exists within 1,000 ft. of the project area. There will be no tree removal for this project. There will be 0.81-acre of permanent right-of-way (ROW) required for the project. No temporary ROW will be required. There will be no permanent lighting associated with this project. Temporary lighting may be necessary. There will be no in-water work associated with this project.

A review of the USFWS database by INDOT - Crawfordsville District for Des. 1800155 on 1/23/2020 did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. No evidence of bats or bird nests were seen or heard within the culvert during an assessment on 10/16/2019. The project letting date is scheduled for 9/14/2022.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/39.91573970437041N86.75274499573777W>



Counties: Montgomery, IN

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

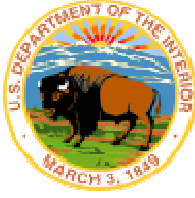
-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/1/office/31440.pdf	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Incidental take of the NLEB is not prohibited here. Federal agencies may consult using the 4(d) rule streamlined process. Transportation projects may consult using the programmatic process. See www.fws.gov/midwest/endangered/mammals/nleb/index.html Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

Phone: (812) 334-4261 Fax: (812) 334-4273

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>

IPaC Record Locator: 850-24256157

November 12, 2020

Subject: Consistency letter for the 'Des. No.: 1800155 - SR 234 - Small Structure Replacement' project (TAILS 03E12000-2021-R-0181) under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request to verify that the **Des. No.: 1800155 - SR 234 - Small Structure Replacement** (Proposed Action) may rely on the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action will have no effect on the endangered Indiana bat (*Myotis sodalis*) or the threatened Northern long-eared bat (*Myotis septentrionalis*). If the Proposed Action is not modified, **no consultation is required for these two species.**

For Proposed Actions that include bridge/structure removal, replacement, and/or maintenance activities: If your initial bridge/structure assessments failed to detect Indiana bats, but you later detect bats during construction, please submit the Post Assessment Discovery of Bats at Bridge/Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service.

If the Proposed Action may affect any other federally-listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency accordingly.

Project Description

The following project name and description was collected in IPaC as part of the endangered species review process.

Name

Des. No.: 1800155 - SR 234 - Small Structure Replacement

Description

The project culvert (CV-234-054-46.50) is beneath SR 234 and is located 6.55 mi. west of SR 75 in Montgomery County, IN. The existing structure consists of triple 24-inch diameter corrugated metal pipes with a length of 30 feet at a skew of 30° to the roadway. The existing culvert has approximately 2 feet cover. The maximum horizontal opening between the three 24-inch barrels is 8 feet with a maximum vertical opening of 2 feet. The headwall exists at both ends of structure and has spalling with exposed rebar at both ends. The preferred replacement structure consists of a 6 ft by 3 ft concrete box structure, sumped 6 inches that is 84 ft. in length. Rip rap will be placed at both ends of the pipe to prevent erosion.

No suitable summer bat habitat exists within 1,000 ft. of the project area. There will be no tree removal for this project. There will be 0.81-acre of permanent right-of-way (ROW) required for the project. No temporary ROW will be required. There will be no permanent lighting associated with this project. Temporary lighting may be necessary. There will be no in-water work associated with this project.

A review of the USFWS database by INDOT - Crawfordsville District for Des. 1800155 on 1/23/2020 did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. No evidence of bats or bird nests were seen or heard within the culvert during an assessment on 10/16/2019. The project letting date is scheduled for 9/14/2022.

Determination Key Result

Based on the information you provided, you have determined that the Proposed Action will have no effect on the endangered Indiana bat and/or the threatened Northern long-eared bat. Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for these two species.

Qualification Interview

1. Is the project within the range of the Indiana bat^[1]?

[1] See [Indiana bat species profile](#)

Automatically answered

Yes

2. Is the project within the range of the Northern long-eared bat^[1]?

[1] See [Northern long-eared bat species profile](#)

Automatically answered

Yes

3. Which Federal Agency is the lead for the action?

A) Federal Highway Administration (FHWA)

4. Are *all* project activities limited to non-construction^[1] activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

[1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces^[1]?

[1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No

6. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum^[1]?

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

7. Is the project located **within** a karst area?

No

8. Is there *any* suitable^[1] summer habitat for Indiana Bat or NLEB **within** the project action area^[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the [national consultation FAQs](#).

No

9. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

No

10. Does the project include slash pile burning?

No

11. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

Yes

12. Is there *any* suitable habitat^[1] for Indiana bat or NLEB **within** 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's current [summer survey guidance](#) for our current definitions of suitable habitat.

No

13. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)
No
14. Will the project involve the use of **temporary** lighting *during* the active season?
Yes
15. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **temporary** lighting will be used?
No
16. Will the project install new or replace existing **permanent** lighting?
No
17. Does the project include percussives or other activities (**not including tree removal/trimming or bridge/structure work**) that will increase noise levels above existing traffic/background levels?
No
18. Are *all* project activities that are **not associated with** habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives, limited to actions that DO NOT cause any additional stressors to the bat species?
 Examples: lining roadways, unlighted signage , rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.
Yes
19. Will the project raise the road profile **above the tree canopy**?
No
20. Is the location of this project consistent with a No Effect determination in this key?
Automatically answered
Yes, because the project action area is not within suitable Indiana bat and/or NLEB summer habitat and is outside of 0.5 miles of a hibernaculum.
21. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?
Automatically answered
Yes, because the bridge is more than 1,000 feet from the nearest suitable habitat and is therefore considered unsuitable for use by bats

22. Is the temporary lighting portion of this project consistent with a No Effect determination in this key?

Automatically answered

Yes, because the lighting will be more than 1,000 feet from the nearest suitable habitat

Determination Key Description: FHWA, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat

This key was last updated in IPaC on December 02, 2019. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.



Natural Resources Conservation Service
Indiana State Office
6013 Lakeside Boulevard
Indianapolis, IN 46278
317-290-3200

April 8, 2020

Matthew Kestner
Burgess & Niple
251 North Illinois Street, Capital Center Suite 920
Indianapolis, Indiana 46204

Dear Mr. Kestner:

The proposed project to replace two small structures along State Road 234 in Montgomery County, Indiana, (Des No 1800154 and 1800155) as referred to in your letter received March 27, 2020, will cause a conversion of prime farmland.

The attached packet of information is for your use competing Parts VI and VII of the AD-1006. After completion, the federal funding agency needs to forward one copy to NRCS for our records.

If you need additional information, please contact John Allen at 317-295-5859.

Sincerely,

RICHARD Digitally signed by
RICHARD NEILSON
NEILSON Date: 2020.04.08
15:56:26 -04'00'

RICK NEILSON
State Soil Scientist

Enclosures

Helping People Help the Land.



USDA is an equal opportunity provider, employer and lender.

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency)		3. Date of Land Evaluation Request 3/27/20	4. Sheet 1 of 1
1. Name of Project Des. 1800155, SR 234, 6.55 miles west of SF		5. Federal Agency Involved FHA	
2. Type of Project Small Structure Replacement		6. County and State Montgomery County, Indiana	
PART II (To be completed by NRCS)		1. Date Request Received by NRCS 3/27/20	2. Person Completing Form JRA
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		4. Acres Irrigated Average Farm Size 445 ac	
5. Major Crop(s) Corn	6. Farmable Land in Government Jurisdiction Acres: 307,930 % 95	7. Amount of Farmland As Defined in FPPA Acres: 281,375 % 87	
8. Name Of Land Evaluation System Used LESA	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS 4/8/20	

PART III (To be completed by Federal Agency)	Alternative Corridor For Segment _____			
	Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly	0.5			
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor	0.5			

PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	0.50			
B. Total Acres Statewide And Local Important Farmland	0.00			
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	<0.001			
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	49			

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)	83			
--	-----------	--	--	--

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points				
1. Area in Nonurban Use	15	15			
2. Perimeter in Nonurban Use	10	10			
3. Percent Of Corridor Being Farmed	20	15			
4. Protection Provided By State And Local Government	20	0			
5. Size of Present Farm Unit Compared To Average	10	10			
6. Creation Of Nonfarmable Farmland	25	0			
7. Availability Of Farm Support Services	5	5			
8. On-Farm Investments	20	20			
9. Effects Of Conversion On Farm Support Services	25	0			
10. Compatibility With Existing Agricultural Use	10	0			
TOTAL CORRIDOR ASSESSMENT POINTS	160	75	0	0	0

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100	83	0	0	0
Total Corridor Assessment (From Part VI above or a local site assessment)	160	75	0	0	0
TOTAL POINTS (Total of above 2 lines)	260	158	0	0	0

1. Corridor Selected: A	2. Total Acres of Farmlands to be Converted by Project: 0.5	3. Date Of Selection: 3/27/20	4. Was A Local Site Assessment Used? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
-----------------------------------	---	---	---

5. Reason For Selection:
The proposed project will replace the small structure, CV- 234-054-46.50, to improve hydraulic efficiency and extend the life of the structure and the roadway over the structure. The replacement structure consists of a 6ft by 3 ft concrete box structure, sumped 6 inches that is 84 ft in length. There will be approximately 20 ft of full depth pavement replacement and the remaining 188 feet on either side of the structure will be limited to shoulder widening and slope grading. Rip rap will be placed at both ends of the pipe to prevent erosion. There will be approximately 0.5 acres of permanent right of way. Road

Signature of Person Completing this Part: Matthew Kestner	DATE 3/27/20
---	------------------------

NOTE: Complete a form for each segment with more than one Alternate Corridor

Appendix D

Section 106 of the NHPA

Date: 1/21/2021

Project Designation Number: 1800155

Route Number: SR 234

Project Description: Small Structure Replacement, 6.55 miles west of SR 75

The proposed project is located on State Route (SR) 234, 6.55 miles west of SR 75 in Montgomery County, Indiana. The small structure (CV 234-054-46.50) composed of three corrugated metal pipes carries State Road 234 over an Unnamed Tributary to Little Raccoon Creek. The build date of the structure is unknown. The existing structure consists of triple 24 inch diameter corrugated metal pipes (CMPs) and has an overall condition appraisal rating of 4 (poor). The CMPs are 30 feet in length at a skew of 30o to the roadway. Headwalls are on both inlet and outlet ends of the pipes. The proposed project will replace the small structure to improve hydraulic efficiency and extend the life of the crossing. The preferred replacement structure consists of a 6 ft. (span) x 3 ft. (rise) reinforced concrete box, 84 feet long. The skew of the structure may increase to allow the construction of wingwalls. Minimal to no profile change is anticipated. Minimal roadway work is anticipated. Class I riprap apron will be required at the outlet and revetment riprap apron at the inlet to protect the structure from scour. All work is within the ROW to be re-acquired. The roadway embankment and side ditches have been constructed. The culvert extension will be on the banks of the UNT and the riprap will be placed into the creek bed. Utility poles have been installed along the north side of SR 234 at the north edge of the ROW.

Approximately 0.81 acres of existing ROW will be reacquired.

Feature crossed (if applicable): UNT to Little Raccoon Creek

City/Township: Clark Township

County: Montgomery

Information reviewed (please check all that apply):

General project location map USGS map Aerial photograph

Written description of project area General project area photos

Previously completed archaeology reports Interim Report

Previously completed historic property reports

Soil survey data Bridge inspection information

SHAARD SHAARD GIS Streetview Imagery

Other (please specify):

Please specify all applicable categories and condition(s) (conditions that are applicable are highlighted):

A-9. Installation, repair, or replacement of erosion control measures along roadways, waterways and bridge piers within previously disturbed soils.

- B.-9. Installation, replacement, repair, lining, or extension of culverts and other drainage structures under the conditions listed below **[BOTH Condition A, which pertains to Archaeological Resources, and Condition B, which pertains to Above-Ground Resources, must be satisfied]:**

Condition A (Archaeological Resources)

One of the two conditions listed below must be met (*EITHER Condition i or Condition ii must be satisfied*):

- i. **Work occurs in previously disturbed soils; OR**
- ii. Work occurs in undisturbed soils and an archaeological investigation conducted by the applicant and reviewed by INDOT Cultural Resources Office determines that no National Register-listed or potentially National Register-eligible archaeological resources are present within the project area. If the archaeological investigation locates National Register-listed or potentially National Register-eligible archaeological resources, then full Section 106 review will be required. Copies of any archaeological reports prepared for the project will be provided to the DHPA and any archaeological site form information will be entered directly into the SHAARD by the applicant. The archaeological reports will also be available for viewing (by Tribes only) on INSCOPE.

Condition B (Above-Ground Resources)

One of the conditions below must be met (*EITHER Condition i or Condition ii must be satisfied*):

- i. Work does not involve installation of a new culvert and other drainage structure, and there are no impacts to unusual features, including but not limited to historic brick or stone sidewalks, curbs or curb ramps, stepped or elevated sidewalks and retaining walls, under one of the following conditions (*Condition a, Condition b, or Condition c must be satisfied*):
 - a. The structure exhibits no wood, stone, or brick structures or parts therein; *OR*
 - b. The structure exhibits only modern wood, stone, or brick structures or parts therein; *OR*
 - c. The structure exhibits non-modern wood, stone, or brick structures or parts therein and the following conditions are met (*BOTH Condition 1 AND Condition 2 must be met*):
 1. Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource; *AND*
 2. The structure lacks sufficient integrity and/or a context that suggests it might have engineering or historical significance. Under this condition, a qualified professional (meeting the Secretary of Interior's Professional Qualification standards [48 Federal Register (FR) 44716]) must prepare an analysis and justification that the structure lacks sufficient integrity and/or a context that suggests it might have engineering or historical significance. This documentation must be reviewed and approved by INDOT Cultural Resources Office.
- ii. **Work involves the installation of a new culvert and other drainage structures AND/OR there may be impacts to unusual features, including historic brick or stone sidewalks, curbs or curb ramps, stepped or elevated sidewalks and retaining walls, under the following conditions (*BOTH Condition a and Condition b must be satisfied*):**
 - a. **Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource; AND**
 - b. **The subject structure exhibits one of the characteristics described below (*Condition 1, Condition 2 or Condition 3 must be satisfied*).**
 1. **The structure exhibits no wood, stone, or brick structures or parts therein; OR**
 2. The structure exhibits only modern wood, stone, or brick structures or parts therein; *OR*
 3. The structure exhibits non-modern wood, stone, or brick structures or parts therein but lacks sufficient integrity and/or a context that suggests it might have engineering or historical significance. Under this condition, a qualified professional (meeting the Secretary of Interior's Professional Qualification standards [48 Federal Register (FR) 44716]) must prepare an analysis and justification that the structure lacks sufficient integrity and/or a context that suggests it might have engineering or historical significance. This documentation must be reviewed and approved by INDOT Cultural Resources Office.

Are there any commitments associated with this project? If yes, please explain and include in the Additional Comments Section below. yes no

Does the project result in a de minimis impact to a Section 4(f) protected historic resource? If yes, please explain in the Additional Comments Section below. yes no

Additional Comments:

Above-ground Resources

An INDOT Cultural Resources Office (CRO) historian, who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61 first performed a desktop review, checking the Indiana Register of Historic Sites and Structures (State Register) and National Register of Historic Places (National Register) lists for Montgomery County. No listed resources are present within 0.25 mile of the project area, a distance that would serve as an adequate area of potential effects (APE) given the scope of the project and the surrounding terrain.

The project occurs in a rural area with cultivated fields. A check of the Indiana Historic Buildings, Bridges, and Cemeteries (IHBBC) map does not show any surveyed properties within a 0.25 mile of the project area. The scattered structures within a 0.25 miles of the project area are modern or do not have the requisite integrity or significance to be considered eligible for the National Register.

Further, the corrugated metal pipes are examples of common, unremarkable structure type. No non-modern materials are evidenced by project photographs.

Based on the available information, as summarized above, no above-ground concerns exist as long as the project scope does not change.

Archaeological Resources

An INDOT Cultural Resources Office (CRO) archaeologist, who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61, conducted a desktop review of the project area and prepared an archaeological assessment.

With regards to archaeological resources, the proposed project is limited to replacing a small structure within existing r/w that is to be reacquired and installing rip rap at the drainage outlets. All work will occur within the apparent existing r/w of SR 234 which consists of the 2-lane state highway and its road berm, roadside ditches, and utility easements. According to SHAARD GIS, there are no archaeological sites in or adjacent to the proposed project area. In addition, soils in and around the project area range from poorly drained to somewhat poorly drained indicating a lower potential for significant archaeological sites than areas with well drained soils. Based on these considerations, there are no archaeological concerns.

Accidental Discovery: If any archaeological artifacts or human remains are uncovered during construction, demolition, or earth moving activities, construction within 100 ft. of the discovery will be stopped, and the INDOT Cultural Resources Office and the Division of Historic Preservation and Archaeology will be notified immediately.

INDOT Cultural Resources staff reviewer(s): Patrick Carpenter and Shaun Miller

****Be sure to attach this form to the National Environmental Policy Act documentation for this project. Also, the NEPA documentation shall reference and include the description of the specific stipulation in the PA that qualifies the project as exempt from further Section 106 review.*

Appendix E

Red Flag and Hazardous Materials



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204

PHONE: (317) 232-5113
FAX: (317) 233-4929

Eric Holcomb, Governor
Joe McGuinness,
Commissioner

Date: April 6, 2020

To: Site Assessment & Management
Environmental Policy Office - Environmental Services Division
Indiana Department of Transportation
100 N Senate Avenue, Room N642
Indianapolis, IN 46204

From: Rick Fitch
Crawfordsville District
251 N. Illinois Ave.
Indianapolis, IN 46204
Rick.Fitch@burgessniple.com

Re: RED FLAG INVESTIGATION
DES #1800154, State Project
Small Structure Replacement
SR 234, 7.28 miles west of SR 75
Montgomery County, Indiana

DES #1800155, State Project
Small Structure Replacement
SR 234, 6.55 miles west of SR 75
Montgomery County, Indiana

PROJECT DESCRIPTION

Brief Description of Project:

DES #1800154 (SR 234, 7.28 miles west of SR 75): Indiana Department of Transportation (INDOT) has identified the need to address the deteriorated condition of Culvert 234-054-46.02 along State Route (SR) 234. The proposed project is located 7.28 miles west of State Route 75 in Montgomery County, Indiana. The small structure carries SR 234 over an Unnamed Tributary (UNT) to Big Raccoon Creek. The existing structure is two 42 in diameter corrugated metal pipes with a length of 44 ft. The preferred replacement structure consists of a 6 ft by 4 ft reinforced concrete box structure, sumped 6 inches that is 65 ft in length. There will be approximately 20 ft of full depth pavement replacement and the remaining 188 feet on either side of the structure will be limited to shoulder widening and slope grading. Rip rap will be placed at both ends of the pipe to prevent erosion.

DES #1800155 (SR 234, 6.55 miles west of SR 75): Indiana Department of Transportation (INDOT) has identified the need to address the deteriorated condition of Culvert 234-054-46.50 along State Route (SR) 234. The proposed project is located 6.55 miles west of State Route 75 in Montgomery County, Indiana. The small structure carries SR 234 over an Unnamed Tributary (UNT) to Little Raccoon Creek. The existing structure is three 24 in diameter corrugated metal pipes with a length of 30 ft and a skew of 30 degrees to the SR 234. The preferred replacement structure consists of a 6ft by 3 ft concrete box structure, sumped 6 inches that is 84 ft in length. There will be approximately 20 ft of full depth pavement

replacement and the remaining 188 feet on either side of the structure will be limited to shoulder widening and slope grading. Rip rap will be placed at both ends of the pipe to prevent erosion.

Bridge and/or Culvert Project: Yes No Structure # CV-234-054-46.02 & CV-234-054-46.50

If this is a bridge project, is the bridge Historical? Yes No , Select Non-Select

(Note: If the project involves a historical bridge, please include the bridge information in the Recommendations Section of the report).

Proposed right of way: Temporary # Acres _____ Permanent # Acres 0.5 & 0.5, Not Applicable

Type of excavation:

DES #1800154: Excavation will be required to remove the existing small structure and install the replacement structure. The anticipated excavation dimensions for the culvert replaced are approximately 8 ft wide by 6 ft deep by the length of the culvert assumed to be 65 ft long at this point. Riprap will be placed at 2 ft in depth. Slope grading will not exceed 3 ft in depth.

DES #1800155: Excavation will be required to remove the existing small structure and install the replacement structure. The anticipated excavation dimensions for the culvert replaced are approximately 8 ft wide by 6 ft deep by the length of the culvert assumed to be 84 ft long at this point. Riprap will be placed at 2 ft in depth. Slope grading will not exceed 3 ft in depth.

Maintenance of traffic:

DES #1800154: Road closure will be required for approximately 30 days. The official detour will utilize US 231, SR 236, and SR 75.

DES #1800155: Road closure will be required for approximately 30 days. The official detour will utilize US 231, SR 236, and SR 75.

Work in waterway: Yes No Below ordinary high water mark: Yes No

State Project: LPA:

Any other factors influencing recommendations: N/A

INFRASTRUCTURE TABLE AND SUMMARY

Infrastructure			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
Religious Facilities	N/A	Recreational Facilities	N/A
Airports ¹	N/A	Pipelines	N/A
Cemeteries	N/A	Railroads	N/A
Hospitals	N/A	Trails	N/A
Schools	N/A	Managed Lands	N/A

¹In order to complete the required airport review, a review of public airports within 3.8 miles (20,000 feet) is required.

Explanation:

No infrastructure resources were identified within the 0.5 mile search radius.

WATER RESOURCES TABLE AND SUMMARY

Water Resources			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
NWI - Points	N/A	Canal Routes - Historic	N/A
Karst Springs	N/A	NWI - Wetlands	3
Canal Structures – Historic	N/A	Lakes	1
NPS NRI Listed	N/A	Floodplain - DFIRM	1
NWI-Lines	3	Cave Entrance Density	N/A
IDEM 303d Listed Streams and Lakes (Impaired)	5	Sinkhole Areas	N/A
Rivers and Streams	5	Sinking-Stream Basins	N/A

Explanation:

NWI-Lines: Three (3) NWI-lines are located within the 0.5 mile search radius. The nearest NWI-Line is located 0.39 mile southeast of the DES #1800155 project area. No impact is expected.

IDEM 303d Listed Streams and Lakes: Five (5) 303d Listed Streams are located within the 0.5 mile search radius. Two (2) 303d listed stream segments flow through the project areas. Unnamed Tributary (UNT) to Big Raccoon Creek flows through the DES #1800154 project area and UNT Little Raccoon Creek flows through the DES #1800155 project area. UNT to Big Raccoon Creek and UNT to Little Raccoon Creek are listed as impaired for E. coli. Workers who are working in or near water with E. coli should take care to wear appropriate PPE, observe proper hygiene procedures, including regular hand washing, and limit personal exposure.

Rivers and Stream: Five (5) stream segments are located within the 0.5 mile search radius. Two (2) stream segments flow through the project areas. UNT to Big Raccoon Creek flows through the DES #1800154 project area and UNT to Little Raccoon Creek flows through the DES #1800155 project area. A Waters of the US Report will be prepared and coordination with INDOT ES Ecology and Waterway Permitting will occur.

NWI-Wetlands: Three (3) wetlands are located within the 0.5 mile search radius. One (1) wetland is located approximately 0.33 mile northeast of the DES #1800154 project area. No impact is expected.

Lakes: One (1) lake is located within the 0.5 mile search radius. The nearest lake is located 0.38 mile southwest of the DES #1800154 project area. No impact is expected.

Floodplains: One (1) floodplain polygon is located within the 0.5 mile search radius. The nearest floodplain polygon is located approximately 0.38 mile southeast of the DES #1800155 project area. No impact is expected.

URBANIZED AREA BOUNDARY SUMMARY

Explanation: N/A

MINING AND MINERAL EXPLORATION TABLE AND SUMMARY

Mining/Mineral Exploration			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
Petroleum Wells	1	Mineral Resources	N/A
Mines – Surface	N/A	Mines – Underground	N/A

Explanation:

Petroleum Wells: One (1) petroleum well is located within the 0.5 mile search radius. The nearest well is located 0.43 mile south of the DES #1800155 project area. No impact is expected.

HAZARDOUS MATERIAL CONCERNS TABLE AND SUMMARY

Hazardous Material Concerns			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
Superfund	N/A	Manufactured Gas Plant Sites	N/A
RCRA Generator/ TSD	N/A	Open Dump Waste Sites	N/A
RCRA Corrective Action Sites	N/A	Restricted Waste Sites	N/A
State Cleanup Sites	N/A	Waste Transfer Stations	N/A
Septage Waste Sites	N/A	Tire Waste Sites	N/A
Underground Storage Tank (UST) Sites	N/A	Confined Feeding Operations (CFO)	N/A
Voluntary Remediation Program	N/A	Brownfields	N/A
Construction Demolition Waste	N/A	Institutional Controls	N/A
Solid Waste Landfill	N/A	NPDES Facilities	N/A
Infectious/Medical Waste Sites	N/A	NPDES Pipe Locations	N/A
Leaking Underground Storage (LUST) Sites	N/A	Notice of Contamination Sites	N/A

Explanation:

No hazardous material concerns were identified within the 0.5 mile search radius.

ECOLOGICAL INFORMATION SUMMARY

The Montgomery County listing of the Indiana Natural Heritage Data Center information on endangered, threatened, or rare (ETR) species and high quality natural communities is attached with ETR species highlighted. A preliminary review of the Indiana Natural Heritage Database by INDOT Environmental Services did not indicate the presence of ETR species within the 0.5 mile search radius. Coordination with USFWS and IDNR will occur.

DES #1800154:

A review of the USFWS database did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. The project area is located in a rural area surrounded by farm fields. The May 10, 2019, inspection report for Culvert #234-054-46.02 states that no evidence of bats was seen or heard in the culvert. The range-wide

programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation for INDOT Projects".

DES #1800155:

A review of the USFWS database did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. The project area is located in a rural area surrounded by farm fields. The May 10, 2019, inspection report for Culvert #234-054-46.50 states that no evidence of bats was seen or heard in the culvert. The range-wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation for INDOT Projects".

RECOMMENDATIONS SECTION

Include recommendations from each section. If there are no recommendations, please indicate N/A:

INFRASTRUCTURE: N/A

WATER RESOURCES:

The presence of the following water resources will require the preparation of a Waters of the US Report and coordination with INDOT ES Ecology and Waterway Permitting:

- Two (2) stream segments flow through the project areas. UNT to Big Raccoon Creek flows through the DES #1800154 project area and UNT to Little Raccoon Creek flows through the DES #1800155 project area.

UNT to Big Raccoon Creek flows through the DES #1800154 project area and UNT to Little Raccoon Creek flows through the DES #1800155 project area. UNT to Big Raccoon Creek and UNT to Little Raccoon Creek are listed as impaired for E. coli. Workers who are working in or near water with E. coli should take care to wear appropriate PPE, observe proper hygiene procedures, including regular hand washing, and limit personal exposure.

URBANIZED AREA BOUNDARY: N/A

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS: N/A

ECOLOGICAL INFORMATION: Coordination with USFWS and IDNR will occur. The range-wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation for INDOT Projects".

INDOT Environmental Services concurrence:

Aaron Aldred Digitally signed by Aaron Aldred
Date: 2020.04.07 09:24:20 -04'00'
_____(Signature)

Prepared by:
Rick Fitch
Environmental Planner
Burgess & Niple, Inc.

Graphics:

A map for each report section with a 0.5 mile search radius buffer around all project area(s) showing all items identified as possible items of concern is attached. If there is not a section map included, please change the YES to N/A:

SITE LOCATION: YES

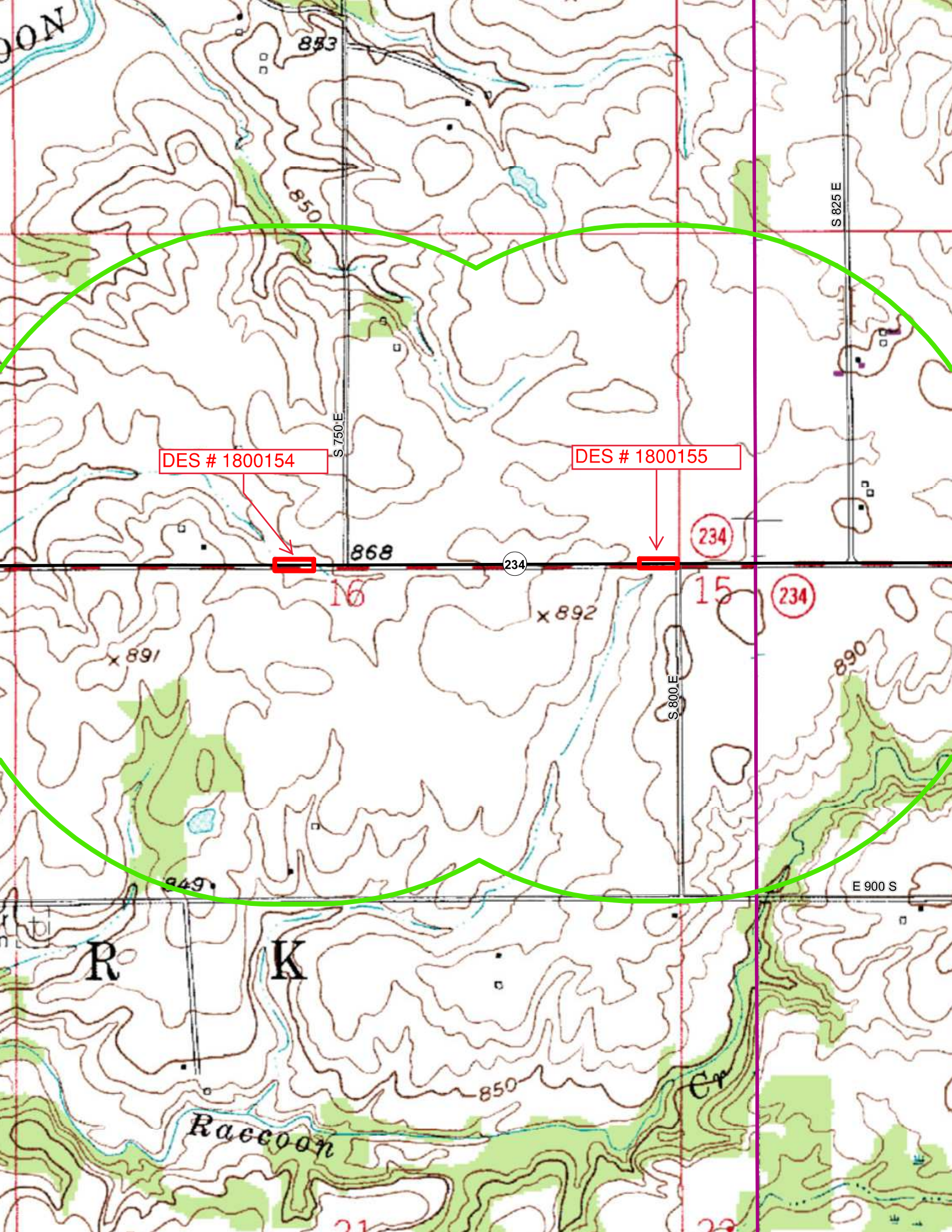
INFRASTRUCTURE: N/A

WATER RESOURCES: YES

URBANIZED AREA BOUNDARY: N/A

MINING/MINERAL EXPLORATION: YES

HAZARDOUS MATERIAL CONCERNS: N/A



DES # 1800154

DES # 1800155

S 750 E

S 825 E

S 800 E

S 800 E

E 900 S

868

234

234

234

16

x 892

15

x 891

890

849

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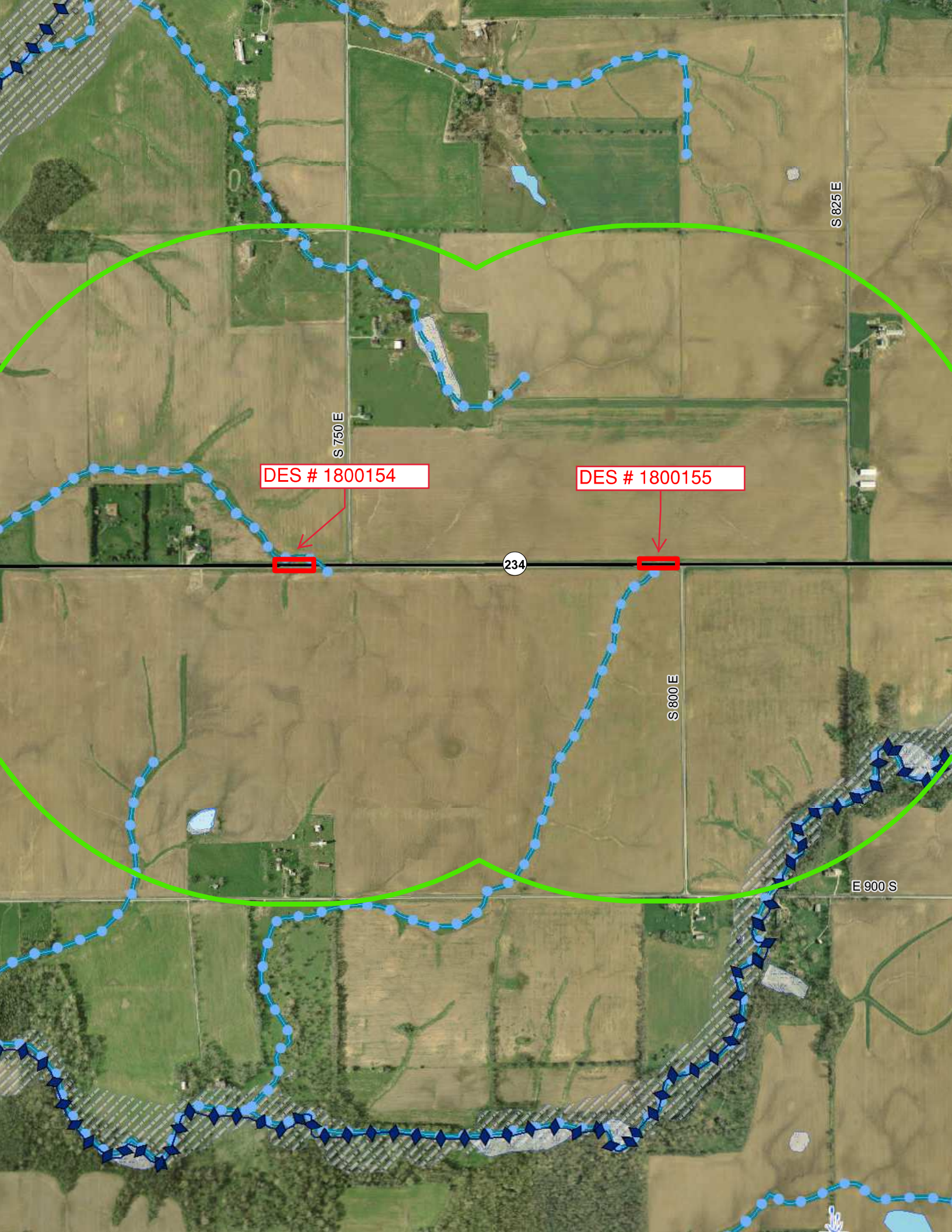
Raccoon

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DES # 1800154

DES # 1800155

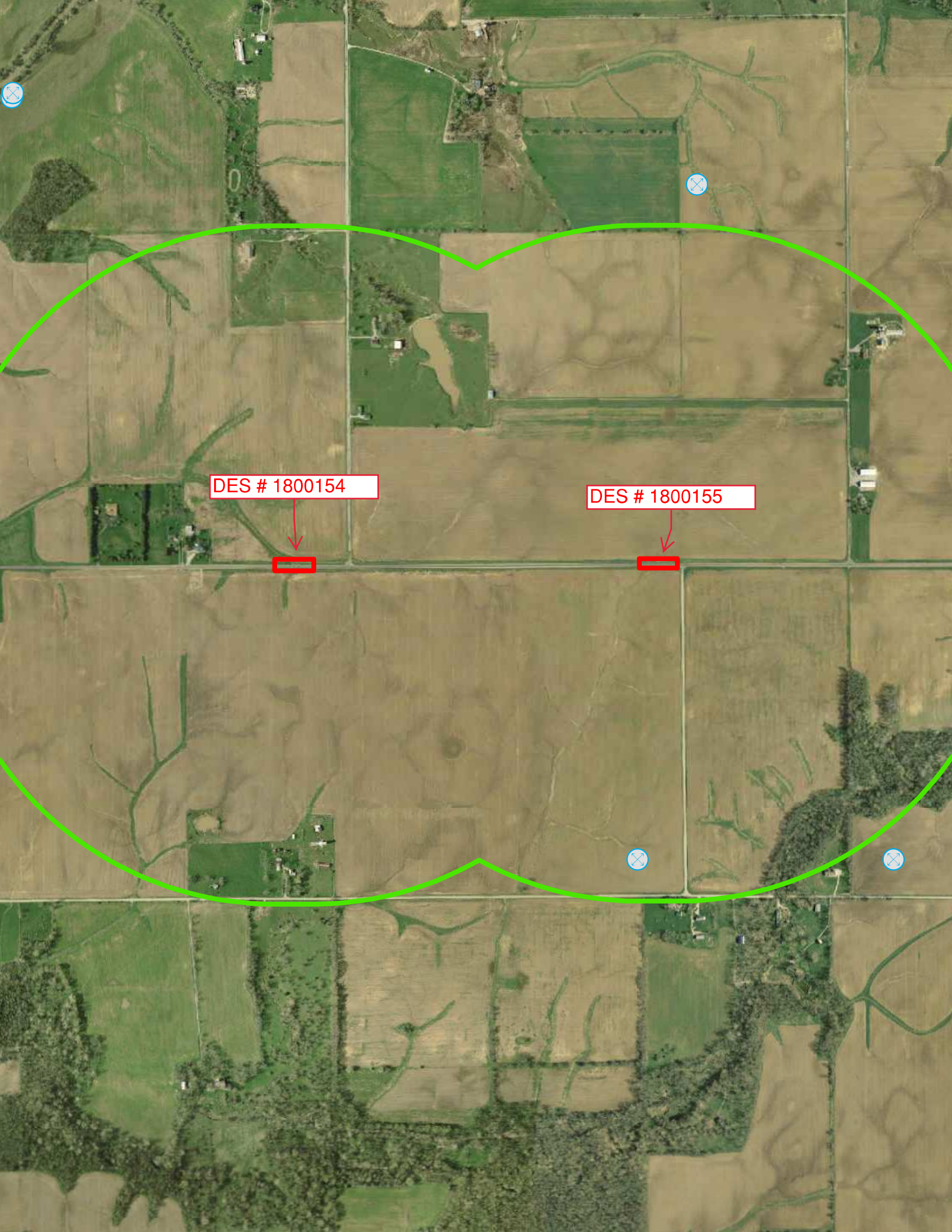
S 750 E

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234

S 800 E

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DES # 1800154

DES # 1800155

Indiana County Endangered, Threatened and Rare Species List

County: **Montgomery**

Species Name	Common Name	FED	STATE	GRANK	SRANK
Mollusk: Bivalvia (Mussels)					
Lampsilis fasciola	Wavyrayed Lampmussel		SSC	G5	S3
Pleurobema clava	Clubshell	LE	SE	G1G2	S1
Ptychobranhus fasciolaris	Kidneyshell		SSC	G4G5	S2
Toxolasma lividus	Purple Lilliput	C	SSC	G3Q	S2
Villosa lienosa	Little Spectaclecase		SSC	G5	S3
Insect: Coleoptera (Beetles)					
Dryobius sexnotatus	Six-banded Longhorn Beetle		ST	GNR	S2
Insect: Hymenoptera					
Bombus affinis	Rusty-patched Bumble Bee	LE	SE	G1	S1
Insect: Odonata (Dragonflies & Damselflies)					
Cordulegaster erronea	Tiger Spiketail		SE	G4	S2
Enallagma divagans	Turquoise Bluet		SR	G5	S3
Somatochlora tenebrosa	Clamp-tipped Emerald		SR	G5	S2S3
Tachopteryx thoreyi	Gray Petaltail		WL	G4	S3
Reptile					
Clonophis kirtlandii	Kirtland's Snake		SE	G2	S2
Sistrurus catenatus	Eastern Massasauga	LT	SE	G3	S2
Terrapene carolina carolina	Eastern Box Turtle		SSC	G5T5	S3
Bird					
Accipiter striatus	Sharp-shinned Hawk		SSC	G5	S2B
Botaurus lentiginosus	American Bittern		SE	G5	S2B
Buteo platypterus	Broad-winged Hawk		SSC	G5	S3B
Dendroica virens	Black-throated Green Warbler			G5	S2B
Haliaeetus leucocephalus	Bald Eagle		SSC	G5	S2
Helmitheros vermivorus	Worm-eating Warbler		SSC	G5	S3B
Ixobrychus exilis	Least Bittern		SE	G5	S3B
Lanius ludovicianus	Loggerhead Shrike		SE	G4	S3B
Mniotilta varia	Black-and-white Warbler		SSC	G5	S1S2B
Nycticorax nycticorax	Black-crowned Night-heron		SE	G5	S1B
Rallus elegans	King Rail		SE	G4	S1B
Setophaga cerulea	Cerulean Warbler		SE	G4	S3B
Setophaga citrina	Hooded Warbler		SSC	G5	S3B
Setophaga magnolia	Magnolia Warbler			G5	SNA
Wilsonia canadensis	Canada Warbler			G5	S2B
Mammal					
Myotis sodalis	Indiana Bat	LE	SE	G2	S1
Nycticeius humeralis	Evening Bat		SE	G5	S1
Taxidea taxus	American Badger		SSC	G5	S2

Indiana Natural Heritage Data Center
Division of Nature Preserves
Indiana Department of Natural Resources
This data is not the result of comprehensive county surveys.

Fed: LE = Endangered; LT = Threatened; C = candidate; PDL = proposed for delisting
State: SE = state endangered; ST = state threatened; SR = state rare; SSC = state species of special concern; SX = state extirpated; SG = state significant; WL = watch list
GRANK: Global Heritage Rank: G1 = critically imperiled globally; G2 = imperiled globally; G3 = rare or uncommon globally; G4 = widespread and abundant globally but with long term concerns; G5 = widespread and abundant globally; G? = unranked; GX = extinct; Q = uncertain rank; T = taxonomic subunit rank
SRANK: State Heritage Rank: S1 = critically imperiled in state; S2 = imperiled in state; S3 = rare or uncommon in state; G4 = widespread and abundant in state but with long term concern; SG = state significant; SH = historical in state; SX = state extirpated; B = breeding status; S? = unranked; SNR = unranked; SNA = nonbreeding status unranked

Indiana County Endangered, Threatened and Rare Species List

County: **Montgomery**

Species Name	Common Name	FED	STATE	GRANK	SRANK
Vascular Plant					
Carex pedunculata	Longstalk Sedge		WL	G5	S3
Chelone obliqua var. speciosa	Rose Turtlehead		WL	G4T3	S3
Circaea alpina	Small Enchanter's Nightshade		SX	G5	SX
Cornus rugosa	Roundleaf Dogwood		SR	G5	S3
Cypripedium parviflorum var. makasin	Small Yellow Lady's-slipper		SR	G5T4T5	S3
Diervilla lonicera	Northern Bush-honeysuckle		WL	G5	S3
Fragaria vesca var. americana	Woodland Strawberry		SE	G5T5	S1
Hypericum pyramidatum	Great St. John's-wort		ST	G4	S2
Juglans cinerea	Butternut		ST	G4	S2
Matteuccia struthiopteris	Ostrich Fern		SR	G5	S3
Panax quinquefolius	American Ginseng		WL	G3G4	S3
Pinus strobus	Eastern White Pine		SR	G5	S3
Poa paludigena	Bog Bluegrass		SR	G3	S3
Poa wolfii	Wolf Bluegrass		SR	G4	S3
Taxus canadensis	American Yew		SE	G5	S1
Viburnum molle	Softleaf Arrow-wood		SR	G5	S3
High Quality Natural Community					
Forest - flatwoods central till plain	Central Till Plain Flatwoods		SG	G3	S2
Forest - floodplain mesic	Mesic Floodplain Forest		SG	G3?	S1
Forest - floodplain wet	Wet Floodplain Forest		SG	G3?	S3
Forest - upland dry-mesic Central Till Plain	Central Till Plain Dry-mesic Upland Forest		SG	GNR	S2
Forest - upland mesic Central Till Plain	Central Till Plain Mesic Upland Forest		SG	GNR	S3
Primary - cliff eroding	Eroding Cliff		SG	G4	S1
Primary - cliff sandstone	Sandstone Cliff		SG	GU	S3
Wetland - seep circumneutral	Circumneutral Seep		SG	GU	S1
Other Significant Feature					
Geomorphic - Nonglacial Erosional Feature - Water Fall and Cascade	Water Fall and Cascade			GNR	SNR

Indiana Natural Heritage Data Center
Division of Nature Preserves
Indiana Department of Natural Resources
This data is not the result of comprehensive county surveys.

Fed: LE = Endangered; LT = Threatened; C = candidate; PDL = proposed for delisting
State: SE = state endangered; ST = state threatened; SR = state rare; SSC = state species of special concern; SX = state extirpated; SG = state significant; WL = watch list
GRANK: Global Heritage Rank: G1 = critically imperiled globally; G2 = imperiled globally; G3 = rare or uncommon globally; G4 = widespread and abundant globally but with long term concerns; G5 = widespread and abundant globally; G? = unranked; GX = extinct; Q = uncertain rank; T = taxonomic subunit rank
SRANK: State Heritage Rank: S1 = critically imperiled in state; S2 = imperiled in state; S3 = rare or uncommon in state; G4 = widespread and abundant in state but with long term concern; SG = state significant; SH = historical in state; SX = state extirpated; B = breeding status; S? = unranked; SNR = unranked; SNA = nonbreeding status unranked