

Minor Projects PA Project Assessment Form

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

3. The structure exhibits non-modern wood, stone, or brick structures or parts therein but lacks sufficient integrity and/or a context that suggests it might have engineering or historical significance. Under this condition, a qualified professional (meeting the Secretary of Interior's Professional Qualification standards [48 Federal Register (FR) 44716]) must prepare an analysis and justification that the structure lacks sufficient integrity and/or a context that suggests it might have engineering or historical significance. This documentation must be reviewed and approved by INDOT Cultural Resources Office.

B-12. Replacement, widening, or raising the elevation of the superstructure on existing bridges, and bridge replacement projects (when both the superstructure and substructure are removed), 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)

The conditions listed below must be met (*BOTH Condition i and 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; *AND*
- ii. With regard to the subject bridge, at least one of the conditions listed below is satisfied (*AT LEAST one of the conditions a, b or c, must be fulfilled*):

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- a. The latest Historic Bridge Inventory identified the bridge as non-historic (see <http://www.in.gov/indot/2531.htm>);
- b. The bridge was built after 1945, and is a common type as defined in Section V. of the *Program Comment Issued for Streamlining Section 106 Review for Actions Affecting Post-1945 Concrete and Steel Bridges* issued by the Advisory Council on Historic Preservation on November 2, 2012 for so long as that Program Comment remains in effect AND the considerations listed in Section IV of the Program Comment do not apply; c. The bridge is part of the Interstate system and was determined not eligible for the National Register under the Section 106 Exemption Regarding Effects to the Interstate Highway System adopted by the Advisory Council on Historic Preservation on March 10, 2005, for so long as that Exemption remains in effect.

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 historian who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61 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 Wells County. No listed resources are located within 0.25 mile of the project area, a distance that serves as an adequate area of potential effects given the project scope and setting.

The Indiana Historic Sites and Structures Inventory (IHSSI) and National Register information for Wells County is available in the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) and the Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBCM). The *Wells County Interim Report* (2010; Harrison Township; Nottingham Township) of the Indiana Historic Sites and Structures Inventory (IHSSI) was also consulted. All sites were reviewed through the IHBBCM, which contains the most recently updated SHAARD information. No IHSSI documented resources rated higher than "Contributing," are located within 0.25 mile of the project area.

According to the IHSSI rating system, generally properties rated "contributing" do not possess the level of historical or architectural significance necessary to be considered individually National Register-eligible, although they would contribute to a historic district. If they retain material integrity, properties rated "notable" might possess the necessary level of significance after further research. Properties rated "outstanding" usually possess the necessary level of significance to be considered National Register eligible if they retain material integrity.

The INDOT-CRO historian reviewed structures adjacent to the project area utilizing online aerial, street-view photography, district-provided photographs and the Wells County GIS website. The project area is located in a rural, agricultural setting. The adjacent building stock is primarily mid-twentieth century residential buildings. The subject bridge (Bridge No. (218) 118-90-01488; NBI No. 028990) is documented in SHAARD (IHSSI# 179-056-20066; Bridge; Concrete Spandrel Bridge; c. 1940) with a "Contributing" rating. None of the surrounding structures appear to possess the historic significance or material integrity required to be considered NRHP-eligible.

The most-recent inspection report (K. Smith;4/20/2020) was accessed via the INDOT Bridge Inspection Application System (BIAS). The subject structure carries SR 218 over Rock Creek and is a single-span, reinforced-concrete arch bridge. The bridge was built in 1933 .The 2009 INDOT-sponsored Indiana Historic Bridge Inventory (HBI) (M & H Architecture, Inc., 2009) lists the bridge as "Non-Historic" (Vol. 2; Section 2, pg. 1091); therefore, the bridge is not eligible for inclusion in the National Register of Historic Places.

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With regard to the drainage structure replacements, none of the subject structures were identified in a review of SHAARD. These drainage structures were not assigned culvert asset numbers due to their small diameters and so were not included in BIAS. An online street-view assessment indicates that they do not exhibit any wood, stone, or brick structures or parts therein. Additionally, they do not appear to possess any historical or engineering significance.

Based on the available information, as summarized above, no above-ground concerns exist.

Archaeological Resources

An INDOT Cultural Resources Office (CRO) archaeologist, who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61 conducted an archaeological records check and Phase Ia reconnaissance survey of the project area (Korzeniewski 2020). A review of SHAARD and SHAARD GIS indicated that no sites have been recorded within or adjacent to the survey area and that the project area has not been previously investigated. A 4.6 acre survey area was examined through the excavation of 25 shovel probes, pedestrian survey of agriculture fields, and visual inspection of disturbed areas. No evidence for archaeological deposits was identified by the field reconnaissance and it was recommended that the project be allowed to proceed as planned. Therefore, there are no archaeological concerns.

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

INDOT Cultural Resources staff reviewer(s): Clint Kelly and Patricia Jo Korzeniewski

****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.*



Excerpt from

INDIANA ARCHAEOLOGICAL SHORT REPORT

State Form 54566 (1-11)

INDIANA DEPARTMENT OF NATURAL RESOURCES DIVISION OF HISTORIC PRESERVATION AND ARCHAEOLOGY

402 West Washington Street, Room W274
Indianapolis, Indiana 46204-2739
Telephone Number: (317) 232-1646
Fax Number: (317) 232-0693
E-mail: dhpa@dnr.IN.gov

Where applicable, the use of this form is recommended but not required by the Division of Historic Preservation and Archaeology.

Author: Patricia Jo Korzeniewski

Date (month, day, year): 12/09/2020

Project Title: A Phase Ia Archaeological Field Reconnaissance for a Bridge Replacement on SR 218 over Rock Creek, 2.16 miles west of SR 1, in Poneto, Harrison and Nottingham Townships, Wells County, Indiana (INDOT Des. No. 1800156).

PROJECT OVERVIEW

Project Description:

This project is located on SR 218, 2.16 miles west of SR 1 in Wells County, Indiana. This section of SR 218 is a two lane Rural Major Collector. The existing SR 218 approach cross section consists of two 12' lanes bordered by 4' shoulders in each direction. The existing bridge is a single-span, reinforced-concrete arch bridge built in 1933. There is an agricultural ditch with well vegetated banks located on the southwest bridge quadrant running along SR 218 for approximately 450 feet ending at Rock Creek. The agricultural ditch is a legal drain (Lee #1 Ditch). No guardrail or other standard safety features exist at the structure. The existing 1933 plans indicate that the right-of-way extends 40 feet from the centerline of the roadway on both sides of SR 218 and the existing utility poles are located approximately 38 feet to the north of the roadway centerline. The proposed project will replace the existing structure (Structure No. (218)118-90-01488) with a one span (32'-0") three-sided box structure with a rise of 15'-5" and a skew of 30 degrees to orient the end bents with respect to the alignment of Rock Creek. Type FC bridge railing is proposed for the structure. The existing shoulder width of 3'-0" is being increased by 1'-4" on each side of the roadway to accommodate the shoulder width and bridge railing offset. Riprap will be placed on the east and west spill slopes. Guardrail will be installed in all four quadrants.

Additionally, four (4) pipes under field entrances and one (1) pipe located approximately midway within the legal drain may be removed and/or replaced as indicated in the Stage 1 plans. Trees located within the proposed right-of-way on the south side of the bridge may need to be removed. The project will require 0.58 acre of new permanent right-of-way.

INDOT Designation Number/ Contract Number: 1800156 Project Number:

DHPA Number: Approved DHPA Plan Number:

Prepared For: INDOT Fort Wayne District

Contact Person: Ashley Taylor

Address: 5333 Hatfield Road

City: Fort Wayne State: IN ZIP Code: 46808

Telephone Number: (260) 969-8262 Email Address: ataylor@indot.in.gov

Results

- Archaeological records check has determined that the project area does not have the potential to contain archaeological resources.
- Archaeological records check has determined that the project area has the potential to contain archaeological resources.
- Phase Ia reconnaissance has located no archaeological resources in the project area.
- Phase Ia reconnaissance has identified landforms conducive to buried archaeological deposits.

Actual Area Surveyed hectares:

01.9

acres:

04.6

Comments:

The survey area was surveyed through visual inspection of disturbed areas, pedestrian survey of the agriculture fields and shovel tests in areas with low visibility.

The southwest quadrant was covered in corn debris with 0-30% visibility. Due to the low visibility two transects were placed, for a total of twelve shovel test pits. The first transect was placed 23 meters from centerline, adjacent to roadside ditch, in thick grass. The second transect was placed 38 meters from centerline, in corn debris. There were some spots of standing water in the agriculture field. A typical shovel probe was very dark brown, 10YR 3/2 clay. Soils were very poorly drained.

The northwest quadrant had a tilled field (earlier this year) with 50-80% visibility due to bean debris. Since there was adequate visibility in the northwest quadrant, pedestrian survey was employed. There was a total of two transects spaced 10 meters apart. The first transect was at 22 meters from centerline, and the second was placed 32 meters from centerline. Standing water was noted in the eastern edge of the field closest to Rock Creek. Soils were very poorly drained.

The northeast quadrant had a freshly tilled field with 70% visibility. Since there was high visibility in the northeast quadrant, pedestrian survey was employed. There was a total of two transects spaced 10 meters apart. The first transect was at 22 meters from centerline, and the second was placed 32 meters from centerline. Soils were very poorly drained and consisted of "stick to your boots" clay.

The southeast quadrant contained an artificial, 30-meter-wide levee of Rock Creek that was in corn debris with 30-50% visibility. Rock Creek is a man-made artificial drainage channel, so the area was likely a ponded wetland prior to its creation. Soils from Rock Creek were dredged to its east side to create a levee to keep fields from flooding. Only one shovel probe was placed in the portion of the southeast quad to confirm disturbance of the levy. The rest of the quad was subject to pedestrian survey, however much of the field was covered in corn debris, with 30% visibility. The soil was noted to be compact, dark brown, and of a silty clay consistency.

No archaeological deposits were identified during the field reconnaissance and it is recommended that the project be allowed to proceed as planned.

Recommendation

- The archaeological records check has determined that the project area has the potential to contain archaeological resources and a Phase Ia archaeological reconnaissance is recommended.
- The archaeological records check has determined that the project area does not have the potential to contain archaeological resources and no further work is recommended before the project is allowed to proceed.
- The Phase Ia archaeological reconnaissance has located no archaeological sites within the project area and it is recommended that the project be allowed to proceed as planned.

The Phase Ia archaeological reconnaissance has determined that the project area includes landforms which have the potential to contain buried archaeological deposits. It is recommended that Phase Ic archaeological subsurface reconnaissance be conducted before the project is allowed to proceed.

The Phase Ia archaeological reconnaissance has determined that the project area is within 100 feet of a cemetery and a Cemetery Development Plan is required per IC-14-21-1-26.5.

Cemetery Name:

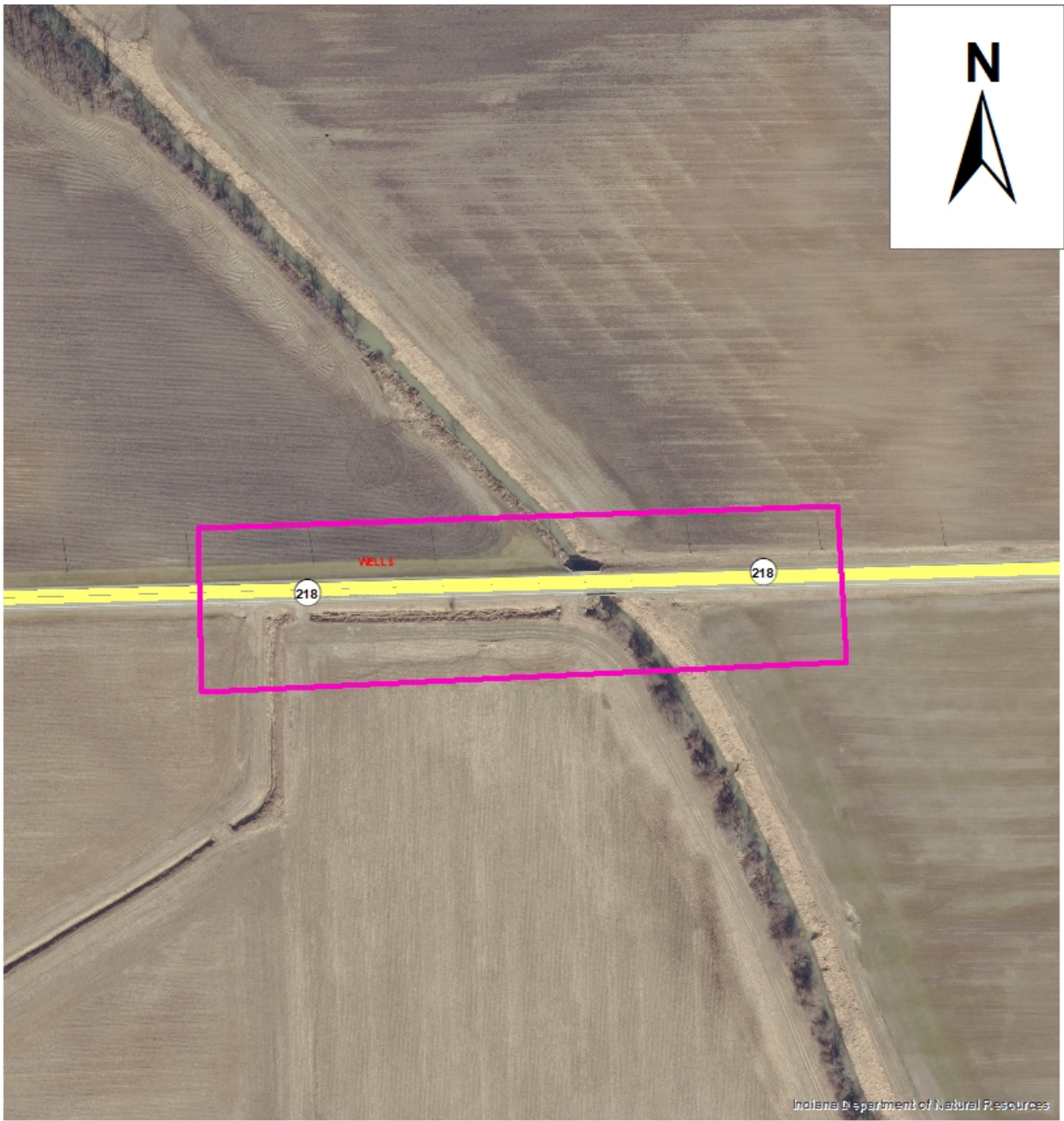
Other Recommendations/Commitments:

Pursuant to IC-14-21-1, if any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646.

Attachments

- Figure showing project location within Indiana.
- USGS topographic map showing the project area (*1:24,000 scale*).
- Aerial photograph showing the project area, land use and survey methods.
- Photographs of the project area.
- Project plans (*if available*)

Other Attachments:



 SURVEY AREA DES NO. 1800156

60 30 0 60 METERS

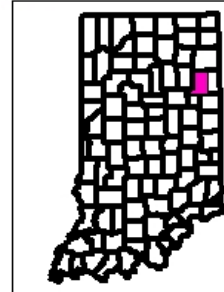



Figure 3. Portion of GIS Aerial Photo Showing the Survey Area Des 1800156.

Appendix E:

Red Flag and Hazardous Materials



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204-2216 (317) 232-5348 FAX: (317) 233-4929

Eric Holcomb, Governor
Joe McGuinness, Commissioner

Date: 3/23/2020

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

From: Arianna Papadakis
INDOT, Fort Wayne District
5333 Hatfield Road
Fort Wayne, IN 46808
apapadakis@indot.in.gov

Re: RED FLAG INVESTIGATION
DES 1800156, State Project
Bridge Replacement
SR 218 over Rock Creek, 2.16 miles west of SR 1
Wells County, Indiana

PROJECT DESCRIPTION

Brief Description of Project: This project is located on SR 218 over Rock Creek approximately 2.16 miles west of SR 1 and will replace the existing structure (Structure No. (218)118-90-01488) with a reinforced concrete slab bridge. The concrete slab will have a total depth of 27" and will have a skew of 30 degrees to orient the end bents with respect to the alignment of Rock Creek. The span length was increased by 25% from 36'-0" to 45'-0" to accommodate any potential span increase for hydraulic area. Spill slopes are anticipated to be graded at 2H:1V. Type FC bridge railing is proposed for the structure. The existing shoulder width is being increased by 1'-4" on each side of the roadway to accommodate the shoulder width and bridge railing offset. Guardrail shall be installed in all four quadrants. Approximately 1.5 acres of permanent right-of-way is anticipated in order to complete this project. Bridge and/or

Culvert Project: Yes No Structure # (218)118-90-01488

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

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

Proposed right of way: Temporary # Acres Unknown Permanent # Acres 1.5

Type of excavation: Excavation will extend approximately six (6) feet in depth.

Maintenance of traffic: The proposed method of maintaining traffic is to close the road and utilize a detour. A proposed detour for this project will likely utilize SR 1, SR 18, and SR 3.

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

State Project: LPA:

Any other factors influencing recommendations: The project area is not completely defined at this point with the anticipated acquisition of right-of-way.

INFRASTRUCTURE TABLE AND SUMMARY

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

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

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

WATER RESOURCES TABLE AND SUMMARY

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

Explanation:

NWI Lines: One (1) NWI Line is located within the 0.5 mile search radius and extends through the project area. A Waters of the US Report will be prepared and coordination with INDOT Ecology and Waterway Permitting will occur.

IDEM 303d Listed Streams Impairments: One (1) 303d Listed Stream is located within the 0.5 mile search radius and flows through the project area. Rock Creek is listed as impaired for E. Coli and Impaired Biotic Communities (IBC). Workers who are working in or near water with E. coli should take care to wear appropriate PPE, observe proper hygiene procedures, including regular hand washing, and limit personal exposure. Concerning IBC, Best Management Practices (BPMs) will be used to avoid further degradation to the stream.

Rivers and streams: One (1) Stream, Rock Creek, is located within the 0.5 mile search radius and flows through the project area. A Waters of the US Report will be prepared and coordination with INDOT Ecology and Waterway Permitting will occur.

NWI Wetlands: Five (5) NWI wetlands are located within the 0.5 mile search radius. The nearest NWI Wetland is located approximately 0.26 mile north of the project area. No impact is expected.

Lakes: One (1) lake is located within the 0.5 mile search radius. This lake is located approximately 0.26 mile north of the project area. No impact is expected.

Floodplain-DFIRM: One (1) Floodplain polygon is located within the 0.5 mile search radius and is located within the project area. Coordination with INDOT Ecology and Waterway Permitting will occur.

URBANIZED AREA BOUNDARY SUMMARY

Explanation: The project area is not mapped within a UAB

MINING AND MINERAL EXPLORATION TABLE AND SUMMARY

| | | | |
|--|------------|---------------------|------------|
| Mining/Mineral Exploration | | | |
| Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A: | | | |
| Petroleum Wells | 10 | Mineral Resources | N/A |
| Mines – Surface | N/A | Mines – Underground | N/A |

Explanation:

Petroleum Wells: Ten (10) petroleum wells are located within the 0.5 mile search radius. The closest petroleum well is 0.03 miles southwest of the project area. Coordination with IDNR Oil and Gas Division will occur.

HAZARDOUS MATERIAL CONCERNS TABLE AND SUMMARY

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

Explanation:

No Hazardous Material Concerns were identified within the 0.5 mile search radius.

ECOLOGICAL INFORMATION SUMMARY

The Wells County listing of the Indiana Natural Heritage Data Center information on endangered, threatened, or rare

(ETR) species and high quality natural communities is attached with ETR species highlighted. A preliminary review of the Indiana Natural Heritage Database by INDOT Environmental Services did not indicate the presence of ETR species within the 0.5 mile search radius. Coordination with USFWS and IDNR will occur.

A review of the USFWS database on January 22, 2020 did not indicate the presence of endangered bat species in or within 0.5 miles of the project area. The project area is located in a rural area surrounded by farm fields. The April 16, 2019 inspection report for Bridge #(218)118-90-01488 states that no evidence of bats was seen or heard under the bridge. The range wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation for INDOT Projects".

RECOMMENDATIONS SECTION

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

INFRASTRUCTURE: N/A

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

- The project area is located within a floodplain (Coordination Only).
- One (1) stream segment, Rock Creek, flows through the project area.
- One (1) NWI-Line extends through the project area.

One (1) 303d listed stream, Rock Creek, flows through the project area and is impaired for E. coli and Impaired Biotic Communities (IBC). Workers who are working in or near water with E. coli should take care to wear appropriate PPE, observe proper hygiene procedures, including regular hand washing, and limit personal exposure. Concerning IBC, Best Management Practices (BPMs) will be used to avoid further degradation to the stream.

URBANIZED AREA BOUNDARY: N/A

MINING/MINERAL EXPLORATION: One (1) petroleum well is located 0.03 mile southwest of the project area. Coordination with IDNR Oil and Gas Division will occur.

HAZMAT CONCERNS: N/A

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

INDOT Environmental Services concurrence: Aaron Aldred Digitally signed by Aaron Aldred
Date: 2020.03.23 15:55:06 -04'00' (Signature)

Prepared by:
Arianna Papadakis
Environmental Seasonal Assistant
INDOT, Fort Wayne District

Reviewed by:
Ashley Taylor
Environmental Manager II
INDOT, Fort Wayne District

Graphics:

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

SITE LOCATION: YES **Site Location and Topographic Maps have been removed from the attachments. Please see Appendix B for a Site Location Map and Topographic Map.**

INFRASTRUCTURE: N/A

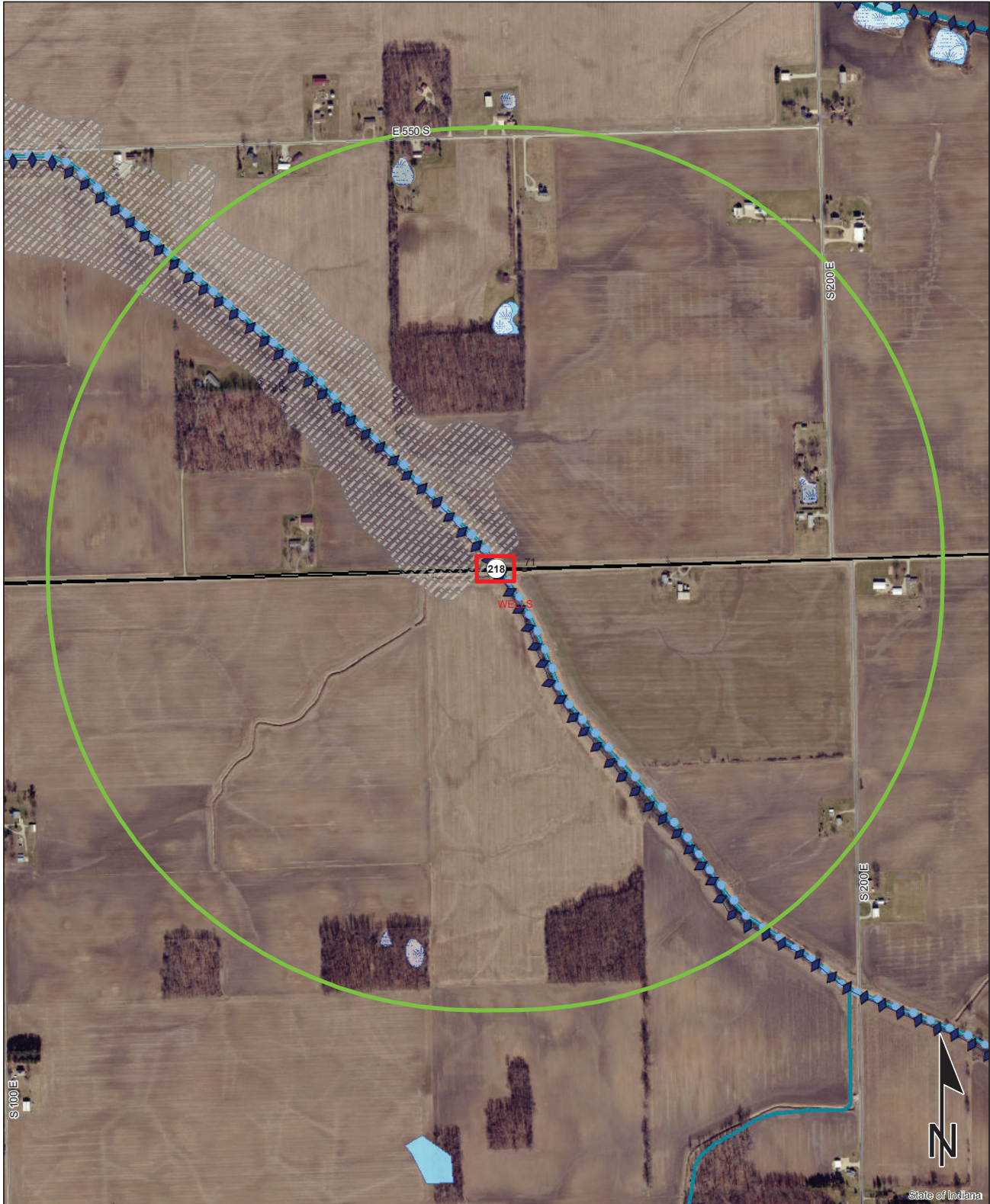
WATER RESOURCES: YES

URBANIZED AREA BOUNDARY: N/A

MINING/MINERAL EXPLORATION: YES

HAZMAT CONCERNS: N/A

Red Flag Investigation - Water Resources
 SR 218 over Rock Creek, 2.16 miles west of SR 1
 Des. No. 1800156, Bridge Replacement
 Wells County, Indiana



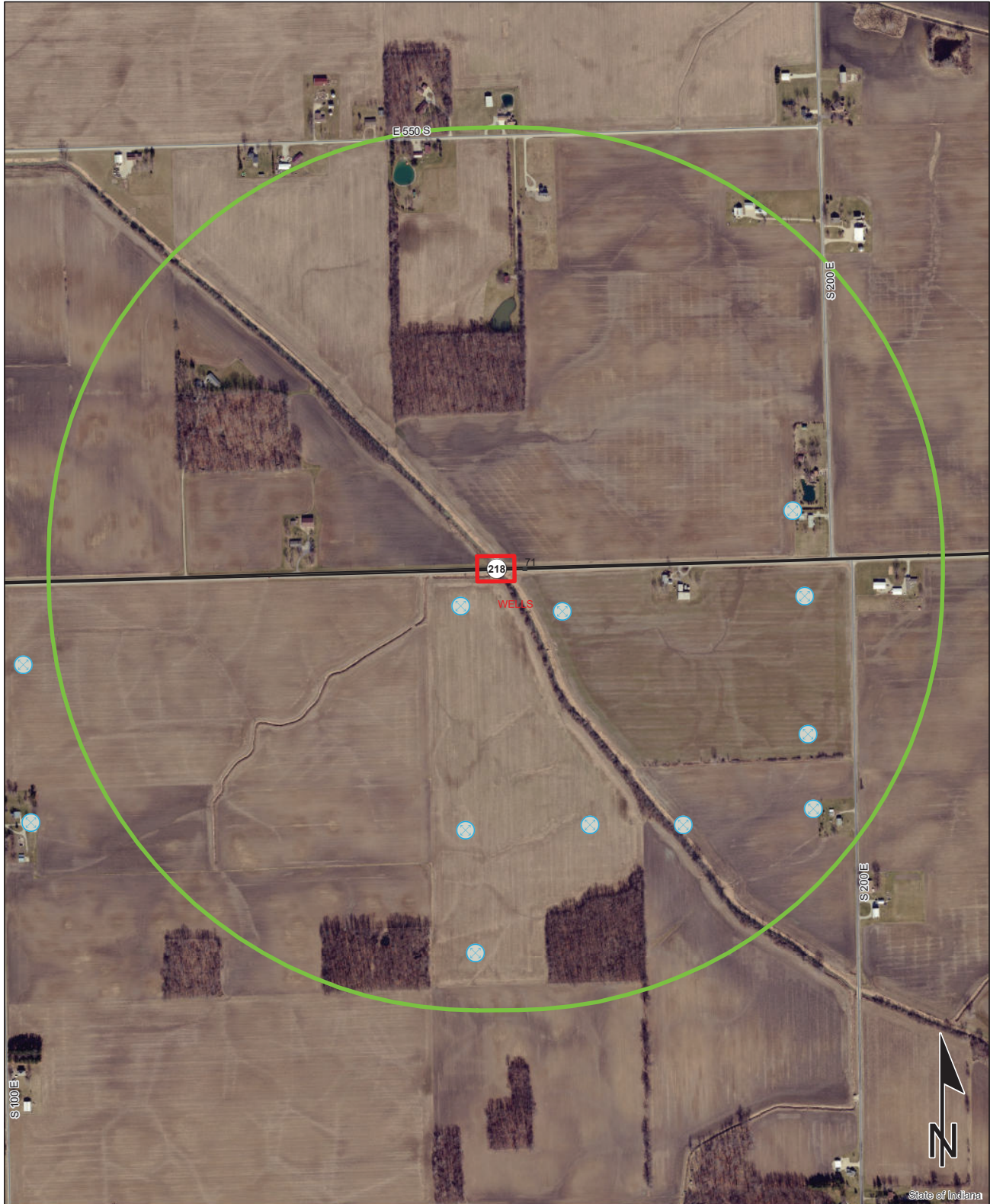
Sources:
Non Orthophotography
Data - Obtained from the State of Indiana Geographical Information Office Library
Orthophotography - Obtained from Indiana Map Framework Data (www.indianamap.org)
Map Projection: UTM Zone 16 N **Map Datum:** NAD83

This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.



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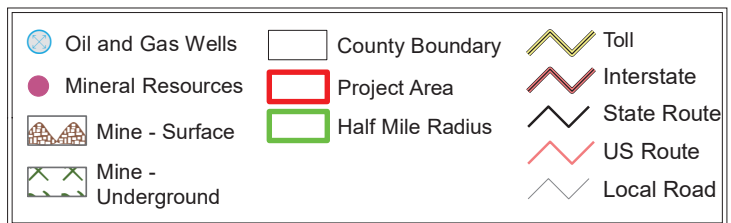
Red Flag Investigation - Mining/Mineral Exploration
 SR 218 over Rock Creek, 2.16 miles west of SR 1
 Des. No. 1800156, Bridge Replacement
 Wells County, Indiana



0.1 0.05 0 0.1 Miles

Sources:
 Non Orthophotography
 Data - Obtained from the State of Indiana Geographical Information Office Library
 Orthophotography - Obtained from Indiana Map Framework Data (www.indianamap.org)
 Map Projection: UTM Zone 16 N Map Datum: NAD83

This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.



Indiana County Endangered, Threatened and Rare Species List

County: Wells

| Species Name | Common Name | FED | STATE | GRANK | SRANK |
|--|------------------------------|-------|-------|--------|-------|
| Mollusk: Bivalvia (Mussels) | | | | | |
| Epioblasma rangiana | Northern Riffleshell | LE | SE | G2 | S1 |
| Epioblasma triquetra | Snuffbox | LE | SE | G3 | S1 |
| Obovaria subrotunda | Round Hickorynut | C | SE | G4 | S1 |
| Pleurobema clava | Clubshell | LE | SE | G1G2 | S1 |
| Ptychobranchus fasciolaris | Kidneyshell | | SSC | G4G5 | S2 |
| Quadrula cylindrica cylindrica | Rabbitsfoot | LT | SE | G3G4T3 | S1 |
| Toxolasma lividus | Purple Lilliput | C | SSC | G3Q | S2 |
| Villosa fabalis | Rayed Bean | LE | SE | G2 | S1 |
| Insect: Odonata (Dragonflies & Damselflies) | | | | | |
| Macromia wabashensis | Wabash River Cruiser | | SE | G1G3Q | S1 |
| Reptile | | | | | |
| Clonophis kirtlandii | Kirtland's Snake | | SE | G2 | S2 |
| Nerodia erythrogaster neglecta | Copperbelly Water Snake | PS:LT | SE | G5T3 | S2 |
| Sistrurus catenatus | Eastern Massasauga | LT | SE | G3 | S2 |
| Bird | | | | | |
| Bartramia longicauda | Upland Sandpiper | | SE | G5 | S3B |
| Haliaeetus leucocephalus | Bald Eagle | | SSC | G5 | S2 |
| Mammal | | | | | |
| Myotis sodalis | Indiana Bat | LE | SE | G2 | S1 |
| Vascular Plant | | | | | |
| Andromeda glaucophylla | Bog Rosemary | | ST | G5T5 | S2 |
| Arethusa bulbosa | Swamp-pink | | SX | G5 | SX |
| Carex arctata | Black Sedge | | ST | G5 | S2 |
| Carex echinata | Little Prickly Sedge | | SE | G5 | S1 |
| Carex limosa | Mud Sedge | | SE | G5 | S1 |
| Dactylorhiza viridis | Long-bract Green Orchis | | SE | G5 | S1 |
| Eriophorum gracile | Slender Cotton-grass | | ST | G5 | S2 |
| Fragaria vesca var. americana | Woodland Strawberry | | SE | G5T5 | S1 |
| Panax quinquefolius | American Ginseng | | WL | G3G4 | S3 |
| Plantago cordata | Heart-leaved Plantain | | SE | G4 | S1 |
| Platanthera orbiculata | Large Roundleaf Orchid | | SX | G5 | SX |
| Poa alsodes | Grove Meadow Grass | | SR | G4G5 | S3 |
| Rorippa aquatica | Lake Cress | | SE | G4? | S1 |
| Viburnum opulus var. americanum | Highbush-cranberry | | SE | G5T5 | S1 |
| Xyris difformis | Carolina Yellow-eyed Grass | | ST | G5 | S2 |
| High Quality Natural Community | | | | | |
| Forest - flatwoods central till plain | Central Till Plain Flatwoods | | SG | G3 | S2 |
| Forest - floodplain wet-mesic | Wet-mesic Floodplain Forest | | SG | G3? | S3 |

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

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

Indiana County Endangered, Threatened and Rare Species List

County: Wells

| Species Name | Common Name | FED | STATE | GRANK | SRANK |
|--|--|-----|-------|-------|-------|
| Forest - upland mesic Central Till Plain | Central Till Plain Mesic Upland Forest | | SG | GNR | S3 |

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

Fed: LE = Endangered; LT = Threatened; C = candidate; PDL = proposed for delisting
 State: SE = state endangered; ST = state threatened; SR = state rare; SSC = state species of special concern; SX = state extirpated; SG = state significant; WL = watch list
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 SRANK: State Heritage Rank: S1 = critically imperiled in state; S2 = imperiled in state; S3 = rare or uncommon in state; G4 = widespread and abundant in state but with long term concern; SG = state significant; SH = historical in state; SX = state extirpated; B = breeding status; S? = unranked; SNR = unranked; SNA = nonbreeding status unranked

Appendix F: Water Resources

Waters of the U.S. Determination / Wetland Delineation Report

SR 218 over Rock Creek, 2.16 miles west of SR 1

Wells County, Indiana

INDOT DES # 1800156

Prepared By: Ashley Taylor

Prepared Date: 7/7/2020

Revised Date: 7/21/2020

Project Description:

Section 32, Township 26 North, and Range 12 East

Section 5, Township 25 North, and Range 12 East

Bluffton Indiana, Quadrangle

Wells County, Indiana

Project Information:

This project is located on SR 218, 2.16 miles west of SR 1 in Wells County, Indiana. This section of SR 218 is a two lane Rural Major Collector. The existing SR 218 approach cross section consists of two 12' lanes bordered by 4' shoulders in each direction. The existing bridge is a single-span, reinforced-concrete arch bridge built in 1933. There is an agricultural ditch with well vegetated banks located on the southwest bridge quadrant running along SR 218 for approximately 450 feet ending at Rock Creek. The agricultural ditch is a legal drain (Lee #1 Ditch). No guardrail or other standard safety features exist at the structure. The existing 1933 plans indicate that the right-of-way extends 40 feet from the centerline of the roadway on both sides of SR 218 and the existing utility poles are located approximately 38 feet to the north of the roadway centerline.

The proposed project will replace the existing structure (Structure No. (218)118-90-01488) with a one span (32'-0") three sided box structure with a rise of 15'-5" and a skew of 30 degrees to orient the end bents with respect to the alignment of Rock Creek. Type FC bridge railing is proposed for the structure. The existing shoulder width of 3'-0" is being increased by 1'-4" on each side of the roadway to accommodate the shoulder width and bridge railing offset. Riprap will be placed on the east and west spill slopes. Guardrail will be installed in all four quadrants. Additionally, four (4) pipes under field entrances and one (1) pipe located approximately midway within the legal drain may be removed and/or replaced as indicated in the Stage 1 plans. The project will require new permanent right-of-way. The preferred method of traffic maintenance is a full road closure with an official state detour. The suggested detour route is SR 1, SR 18, and SR 3. Construction is anticipated to begin in Spring 2023.

Desktop Reconnaissance:

Soils

According to the Soil Survey Geographic (SSURGO) Database for Wells County, Indiana, contained hydric soils.

Table 1: Hydric Soil Summary Table

| Nationally Listed Hydric Soils | Map Abbreviations | Hydric Range |
|---|-------------------|-------------------|
| Saranac silty clay loam, frequently flooded | Se | All Hydric - 100% |

NWI Wetlands

There is one National Wetlands Inventory (NWI) mapped wetland within or adjacent to the investigated area.

Table 2: Mapped NWI Wetlands Summary

| Type of Wetland | Distance from Project Area (miles) |
|---|------------------------------------|
| Riverine, Lower Perennial, Unconsolidated Bottom, Permanently Flooded, Excavated (R2UBHX) | Extends through the project area |

Hydrologic Unit Code (HUC)

HUC 12-digit watershed: 051201010701-Headwaters Rock Creek

Attached Documents

- Maps (Project Location, Aerial, Topographic, NRCS Soils, NWI, Floodplain, etc.)
- Photographs with location/orientation map

Field Reconnaissance:

Date of Field Investigation(s): June 24, 2020

A field visit to the project area was conducted to determine potential Waters of the U.S or Waters of the State. Ordinary high water mark (OHWM) measurements were taken when present at a water feature. Four (4) pipes were located within the investigated area under four (4) separate field entrances (Appendix page 2). Pipe 1 outlets into the Unnamed Tributary (UNT) to Rock Creek (Legal Drain), while Pipes 2 and 3 clearly convey the UNT to Rock Creek (Legal Drain) as described below. Pipe 4 is located under another field entrance and does not appear to convey a jurisdictional waterway since no OHWM was identified. Pipe 5, which would be located approximately midway between field entrances #2 and #3 was not located in the field.

Streams

Two waterways were observed in the investigated area. Rock Creek, identified as a USGS Blue Line Stream, flows north through the project area eventually discharging into the Wabash River (Photos 29, 33, 34, 36, 48, 49, 50, 51 in attached Photo Log). Rock Creek is classified as a perennial stream and has 8.96 sq. miles (5,735 acres) of drainage area according to the USGS StreamStats website (<https://streamstats.usgs.gov/ss/>). The investigated area of Rock Creek is approximately 245 linear feet in length. There is an Ordinary High Water Mark (OHWM) associated with this waterway, which measured 9-ft. wide and 7.5-in. deep. The OHWM was taken from the downstream side of the structure as indicated in Appendix page 2. The stream quality is considered average because there was overhead cover at least on the south side of the bridge, although no pools, meanders, or riffles were

observed during the site visit. The bottom substrate was predominantly sand. The water feature is determined to be a Waters of the U.S. because it is a blue line jurisdictional stream and has an OHWM.

UNT to Rock Creek (Photos 6, 7, 9, 10, 13, 14, 22, 24, 25 & 27 in attached Photo Log) is not identified as a USGS Blue Line Stream. It is classified as a legal drain (Lee #1 Ditch) within the Wells County GIS (<https://beacon.schneidercorp.com/?site=WellsCountyIN>) in Beacon. This legal drain extends approximately 450 feet along the southwest quadrant before making a 90 degree turn south for another approximately 245 feet. This southern portion of the legal drain extends well outside of the investigated area. The length of UNT to Rock Creek located within the investigated area was approximately 540 linear feet. There is an OHWM associated with this waterway, which measured 5-ft. wide and 5-in. deep at the western end of the drain along SR 218 (Appendix page 2). The stream quality is considered poor because there is no overhead cover and no pools, meanders, or riffles were observed during the site visit. The waterway itself was inundated with cattails (*Typha sp.*). The bottom substrate was predominantly muck. The water feature is determined to be a Waters of the U.S. because it exhibits direct connectivity to a USGS blue line stream and has an OHWM.

Table 3: Stream Summary Table

| Water Feature Name | Photos | Lat/Long | OHWM Width (ft or in) | OHWM Depth (ft or in) | USGS Blue-line? Type? | Riffles? Pools? | Quality | Substrate | Likely Water of U.S.? |
|--------------------|-------------------------------------|-----------------------------|-----------------------|-----------------------|-----------------------|-----------------|---------|-----------|-----------------------|
| Rock Creek | 29, 33, 34, 36, 48, 49, 50, 51 | 40.654719°N -85.191191°W | 9 ft. | 7.5 in. | Yes; Perennial | No | Average | Sand | Yes |
| UNT to Rock Creek | 6, 7, 9, 10, 13, 14, 22, 24, 25, 27 | 40.654615°N -85.191792°W | 5 ft. | 5 in. | No | No | Poor | Muck | Yes |

Roadside Ditches

No roadside ditches were observed in the investigated area.

Wetlands

No wetlands were observed in the investigated area “outside of the stream channel.” The site lacked the following wetland characteristics: wetland hydrology.

Open Water

No open water areas were observed in the investigated area.

Floodplain

According to the Indiana Department of Natural Resources (IDNR) Floodplain Portal, the project area is within regulatory flood zone A. According to the Federal Emergency Management Agency (FEMA) National Flood Hazard Layer FIRMette map, the northern portion of the project area as well as a portion of the project area to the west are located within Zone A, while the rest of the project area is located within Zone X (Area of Minimal Flood Hazard). It is assumed for the purposes of this report that the project area is located within a regulatory floodplain.

Conclusions:

Field observations revealed that the investigated area contained two (2) likely jurisdictional waterways. Every effort should be taken to avoid and minimize impacts to these waterways. If impacts are necessary, then mitigation may be required. The INDOT Office of Environmental Services should be contacted immediately if impacts occur. The final determination of jurisdictional waters is ultimately made by the U.S. Army Corps of Engineers (USACE). This report is our best judgement based on the guidelines set forth by the USACE.

Acknowledgement:

This waters determination has been prepared based on the best available information, interpreted in the light of the investigator's training, experience and professional judgement in conformance with the *1987 Corps of Engineers Wetlands Delineation Manual*, the appropriate regional supplement, the USACE *Jurisdictional Determination Form Instructional Guidebook*, and other appropriate agency guidelines.

Ashley Taylor



July 21, 2020

Environmental Manager II

INDOT Fort Wayne District

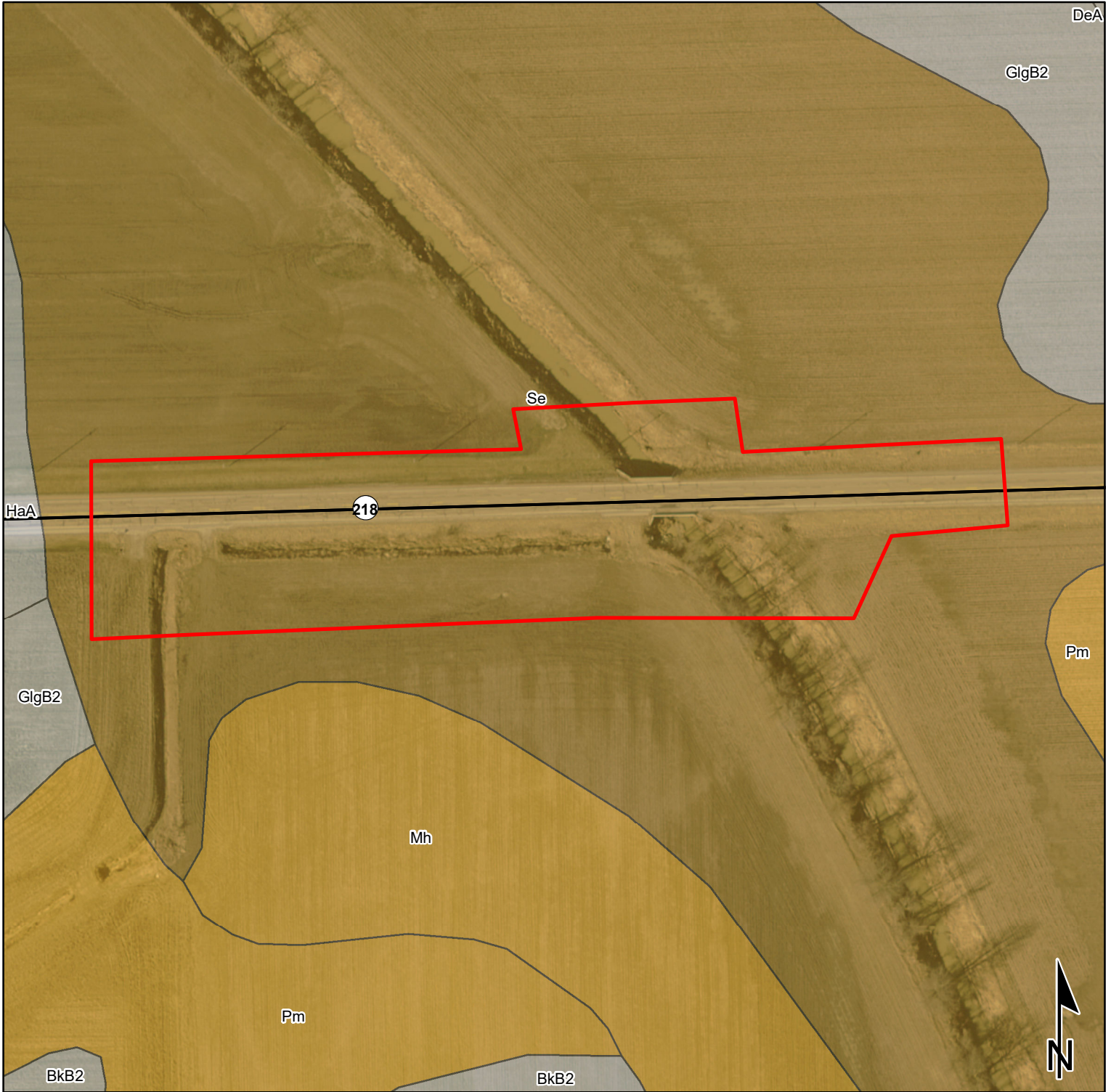
Attachments

| | |
|--|-------|
| Maps | |
| Site Location Map | 1 |
| Aerial Map with NWI wetlands | 2 |
| Topographic Maps | 3-4 |
| Hydric Soils Map | 5 |
| USFWS NWI Map | 6 |
| IDNR Floodplain Map | 7 |
| National Flood Hazard Layer FIRMette Map | 8 |
| Graphics | |
| Photo Key | 9-10 |
| Photo Log | 11-24 |
| Preliminary Jurisdictional Determination (PJD) Form | 25-27 |

Note: The Site Location Map, Aerial Map with NWI Wetlands Map, Topographic Maps, and Photo Key/Log can be found in Appendix B.

Waters of the United States Determination - Soils Map

Des No. 1800156, Bridge Replacement SR 218 over Rock Creek, RP 70+67 Wells County, Indiana




Scale 1:1,500

Sources: Non Orthophotography

Data - Obtained from the State of Indiana Geographical Information Office Library

Orthophotography - Obtained from Indiana Map Framework Data (www.indianamap.org)

Map Projection: UTM Zone 16 N **Map Datum:** NAD83









This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

| Legend | |
|-------------------|--------------------------|
| Interstates | Not Hydric |
| State Routes | Predominantly Not Hydric |
| US Routes | Somewhat Hydric |
| Investigated Area | Predominantly Hydric |
| | All Hydric |



June 23, 2020

Wetlands

- | | | |
|--|---|--|
|  Estuarine and Marine Deepwater |  Freshwater Emergent Wetland |  Lake |
|  Estuarine and Marine Wetland |  Freshwater Forested/Shrub Wetland |  Other |
| |  Freshwater Pond |  Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



Indiana Floodplain Information Portal Report

Point of Interest

Approximate Address:

1913 State Rd 218
PONETO, IN 46781

Effective Flood Zone:

X

Preliminary Flood Zone:

N/A

Best Available Flood Zone:

A

Approximate Flood Elevation:

844.1ft NAVD88



Source:

Zone A Model Delineation












Nearest Stream:

ROCK CREEK

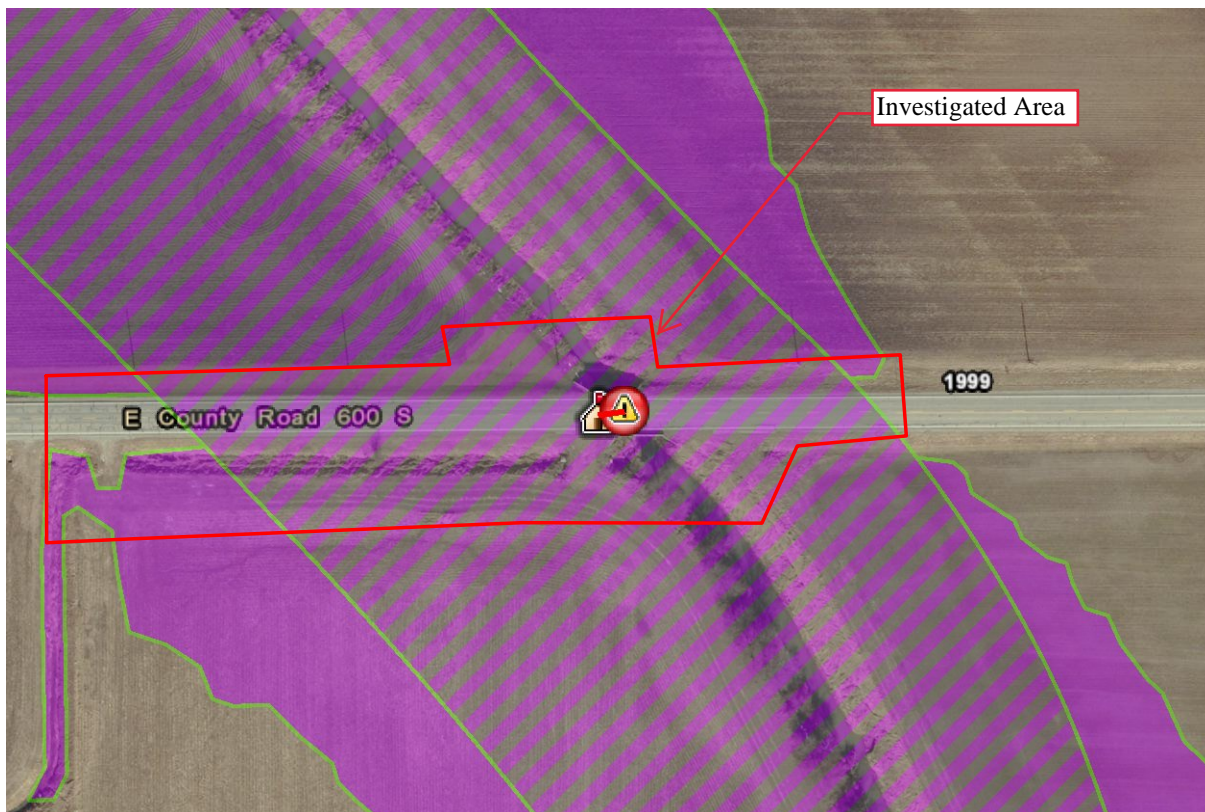
Map Legend

-  Point of Interest
-  Nearest Point on Stream

Best Available Flood Zone

-  FEMA Zone AE Floodway
-  DNR Detailed Floodway
-  DNR Approximate Floodway
-  FEMA Zone A
-  FEMA Zone AE
-  DNR Detailed Fringe
-  DNR Approximate Fringe
-  Additional Floodplain Area
-  FEMA Protected by Levee
-  FEMA Floodplain - Ponding (Depth)
-  FEMA Floodplain - Sheet Flow (Depth)

Site Map with Best Available Flood Zone



Approximate scale 1:2,400

Disclaimer

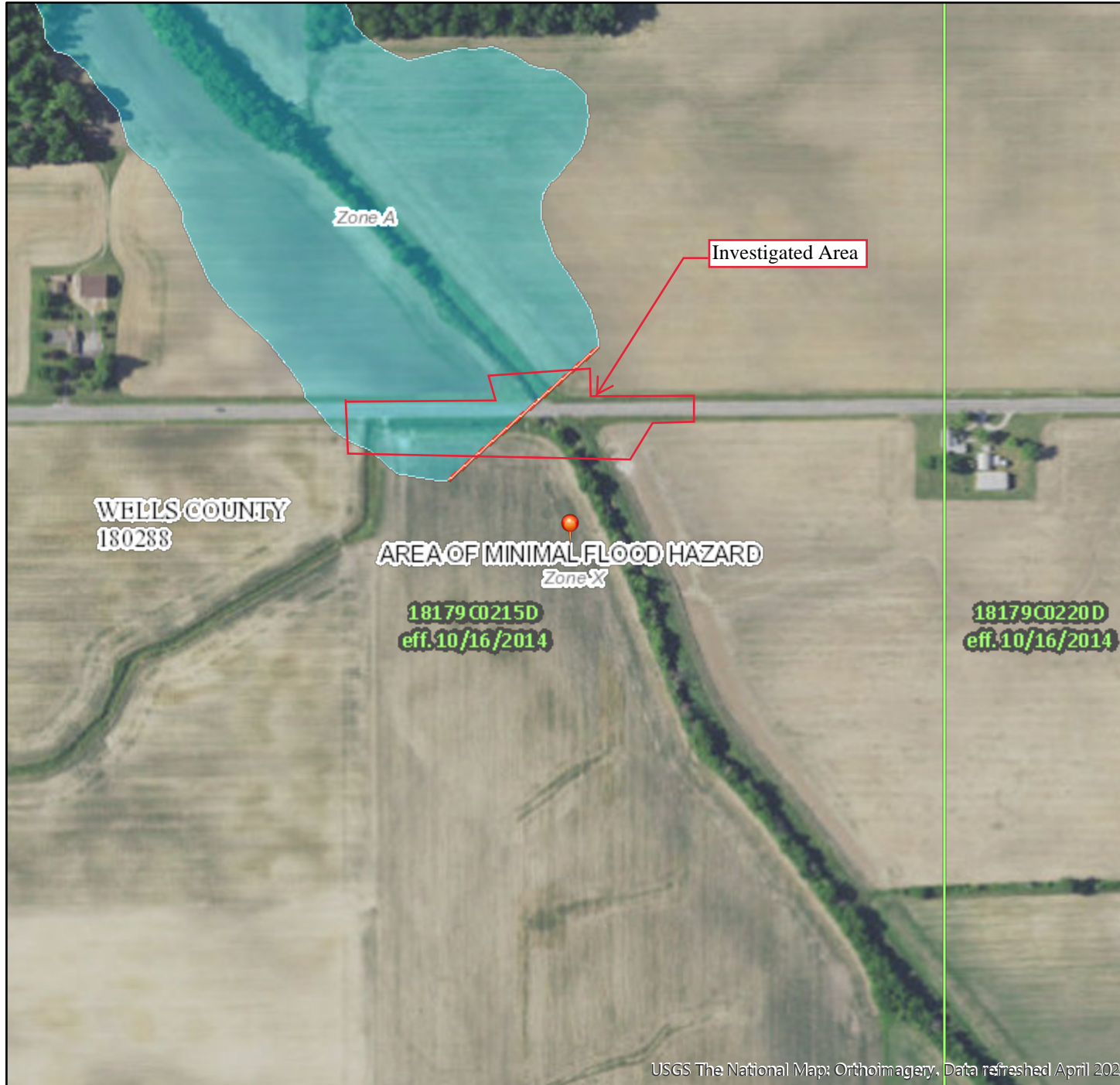
The data shown on this map represents FEMA floodplain data enhanced with additional studies that have been reviewed and approved by the Division of Water. While this data has not yet been submitted to FEMA for inclusion in the Flood Insurance Rate

National Flood Hazard Layer FIRMMette



85°11'46"W 40°39'27"N

Des. No. 1800156, SR 218 over Rock Creek, Wells County, Indiana



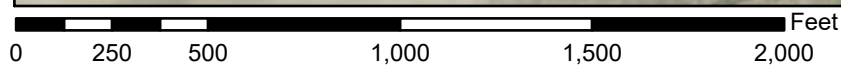
Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- | | | |
|------------------------------------|--|--|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i> |
| | | With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i> |
| | | Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | | 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i> |
| | | Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i> |
| | | Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i> |
| | | Area with Flood Risk due to Levee <i>Zone D</i> |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i> |
| | | Effective LOMRs |
| GENERAL STRUCTURES | | Area of Undetermined Flood Hazard <i>Zone D</i> |
| | | Channel, Culvert, or Storm Sewer |
| OTHER FEATURES | | Levee, Dike, or Floodwall |
| | | 20.2 Cross Sections with 1% Annual Chance |
| | | 17.5 Water Surface Elevation |
| | | Coastal Transect |
| | | Base Flood Elevation Line (BFE) |
| MAP PANELS | | Limit of Study |
| | | Jurisdiction Boundary |
| | | Coastal Transect Baseline |
| | | Profile Baseline |
| | | Hydrographic Feature |
| | | Digital Data Available |
| | | No Digital Data Available |
| | | Unmapped |
- The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



USGS The National Map: Orthoimagery. Data refreshed April 2020



1:6,000⁸

85°11'9"W 40°39'N

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/23/2020 at 1:04 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Appendix 2 - PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PJD: July 21, 2020

B. NAME AND ADDRESS OF PERSON REQUESTING PJD: Ashley Taylor, Indiana Department of Transportation, 5333 Hatfield Rd., Fort Wayne, IN 46808

C. DISTRICT OFFICE, FILE NAME, AND NUMBER:

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION: This project (Des. No. 1800156) is located on SR 218, 2.16 miles west of SR 1 in Wells County, Indiana. The proposed project will replace the existing structure (Structure No. (218)118-90-01488) with a one span (45'-0") reinforced concrete slab bridge. Guardrail will be installed in all four quadrants.

(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)

State: **IN** County/parish/borough: **Wells** City: **Poneto**

Center coordinates of site (lat/long in degree decimal format):

Lat.: **40.65470** Long.: **-85.19118**

Universal Transverse Mercator: **Zone 16**

Name of nearest waterbody: **Rock Creek**

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date:

Field Determination. Date(s):

TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.

| Site number | Latitude (decimal degrees) | Longitude (decimal degrees) | Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable) | Type of aquatic resource (i.e., wetland vs. non-wetland waters) | Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404) |
|-------------------|----------------------------|-----------------------------|--|---|---|
| Rock Creek | 40.654719°N | -85.191191°W | 245 linear feet | Non-wetland waters | Section 404 |
| UNT to Rock Creek | 40.654615°N | -85.191792°W | 540 linear feet | Non-wetland waters | Section 404 |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "*may be*" waters of the U.S. and/or that there "*may be*" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:


SUPPORTING DATA. Data reviewed for PJD (check all that apply)

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

- Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:
Map: Site Location, Aerial/Wetlands, Topographic, Soils.
- Data sheets prepared/submitted by or on behalf of the PJD requestor.
 - Office concurs with data sheets/delineation report.
 - Office does not concur with data sheets/delineation report. Rationale: _____.
- Data sheets prepared by the Corps: _____.
- Corps navigable waters' study: _____.
- U.S. Geological Survey Hydrologic Atlas: _____.
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: 1:24,000; Bluffton Quadrangle.
- Natural Resources Conservation Service Soil Survey. Citation: SSURGO database for Wells County.
- National wetlands inventory map(s). Cite name: USFWS National Wetland Inventory.
- State/local wetland inventory map(s): _____.
- FEMA/FIRM maps: Wells County, 18179C0215D Panel; IDNR Floodplain Portal Report.
- 100-year Floodplain Elevation is: _____.(National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): 2011-2013 Color Orthophotos
or Other (Name & Date): Site Photographs June 24, 2020 taken by Ashley Taylor.
- Previous determination(s). File no. and date of response letter: _____.
- Other information (please specify): _____.

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

Signature and date of
Regulatory staff member
completing PJD

 Digitally signed by Ashley
Taylor
Date: 2020.07.21 10:48:35
-04'00'

Signature and date of
person requesting PJD
(REQUIRED, unless obtaining
the signature is impracticable)¹

¹ Districts may establish timeframes for requestor to return signed PJD forms. If the requestor does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

Appendix G: Public Involvement



INDIANA DEPARTMENT OF TRANSPORTATION

Fort Wayne District
5333 Hatfield Rd.
Fort Wayne, IN 46808

PHONE: (866) 227-3555
FAX: (260) 471-1039

Eric Holcomb, Governor
Joe McGuinness, Commissioner

May 7, 2020

Sample Notice of Entry Letter

Mr. and Mrs. Steven W. & Dawn R. Harvey
7160 S 500 E
Keystone, IN 46759

NOTICE OF SURVEY

Dear Property Owner/ Resident:

The Indiana Department of Transportation (INDOT) will perform an environmental survey for the proposed small structure replacement project on SR 218 over Rock Creek in Wells County, Indiana. A portion of this survey work may be performed on your property in order to provide design engineers information for project design. The survey work may include photos for structure and historic evaluation, archaeological survey points, wetland delineations, endangered species investigation, etc. The survey is needed for the proper planning and design of this highway project.

At this stage we generally do not know what effect, if any, our project may eventually have on your property. If we determine later that your property is involved, we will contact you with additional information.

Indiana Code 8-23-7-26 allows the Fort Wayne District Environmental Section, as the authorized employees of INDOT, *Right of Entry* to the project site (including private property) upon proper notification. A copy of a Notice of Survey discussion sheet, as found on INDOT's website (<http://www.in.gov/indot/2778.htm>), is attached to this letter. Pursuant to Indiana Code 8-23-7-27, this letter serves as written notification that we will be performing the above noted survey in the vicinity of your property after May 15, 2020.

INDOT employees will show you their identification, if you are available, before coming onto your property.

If you own but are not the tenant of this property (i.e. rental, sharecrop), please inform us so that we may also contact the actual tenant of the property prior to commencement of our work. If you have any questions or concerns regarding our proposed survey work or schedule, please contact us. The contact information is as follows:

Karen M. Novak
Sr. Environmental Mgr. Supervisor
5333 Hatfield Rd.
Fort Wayne, IN 46808
(260) 969-8302
knovak@indot.in.gov

Ashley D. Taylor
Environmental Manager II
5333 Hatfield Rd.
Fort Wayne, IN 46808
(260) 969-8262
ataylor@indot.in.gov



INDIANA DEPARTMENT OF TRANSPORTATION

Fort Wayne District
5333 Hatfield Rd.
Fort Wayne, IN 46808

PHONE: (866) 227-3555
FAX: (260) 471-1039

Eric Holcomb, Governor
Joe McGuinness, Commissioner

Under Indiana Code 8-23-7-28, you have a right to compensation for any damage that occurs to your land or water as a result of the entry or work performed during the entry. To obtain such compensation, you should contact the Fort Wayne District Right-of-Way Specialist. Her contact information is below. The District Right-of-Way Specialist can provide you with a form to request compensation for damages. Once you fill out this form, you can return it to the District Right-of-Way Specialist for consideration. If you are not satisfied with the compensation that INDOT determines is owed to you, Indiana Code 8-23-7-28 provides the following:

The amount of damages shall be assessed by the county agricultural extension educator of the county in which the land or water is located and two (2) disinterested residents of the county, one (1) appointed by the aggrieved party and one (1) appointed by the department. A written report of the assessment of damages shall be mailed to the aggrieved party and the department by first class United States mail. If either the department or the aggrieved party is not satisfied with the assessment of damages, either or both may file a petition, not later than fifteen (15) days after receiving the report, in the circuit or superior court of the county in which the land or water is located.

If you have questions regarding the rights and procedures outlined in this letter, please contact the District Right-of-Way Specialist. This contact information is as follows:

Ms. Nicki Colchin
5333 Hatfield Rd.
Fort Wayne, IN 46808
(260) 969-8274

Thank you in advance for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Ashley Taylor".

Ashley D. Taylor
Fort Wayne District Environmental Manager II



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Title 8. Utilities and Transportation
Article 23. Indiana Department of Transportation
Chapter 7. Real Property Transactions ([Refs & Annos](#))

I.C. 8-23-7-26 Surveys and investigations; right of entry

Sec. 26. An authorized employee or representative of the department engaged in a survey or investigation authorized by the commissioner or the commissioner's designee, including a survey or investigation for purposes of [IC 8-23-5-9](#), may enter upon, over, or under any land or property within Indiana to conduct the survey or investigation by manual or mechanical means, which include the following:

- (1) Inspecting.
- (2) Measuring.
- (3) Leveling.
- (4) Boring.
- (5) Trenching.
- (6) Sample-taking.
- (7) Archeological digging.
- (8) Investigating soil and foundation.
- (9) Transporting equipment.
- (10) Any other work necessary to carry out the survey or investigation.

As added by [P.L.18-1990, SEC.216](#). Amended by [P.L.99-2008, SEC.2](#).

I.C. 8-23-7-27 Surveys and investigations; notification of occupants

Sec. 27. (a) Before an authorized employee or representative of the department enters upon, over, or under any land or water under [section 26](#) of this chapter, the occupant of the land or water shall be notified in writing by first class United States mail of the entry not later than five (5) days before the date of entry. The employee or representative of the department shall present written identification or authorization to the occupant of the land or water before entering the land or water.

(b) At the same time and in the same manner as the notice required under subsection (a), the department shall notify the occupant and the record owner of the land or property of the following:

(1) With respect to damage that occurs to the land or property as a result of entry upon, over, or under the land or property as set forth in section 26 of this chapter:

(A) a description of the aggrieved party's right to compensation for the damage from the department; and

(B) the procedure that the aggrieved party must follow to obtain the compensation.

(2) The name, mailing address, and telephone number of an individual or office within the department to which an aggrieved party may direct questions concerning the rights and procedures described in subdivision

(1).



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As added by [P.L.18-1990, SEC.216](#). Amended by [P.L.99-2008, SEC.3](#).

I.C. 8-23-7-28 Surveys and investigations; compensation for damages

Sec. 28. If during an entry under [section 26](#) of this chapter damage occurs to the land or water as a result of the entry or work performed during the entry, the department shall compensate the aggrieved party. If the aggrieved party is not satisfied with the compensation determined by the department, the amount of damages shall be assessed by the county agricultural extension educator of the county in which the land or water is located and two (2) disinterested residents of the county, one (1) appointed by the aggrieved party and one (1) appointed by the department. A written report of the assessment of damages shall be mailed to the aggrieved party and the department by first class United States mail. If either the department or the aggrieved party is not satisfied with the assessment of damages, either or both may file a petition, not later than fifteen (15) days after receiving the report, in the circuit or superior court of the county in which the land or water is located. The department shall pay any compensation awarded to an aggrieved party under this section:

- (1) not more than sixty (60) days after the date on which the parties agree to the amount of the compensation; or
- (2) as ordered by the circuit or superior court.

As added by [P.L.18-1990, SEC.216](#). Amended by [P.L.40-1993, SEC.3](#); [P.L.99-2008, SEC.4](#).

Meaning of a Notice of Survey

Notice of Survey

If you have received a Notice of Survey from INDOT, you may be wondering what it means. In the early stages of a project's development, INDOT must collect as much information as possible to ensure that sound decisions are made in designing the project. Before entering onto private property to collect that data, INDOT is required to notify landowners that personnel will be in the area and may need to enter onto their property. [Indiana Code, Title 8, Article 23, Chapter 7, Paragraph 26](#) deals with the department's authority to enter onto any property within Indiana.

Receipt of a Notice of Survey does not necessarily mean that INDOT will be buying property from you. It doesn't even necessarily mean that the project will involve your property at all. Since the Notice of Survey is sent out in the very early stages and since we want to collect data within AND surrounding the project's limits, more landowners are contacted than will actually fall within the eventual project limits. It may also be that your property falls within the project limits but we will not need to purchase property from you to make improvements to the roadway. Another thing to keep in mind is that when you receive a Notice of Survey, very few specifics have been worked out and actual construction of the project may be several years away.

Before INDOT begins a project that requires them to purchase property from landowners, they must first offer the opportunity for a public hearing. If you were on the list of people who received a Notice of Survey, you should also receive a notice informing you of your opportunity to request a public hearing. These notices will also be published in your local papers so that interested individuals who are *not* adjacent to the project will also have the opportunity to request a public hearing. If a public hearing is to be held, INDOT will publicize the date, location, and time. INDOT will present detailed project information at the public hearing, comments will