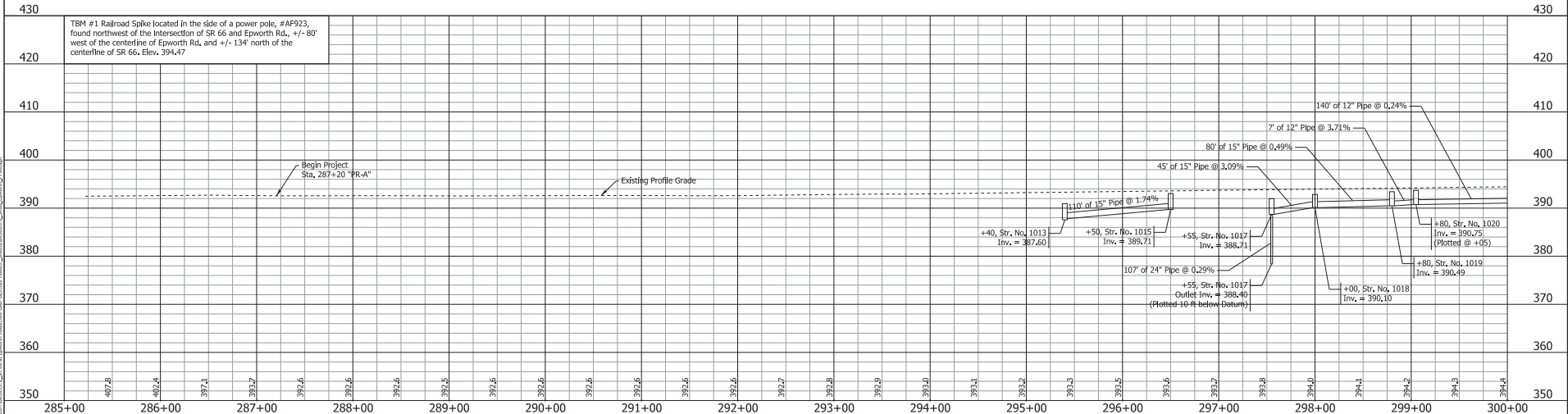
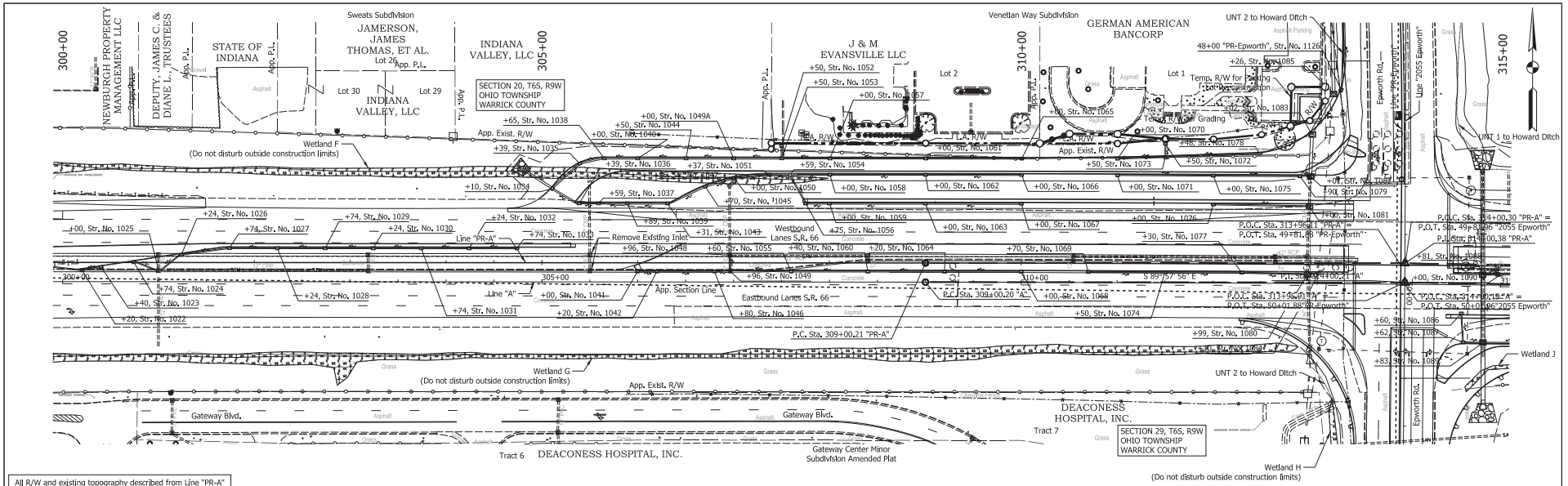


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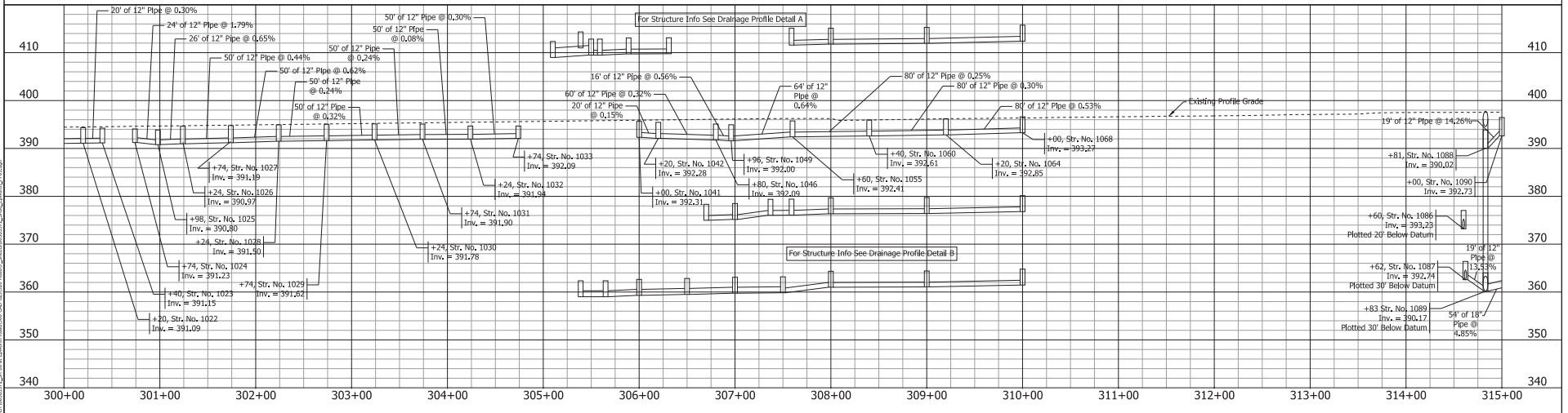


Preliminary

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CHECKED: BSC	CHECKED: ALP	PLAN AND PROFILE SHEET STA. 285+00.00 TO STA. 300+00.00 "PR-A"			SURVEY BOOK ELECTRONIC (Typ.)		SHEETS 55 of 177		PROJECT 1400195
					CONTRACT R-39921				



All R/W and existing topography described from Line "PR-A"  
Line "PR-A" to be constructed.



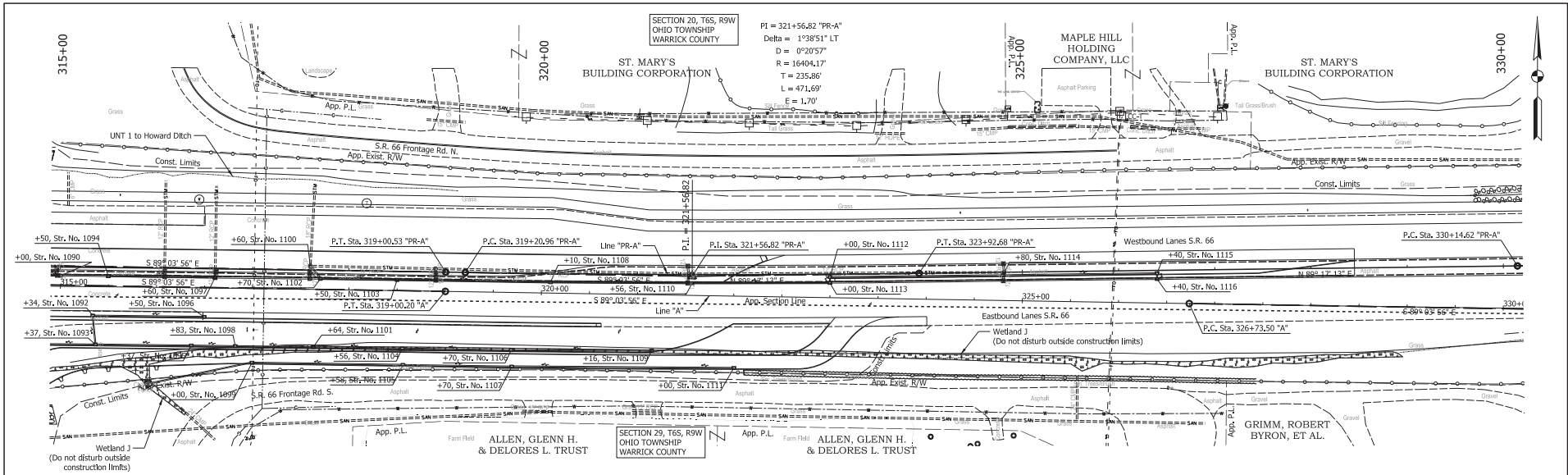
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RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
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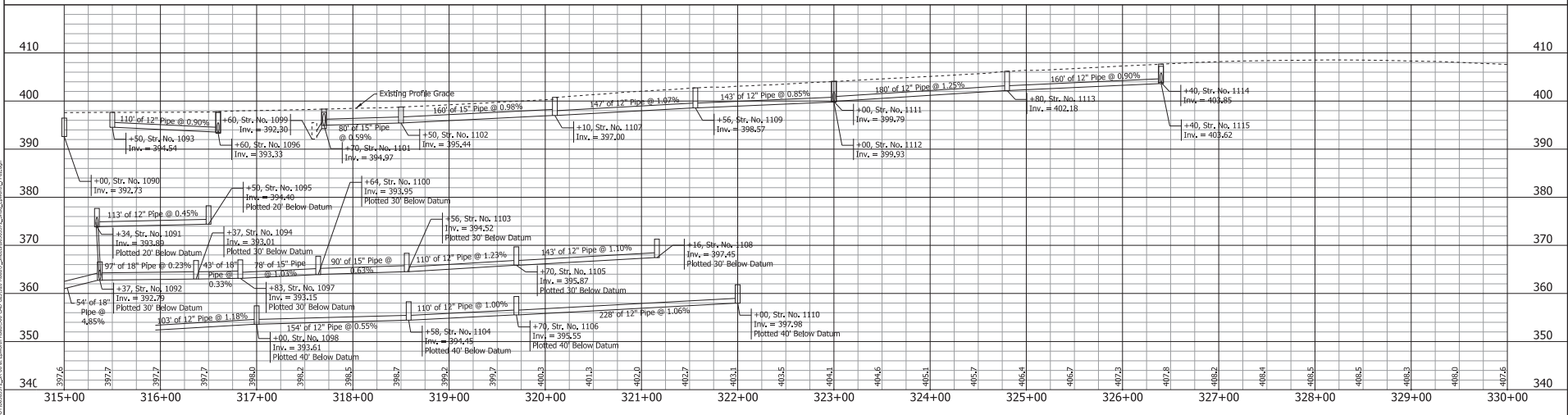
INDIANA  
DEPARTMENT OF TRANSPORTATION

PLAN AND PROFILE SHEET  
STA. 305+00.00 TO STA. 315+00.00 "PR-A"

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SURVEY BOOK ELECTRONIC (Typ.)	SHEETS 56 of 177
CONTRACT R-39921	PROJECT 1400195

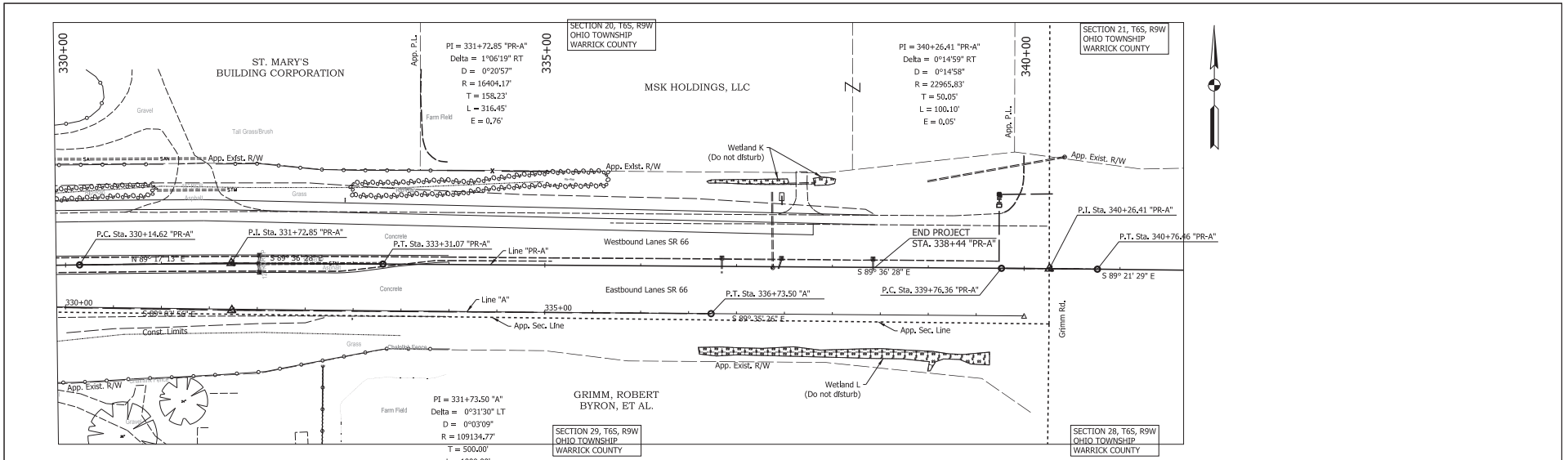


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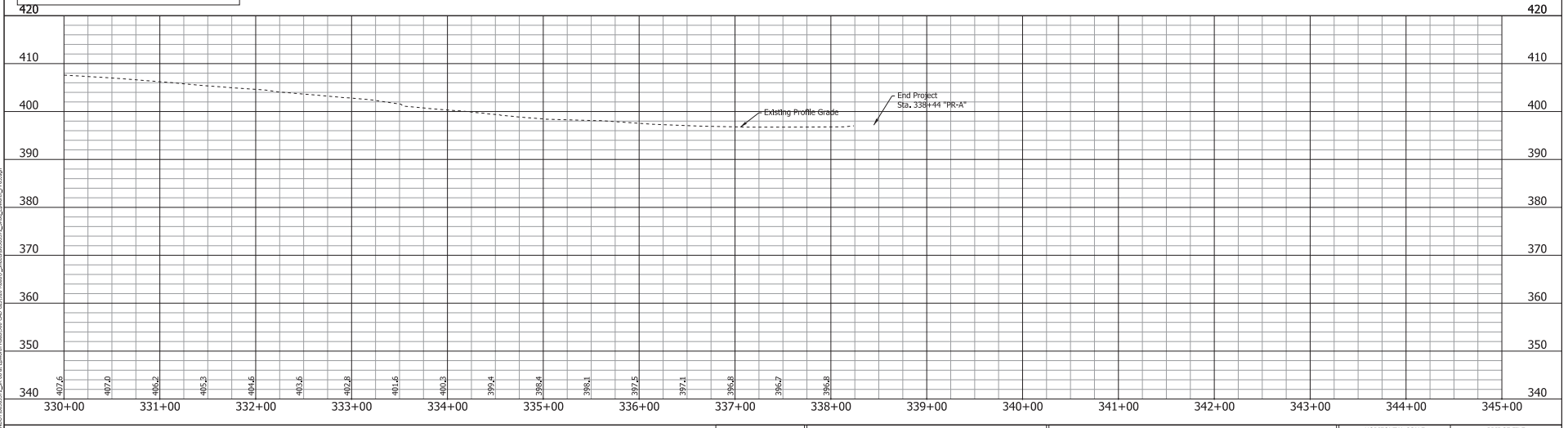


Preliminary

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				STA. 315+00.00 TO STA. 330+00.00 "PR-A"	ELECTRONIC (Typ.)	57 of 177
					CONTRACT	PROJECT
					R-39921	1400195



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Line "PR-A" to be constructed.



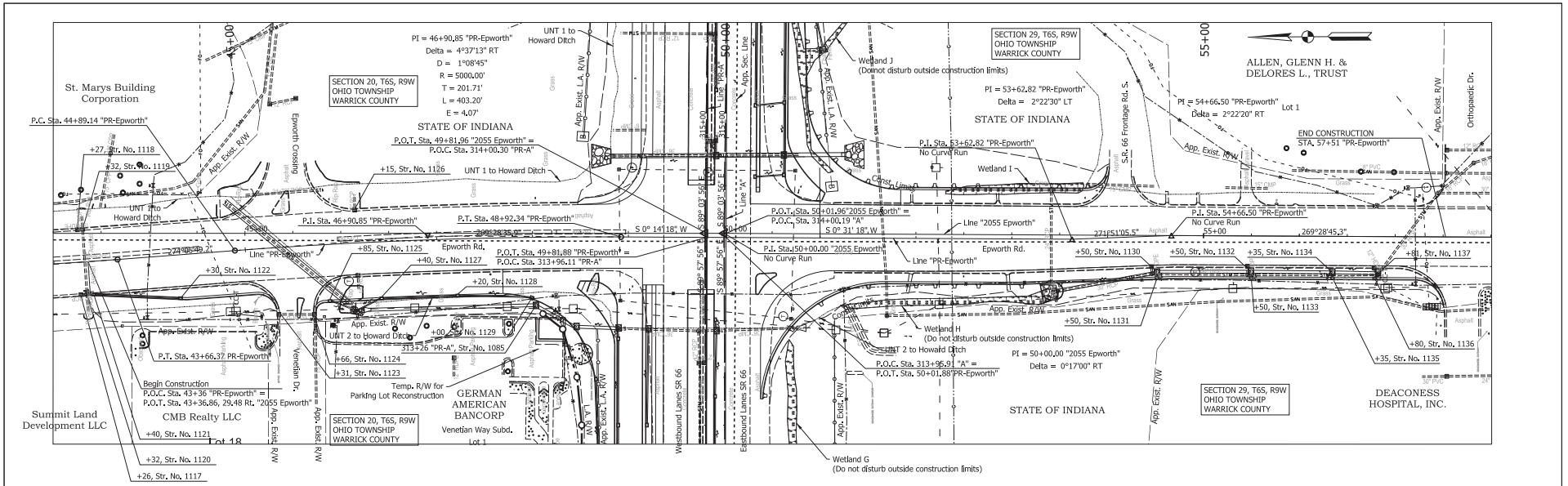
Preliminary

RECOMMENDED FOR APPROVAL		DESIGN ENGINEER	DATE
DESIGNED: ALP	DRAWN: DAH		
CHECKED: BSC	CHECKED: ALP		

INDIANA  
DEPARTMENT OF TRANSPORTATION

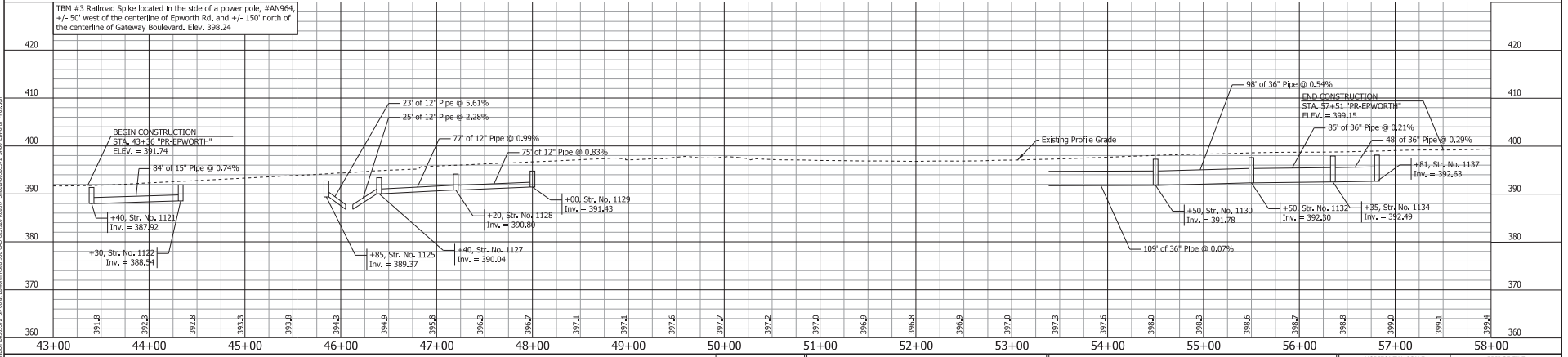
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HORIZONTAL SCALE 1" = 30'	BRIDGE FILE
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SURVEY BOOK ELECTRONIC (Ytd.)	SHEETS 58 of 177
CONTRACT R-39921	PROJECT 1400195



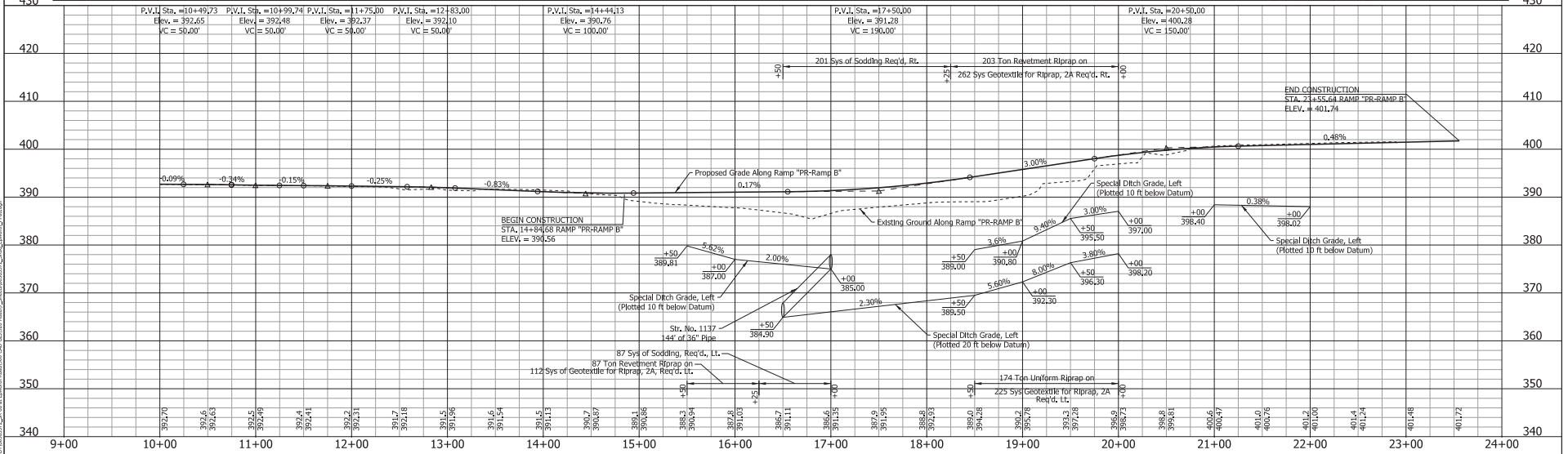
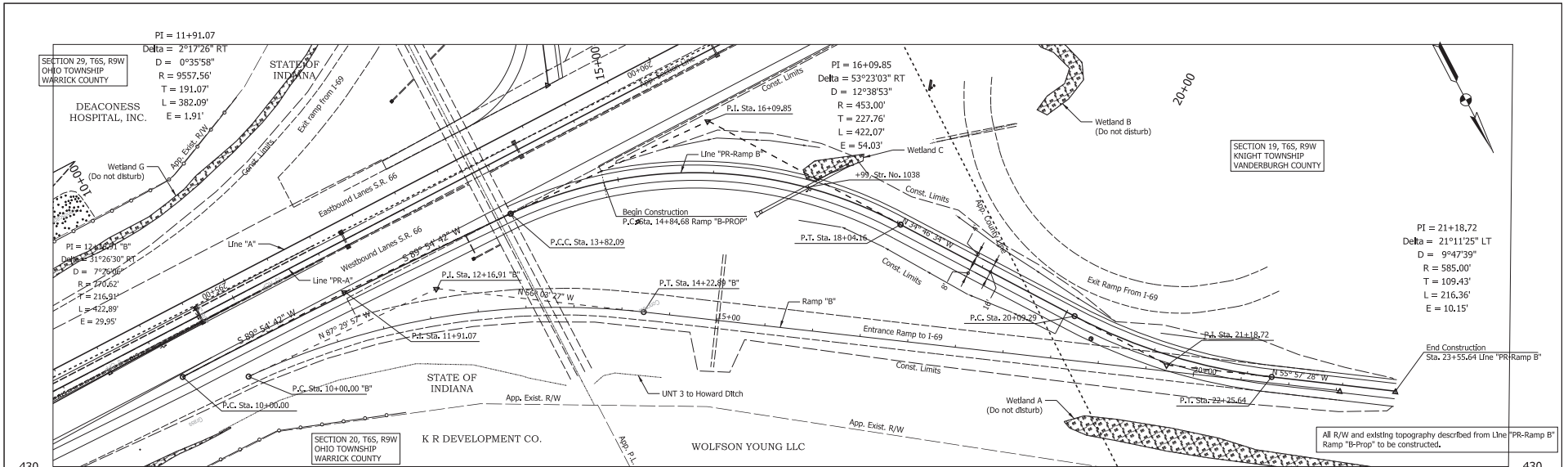
All R/W and existing topography described from Line "PR-Epworth" Line "PR-Epworth" to be constructed.

TBM #3 Railroad Spike located in the side of a power pole, #AN964, +/- 50' west of the centerline of Epworth Rd, and +/- 150' north of the centerline of Gateway Boulevard, Elev. 398.24



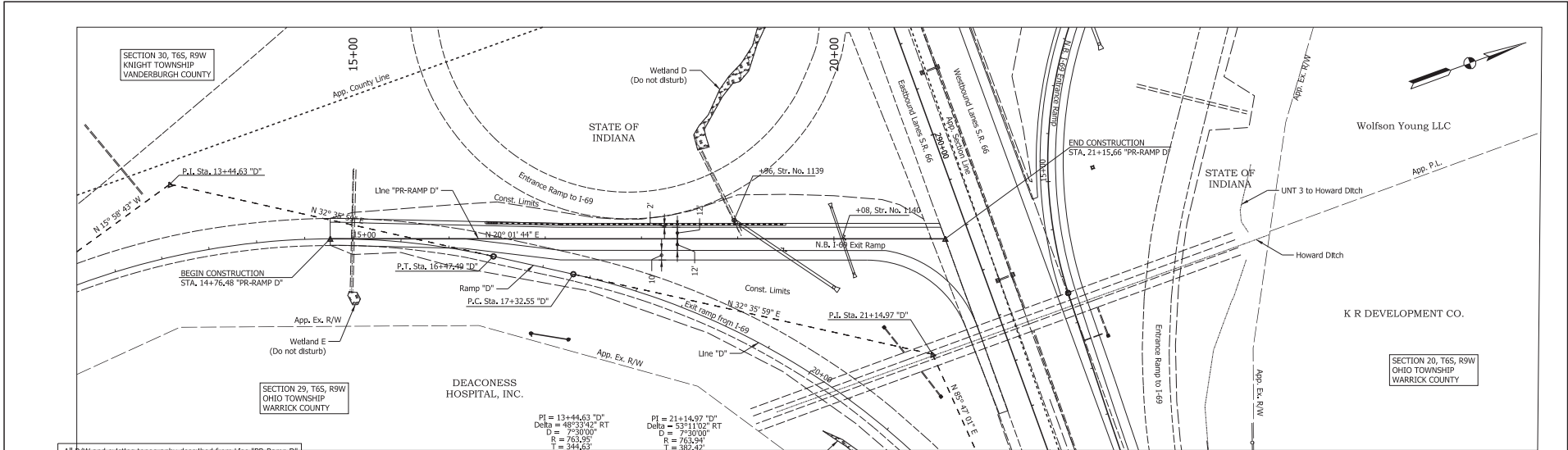
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				CONTRACT		R-39921		1400195	

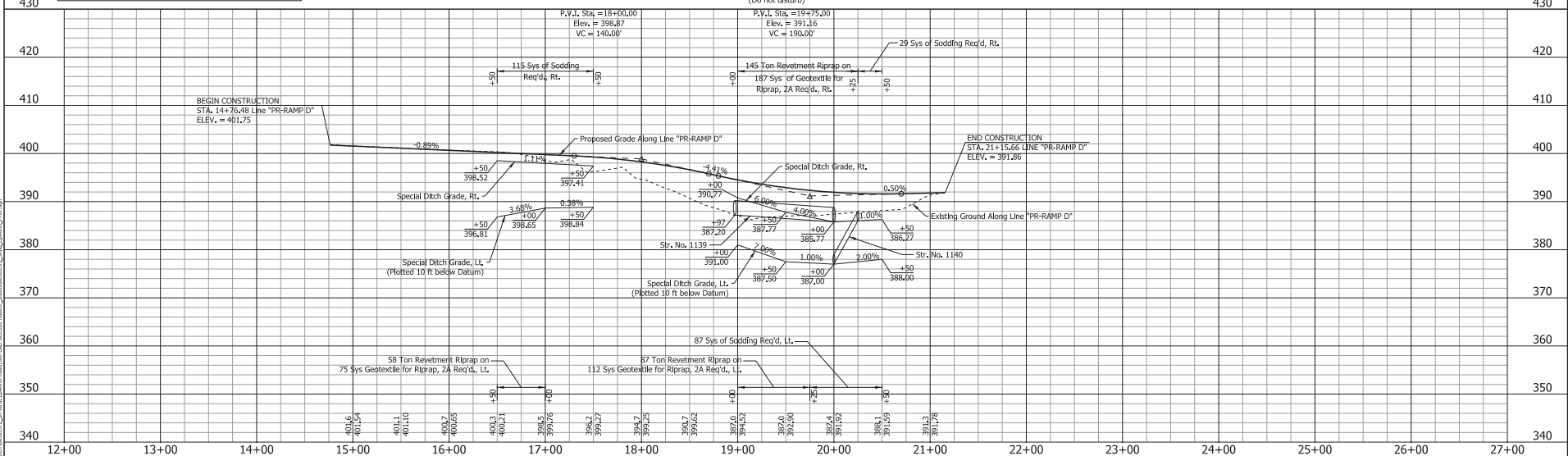


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							SURVEY BOOK	SHEETS
							ELECTRONIC (Typ.)	60 of 177
							CONTRACT	PROJECT
							R-39921	1400195



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Preliminary

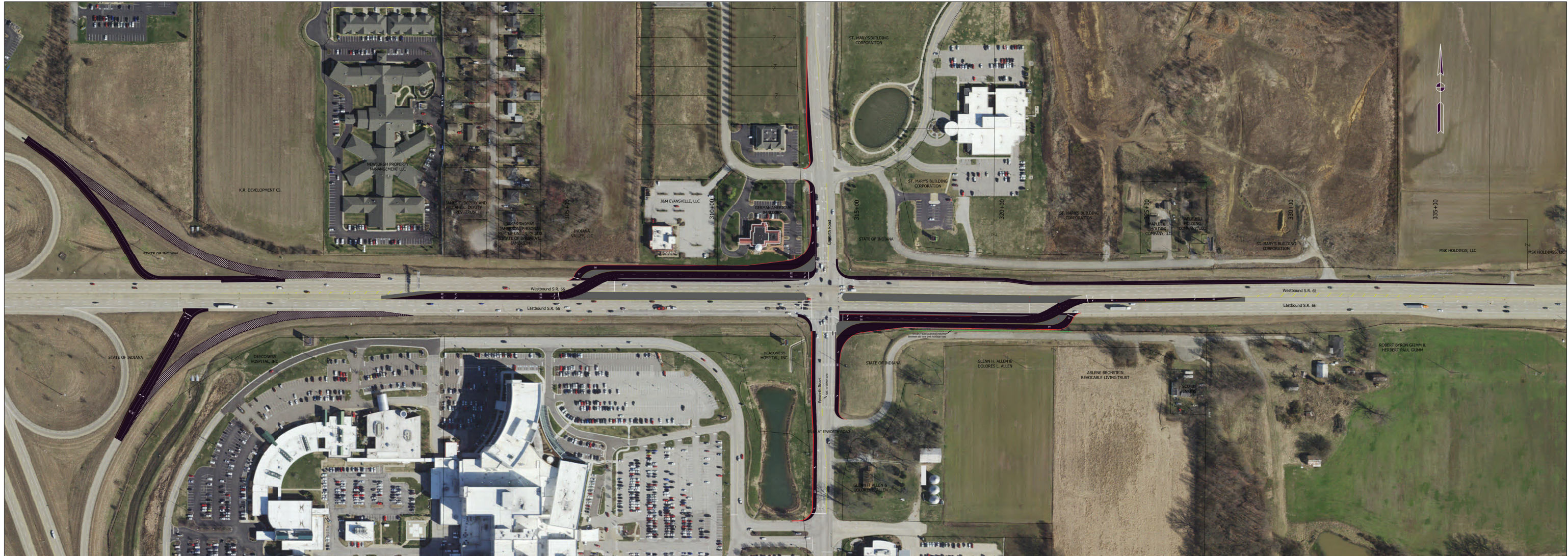
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INDIANA  
DEPARTMENT OF TRANSPORTATION

PLAN AND PROFILE SHEET  
STA. 12+00.00 TO STA. 21+15.66 "PR-RAMP D"

HORIZONTAL SCALE 1" = 50'	BRIDGE FILE
VERTICAL SCALE	DESIGNATION 1400195
SURVEY BOOK ELECTRONIC (Typ.)	SHEETS 61 of 177
CONTRACT R-39921	PROJECT 1400195

# Conceptual Design



SR 66 AT EPWORTH ROAD  
SCALE: 1" = 100'



**Categorical Exclusion**  
**Appendix C**  
**Early Coordination**



January 24, 2019

«Name»

«Title»

Sample Early Coordination Letter

«Attn:»

«Agency/Company»

«Address\_1»

«Address\_2»

«City», «State» «Zip»

Re: Des. No.: 1400195  
Intersection Improvements - State Road 66, 0.16 mile east I-69 at Epworth Road  
Ohio Township, Warrick County, Indiana

Dear «Salu»:

The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT), Vincennes District are proceeding with a federal aid intersection improvement project at State Road 66, 0.16 mile east of I-69, at Epworth Road in Warrick County, Indiana. The proposed project involves eliminating the left turn traffic movement with a partial displaced left turn lane (DLT). Storm sewer installation, signal installation, and minor road re-grading are also proposed. Access to nearby hospitals and other facilities will be maintained by lane restrictions and flagging operations involved in the maintenance of traffic (MOT).

This letter is written to describe the proposed project and to seek your comments regarding those resources under your jurisdiction as part of early coordination. The proposed improvements are described in more detail herein. In addition, various maps and aerial photographs are enclosed showing the location of the proposed project. The project limits shown on the red flag investigation maps have been further defined for the preferred project alternative as shown on the location, aerial, and photograph location maps. Please use the referenced Des. No. and project description in your reply to ensure your comments are incorporated into the formal environmental study that is to be prepared. Your cooperation in this endeavor is appreciated.

*Project Location and Existing Conditions*

The proposed project is located in Warrick County, 0.16 mile east of I-69 at the intersection of SR 66 and Epworth Road. Specifically, the project is located in Sections 20 and 29, Township 6 South, and Range 9 West of Ohio Township as depicted on the Newburgh U.S. Geological Survey (USGS) Quadrangle. Adjacent land use consists of commercial, residential, and agricultural areas. Please see attachments for maps and photographs of the proposed project area.

Existing State Road 66 near Epworth Road is an east-west route and is functionally classified as a principal arterial. SR 66 at the Epworth Road intersection consists of six 12-foot travel lanes, three in each direction, with a 10-foot paved shoulder. At the intersection, there are two 12-foot eastbound turn lanes (one right turn and one left turn) and two 12-foot westbound turn lanes (one right turn and one left turn).

6200 Vogel Road  
Evansville, IN 47715-4006  
PHONE: 812.479.6200 • FAX: 812.479.6262

Existing Epworth Road at the SR 66 intersection is a north-south route and is functionally classified as a major collector. Epworth Road north of the intersection consists of five 10-foot travel lanes, two in each direction and one 10-foot left turn lane carrying traffic onto eastbound SR 66. Epworth Road south of the intersection consists of six 10-foot travel lanes, two traveling south, two turning left onto westbound SR 66, one traveling north, and one turning right onto eastbound SR 66.

Existing right-of-way along SR 66 varies from 140 to 280 feet wide (70 to 140 foot offset from centerline). Existing right-of-way along Epworth Road varies from 100 to 130 feet wide (50 to 65 foot offset from centerline).

Two existing frontage roads are located north and south of SR 66, west of the intersection. Both consist of two 10-foot lanes. The southern frontage road connects to Epworth Road south of the intersection and ends in a cul-de-sac. The northern frontage road connects to Epworth Road north of the intersection and ends in an unpaved section that connects back to SR66.

#### *Purpose and Need*

The need for improvements at the intersection of SR 66 and Epworth Road is evidenced by a high number of crashes along SR 66. The crashes are predominantly rear-end with a considerable amount of eastbound and westbound left turn crashes. There were approximately 141 collisions at the intersection between 2014 and 2016. Approximately 76% of the crashes occurred along SR 66. The intersection is located approximately 1,500 feet east of the exit ramp from northbound I-69, which results in an undesirable weaving situation for vehicles exiting the interstate and turning left onto northbound Epworth.

The purpose of the project is to reduce the number of crashes within the intersection.

#### *Proposed Project*

The project proposes to eliminate left turning movements from mainline SR 66 at Epworth Road using a hybrid boulevard left/displaced left turn lane. The project area extends 675 feet west and 1,600 feet east of the intersection along SR 66; and 325 feet south and 175 feet north of the intersection along Epworth Road. Excavation will be limited to 5-6 feet below grade to install storm sewer and minor re-grading of the roadway to accommodate the intersection improvement. Limited twelve-foot excavation will be required for signal foundations.

The Maintenance of Traffic (MOT) for this project will involve lane restrictions and flagging operations. The MOT will be implemented per the *Indiana Design Manual* guidelines.

Construction is anticipated to begin in Fiscal Year (FY) 2021. The estimated construction cost associated with this project is \$3,304,000.

#### *Right-of-Way*

No permanent or temporary right of way will be required for this project and no relocations are anticipated. No tree clearing is anticipated in the existing right of way.

### *Environmental Resources*

A Red Flag Investigation (RFI) was performed for a 0.5-mile radius of the project area. The RFI project area encompassed all proposed alternatives. (Please note the project area has been further defined to the preferred alternative for the location, aerial, and photograph location maps enclosed in this letter.) Several “Red Flags” were identified within the 0.5-mile search radius; however, not all will be impacted by the proposed project. One religious facility, St. Luke’s Lutheran Church, is located adjacent to the project area. Access to 14 hospitals, clinics, or health services are within the project area. One pipeline crosses the project area and one pipeline is adjacent to the project area. One unnamed tributary stream is located within the project area. One wetland and two unmapped lakes are adjacent to the project area. The proposed project lies within the Evansville UAB. A former underground mine is located within the project area. No other “Red Flags” are mapped within the immediate vicinity of the project. A full wetland and stream delineation will be conducted during the growing season and a *Waters of the US Determination Report* will be completed by Lochmueller Group as a part of this project. This project area is outside of the Karst Memorandum of Understanding (MOU) Potential Karst Features Region.

### *Urbanized Area Boundary (UAB)*

The project lies within Evansville UAB, and in accordance with 327 IAC 15-13 (Rule 13 – Municipal Separate Storm Sewer Systems), INDOT will develop a Storm Water Quality Management Plan. As part of its implementation, projects falling within the UAB will be required to consider appropriate post-construction storm water quality best management practices (BMPs). These BMPs should take into consideration the available space, pollutants of concern, and receiving waters.

### *Section 106*

The National Register of Historic Places (National Register) and the Indiana Register of Historic Sites and Structures (State Register) were reviewed using the State Historic Architectural and Archaeological Research Database (SHAARD) and the Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBCM). No resources listed in the National Register or State Register were identified within a quarter mile of the project. The *Warrick County Interim Report* (1984) was examined, and it was determined that there are no previously identified historic resources within a quarter mile of the project area. The *Indiana Historic Bridge Inventory Volume 2: Listing of Historic and Non-Historic Bridges* (February 2009) by Mead & Hunt was reviewed. No bridges listed in or eligible for listing in the National Register are located within a quarter mile of the project area. Due to the project scope, coverage as a Category B project under the Minor Projects Programmatic Agreement (MPPA) appears applicable. If the MPPA is found not to apply, then formal Section 106 consultation with the State Historic Preservation Officer (SHPO), and other identified consulting parties will occur.

### *Range-wide Informal Programmatic Consultation*

Warrick County is within the range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*). The U.S. Fish and Wildlife Service (USFWS) Range-wide Programmatic Informal Consultation for the Indiana bat and northern long-eared bat will be completed for this project.

Land use in the vicinity of the project is primarily low density urban with medical facilities. INDOT, or their agent, will perform a waters and wetlands investigation to identify any pertinent resources that may be present. Completion of the appropriate determination key through the U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) portal will occur. If a likely determination of "Not Likely to Adversely Affect," or "Likely to Adversely Affect" is reached then additional consultation with the USFWS will occur through INDOT.

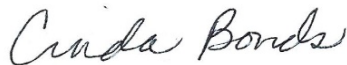
*Early Coordination*

This letter is part of the early coordination review process. You are asked to review this information and provide any comments you may have relative to anticipated impacts of the project on areas in which you have jurisdiction or special expertise. We will incorporate your comments into a study of the project's environmental impacts. To facilitate the development of this project, you are asked to reply within **30 days** of receipt of this letter. If no response is received by that date, it will be assumed you have no comments at the present time.

If you have any questions regarding this project, please feel free to contact Cinda Bonds at (812) 204-5862 or [cbonds@lochgroup.com](mailto:cbonds@lochgroup.com). Additionally, should you want to contact the sponsor of this project, INDOT – Vincennes District, please contact the Project Manager, Mr. Brian Malone, at (812) 836-2112 or at [bmalone@indot.in.gov](mailto:bmalone@indot.in.gov).

Thank you in advance for your input.

Sincerely,



Cinda Bonds, MS, GISP  
Environmental Biologist  
Lochmueller Group, Inc.

Attachments:

- General Location Map
- Topographic Map
- Red Flag Investigation Maps
- Photo Location Map
- Project Photographs
- Preliminary Stage 1 Plans

Note: Attachments have been removed to avoid duplication and reduce file size.

Distribution List:

- USFWS, Bloomington Field Office (electronic submission)
- Federal Highway Administration, Indiana Division (electronic submission)
- National Resources Conservation Service, Indianapolis Office (electronic submission)

- U.S. Army Corps of Engineers, Louisville District (electronic submission)
- U.S. Housing and Urban Development (electronic submission)
- National Park Service
- Indiana Department of Natural Resources (IDNR), Division of Fish and Wildlife (electronic submission)
- Indiana Department of Environmental Management (IDEM) (electronic submission)
- INDOT, Office of Public Involvement (electronic submission)
- INDOT, Utilities and Railroad Division (electronic submission)
- INDOT, Vincennes District, Project Manager (electronic submission)
- INDOT, Vincennes District, Environmental Manager (electronic submission)
- INDOT, Environmental Services (electronic submission)
- Indiana Geological Survey (electronic submission)
- Warrick County Board of Commissioners
- Warrick County Council
- Warrick County Highway Engineering
- Warrick County, Ohio Township Trustee
- Warrick County Surveyor
- Warrick County Emergency Management
- Warrick County MS4
- Evansville Metropolitan Planning Organization (electronic submission)
- St. Luke's Lutheran Church
- Deaconess Hospital (electronic submission)
- Orthopedic Associates (East Newburgh)
- Basinski & Juran MDs
- St. Vincent's Urgent Care – Epworth Crossing
- The Lung Centre
- Oral Surgery Group



December 20, 2021

«Name»

Sample Addendum to Early Coordination Letter

«Title»

«Address1»

«Address2»

«City», «State» «Zip»

Re: Addendum to Early Coordination Letter

Des. No.: 1400195

Intersection Improvements - State Road 66, 0.16 mile east I-69 at Epworth Road

Ohio Township, Warrick County, Indiana

Dear «Salu»:

The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT) are proceeding with a federal aid intersection improvement project at State Road 66, 0.16 mile east of I-69, at Epworth Road in Warrick County, Indiana. Early coordination for Des. No. 1400195 was initiated on January 24, 2019. The project area has expanded and the preferred alternative for the proposed project has changed. This addendum is being sent to recipients of the Des. No. 1400195 early coordination package to update the *Proposed Project, Right-of-Way, Environmental Resources, Section 106, and Range-wide Informal Programmatic Consultation* sections.

This letter is part of the early coordination phase of the environmental review. At this time, we are requesting comments from your area of expertise regarding any possible environmental effects (social and natural) associated with this project. Please use the above Des. No. and project description in your reply. Your comments will be incorporated into the formal environmental study. Your cooperation in this endeavor is appreciated.

### *Proposed Project*

The proposed project will eliminate left turning movements from the mainline using displaced left turns in both directions. The project will include some redesign of signaling. The potential area of impact extends approximately 2,900 feet west and 2,600 feet east of the intersection along SR 66; approximately 900 feet south of the intersection along Epworth Road; and approximately 1,000 feet north of the intersection along Epworth Road. Proposed right-of-way (ROW) will likely consist of a narrow strip in the northwest quadrant of the intersection. Permanent acquisition is not expected to impact improved areas except for the commercial sign and parking lot in the northwest quadrant. Grading and drive construction would also likely be required along SR 66 and Epworth Road. Approximately 0.02 acre of tree clearing is anticipated.

The Maintenance of Traffic (MOT) for this project will involve lane restrictions and flagging operations. The MOT will be implemented per the *Indiana Design Manual* guidelines.

Construction is anticipated to begin in Spring/Summer 2022. The estimated construction cost associated with this project is \$4,143,987.

#### *Right-of-Way*

Approximately 0.20 acre of permanent ROW and 0.05 acre of temporary ROW will be required for this project. No relocations are anticipated.

#### *Environmental Resources*

A Red Flag Investigation (RFI) Addendum was completed for the project. The following features and/or items were identified as having an impact on the project area but were not detailed in the original RFI. Access to Deaconess Orthopedic Neuroscience Hospital, two NWI-lines, one additional stream, and three floodplain polygons are now within the project area.

#### *Section 106*

On April 8, 2019, it was determined that the project qualified for the Minor Projects Programmatic Agreement (MPPA) under categories A-1, A-2, B-1, B-2, and B-3. This determination will be re-evaluated due to the change in project scope.

#### *Range-wide Informal Programmatic Consultation*

Warrick County is within the range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*). The U.S. Fish and Wildlife Service (USFWS) Range-wide Programmatic Informal Consultation for the Indiana bat and northern long-eared bat was completed for the project on February 14, 2019 and the project received a finding of “May Affect - Not Likely to Adversely Affect (NLAA)”. The project area and project details will be updated, the project will be reevaluated, and additional coordination with USFWS will occur, if necessary. It is anticipated that the project will again receive a finding of “May Affect - Not Likely to Adversely Affect” (NLAA).

#### *Early Coordination*

This letter is part of the early coordination review process. You are asked to review this information and provide any comments you may have relative to anticipated impacts of the project on areas in which you have jurisdiction or special expertise. We will incorporate your comments into a study of the project’s environmental impacts. To facilitate the development of this project, you are asked to reply within **30 days** of receipt of this letter. However, should you find that an extension to the response time is needed, a reasonable amount may be granted upon request.

If you have any questions regarding this project, please feel free to contact Holly Hume at (812) 759-4107 or [hhume@lochgroup.com](mailto:hhume@lochgroup.com). Additionally, should you want to contact the sponsor of this project, INDOT – Vincennes District, please contact the Project Manager, Brian Malone, at (812) 836-2112 or at [bmalone@indot.in.gov](mailto:bmalone@indot.in.gov).



Thank you in advance for your input.

Sincerely,



Holly Hume  
Environmental Specialist  
Lochmueller Group, Inc.

Attachments:

- Project Area Map
- Preliminary Design Plans

**Note: Attachments have been removed to avoid duplication and reduce file size.**

Distribution List:

- Federal Highway Administration, Indiana Division (electronic submission)
- Indiana Geological and Water Survey (online submission)
- Indiana Department of Natural Resources (IDNR), Division of Fish and Wildlife (electronic submission)
- Indiana Department of Environmental Management (IDEM) (online submission)
- National Park Service (electronic submission)
- IDEM, Groundwater Section (online submission)
- U.S. Housing and Urban Development (electronic submission)
- INDOT, Vincennes District, Environmental Manager (electronic submission)
- INDOT, Environmental Services Division (electronic submission)
- National Resources Conservation Service, Indianapolis Office (electronic submission)
- U.S. Army Corps of Engineers, Louisville District (electronic submission)
- INDOT, Utilities and Railroad Division (electronic submission)
- Warrick County Board of Commissioners
- Warrick County Council
- Warrick County Highway Engineering
- Warrick County, Ohio Township Trustee
- Warrick County Surveyor
- Warrick County Emergency Management
- Warrick County MS4
- Evansville Metropolitan Planning Organization (electronic submission)
- St. Luke's Lutheran Church
- Deaconess Hospital (electronic submission)
- Orthopaedic Associates (East Newburgh)
- Basinski & Juran MDs
- St. Vincent's Urgent Care – Epworth Crossing

- The Lung Centre
- Oral Surgery Group
- Deaconess Orthopedic Neuroscience Hospital
- Floodplain Administrator



# Indiana Department of Environmental Management

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

Indiana Department of Transportation

Lochmueller Group

Cinda Bonds

6200 Vogel Road

Evansville, IN 47715

, IN

Date

To Engineers and Consultants Proposing Roadway Construction Projects:

RE: The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT), Vincennes District are proceeding with a federal aid intersection improvement project at State Road 66, 0.16 mile east of I-69, at Epworth Road in Warrick County, Indiana.

Specifically, the project is located in Sections 20 and 29, Township 6 South, and Range 9 West of Ohio Township as depicted on the Newburgh U.S. Geological Survey (USGS) Quadrangle.

The proposed project involves eliminating the left turn traffic movement with a partial displaced left turn lane (DLT). Storm sewer installation, signal installation, and minor road re-grading are also proposed. Access to nearby hospitals and other facilities will be maintained by lane restrictions and flagging operations involved in the maintenance of traffic (MOT).

Excavation will be limited to 5-6 feet below grade to install storm sewer and minor re-grading of the roadway to accommodate the intersection improvement. Limited twelve-foot excavation will be required for signal foundations. The project area extends 675 feet west and 1,600 feet east of the intersection along SR 66; and 325 feet south and 175 feet north of the intersection along Epworth Road. Construction is anticipated to begin in Fiscal Year (FY) 2021.

No permanent or temporary right of way will be required for this project and no relocations are anticipated. No tree clearing is anticipated in the existing right of way. A full wetland and stream delineation will be conducted during the growing season and a Waters of the US Determination Report will be completed as a part of this project. The project lies within Evansville UAB, and in accordance with 327 IAC 15-13 (Rule 13 – Municipal Separate Storm Sewer Systems), INDOT will develop a Storm Water Quality Management Plan.

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>).
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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

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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>) 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) ([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) (<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 is it 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.

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## 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

The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT), Vincennes District are proceeding with a federal aid intersection improvement project at State Road 66, 0.16 mile east of I-69, at Epworth Road in Warrick County, Indiana. Specifically, the project is located in Sections 20 and 29, Township 6 South, and Range 9 West of Ohio Township as depicted on the Newburgh U.S. Geological Survey (USGS) Quadrangle. The proposed project involves eliminating the left turn traffic movement with a partial displaced left turn lane (DLT). Storm sewer installation, signal installation, and minor road re-grading are also proposed. Access to nearby hospitals and other facilities will be maintained by lane restrictions and flagging operations involved in the maintenance of traffic (MOT). Excavation will be limited to 5-6 feet below grade to install storm sewer and minor re-grading of the roadway to accommodate the intersection improvement. Limited twelve-foot excavation will be required for signal foundations. The project area extends 675 feet west and 1,600 feet east of the intersection along SR 66; and 325 feet south and 175 feet north of the intersection along Epworth Road. Construction is anticipated to begin in Fiscal Year (FY) 2021. No permanent or temporary right of way will be required for this project and no relocations are anticipated. No tree clearing is anticipated in the existing right of way. A full wetland and stream delineation will be conducted during the growing season and a Waters of the US Determination Report will be completed as a part of this project. The project lies within Evansville UAB, and in accordance with 327 IAC 15-13 (Rule 13 - Municipal Separate Storm Sewer Systems), INDOT will develop a Storm Water Quality Management Plan.

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: 2/1/2019

Signature of the INDOT  
Project Engineer or Other Responsible Agent Brian Malone

Date: 2/1/2019

Signature of the  
For Hire Consultant Cinda Bonds

Cinda Bonds



# 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](http://www.idem.IN.gov)

INDOT  
Brian Malone  
3650 S US 41  
Vincennes , IN 47591  
Date

Lochmueller Group, Inc.  
Holly Hume  
6200 Vogel Road  
Evansville , IN 47715

To Engineers and Consultants Proposing Roadway Construction Projects:

RE: The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT) are proceeding with a federal aid intersection improvement project at State Road 66, 0.16 mile east of I-69, at Epworth Road in Warrick County, Indiana. The proposed project will eliminate left turning movements from the mainline using displaced left turns in both directions. The project will include some redesign of signaling. The potential area of impact extends approximately 2,900 feet west and 2,600 feet east of the intersection along SR 66; approximately 900 feet south of the intersection along Epworth Road; and approximately 1,000 feet north of the intersection along Epworth Road. Proposed right-of-way (ROW) will likely consist of a narrow strip in the northwest quadrant of the intersection. Permanent acquisition is not expected to impact improved areas except for the commercial sign and parking lot in the northwest quadrant. Grading and drive construction would also likely be required along SR 66 and Epworth Road. Approximately 0.02 acre of tree clearing is anticipated. The Maintenance of Traffic (MOT) for this project will involve lane restrictions and flagging operations. The MOT will be implemented per the Indiana Design Manual guidelines. Construction is anticipated to begin in Spring/Summer 2022. Approximately 0.20 acre of permanent ROW and 0.05 acre of temporary ROW will be required for this project. No relocations are anticipated. A Red Flag Investigation (RFI) was performed for a 0.5-mile radius of the project area. The RFI project area encompassed all proposed alternatives. Several "Red Flags" were identified within the 0.5-mile search radius; however, not all will be impacted by the proposed project. One religious facility, St. Luke's Lutheran Church, is located adjacent to the project area. Access to 14 hospitals, clinics, or health services are within the project area. One pipeline crosses the project area and one pipeline is adjacent to the project area. One unnamed tributary stream is located within the project area. One wetland and two unmapped lakes are adjacent to the project area. The proposed project lies within the Evansville UAB. A former underground mine is located within the project area. No other "Red Flags" are mapped within the immediate vicinity of the project. A Waters of the US Determination Report has been completed by Lochmueller Group as a part of this project. An RFI Addendum was completed for the project due to updates to the project scope and footprint. The following features and/or items were identified as having an impact on the project area but were not detailed in the original RFI. Access to Deaconess Orthopedic Neuroscience Hospital, two NWI-lines, one additional stream, and three floodplain polygons are now within the project area.

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.

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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) ([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) (<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

The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT) are proceeding with a federal aid intersection improvement project at State Road 66, 0.16 mile east of I-69, at Epworth Road in Warrick County, Indiana. The proposed project will eliminate left turning movements from the mainline using displaced left turns in both directions. The project will include some redesign of signaling. The potential area of impact extends approximately 2,900 feet west and 2,600 feet east of the intersection along SR 66; approximately 900 feet south of the intersection along Epworth Road; and approximately 1,000 feet north of the intersection along Epworth Road. Proposed right-of-way (ROW) will likely consist of a narrow strip in the northwest quadrant of the intersection. Permanent acquisition is not expected to impact improved areas except for the commercial sign and parking lot in the northwest quadrant. Grading and drive construction would also likely be required along SR 66 and Epworth Road. Approximately 0.02 acre of tree clearing is anticipated. The Maintenance of Traffic (MOT) for this project will involve lane restrictions and flagging operations. The MOT will be implemented per the Indiana Design Manual guidelines. Construction is anticipated to begin in Spring/Summer 2022. Approximately 0.20 acre of permanent ROW and 0.05 acre of temporary ROW will be required for this project. No relocations are anticipated. A Red Flag Investigation (RFI) was performed for a 0.5-mile radius of the project area. The RFI project area encompassed all proposed alternatives. Several "Red Flags" were identified within the 0.5-mile search radius; however, not all will be impacted by the proposed project. One religious facility, St. Luke's Lutheran Church, is located adjacent to the project area. Access to 14 hospitals, clinics, or health services are within the project area. One pipeline crosses the project area and one pipeline is adjacent to the project area. One unnamed tributary

stream is located within the project area. One wetland and two unmapped lakes are adjacent to the project area. The proposed project lies within the Evansville UAB. A former underground mine is located within the project area. No other "Red Flags" are mapped within the immediate vicinity of the project. A Waters of the US Determination Report has been completed by Lochmueller Group as a part of this project. An RFI Addendum was completed for the project due to updates to the project scope and footprint. The following features and/or items were identified as having an impact on the project area but were not detailed in the original RFI. Access to Deaconess Orthopedic Neuroscience Hospital, two NWI-lines, one additional stream, and three floodplain polygons are now within the project area.

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: 12/20/2021

Signature of the INDOT  
Project Engineer or Other Responsible Agent *Brian Malone*

Brian Malone

Date: 12/20/21

Signature of the  
For Hire Consultant *Holly Hume*

Holly Hume



# Indiana Department of Environmental Management

*We Protect Hoosiers and Our Environment.*

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • [www.idem.IN.gov](http://www.idem.IN.gov)

**Eric J. Holcomb**  
Governor

**Bruno Pigott**  
Commissioner

October 8, 2019

66-33

Lochmueller Group, Inc.  
Attention: Cinda Bonds  
6200 Vogel Road  
Evansville, Indiana 47715-4006

Dear Cinda Bonds,

RE: Wellhead Protection Area  
Proximity Determination  
Des No 1400195  
SR66 and Epworth Road  
Intersection, 0.16 mile east of I-69,  
Intersection Improvements,  
Warrick County, Indiana

Upon review of the above referenced project site, it has been determined that the proposed project area **is not located within** a Wellhead Protection Area. The information is accurate to the best of our knowledge; however, there are in some cases a few factors that could impact the accuracy of this determination. Some Wellhead Protection Area Delineations have not been submitted, and many have not been approved by this office. In these cases we use a 3,000 foot fixed radius buffer to make the proximity determination. To find the status of a Public Water Supply System's (PWSS's) Wellhead Protection Area Delineation please visit our tracking database at <http://www.in.gov/idem/cleanwater/2456.htm> and scroll to the bottom of the page.

Note: the Drinking Water Branch has a self service feature which allows one to determine wellhead proximity without submitting the application form. Use the following instructions:

1. Go to <http://idemmaps.idem.in.gov/whpa2/>
2. Use the search tool located in the upper left hand corner of the application to zoom to your site of interest by way of city, county, or address; or use the mouse to click on the site of interest displayed on the map.
3. Once the site of interest has been located and selected, use the print tool to create a .pdf of a wellhead protection area proximity determination response.

In the future please consider using this self service feature if it suits your needs.

If you have any additional questions please feel free to contact me at the address above or at (317) 233-9158 and [aturnbow@idem.in.gov](mailto:aturnbow@idem.in.gov).

Sincerely,

Alisha Turnbow,  
Environmental Manager  
Ground Water Section  
Drinking Water Branch  
Office of Water Quality



A State that Works

Please Reduce, Reuse, Recycle



INDIANA  
GEOLOGICAL SURVEY

## Organization and Project Information

**Project ID:**  
**Des. ID:** DES 1400195  
**Project Title:** Intersection Improvements at SR 66 and Epworth Road  
**Name of Organization:** Lochmueller Group  
**Requested by:** Cinda Bonds

## Environmental Assessment Report

### 1. Geological Hazards:

- Potential Mine Subsidence ([CMIS](#))
- High liquefaction potential
- 1% Annual Chance Flood Hazard

### 2. Mineral Resources:

- Bedrock Resource: High Potential
- Sand and Gravel Resource: None documented in the area

### 3. Active or abandoned mineral resources extraction sites:

- Underground Coal Mines

\*All map layers from Indiana Map ([maps.indiana.edu](http://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

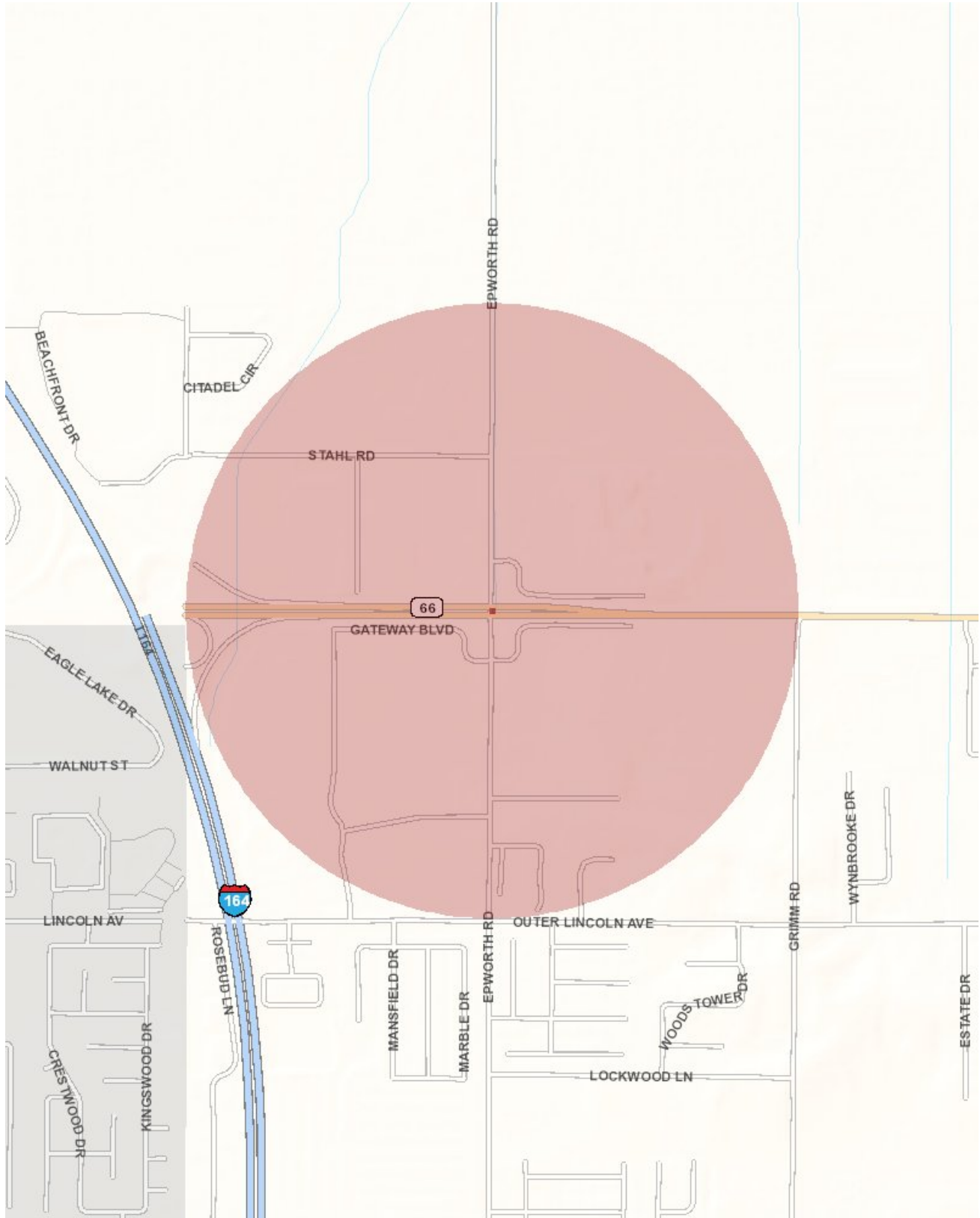
Address: 420 N. Walnut St., Bloomington, IN 47404

Email: [IGSEnvir@indiana.edu](mailto:IGSEnvir@indiana.edu)

Phone: 812 855-7428

Date: January 24, 2019





## Metadata:

- [https://maps.indiana.edu/metadata/Geology/Coal\\_Mines\\_Entries.html](https://maps.indiana.edu/metadata/Geology/Coal_Mines_Entries.html)
- [https://maps.indiana.edu/metadata/Geology/Coal\\_Mines\\_Underground.html](https://maps.indiana.edu/metadata/Geology/Coal_Mines_Underground.html)
- [https://maps.indiana.edu/metadata/Geology/Seismic\\_Earthquake\\_Liquefaction\\_Potential.html](https://maps.indiana.edu/metadata/Geology/Seismic_Earthquake_Liquefaction_Potential.html)
- [https://maps.indiana.edu/metadata/Hydrology/Floodplains\\_FIRM.html](https://maps.indiana.edu/metadata/Hydrology/Floodplains_FIRM.html)
- [https://maps.indiana.edu/metadata/Geology/Bedrock\\_Geology.html](https://maps.indiana.edu/metadata/Geology/Bedrock_Geology.html)



INDIANA  
GEOLOGICAL SURVEY

## Organization and Project Information

**Project ID:** INDOT  
**Des. ID:** Des 1400195  
**Project Title:** Intersection Improvements - State Road 66, 0.16 mile east I-69 at Epworth Road  
**Name of Organization:** Lochmueller Group, Inc.  
**Requested by:** Holly Hume

## Environmental Assessment Report

### 1. Geological Hazards:

- Potential Mine Subsidence ([CMIS](#))
- High liquefaction potential
- 1% Annual Chance Flood Hazard

### 2. Mineral Resources:

- Bedrock Resource: High Potential
- Sand and Gravel Resource: None documented in the area

### 3. Active or abandoned mineral resources extraction sites:

- Underground Coal Mines

\*All map layers from Indiana Map ([maps.indiana.edu](http://maps.indiana.edu))

### DISCLAIMER:

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This information was furnished by Indiana Geological Survey

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

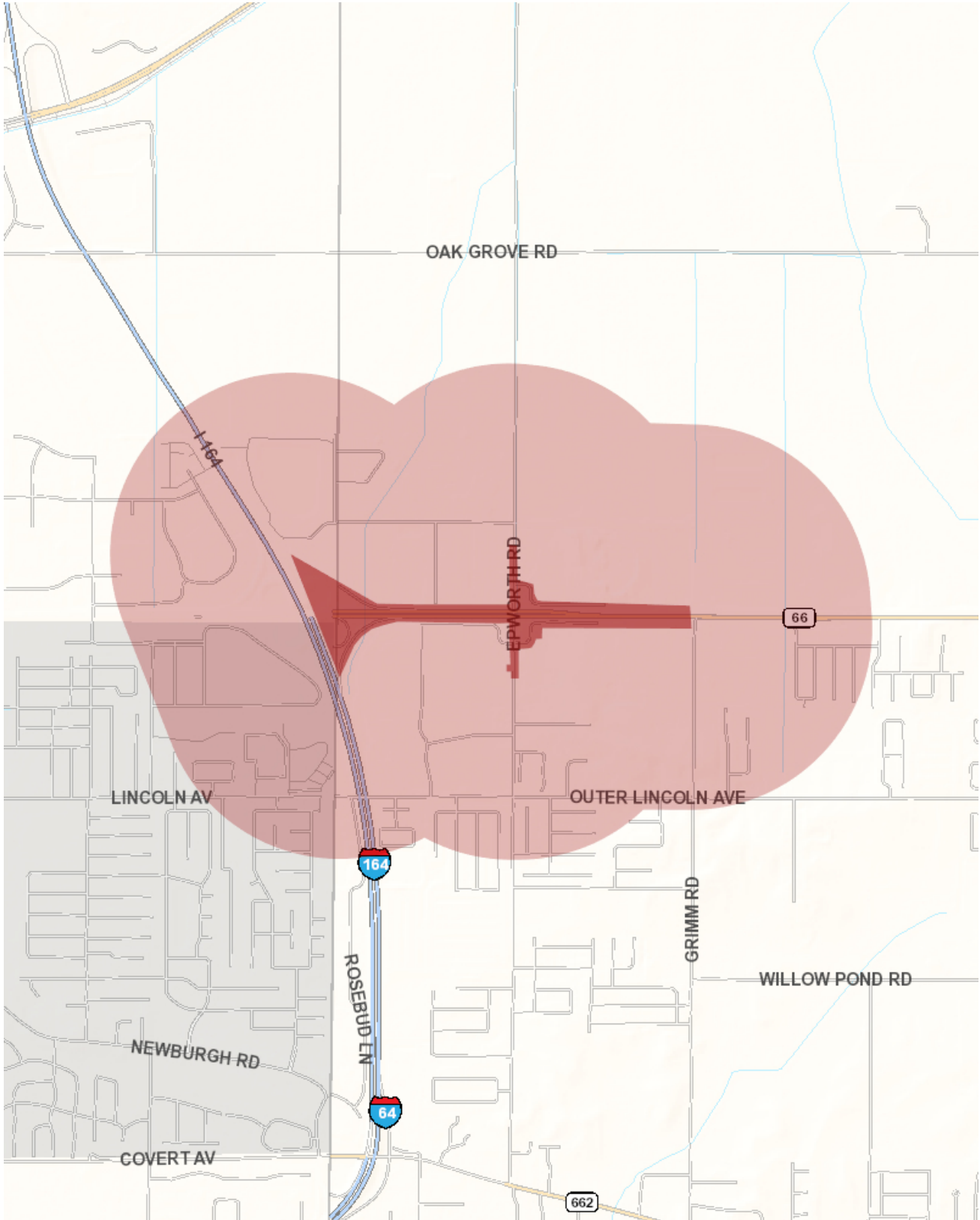
Email: [IGSEnvir@indiana.edu](mailto:IGSEnvir@indiana.edu)

Phone: 812 855-7428

Date: December 20, 2021







## Metadata:

- [https://maps.indiana.edu/metadata/Geology/Coal\\_Mines\\_Entries.html](https://maps.indiana.edu/metadata/Geology/Coal_Mines_Entries.html)
- [https://maps.indiana.edu/metadata/Geology/Coal\\_Mines\\_Underground.html](https://maps.indiana.edu/metadata/Geology/Coal_Mines_Underground.html)
- [https://maps.indiana.edu/metadata/Geology/Seismic\\_Earthquake\\_Liquefaction\\_Potential.html](https://maps.indiana.edu/metadata/Geology/Seismic_Earthquake_Liquefaction_Potential.html)
- [https://maps.indiana.edu/metadata/Hydrology/Floodplains\\_FIRM.html](https://maps.indiana.edu/metadata/Hydrology/Floodplains_FIRM.html)
- [https://maps.indiana.edu/metadata/Geology/Bedrock\\_Geology.html](https://maps.indiana.edu/metadata/Geology/Bedrock_Geology.html)

## Bonds, Cinda

---

**From:** Wright, Mary <MWRIGHT@indot.IN.gov>  
**Sent:** Tuesday, January 29, 2019 6:15 AM  
**To:** Bonds, Cinda  
**Subject:** RE: Early Coordination Letter for Intersection Improvements at SR 66 and Epworth Road (DES NO. 1400195); Warrick County, Indiana

After many discussions – there will be public involvement on this project and should be determined as the project progresses.

Mary

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### Early Coordination and Creating a Public Involvement Plan (PIP)

We have received your early coordination notification packet for the above referenced project(s). Our office prefers to be notified at the early coordination stage in order to encourage early and ongoing public involvement aside from the specific legal requirements as outlined in our Public Involvement Manual <http://www.in.gov/indot/2366.htm>. Seeking the public's understanding of transportation improvement projects early in the project development stage can allow the opportunity for the public to express their concerns, comments, and to seek buy-in. Early coordination is the perfect opportunity to examine the proposed project and its impacts to the community along with the many ways and or tools to inform the public of the improvements and seek engagement. A good public involvement plan, or PIP, should consider the type, scope, impacts, and the level of public awareness that should, or could, be implemented. In other words, although there are cases where no public involvement is legally required, sometimes it is simply the right thing to do in order to keep the public informed.

The public involvement office is always available to provide support and resources to bolster any public involvement activities you may wish to implement or discuss. Please feel free to contact our office anytime should you have any questions or concerns. Thank you for notifying our office about your proposed project. We trust you will not only analyze the appropriate public involvement required, but also consider the opportunity to do go above and beyond those requirements in creating a good PIP.

Rickie Clark, Manager  
100 North Senate Avenue, Room N642  
Indianapolis, IN 46204  
Phone: 317-232-6601  
Email: [rclark@indot.in.gov](mailto:rclark@indot.in.gov)

Mary Wright, Hearing Examiner  
Phone: 317-234-0796  
Email: [mwright@indot.in.gov](mailto:mwright@indot.in.gov)

---

**From:** Bonds, Cinda [mailto:CBonds@lochgroup.com]  
**Sent:** Friday, January 25, 2019 6:08 PM  
**To:** Wright, Mary <MWRIGHT@indot.IN.gov>  
**Subject:** FW: Early Coordination Letter for Intersection Improvements at SR 66 and Epworth Road (DES NO. 1400195); Warrick County, Indiana

\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\*

## Holly Hume

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**From:** Stoops, Ernie <ESTOOPS@indot.IN.gov>  
**Sent:** Monday, February 4, 2019 8:13 AM  
**To:** Bonds, Cinda  
**Cc:** Townsend, Daniel; Falls, Ryan G; Wright, Kristy  
**Subject:** Response to Early Coordination Letter for Intersection Improvements at SR 66 and Epworth Road (DES NO. 1400195); Warrick County, Indiana

Ms. Bonds:

Thank you for the opportunity to comment on the above project. IPaC coordination will be done through this office. Please submit at your earliest convenience. There is no need to wait for red flag approval. The level of document, CE-4, required for this project will need to be signed off by FHWA. Again thank you for the letter.

### **Ernest A. Stoops PE**

#### *Capital Program Management-Design and Environmental Manager*

Indiana Department of Transportation  
3650 South U.S. Highway 41  
Vincennes, IN 47591

**Office:** 812-895-7390

**Fax:** 812-895-7474

**Email:** [estoops@indot.IN.gov](mailto:estoops@indot.IN.gov)



[Click Here To Sign Up for INDOT Project Email and Text Alerts!](#)

---

**From:** Bonds, Cinda [mailto:CBonds@lochgroup.com]  
**Sent:** Thursday, January 24, 2019 2:34 PM  
**To:** Stoops, Ernie <ESTOOPS@indot.IN.gov>  
**Cc:** Townsend, Daniel <DTownsend@lochgroup.com>  
**Subject:** Early Coordination Letter for Intersection Improvements at SR 66 and Epworth Road (DES NO. 1400195); Warrick County, Indiana

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

Mr. Stoops,

Attached is an Early Coordination Letter for proposed intersection improvements at SR 66 and Epworth Road (Des No. 1400195) in Warrick County, Indiana, to reduce the number of crashes occurring at the intersection. The letter describes the project in detail and contains maps, photographs, and known plans. We are seeking your comments regarding the resources under your jurisdiction as a part of early coordination. Your comments will be incorporated into a study of the project's environmental impacts. If no response is received within 30 days of receipt of this letter, it will be assumed you have no comments at the present time. Your cooperation is greatly appreciated.

Thank you.

## Holly Hume

---

**From:** Falls, Ryan G <RFalls@indot.IN.gov>  
**Sent:** Wednesday, December 22, 2021 7:05 AM  
**To:** Holly Hume  
**Cc:** Daniel Townsend  
**Subject:** RE: Response to Early Coordination Letter for Intersection Improvements at SR 66 and Epworth Road (DES NO. 1400195); Warrick County, Indiana

Holly Hume,

At this time, our office has no comments. Thank you for the opportunity to respond to early coordination.

### Ryan Falls

#### *Capital Program Management-Senior Environmental Manager Supervisor*

Indiana Department of Transportation  
3650 South US Highway 41  
Vincennes, IN 47591

**Email:** [rfalls@indot.IN.gov](mailto:rfalls@indot.IN.gov)

**Cell:** 812-582-1387



855-463-6848

---

**From:** Holly Hume <HHume@lochgroup.com>  
**Sent:** Monday, December 20, 2021 12:51 PM  
**To:** Falls, Ryan G <RFalls@indot.IN.gov>  
**Cc:** Daniel Townsend <DTownsend@lochgroup.com>  
**Subject:** RE: Response to Early Coordination Letter for Intersection Improvements at SR 66 and Epworth Road (DES NO. 1400195); Warrick County, Indiana

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

Dear Mr. Falls,

Attached is an addendum to the early coordination initiated on January 24, 2019 for the proposed intersection improvements at SR 66 and Epworth Road (Des No. 1400195) in Warrick County, Indiana. This addendum is being sent due to updates to the project's scope and footprint.


Thank you,  
Holly



 **Web:** <http://lochgroup.com>

### Holly Hume

Environmental Specialist I

 **Lochmueller Group**  
6200 Vogel Road, Evansville, IN 47715

 **Email:** [HHume@lochgroup.com](mailto:HHume@lochgroup.com)

January 31, 2019

Cinda Bonds  
Lochmueller Group, Inc.  
6200 Vogel Road  
Evansville, Indiana 47715

Dear Ms. Bonds:

The proposed project to make intersection improvements at Epworth Road in Ohio Township, Warrick County, Indiana (Des No 1400195), as referred to in your letter received January 24, 2018, will not cause a conversion of prime farmland.

If you need additional information, please contact Daniel Phillips at 317-295-5871.

Sincerely,

JERRY  
RAYNOR  Digitally signed by JERRY  
RAYNOR  
Date: 2019.02.01 14:14:30  
-05'00'

JERRY RAYNOR  
State Conservationist



**THIS IS NOT A PERMIT**

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

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**DNR #:** ER-21176

**Request Received:** January 24, 2019

**Requestor:** Lochmueller Group Inc  
Cinda Bonds  
6200 Vogel Road  
Evansville, IN 47715

**Project:** SR 66 and Epworth Road intersection improvements, 0.16 mile east of I-69; Des #1400195

**County/Site info:** Warrick

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 this project.

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

1. Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue) and legumes as soon as possible upon completion; low endophyte tall fescue may be used in the ditch bottom and side slopes only.
2. Minimize and contain within the project limits all tree and brush clearing.
3. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
4. 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.
5. Seed and protect all disturbed streambanks and slopes not protected by other methods that are 3:1 or steeper with erosion control blankets 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 (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.
6. Plant five trees, at least 2 inches in diameter-at-breast height, for each tree which is removed that is ten inches or greater in diameter-at-breast height.

**THIS IS NOT A PERMIT**

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

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**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.



**Date:** February 20, 2019

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



**THIS IS NOT A PERMIT**

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

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**DNR #:** ER-21176-1

**Request Received:** December 20, 2021

**Requestor:** Lochmueller Group Inc  
Holly Hume  
6200 Vogel Road  
Evansville, IN 47715

**Project:** SR 66 and Epworth Road intersection improvements, 0.16 mile east of I-69; Des #1400195 - project modifications and expansion

**County/Site info:** Warrick

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:** This proposal may require the formal approval of our agency pursuant to the Flood Control Act (IC 14-28-1) for any proposal to construct, excavate, or fill in or on the floodway of Howard Ditch. Please submit a copy of this letter with the permit application, if required.

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

1. Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue) and legumes as soon as possible upon completion; low endophyte tall fescue may be used in the ditch bottom and side slopes only.
2. Minimize and contain within the project limits all tree and brush clearing.
3. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
4. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the waterbody or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
5. Seed and protect all disturbed streambanks and slopes not protected by other methods that are 3:1 or steeper with erosion control blankets 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 (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.
6. Plant five trees, 1 inch to 2 inches in diameter-at-breast height, for each tree which is removed that is 10 inches or greater in diameter-at-breast height.

**THIS IS NOT A PERMIT**

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

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**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:** January 19, 2022  
Christie L. Stanifer  
Environ. Coordinator  
Division of Fish and Wildlife

## Holly Hume

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**From:** Walker, Hannah R <HWalker1@dnr.IN.gov>  
**Sent:** Friday, October 11, 2019 9:09 AM  
**To:** Bonds, Cinda  
**Subject:** Request for AML Coordination - Des 1400195, SR 66 and Epworth Road Intersection Improvements, Warrick County, Indiana

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Hello Cinda Bonds,

I have received and reviewed the project Designation No. 1400195, SR 66 and Epworth Road Intersection Improvements, Warrick County, Indiana, that was sent to this office. I would generally comment with the information on the mining record, but I noticed that you have that as an attachment on file and I found no additional information. Given the scope of the project, the presence of this past mining should have no impact on your work. Furthermore, after review of the information sent I do not foresee any adverse effects incurred as a result of this project.

I apologize for the late reply, I have been out of the office for the past two weeks. If you have any questions or requests, please don't hesitate to ask.

Thank you,

**Hannah R. Walker | Environmental Specialist**

INDIANA DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF RECLAMATION | ABANDONED MINE LAND PROGRAM  
14619 WEST STATE ROAD 48 | JASONVILLE, IN 47438-7056 | (812) 665-2207  
[www.dnr.IN.gov](http://www.dnr.IN.gov)

*\* Please let us know about the quality of our service by taking this [brief customer survey](#).*

## Bonds, Cinda

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**From:** McWilliams, Robin <robin\_mcwilliams@fws.gov>  
**Sent:** Tuesday, February 26, 2019 7:45 AM  
**To:** Bonds, Cinda  
**Subject:** Re: [EXTERNAL] Early Coordination Letter for Intersection Improvements at SR 66 and Epworth Road (DES NO. 1400195); Warrick County, Indiana

Dear Cinda,

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). We will review that information once it is received.

Based on a review of the information you provided, the U.S. Fish and Wildlife Service has no objections 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 project plans change such that fish and wildlife habitat may be affected, please re-coordinate with our office as soon as possible. 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-bottomed 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 rip rap 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

U.S. Fish and Wildlife Service  
620 South Walker Street  
Bloomington, Indiana 46403  
812-334-4261 x. 207 Fax: 812-334-4273

Monday, Tuesday - 7:30a-3:00p  
Wednesday, Thursday - telework 8:30a-3:00p



# 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:

December 16, 2021

Consultation Code: 03E12000-2019-SLI-0505

Event Code: 03E12000-2022-E-02605

Project Name: DES 1400195; Intersection Improvement; SR 66 at Epworth Road Intersection, 0.16 mile east of I-69

Subject: Updated list of threatened and endangered species that may occur in your proposed project location 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: 03E12000-2019-SLI-0505  
Event Code: Some(03E12000-2022-E-02605)  
Project Name: DES 1400195; Intersection Improvement; SR 66 at Epworth Road Intersection, 0.16 mile east of I-69  
Project Type: TRANSPORTATION  
Project Description: The proposed project is an intersection improvement at State Road (SR) 66 and Epworth Road, 0.16 mile east of I-69 in Warrick County, Indiana. The proposed project will eliminate left turning movements from the mainline using displaced left turns in both directions. The project will include some redesign of signaling. The potential area of impact extends approximately 2,900 feet west and 2,600 feet east of the intersection along SR 66; approximately 900 feet south of the intersection along Epworth Road; and approximately 1,000 feet north of the intersection along Epworth Road. Grading and drive construction will likely be required along SR 66 and Epworth Road. Four unnamed culverts, one beneath the northbound (NB) I-69 to eastbound SR 66 exit ramp, two beneath the westbound SR 66 to NB I-69 entrance ramp, and one beneath SR 66 on the eastern side of the SR 66/Epworth Road intersection, will be extended or replaced as part of the project. Adjacent land use is primarily commercial and residential with scattered agricultural fields and mature woods. The mature woods and adjacent edges of agricultural fields would be considered suitable summer habitat for the Indiana bat and northern long-eared bat. Approximately 0.02 acre of tree clearing is anticipated. Dominant species within the tree clearing area are red mulberry (*Morus rubra*) and callery pear (*Pyrus calleryana*). All tree clearing will be within 100 feet of the existing roadway and will take place during the inactive season (October 1 - March 31). Mitigation is not anticipated.

On July 1, 2021, INDOT Vincennes District environmental personnel stated, "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." One box culvert carrying an unnamed tributary to Howard Ditch under Epworth Road and 10 additional small structures are present within the survey area. Bridge/structure inspections for the box culvert and small structures occurred on August 10 and 11, 2021. No bats or evidence of bats using the culverts was found. The project will include new permanent lighting and may include temporary lighting during construction. Any temporary lighting will be directed away from suitable habitat. Permanent lighting will include the installation of new traffic signals as part of the signal redesign, as well as new lighting at the SR 66 / Epworth Road intersection, extending approximately 1,600 feet east and 1,800 feet west of the intersection. The new lighting will be downward-facing, full cut-off

lens standard roadway lights. Work is anticipated to extend from May 2022 to May 2023.

**Project Location:**

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@37.97691045,-87.44190740940158,14z>



Counties: Vanderburgh and Warrick counties, Indiana

## Endangered Species Act Species

There is a total of 3 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 Fisheries<sup>1</sup>, 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 <b>final</b> critical habitat for this species. The location of the critical habitat is not available. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	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"> <li>▪ 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 <a href="http://www.fws.gov/midwest/endangered/mammals/nleb/index.html">www.fws.gov/midwest/endangered/mammals/nleb/index.html</a></li> </ul> Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

## Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

## 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>

In Reply Refer To:

December 21, 2021

Consultation code: 03E12000-2019-I-0505

Event Code: 03E12000-2022-E-02738

Project Name: DES 1400195; Intersection Improvement; SR 66 at Epworth Road Intersection, 0.16 mile east of I-69

Subject: Concurrence verification letter for the 'DES 1400195; Intersection Improvement; SR 66 at Epworth Road Intersection, 0.16 mile east of I-69' project 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 1400195; Intersection Improvement; SR 66 at Epworth Road Intersection, 0.16 mile east of I-69** (Proposed Action) may rely on the concurrence provided in the 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 is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, and may affect, but is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*).

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances,

Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

**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 is modified, or new information reveals that it may affect the Indiana bat and/or Northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required. If the Proposed Action may affect any other federally-listed or proposed species, and/or any 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 contact this Service Office.

The following species may occur in your project area and **are not** covered by this determination:

- Monarch Butterfly *Danaus plexippus* Candidate

## Project Description

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

### **Name**

DES 1400195; Intersection Improvement; SR 66 at Epworth Road Intersection, 0.16 mile east of I-69

### **Description**

The proposed project is an intersection improvement at State Road (SR) 66 and Epworth Road, 0.16 mile east of I-69 in Warrick County, Indiana. The proposed project will eliminate left turning movements from the mainline using displaced left turns in both directions. The project will include some redesign of signaling. The potential area of impact extends approximately 2,900 feet west and 2,600 feet east of the intersection along SR 66; approximately 900 feet south of the intersection along Epworth Road; and approximately 1,000 feet north of the intersection along Epworth Road. Grading and drive construction will likely be required along SR 66 and Epworth Road. Four unnamed culverts, one beneath the northbound (NB) I-69 to eastbound SR 66 exit ramp, two beneath the westbound SR 66 to NB I-69 entrance ramp, and one beneath SR 66 on the eastern side of the SR 66/Epworth Road intersection, will be extended or replaced as part of the project. Adjacent land use is primarily commercial and residential with scattered agricultural fields and mature woods. The mature woods and adjacent edges of agricultural fields would be considered suitable summer habitat for the Indiana bat and northern long-eared bat. Approximately 0.02 acre of tree clearing is anticipated. Dominant species within the tree clearing area are red mulberry (*Morus rubra*) and callery pear (*Pyrus calleryana*). All tree clearing will be within 100 feet of the existing roadway and will take place during the inactive season (October 1 - March 31). Mitigation is not anticipated.

On July 1, 2021, INDOT Vincennes District environmental personnel stated, "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." One box culvert carrying an unnamed tributary to Howard Ditch under Epworth Road and 10 additional small structures are present within the survey area. Bridge/structure inspections for the box culvert and small structures occurred on August 10 and 11, 2021. No bats or evidence of bats using the culverts was found. The project will include new permanent lighting and may include temporary lighting during construction. Any temporary lighting will be directed away from suitable habitat. Permanent lighting will include the installation of new traffic signals as part of the signal redesign, as well as new lighting at the SR 66 / Epworth Road intersection, extending approximately 1,600 feet east and 1,800 feet west of the intersection. The new lighting will be downward-facing, full cut-off lens standard roadway lights. Work is anticipated to extend from May 2022 to May 2023.

## Determination Key Result

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the threatened Northern long-eared bat, therefore, 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. However, also based on your answers provided, this project may rely on the concurrence provided in 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.

## Qualification Interview

1. Is the project within the range of the Indiana bat<sup>[1]</sup>?

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

**Automatically answered**

Yes

2. Is the project within the range of the Northern long-eared bat<sup>[1]</sup>?

[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<sup>[1]</sup> 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<sup>[1]</sup>?

[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<sup>[1]</sup>?

[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?

Yes

8. Will the project include *any* type of activity that could impact a **known** hibernaculum<sup>[1]</sup>, or impact a karst feature (e.g., sinkhole, losing stream, or spring) that could result in effects to a **known** hibernaculum?

[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*

9. Is there *any* suitable<sup>[1]</sup> summer habitat for Indiana Bat or NLEB **within** the project action area<sup>[2]</sup>? (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](#).

*Yes*

10. Will the project remove *any* suitable summer habitat<sup>[1]</sup> and/or remove/trim any existing trees **within** suitable summer habitat?

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

*Yes*

11. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

*No*

12. Have presence/probable absence (P/A) summer surveys<sup>[1][2]</sup> been conducted<sup>[3][4]</sup> **within** the suitable habitat located within your project action area?

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

[2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

[3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

[4] Negative presence/probable absence survey results obtained using the [summer survey guidance](#) are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

*No*



13. Does the project include activities **within documented Indiana bat habitat**<sup>[1][2]</sup>?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

*No*

14. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented Indiana bat** roosting/foraging habitat or travel corridors?

*Yes*

15. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented Indiana bat** roosting/foraging habitat or travel corridors occur<sup>[1]</sup>?

[1] Coordinate with the local Service Field Office for appropriate dates.

*B) During the inactive season*

16. Does the project include activities **within documented NLEB habitat**<sup>[1][2]</sup>?

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

*No*

17. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors?

*Yes*

18. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur?

*B) During the inactive season*

19. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces?

*Yes*

20. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?

*No*

21. Are *all* trees that are being removed clearly demarcated?  
Yes
22. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?  
No
23. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?  
No
24. Does the project include slash pile burning?  
No
25. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?  
Yes
26. Is there *any* suitable habitat<sup>[1]</sup> 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.

Yes

27. Has a bridge assessment<sup>[1]</sup> been conducted **within** the last 24 months<sup>[2]</sup> to determine if the bridge is being used by bats?

[1] See [User Guide Appendix D](#) for bridge/structure assessment guidance

[2] Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that bridge/structure in subsequent years.

Yes

#### **SUBMITTED DOCUMENTS**

- *Des 1400195 Bat Assessments.pdf* <https://ecos.fws.gov/ipac/project/ZVZAQ3UGHVHOJPWHONBTSP5SVY/projectDocuments/108299094>

28. Did the bridge assessment detect *any* signs of Indiana bats and/or NLEBs roosting in/under the bridge (bats, guano, etc.)<sup>[1]</sup>?

[1] If bridge assessment detects signs of *any* species of bats, coordination with the local FWS office is needed to identify potential threatened or endangered bat species. Additional studies may be undertaken to try to identify which bat species may be utilizing the bridge prior to allowing *any* work to proceed.

Note: There is a small chance bridge assessments for bat occupancy do not detect bats. Should a small number of bats be observed roosting on a bridge just prior to or during construction, such that take is likely to occur or does occur in the form of harassment, injury or death, the PBO requires the action agency to report the take. Report all unanticipated take within 2 working days of the incident to the USFWS. Construction activities may continue without delay provided the take is reported to the USFWS and is limited to 5 bats per project.

No

29. Will the bridge removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

No

30. 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

31. Will the project involve the use of **temporary** lighting *during* the active season?

Yes

32. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **temporary** lighting will be used?

Yes

33. Will the project install new or replace existing **permanent** lighting?

Yes

34. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **permanent** lighting will be installed or replaced?

Yes

35. 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?

Yes

36. Will the activities that use percussives (**not including tree removal/trimming or bridge/structure work**) and/or increase noise levels above existing traffic/background levels be conducted *during* the active season<sup>[1]</sup>?

[1] Coordinate with the local Service Field Office for appropriate dates.

Yes

37. Will *any* activities that use percussives (**not including tree removal/trimming or bridge/structure work**) and/or increase noise levels above existing traffic/background levels be conducted *during* the inactive season<sup>[1]</sup>?

[1] Coordinate with the local Service Field Office for appropriate dates.

*Yes*

38. 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*

39. Will the project raise the road profile **above the tree canopy**?

*No*

40. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) consistent with a Not Likely to Adversely Affect determination in this key?

**Automatically answered**

*Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and conducted during the active season within undocumented habitat.*

41. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) and/or increase noise levels above existing traffic/background levels consistent with a No Effect determination in this key?

**Automatically answered**

*Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and conducted during the inactive season*

42. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

**Automatically answered**

*Yes, because the tree removal/trimming that occurs outside of the Indiana bat's active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost.*

43. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

**Automatically answered**

*Yes, because the tree removal/trimming that occurs outside of the NLEB's active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost.*

44. 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 has been assessed using the criteria documented in the BA and no signs of bats were detected*

45. **General AMM 1**

Will the project ensure *all* operators, employees, and contractors working in areas of known or presumed bat habitat are aware of *all* FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

*Yes*

46. **Hibernacula AMM 1**

Will the project ensure that on-site personnel will use best management practices<sup>[1]</sup>, secondary containment measures, or other standard spill prevention and countermeasures to avoid impacts to possible hibernacula?

[1] Coordinate with the appropriate Service Field Office on recommended best management practices for karst in your state.

*Yes*

47. **Hibernacula AMM 1**

Will the project ensure that, where practicable, a 300 foot buffer will be employed to separate fueling areas and other major containment risk activities from caves, sinkholes, losing streams, and springs in karst topography?

*Yes*

48. **Tree Removal AMM 1**

Can *all* phases/aspects of the project (e.g., temporary work areas, alignments) be modified, to the extent practicable, to avoid tree removal<sup>[1]</sup> in excess of what is required to implement the project safely?

Note: Tree Removal AMM 1 is a minimization measure, the full implementation of which may not always be practicable. Projects may still be NLAA as long as Tree Removal AMMs 2, 3, and 4 are implemented and LAA as long as Tree Removal AMMs 3, 5, 6, and 7 are implemented.

[1] The word "trees" as used in the AMMs refers to trees that are suitable habitat for each species within their range. See the USFWS' current summer survey guidance for our latest definitions of suitable habitat.

*Yes*

49. **Tree Removal AMM 3**

Can tree removal be limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits)?

Yes

50. **Tree Removal AMM 4**

Can the project avoid cutting down/removal of *all* (1) **documented**<sup>[1]</sup> Indiana bat or NLEB roosts<sup>[2]</sup> (that are still suitable for roosting), (2) trees **within** 0.25 miles of roosts, and (3) documented foraging habitat any time of year?

[1] The word documented means habitat where bats have actually been captured and/or tracked.

[2] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry triangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

Yes

51. **Lighting AMM 1**

Will *all* **temporary** lighting be directed away from suitable habitat during the active season?

Yes

52. **Lighting AMM 2**

Does the lead agency use the BUG (Backlight, Uplight, and Glare) system developed by the Illuminating Engineering Society<sup>[1][2]</sup> to rate the amount of light emitted in unwanted directions?

[1] Refer to [Fundamentals of Lighting - BUG Ratings](#)

[2] Refer to [The BUG System—A New Way To Control Stray Light](#)

Yes

53. **Lighting AMM 2**

Will the **permanent** lighting be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?

Yes

## Project Questionnaire

1. Have you made a No Effect determination for *all* other species indicated on the FWS IPaC generated species list?

N/A

2. Have you made a May Affect determination for *any* other species on the FWS IPaC generated species list?

N/A

3. How many acres<sup>[1]</sup> of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

[1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

0.02

4. Please describe the proposed bridge work:

*Four unnamed culverts, one beneath the northbound (NB) I-69 to eastbound SR 66 exit ramp, two beneath the westbound SR 66 to NB I-69 entrance ramp, and one beneath SR 66 on the eastern side of the SR 66/Epworth Road intersection, will be extended or replaced as part of the project.*

5. Please state the timing of all proposed bridge work:

*May 2022 - May 2023*

6. Please enter the date of the bridge assessment:

*August 10 and 11, 2021*

## Avoidance And Minimization Measures (AMMs)

This determination key result includes the commitment to implement the following Avoidance and Minimization Measures (AMMs):

### LIGHTING AMM 1

Direct temporary lighting away from suitable habitat during the active season.

### TREE REMOVAL AMM 2

Apply time of year restrictions for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/rail surface and **outside of documented** roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed.

### LIGHTING AMM 2

When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.

### TREE REMOVAL AMM 3

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

### TREE REMOVAL AMM 4

Do not remove **documented** Indiana bat or NLEB roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or **documented** foraging habitat any time of year.

**GENERAL AMM 1**

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

**HIBERNACULA AMM 1**

For projects located within karst areas, on-site personnel will use best management practices, secondary containment measures, or other standard spill prevention and countermeasures to avoid impacts to possible hibernacula. Where practicable, a 300 foot buffer will be employed to separate fueling areas and other major containment risk activities from caves, sinkholes, losing streams, and springs in karst topography.

**TREE REMOVAL AMM 1**

Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal.












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

This key was last updated in IPaC on April 22, 2021. 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.

## Bridge/Structure Bat Assessment Form

Date & Time of Assessment August 10, 2021 12:17pm	DOT Project Number Des No 1400195	Route/Facility Carried UNT 2 to Howard Ditch under Epworth Rd	County Warrick
Federal Structure ID N/A	Structure Coordinates (latitude and longitude) 37.977994/-87.441284	Structure Height (approximate) 2 feet	Structure Length 151 feet
<b>Structure Type</b> (check one)		<b>Structure Material</b> (check all that apply)	
<b>Bridge Construction Style</b>		<b>Deck Material</b>	<b>Beam Material</b> / <b>End/Back Wall Material</b>
<input type="radio"/> Cast-in-place 	<input type="radio"/> Pre-stressed Girder 	<input type="checkbox"/> Metal	<input type="checkbox"/> None / <input type="checkbox"/> Concrete
<input type="radio"/> Flat Slab/Box 	<input type="radio"/> Steel I-beam 	<input type="checkbox"/> Concrete	<input type="checkbox"/> Concrete
<input type="radio"/> Truss 	<input type="radio"/> Covered 	<input type="checkbox"/> Timber	<input type="checkbox"/> Steel
<input type="radio"/> Parallel Box Beam 	<input type="radio"/> Other:	<input type="checkbox"/> Open grid	<input type="checkbox"/> Timber
		<input type="checkbox"/> Other:	<input type="checkbox"/> Other:
<b>Culvert Type</b>	<b>Other Structure</b>	<b>Culvert Material</b>	<b>Creosote Evidence</b>
<input checked="" type="radio"/> Box		<input type="checkbox"/> Metal	<input type="radio"/> Yes <input checked="" type="radio"/> No
<input type="radio"/> Pipe/Round		<input checked="" type="checkbox"/> Concrete	<input type="radio"/> Unknown
<input type="radio"/> Other:		<input type="checkbox"/> Plastic	<b>Notes:</b>
		<input type="checkbox"/> Stone/Masonry	Concrete box culvert 2' high by 4' wide
		<input type="checkbox"/> Other:	
<b>Crossings Traversed</b> (check all that apply)		<b>Surrounding Habitat</b> (check all that apply)	
<input type="checkbox"/> Bare ground	<input type="checkbox"/> Open vegetation	<input type="checkbox"/> Agricultural	<input type="checkbox"/> Grassland
<input checked="" type="checkbox"/> Rip-rap	<input type="checkbox"/> Closed vegetation	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Ranching
<input checked="" type="checkbox"/> Flowing water	<input type="checkbox"/> Railroad	<input type="checkbox"/> Residential-urban	<input type="checkbox"/> Riparian/wetland
<input type="checkbox"/> Standing water	<input type="checkbox"/> Road/trail - Type:	<input type="checkbox"/> Residential-rural	<input type="checkbox"/> Mixed use
<input type="checkbox"/> Seasonal water	<input type="checkbox"/> Other:	<input type="checkbox"/> Woodland/forested	<input type="checkbox"/> Other:
<b>Areas Assessed</b> (check all that apply)			
Check all areas that apply. If an area is not present in the structure, check the "not present" box.			
Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.			
<b>Area</b> (check if assessed)	<b>Assessment Notes</b>	<b>Evidence of Bats</b> (include photos if present)	
<input checked="" type="checkbox"/> All crevices and cracks: <b>Bridges/culverts:</b> rough surfaces or imperfections in concrete <b>Other structures:</b> soffits, rafters, attic areas	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Odor / <input type="checkbox"/> Species / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input checked="" type="checkbox"/> Concrete surfaces (open roosting on concrete)	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Odor / <input type="checkbox"/> Species / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input type="checkbox"/> Spaces between concrete end walls and the bridge deck	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Odor / <input type="checkbox"/> Species / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input type="checkbox"/> Crack between concrete railings on top of the bridge deck 	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Odor / <input type="checkbox"/> Species / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input type="checkbox"/> Vertical surfaces on concrete I-beams	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Odor / <input type="checkbox"/> Species / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input type="checkbox"/> Spaces between walls, ceiling joists	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Odor / <input type="checkbox"/> Species / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input type="checkbox"/> Weep holes, scupper drains, and inlets/pipes	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Odor / <input type="checkbox"/> Species / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input type="checkbox"/> All guiderails	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Odor / <input type="checkbox"/> Species / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input type="checkbox"/> All expansion joints	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Odor / <input type="checkbox"/> Species / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
Name: Danika Fleck		Signature: 	

Site #	Description	Location	Length (feet)	Latitude	Longitude	Inspected By	Date Inspected	Signs of Bat Presence
1	12" CMP	culvert under northeast cloverleaf	94	37.977346	-87.450479	Danika Fleck	8/11/2021	No
2	12" CMP	culvert under southeast cloverleaf	97	37.976114	-87.449626	Danika Fleck	8/11/2021	No
3	12" CMP	culvert under southeast off-ramp	130	37.975088	-87.449938	Danika Fleck	8/11/2021	No
4	36" CMP - carries UNT 2 to Howard Ditch	culvert under SR 66 - west of SR 66 and Epworth Rd intersection	186	37.976792	-87.441569	Danika Fleck	8/10/2021	No
5	36" CMP	culvert under SR 66 - east of SR 66 and Epworth Rd intersection	202	37.976804	-87.440947	Danika Fleck	8/10/2021	No
6	24" CMP - carries UNT 1 to Howard Ditch	culvert under SR 66 Frontage Rd North	87	37.978006	-87.441073	Danika Fleck	8/10/2021	No
7	15" CMP	culvert under SR 66 Frontage Rd South	80	37.975604	-87.441068	Danika Fleck	8/10/2021	No
8	15" CMP	culvert under residential driveway	48	37.975248	-87.441076	Danika Fleck	8/10/2021	No
9	15" RCP	culvert under asphalt access drive north of SR 66	92	37.976823	-87.444323	Danika Fleck	8/10/2021	No
10	15" RCP	culvert under field access drive north of SR 66	26	37.977031	-87.433014	Danika Fleck	8/10/2021	No

## Holly Hume

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**From:** Falls, Ryan G <RFalls@indot.IN.gov>  
**Sent:** Tuesday, December 21, 2021 7:31 AM  
**To:** Holly Hume; Wright, Kristy  
**Cc:** Daniel Townsend  
**Subject:** RE: Updated: NLAA: Request for IPaC Finding Review - DES 1400195; Intersection Improvement; SR 66 at Epworth Road Intersection, 0.16 mile east of I-69

The document's finding of May Effect, NLAA-With AMMs for DES 1400195 has been deemed sufficient. It has been verified and submitted to USFWS. The Service has 14 days after the "Not Likely to Adversely Affect" determination letter is generated. They will review that information once it is received; if you do not receive a response within 14 days, they have no additional comments for the two bats covered under the programmatic. The NEPA document submittal may not occur until this review period has ended. The Official Species List, Consistency Letter, and Concurrence Verification Letter are all now immediately available for your use. It is suggested that these documents be downloaded at this time. This concludes the IPaC phase of coordination with the Vincennes environmental office.

### Ryan Falls

#### *Capital Program Management-Senior Environmental Manager Supervisor*

Indiana Department of Transportation  
3650 South US Highway 41  
Vincennes, IN 47591

**Email:** [rfalls@indot.IN.gov](mailto:rfalls@indot.IN.gov)

**Cell:** 812-582-1387



855-463-6848

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**From:** Holly Hume <HHume@lochgroup.com>  
**Sent:** Monday, December 20, 2021 9:59 AM  
**To:** Falls, Ryan G <RFalls@indot.IN.gov>; Wright, Kristy <KWright@indot.IN.gov>  
**Cc:** Daniel Townsend <DTownsend@lochgroup.com>  
**Subject:** Request for IPaC Finding Review - DES 1400195; Intersection Improvement; SR 66 at Epworth Road Intersection, 0.16 mile east of I-69

**\*\*\*\* This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. \*\*\*\***

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Mr. Falls and Ms. Wright,

This email is to request your review of the updated IPaC determination of "may affect - not likely to adversely affect" for the SR 66 at Epworth Road Intersection Improvement Project in Warrick County, IN (Des 1400195). You were added as members to the project titled "DES 1400195; Intersection Improvement; SR 66 at Epworth Road Intersection, 0.16 mile east of I-69" (IPaC Record Locator: 721-108299287). Please feel free to contact me with any questions or further guidance.

Thank you,  
Holly

**Categorical Exclusion**

# **Appendix D**

**Section 106 of the National Historic  
Preservation Act (NHPA)**

**Minor Projects PA Project Assessment Form**

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**Date:** 4/8/2019 (\*\*Updated 1/18/2022)

**Project Designation Number:** 1400195

**Route Number:** SR 66

**Project Description:** Other Intersection Improvement at Epworth Road, 0.16 mile east of I-69

The project proposes to modify the left turning movements along westbound SR 66 at Epworth Road using a hybrid boulevard left/displaced left turn lane option. Under this option, the westbound SR 66 to southbound Epworth Road left turn lane will cross the eastbound SR 66 through lanes at a point approximately 757 feet east of the Epworth Road intersection. Because of the proposed shift in the left turn lane, the northbound Epworth Road to eastbound SR 66 right turn lane will be reconstructed along the south side of the displaced left turn lane until its convergence with eastbound SR 66 at a point approximately 992 feet east of Epworth Road. The displaced left turn lane and the right turn lane will each be 16 feet wide and constructed as new auxiliary turn lanes along the south side of SR 66. The project area extends 675 feet west and 1,600 feet east of the intersection along SR 66; and 325 feet south and 175 feet north of the intersection along Epworth Road. Excavation will be limited to 5-6 feet below grade to install storm sewer and minor re-grading of the roadway to accommodate the intersection improvement. The culvert that runs under SR 66 east of the intersection with Epworth Road will be replaced with a new culvert with a lower invert and sumped 6 inches. The existing culvert is 192 feet and the new culvert will be 210 feet. Limited twelve-foot excavation will be required for signal foundations and additional lighting. No additional right of way (ROW) will be needed for this project. New curbing will be added along Epworth Road. All work is expected to occur within the existing ROW of SR 66 throughout the project area.

\*\*On December 14, 2021, INDOT-CRO was notified of proposed project modifications. According to Lochmueller Group, since April 2019, the project has undergone some updates and there will now be ROW acquisition. Permanent and temporary right-of-way will be required for this project but is not anticipated to exceed 0.047 acre of temporary right-of-way and 0.202 acre of permanent right-of-way. The project lengths along both roads are now longer than what was described in 2019. The potential area of impact extends approximately 2,900 feet west and 2,600 feet east of the intersection along SR 66; approximately 900 feet south of the intersection along Epworth Road; and approximately 1,000 feet north of the intersection along Epworth Road. In addition, new 44-foot tall lights will be placed near the displaced left turns and at the Epworth intersection. Finally, more culverts other than the culvert described in the 2019 determination form (the culvert just east of the SR 66 and Epworth intersection) will be replaced including two culverts under the NB to EB I-69 Exit Ramp and one under the WB to NB I-69 Entrance Ramp.

**Feature crossed (if applicable):**

**City/Township:** Ohio Township

**County:** Warrick County

**Information reviewed (please check all that apply):**

- General project location map     USGS map     Aerial photograph     Interim Report
- Written description of project area     General project area photos     Soil survey data
- Previously completed historic property reports     Previously completed archaeology reports
- Bridge Inspection Information     SHAARD     SHAARD GIS     Streetview Imagery

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**Other (please specify):** Indiana Historic Building, Bridges, and Cemeteries Map (IHBBM); County GIS data; *Residential Planning and Development in Indiana, 1940-1973*; project information provided by Lochmueller Group dated March 19, 2019;

Cantin, Mark

1994 Archaeological Records Review, Reconnaissance, and Recommendations, INDOT Project STP-006-5(), Added Travel Lanes on SR 66, Line 1, Warrick County, Indiana. Report on file, Indiana Department of Transportation, Cultural Resources Office, Indianapolis, In.

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

A-2. All work within interchanges and within medians of divided highways in previously disturbed soils; *AND*

A-3. Replacement, repair, lining, or extension of culverts and other drainage structures that do not exhibit wood, stone or brick structures or parts therein and are in previously disturbed soil; *AND*

B-1. Replacement, repair, or installation of curbs, curb ramps, or sidewalks, including when such projects are associated with roadway work such as surface replacement, reconstruction, rehabilitation, or resurfacing projects, including overlays, shoulder treatments, pavement repair, seal coating, pavement grinding, and pavement marking, under the following conditions [***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 satisfied (*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 Division of Historic Preservation and Archaeology (DHPA) and any archaeological site form information will be entered directly into the State Historic Architectural and Archaeological Database (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 two conditions listed below must be satisfied (*EITHER Condition i or Condition ii must be satisfied*):

- i. **Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource;** *OR*
- ii. Work occurs adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource under one of the two additional conditions listed below (*EITHER Condition a OR Condition b must be met and field work and documentation must be completed as described below*):
  - a. No unusual features, including but not limited to historic brick or stone sidewalks, curbs or curb ramps, stepped or elevated sidewalks and historic brick or stone retaining walls are present in the project area adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource; *OR*
  - b. Unusual features, including but not limited to historic brick or stone sidewalks, curbs or curb ramps, stepped or elevated sidewalks and historic brick or stone retaining walls are present in the project area adjacent to or within a National Register-listed or National Register-eligible individual

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above-ground resource or district and ANY ONE of the conditions (1, 2, or 3) listed below must be fulfilled:

1. Unusual features described above will not be impacted by the project. Firm commitments regarding the avoidance of these features must be listed in the MPPA determination form and the NEPA document and must be entered into the INDOT Project Commitments Database. These projects will also be flagged for quality assurance reviews by INDOT Cultural Resources Office during/after project construction.
2. Unusual features described above have been determined not to contribute to the significance of the historic resource by INDOT Cultural Resources Office in consultation with the SHPO based on an analysis and justification prepared by their staff or review of such information from other qualified professional historians.
3. Impacts to unusual features described above have been determined by INDOT Cultural Resources Office to be so minimal that they do not diminish any of the characteristics that contribute to the significance of the historic resource, based on an analysis and justification prepared by their staff or review of such information from other qualified professional historians; *AND*

B-2. Installation of new lighting, signals, signage and other traffic control devices under the following conditions [***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)**

**Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource;** *AND*

B-3. Construction of added travel, turning, or auxiliary lanes (e.g., bicycle, truck climbing, acceleration and deceleration lanes) and shoulder widening under the following conditions [***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)**

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Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource.

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 Warrick 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 *Gibson/Warrick County Interim Report* (1984; Ohio Township Scattered Sites) of the Indiana Historic Sites and Structures Inventory (IHSSI) was also consulted. However, Warrick County was resurveyed in 2010 as part of mitigation for the construction of I-69. These records are only available in the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) and the Indiana Historic Buildings, Bridges, and Cemeteries (IHBBC) map (both also contain National Register information). The information contained in these databases supersedes the Interim Report hard copies, though the SHAARD information was checked against the Interim Report hard copy maps. No IHSSI sites are recorded within 0.25 mile of the project.

Land surrounding the project area is urban, consisting primarily of hospital buildings and other healthcare-related commercial buildings. All of the commercial buildings in the area date from the early twenty-first century and are not eligible to the National Register. Some residential housing is also present within 0.25 mile of the project. A small one-road (Clover Dr.) tract housing development dating from 1950-1955 is present on the north side of SR 66 west of Epworth Rd. However, many of the houses have been altered with large additions on or near the front of the house. Consequently, the development is no longer a cohesive entity. Additionally, when initially platted, the development outlet at SR 66, as seen in topographic maps. This entrance has been closed and the only access now comes from the north via Stahl Rd. This development does not possess the integrity or cultural significance to be eligible to the National Register. Five other houses dating from the mid-twentieth century are also present within 0.25 mile of the project, but all are isolated common ranch houses that lack historic significance and are not considered individually eligible to the National Register.

**\*\*UPDATE**—Within 0.25 mile of the extended project area, there are only 12 properties, located along Schnapf Lane approximately 800 feet south of SR 66 along Epworth Road, that will be 50 years old or older by the time of project letting in 2022 that were not previously assessed. All 12 properties are residential houses dating to the mid-twentieth century. While the properties are all located on one street, they do not appear to fit into one of the residential development subtypes defined in the *Residential Planning and Development in Indiana, 1940-1973* Multiple Property Documentation Form, nor do they appear to meet the requirements to be individually eligible to the National Register. Additionally, only one house at the northeast corner of Epworth Road and Schnapf Lane has the potential to view the project area due to the built environment and intervening vegetation. The house at the corner of Epworth Road and Schnapf lane has a line of mature deciduous trees at the north line of the property, which partially obscures the viewshed to the project area. For the purposes of this determination, there are no historic properties present adjacent to the project area.

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

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### Archaeological Resources

With regard to archaeological resources, the proposed project is limited to modifying the SR 66 intersection at Epworth Road. Southbound vehicles travelling west on SR 66 will cross eastbound SR 66 to continue south on Epworth Road; eastbound vehicles travelling north of Epworth Road will turn right onto SR 66 south of the southbound lane. New 44-foot tall lights will be placed near the displaced left turns and at the Epworth intersection and three existing culverts will be replaced (the culvert just east of the SR 66 and Epworth intersection, the culvert under the NB to EB I-69 Exit Ramp, and the one under the WB to NB I-69 Entrance Ramp). The proposed modifications will occur within the existing r/w of SR 66 and Epworth Road and newly proposed temporary and permanent r/w immediately adjacent. The proposed intersection was previously examined and cleared for archaeological resources ahead of the widening of SR 66 which located no sites within or adjacent to the proposed project area (Cantin 2004). According to SHAARD GIS, there are no archaeological sites recorded within or adjacent to the project area. Since the proposed project is confined to excavation work in previously disturbed and archaeologically cleared soils, 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 feet 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):** Shaun Miller and Kelyn Alexander

*\*\*\*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.*

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## Holly Hume

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**From:** Alexander, Kelyn <KAlexander3@indot.IN.gov>  
**Sent:** Tuesday, January 18, 2022 7:34 AM  
**To:** Hannah Blad  
**Cc:** Miller, Shaun (INDOT); Daniel Townsend; Gary Quigg; Holly Hume; Malone, Brian; benjamin.carnahan@aecom.com; sbranigin; Falls, Ryan G; Dhpacommentsfromcro, Dnr  
**Subject:** RE: SR 66 & Epworth Road Intersection Improvements Project, Des. No. 1400195, MPPA Submission Form-update

Hannah,

Thank you for informing us of the project changes. We've determined that this project still falls under Categories B-1, B-2, and B-3 of the Minor Projects PA, thus concluding the Section 106 process. The completed documentation can be found in PW for inclusion in the CE: [Minor Projects PA determination form B-3 1400195 updated2022 01-18.pdf](#)

Please keep in mind that if the scope of the project or project limits should change again, our office will need to re-examine the information to determine whether the MPPA still applies. Please don't hesitate to contact us should you have any questions or need additional information.

Best regards,

**Kelyn Alexander**

*Historian*

*Cultural Resources Office*

*Environmental Services*

100 N. Senate Ave., Room N758-ES

Indianapolis, IN 46204

**Office:** (317) 519-7759

**Remote:** 8am-4pm

**Email:** [kalexander3@indot.in.gov](mailto:kalexander3@indot.in.gov)

**\*\*Please note, mailing address and phone number have been updated**

**\*\*Link to the CRO-Public Web Map App can be found [here](#)**