



418 North Main Street
Middlebury, Indiana 46510
Phone: 574-825-1499
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www.middleburyin.com

December 16, 2019

HNTB Corporation
111 Monument Circle, Suite 1200
Indianapolis, IN 46204-5178

Attention: Mr. Richard Connolly

RE: US 20 FROM CR 35 TO SR 13 – DES. NO. 1900095

Dear Mr. Connolly,

Thank you to HNTB and INDOT for reaching out to the Town for comments regarding the US 20 Project from CR 35 to SR 13. We have several concerns to pass along for consideration when developing this much needed project. We concur with INDOT that it is important to provide for the safety of all modes of transportation (motorists, bicyclists, pedestrians, horse & buggy, etc.), especially when there is over 15% truck traffic traveling along this corridor.

Water & Sewer Infrastructure – The Town has water main and sanitary sewer along the US 20 corridor from Westlake Drive to SR 13, and we believe that this infrastructure will be impacted as a part of the US 20 project. There are two lift stations that could potentially be impacted by this project – Spring Valley Lift Station (in the southwest corner of the intersection of US 20 and Wayne Street/CR 16) and Northridge Lift Station (in the southeast corner of the High School property). We can provide plans and information on the Town's infrastructure, if needed. The Town would like to receive copies of the INDOT design submittals and the field check so that we can be a part of the process.

Pumpkinvine Nature Trail Tunnel Construction – The Pumpkinvine Nature Trail is used extensively throughout the year for both recreational purposes and for people who bike to work. It will be important to provide some type of safe detour route for the bikers during the construction of the tunnel extension. With the significant increase in the tunnel length, it might be good to consider lighting in the tunnel for the safety of trail users.

Ridge Run Trail – A couple of years ago, the community raised funds to build the Ridge Run Trail, and portions of the trail run parallel to US 20 just northwest of the crossing of US 20 over the Pumpkinvine Trail Tunnel. Residents are concerned how the widening will affect the Ridge Run Trail.

Connector Trail – In order to provide the Spring Valley neighborhood access to the Pumpkinvine Nature Trail, a multi-use trail may need to be built along US 20 between the two locations. Having a connector trail would provide many options for residents on how they choose to travel.

Pedestrian Crossing – As a part of the Transportation section of the Town's 10-Year Comprehensive Plan, several residents are concerned about the safety of pedestrians (especially the school children) who cross US 20 in the area of Spring Valley Drive and Heritage Drive. It would be ideal to have some type of grade separated crossing, such as a bridge or tunnel for the pedestrians.

Possible Closure of Heritage Drive North of US 20 – Currently, there are safety concerns with Heritage Drive north of US 20. Motorists are only supposed to turn right onto US 20 at this location, but many completely ignore the signs. This intersection is not safe especially with the signalized intersection of CR 16/Wayne Street being on a curve along with the significant volume of traffic on US 20.

Reconfiguration/Realignment of US 20, Wayne Street/CR 16 and Heritage Drive – Without knowing the actual layout of US 20, one possible layout could consider the reconfiguration of the signalized intersection of US 20 and Wayne Street/CR 16 to also include a realignment of Heritage Drive to be one of the approaches. By realigning Heritage Drive, it would provide a safe location for the residents/patrons in the Spring Valley Subdivision area to safely enter onto US 20.

Typical Cross Section – With the typical cross section to the west of CR 35 being 5 lanes plus horse and buggy lanes with drainage swales, the Town is anticipating that US 20 east of CR 35 will be at least 5 lanes wide, with hopes of designated horse and buggy lanes. However, the footprint of a typical cross section with drainage swales seems enormous, and we were hoping that this section could potentially incorporate curb and gutters with storm sewer.

Trees Along Spring Valley Subdivision – The Middlebury Tree Board is concerned with tree removal along this corridor, especially along the pond in Spring Valley Subdivision. If the trees are to be removed, it would be nice to consider the planting of new trees at various locations along the newly aligned US 20.

Intersection of US 20 and SR 13 – If possible, the removal of the grass strip in the median of US 20 near the intersection of SR 13 would be beneficial. This grass area gets overgrown, and then the Town must call two different INDOT Subdistricts to mow it. The Elkhart Subdistrict mows the area to the west of SR 13 and the Shipshewana Subdistrict mows the area to the east. Also, a right turn lane on the north approach for southbound traffic at the intersection of US 20 and SR 13 would be helpful to alleviate traffic congestion.

Drainage Issues – A significant drainage issue exists just south of the intersection of US 20 and Orpha Drive/ CR 22. With many of the rain events, the stormwater ponds on US 20 and creates a roadway safety hazard. Drainage is an issue at the intersection of SR 13 and US 20, too.

We look forward to working with HNTB and INDOT on this project. Thank you for your time and consideration of these concerns. Please feel free to contact Town Manager Mary Cripe with any questions or concerns at 574-825-1499.

Sincerely,



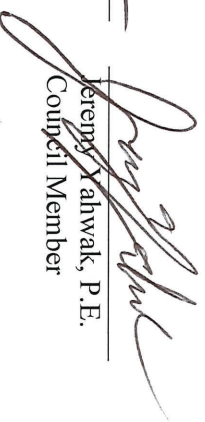
Miranda Cripe
Council Vice Pres.



Dan Shop
Council Member



Dan Frederick
Council Member



Jeremy Ahwakh, P.E.
Council Member



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Infrastructure Solutions

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Facsimile (317) 917-5211
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December 19, 2019

Town of Middlebury
418 North Main Street
Middlebury, IN 46540

Attn: Ms. Mary Cripe

RE: US 20 From CR 35 to SR 13, INDOT Des No 1900095

Dear Ms. Cripe,

Thank you for providing the valuable feedback on this project. We have prepared responses below for each of the items identified in the letter dated December 16, 2019.

Comment:

Water & Sewer Infrastructure – The Town has water main and sanitary sewer along the US 20 corridor from Westlake Drive to SR 13, and we believe that this infrastructure will be impacted as a part of the US 20 project. There are two lift stations that could potentially be impacted by this project – Spring Valley Lift Station (in the southwest corner of the intersection of US 20 and Wayne Street/CR 16) and Northridge Lift Station (in the southeast corner of the High School property). We can provide plans and information on the Town’s infrastructure, if needed. The Town would like to receive copies of the INDOT design submittals and the field check so that we can be a part of the process.

Response:

The design team will coordinate the improvements with the Town’s utility manager during the development of this project. Impacts to these lift stations will be carefully considered during design. Preliminary widening options are being developed and will be examined for overall impacts to the utilities along the corridor.

Comment:

Pumpkinvine Nature Trail Tunnel Construction – The Pumpkinvine Nature Trail is used extensively throughout the year for both recreational purposes and for people who bike to work. It will be important to provide some type of safe detour route for the bikers during the construction of the tunnel extension. With the significant increase in the tunnel length, it might be good to consider lighting in the tunnel for the safety of trail users.

Response:

A detour route will be developed and in place during construction of the Pumpkinvine Nature Trail Tunnel extension. The design team will coordinate this detour route with the Town during design for the timing and route of the detour. The design team can assist in public awareness for this closure during the public hearing process.

Comment:

Ridge Run Trail – A couple of years ago, the community raised funds to build the Ridge Run Trail, and portions of the trail run parallel to US 20 just northwest of the crossing of US 20 over the Pumpkinvine Trail Tunnel. Residents are concerned how the widening will affect the Ridge Run Trail.

Response:
Any impacts to the existing Ridge Run Trail as a result of project will be mitigated by installing a new trail where the existing trail could not be avoided.

Comment:
Connector Trail – In order to provide the Spring Valley neighborhood access to the Pumpkinvine Nature Trail, a multi-use trail may need to be built along US 20 between the two locations. Having a connector trail would provide many options for residents on how they choose to travel.

Response:
A new pedestrian trail along US 20 will be considered if it is part of the Town's long-term comprehensive pedestrian access plan.

Comment:
Pedestrian Crossing – As a part of the Transportation section of the Town's 10-Year Comprehensive Plan, several residents are concerned about the safety of pedestrians (especially the school children) who cross US 20 in the area of Spring Valley Drive and Heritage Drive. It would be ideal to have some type of grade separated crossing, such as a bridge or tunnel for the pedestrians.

Response:
The design team is considering options for a pedestrian crossing near Heritage Drive. Options are being evaluated including the cost benefit analysis of a grade separated crossing that will consider the number of pedestrians crossing US 20 today.

Comment:
Possible Closure of Heritage Drive North of US 20 – Currently, there are safety concerns with Heritage Drive north of US 20. Motorists are only supposed to turn right onto US 20 at this location, but many completely ignore the signs. This intersection is not safe especially with the signalized intersection of CR 16/Wayne Street being on a curve along with the significant volume of traffic on US 20.

Response:
Traffic counts have been performed recently along US 20 including the Heritage Drive intersection. The design team will look into the recent counts and consider options for improvements at this intersection, including the feasibility of removing access to US 20 or creating a pronounced splitter island preventing vehicles from turning left.

Comment:
Reconfiguration/Realignment of US 20, Wayne Street/CR 16 and Heritage Drive – Without knowing the actual layout of US 20, one possible layout could consider the reconfiguration of the signalized intersection of US 20 and Wayne Street/CR 16 to also include a realignment of Heritage Drive to be one of the approaches. By realigning Heritage Drive, it would provide a safe location for the residents/patrons in the Spring Valley Subdivision area to safely enter onto US 20.

Response:
We will need additional feedback from the Town on the feasibility of realigning Heritage Drive. The design team is looking at improving the horizontal curve along US 20 at the Wayne Street / CR 16 intersection by lengthening the curve which would shift US 20 slightly to the south.

Comment:

Typical Cross Section – With the typical cross section to the west of CR 35 being 5 lanes plus horse and buggy lanes with drainage swales, the Town is anticipating that US 20 east of CR 35 will be at least 5 lanes wide, with hopes of designated horse and buggy lanes. However, the footprint of a typical cross section with drainage swales seems enormous, and we were hoping that this section could potentially incorporate curb and gutters with storm sewer.

Response:

The proposed typical cross section will match the project to the west and will be 5 lanes with 10' shoulders in each direction wide enough to accommodate horse and buggies. Drainage options for the area outside the shoulders will be considered during early design.

Comment:

Trees Along Spring Valley Subdivision – The Middlebury Tree Board is concerned with tree removal along this corridor, especially along the pond in Spring Valley Subdivision. If the trees are to be removed, it would be nice to consider the planting of new trees at various locations along the newly aligned US 20.

Answer:

Existing trees that need to be removed will be considered with the environmental impacts of the project. In general, trees that are removed will either need to be compensated as a cost to cure item to the property owner during the land acquisition process or replaced as part of the project.

Comment:

Intersection of US 20 and SR 13 – If possible, the removal of the grass strip in the median of US 20 near the intersection of SR 13 would be beneficial. This grass area gets overgrown, and then the Town must call two different INDOT Subdistricts to mow it. The Elkhart Subdistrict mows the area to the west of SR 13 and the Shipshewana Subdistrict mows the area to the east. Also, a right turn lane on the north approach for southbound traffic at the intersection of US 20 and SR 13 would be helpful to alleviate traffic congestion.

Answer:

This project does not include the intersection at SR 13 and will stop to the west of this intersection where the grass median begins.

Comment:

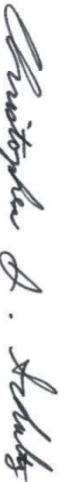
Drainage Issues – A significant drainage issue exists just south of the intersection of US 20 and Orpha Drive/ CR 22. With many of the rain events, the stormwater ponds on US 20 and creates a roadway safety hazard. Drainage is an issue at the intersection of SR 13 and US 20, too.

Answer:

The design team will look into options to improve the existing drainage conditions along US 20 including the intersection at Orpha Drive / CR 22. Stormwater runoff within INDOT's right of way will be collected and conveyed to suitable outfalls within the project limits. Retention ponds or similar measures to control the stormwater release rates at these outfalls will be included as part of the project.

Sincerely,

HNTB Indiana, Inc.



Christopher J. Schultz, PE
Sr. Project Manager

THIS IS NOT A PERMIT

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

DNR #: ER-22021

Request Received: November 21, 2019

Requestor: HNTB Corporation
Richard J Connolly
111 Monument Circle, Suite 1200
Indianapolis, IN 46204-5178

Project: US 20 (Section 2) added travel lanes between CR 35 and SR 13; Des #1900095
County/Site Info: Elkhart

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. The state endangered Blanding's Turtle (*Emydoidea blandingii*) has been documented within 1/2 mile of the project area.

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

1) Blanding's Turtle:
To minimize impacts to the Blanding's Turtle, an entrenched silt fence should be placed between the road and the adjacent wetlands near Spring Valley Road, and should remain in place through the duration of the project. If these wetlands are to be filled in their entirety, then they should be live-trapped for turtles prior to filling, and any turtles captured should be relocated to nearby areas of suitable habitat. Removal of any state endangered species and eastern box turtles would require a permit issued by the Division of Fish and Wildlife. If a permit is needed, please contact Linnea Petercheff at (317) 233-6527 or lpetercheff@dnr.in.gov.

2) Riparian Habitat:
We recommend a mitigation plan be developed for any unavoidable habitat impacts that will occur. The DNR's Floodway Habitat Mitigation guidelines (and plant lists) can be found online at: <http://www.in.gov/legislative/iac/20190130-1R-312190041NRA.xml.pdf>.

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

3) Wetland Habitat:
Due to the presence or potential presence of wetland habitat on site, we recommend contacting and coordinating with the Indiana Department of Environmental Management

State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Fish and Wildlife

Early Coordination/Environmental Assessment

(IDEM) 401 program and also the US Army Corps of Engineers (USACE) 404 program. Impacts to wetland habitat should be mitigated at the appropriate ratio according to the 1991 INDOT/IDNR/USFWS Memorandum of Understanding.

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

1. Revegetate all bare and disturbed areas 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. 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.
3. 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.
4. 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.
5. Do not excavate or place fill in any riparian wetland.

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: December 19, 2019

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



Essenhaus, Inc.

240 U.S. 20 P.O. Box 1217 Middlebury, IN 46540 www.essenhaus.com

January 2, 2020

Richard Connolly
HNTPB
111 Monument Circle, Suite 1200
Indianapolis, IN 46207-5178

Re: Des. No. 1900095 US 20 Section 2

Mr. Richard Connolly,

Thanks for your letter dated November 20, 2019 communicating the commencement of study for the expansion of US 20 from CR 35 to SR 13 in Middlebury. As a business owner with substantial real estate road frontage in this stretch, I appreciate the opportunity to be informed about the project from the early stages.

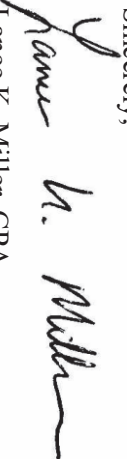
I did have a phone conversation with Steve Seculoff a few weeks ago and he was very helpful in answering some general questions.

This project is needed in our community and has our support. I understand there are many complexities with this particular portion of highway and adding additional travel lanes will take careful planning.

At this point in the project, I have one suggestion for consideration. That requests is to include the feasibility of removing the utility poles and installing underground conduit to house the utility. This would decrease the frequency of power outages, provide for safer travel of vehicles and improve the aesthetics of our community.

Thanks again for my inclusion in this process and know that I welcome discussion on any issues related to the improvements proposed.

Sincerely,


Lance K. Miller, CPA
President & CFO

Cc: Steve Seculoff

Corporate Offices
PH: 574-825-0052
FX: 574-825-0455
TF: 800-455-9471

Restaurant & Catering
PH: 574-825-9471
FX: 574-825-1458

Essenhaus Inn & Conference Center
PH: 574-825-9447
FX: 574-825-1303
TF: 800-455-9471

Essenhaus Village Shops
PH: 574-825-9471
FX: 574-825-7849

Essenhaus Foods
PH: 574-825-6790
FX: 574-825-0828



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January 7, 2020

Essenhaus, Inc.
240 U.S. 20
P.O. Box 1217
Middlebury, IN 46540

Attn: Mr. Lance K. Miller, CPA

RE: US 20 Section 2 From CR 35 to SR 13, INDOT Des. No. 1900095

Dear Mr. Miller,

Thank you for providing the valuable feedback on this project. We have prepared the response below for the comment identified in the letter dated January 2, 2020.

Comment:

At this point in the project, I have one suggestion for consideration. That request is to include the feasibility of removing the utility poles and installing underground conduit to house the utilities. This would decrease the frequency of power outages, provide for safer travel of vehicles and improve the aesthetics of our community.

Response:

The design team is in the process of starting coordination efforts with utilities to identify which utilities would be in conflict with the proposed roadway improvements. During this process, the team will discuss the feasibility of relocating impacted utilities underground. Since we cannot require existing overhead utilities to go underground, we will start the conversations to see what additional relocation costs would be incurred to relocate underground.

Sincerely,

HNTB Indiana, Inc.

Christopher J. Schultz, PE
Sr. Project Manager



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

INDOT

Steve Seculoff

5333 Hatfield Rd

Fort Wayne, IN 47274

Date

HNTB Corporation

Dan Logsdon

111 Monument Circle, Suite 1200

Indianapolis, IN 46204

To Engineers and Consultants Proposing Roadway Construction Projects:

RE: Roadway construction for this project (INDOT Des. No. 1900095) will begin approximately 565 feet east of the intersection of U.S. 20 and C.R. 35, and proceed east on U.S. 20 to the intersection of U.S. 20 and S.R. 13 in Elkhart County, Indiana. The proposed project will include widening a portion of U.S. 20 to accommodate the addition of one travel lane in each direction and a two-way left turn lane throughout the corridor. The proposed project will include widening of the pavement and embankment, and the installation of new pavement markings. The resulting typical section will be a five-lane section with paved shoulders. Approximately 0.57 acre of permanent impacts will occur to Pond A. Approximately 0.05 acre of permanent impacts will occur to Wetland A as a result of the project. There are no known wildlife concerns for this road project.

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

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

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

WATER AND BIOTIC QUALITY

1. Section 404 of the Clean Water Act requires that you obtain a permit from the U.S. Army Corps of Engineers (USACE) before discharging dredged or fill materials into any wetlands or other waters, such as rivers, lakes, streams, and ditches. Other activities regulated include the relocation, channelization, widening, or other such alteration of a stream, and the mechanical clearing (use of heavy construction equipment) of

wetlands. Thus, as a project owner or sponsor, it is your responsibility to ensure that no wetlands are disturbed without the proper permit. Although you may initially refer to the U.S. Fish and Wildlife Service National Wetland Inventory maps as a means of identifying potential areas of concern, please be mindful that those maps do not depict jurisdictional wetlands regulated by the USACE or the Department of Environmental Management. A valid jurisdictional wetlands determination can only be made by the USACE, using the 1987 Wetland Delineation Manual.

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

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

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

2. In the event a Section 404 wetlands permit is required from the USACE, you also must obtain a Section 401 Water Quality Certification from the IDEM Office of Water Quality Wetlands Program. To learn more about the Wetlands Program, visit: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>).

3. If the USACE determines that a wetland or other water body is isolated and not subject to Clean Water Act regulation, it is still regulated by the state of Indiana. A State Isolated Wetland permit from IDEM's Office of Water Quality (OWQ) is required for any activity that results in the discharge of dredged or fill materials into isolated wetlands. To learn more about isolated wetlands, contact the OWQ Wetlands Program at 317-233-8488.

4. If your project will involve over a 0.5 acre of wetland impact, stream relocation, or other large-scale alterations to water bodies such as the creation of a dam or a water diversion, you should seek additional input from the OWQ Wetlands Program staff. Consult the Web at: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>) for the appropriate staff contact to further discuss your project.

5. Work within the one-hundred year floodway of a given water body is regulated by the Department of Natural Resources, Division of Water. The Division issues permits for activities regulated under the following statutes:

- IC 14-26-2 Lakes Preservation Act 312 IAC 11
- IC 14-26-5 Lowering of Ten Acre Lakes Act No related code
- IC 14-28-1 Flood Control Act 310 IAC 6-1
- IC 14-29-1 Navigable Waterways Act 312 IAC 6

- IC 14-29-3 Sand and Gravel Permits Act 312 IAC 6
- IC 14-29-4 Construction of Channels Act No related code

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

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

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

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

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

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

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

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

construction activities are available from the Soil and Water Conservation District (SWCD) offices in each county or from IDEM.

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

AIR QUALITY

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

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

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

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

Additionally, if construction or demolition is conducted in a wooded area where blackbirds have roosted or abandoned buildings or building sections in which pigeons or bats have roosted for 3-5 years precautionary measures should be taken to avoid an outbreak of histoplasmosis. This disease is caused by the fungus *Histoplasma capsulatum*, which stems from bird or bat droppings that have accumulated in one area for 3-5 years. The spores from this fungus become airborne when the area is disturbed and can cause infections over an entire community downwind of the site. The area should be wetted down prior to cleanup or demolition of the project site. For more detailed information on histoplasmosis prevention and control, please contact the Acute Disease Control Division of the Indiana State Department of Health at (317) 233-7272.

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

The U.S. EPA further recommends that all homes (and apartments within three stories of ground level) be tested for radon. If in-home radon levels are determined to be 4 pCi/L, or higher, EPA recommends a follow-up test. If the second test confirms that radon levels are 4 pCi/L, or higher, EPA recommends the installation of radon-reduction measures. (For a list of qualified radon testers and radon mitigation (or reduction) specialists visit: http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf) 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/A000080.PDF> (<http://www.ai.org/legislative/iac/T03260/A00080.PDF>)).
6. If your project involves the construction of a new source of air emissions or the modification of an existing source of air emissions or air pollution control equipment, it will need to be reviewed by the IDEM Office of Air Quality (OAQ). A registration or permit may be required under 326 IAC 2 (View at: www.ai.org/legislative/iac/T03260/A00020.pdf (<http://www.ai.org/legislative/iac/T03260/A00020.pdf>)). New sources that use or emit hazardous air pollutants may be subject to Section 112 of the Clean Air Act and corresponding state air regulations governing hazardous air pollutants.
7. For more information on air permits visit: <http://www.in.gov/idem/4223.htm> (<http://www.in.gov/idem/4223.htm>), or to initiate the IDEM air permitting process, please contact the Office of Air Quality Permit Reviewer of the Day at (317) 233-0178 or OAMPPROD 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.

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

Roadway construction for this project (INDOT Des. No. 1900095) will begin approximately 565 feet east of the intersection of U.S. 20 and C.R. 35, and proceed east on U.S. 20 to the intersection of U.S. 20 and S.R. 13 in Elkhart County, Indiana. The proposed project will include widening a portion of U.S. 20 to accommodate the addition of one travel lane in each direction and a two-way left turn lane throughout the corridor. The proposed project will include widening of the pavement and embankment, and the installation of new pavement markings. The resulting typical section will be a five-lane section with paved shoulders. Approximately 0.57 acre of permanent impacts will occur to Pond A. Approximately 0.05 acre of permanent impacts will occur to Wetland A as a result of the project. There are no known wildlife concerns for this road project.

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: 11/09/2020

Signature of the INDOT
Project Engineer or Other Responsible Agent 

Date: 11/9/2020 Steve Seculoff

Signature of the
For Hire Consultant 

Dan Logsdon

Organization and Project Information

Project ID: 1900095
Des. ID: US 20 - Section 2 (CR 35 to SR 13) - Added Travel
Project Title: HNTB Corporation
Name of Organization: HNTB Corporation
Requested by: Dan Logsdon

Environmental Assessment Report

1. Geological Hazards:
 - Moderate liquefaction potential
2. Mineral Resources:
 - Bedrock Resource: Low Potential
 - Sand and Gravel Resource: High Potential
3. Active or abandoned mineral resources extraction sites:
 - Abandoned Industrial Minerals Sand Gravel Pits

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

DISCLAIMER:

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

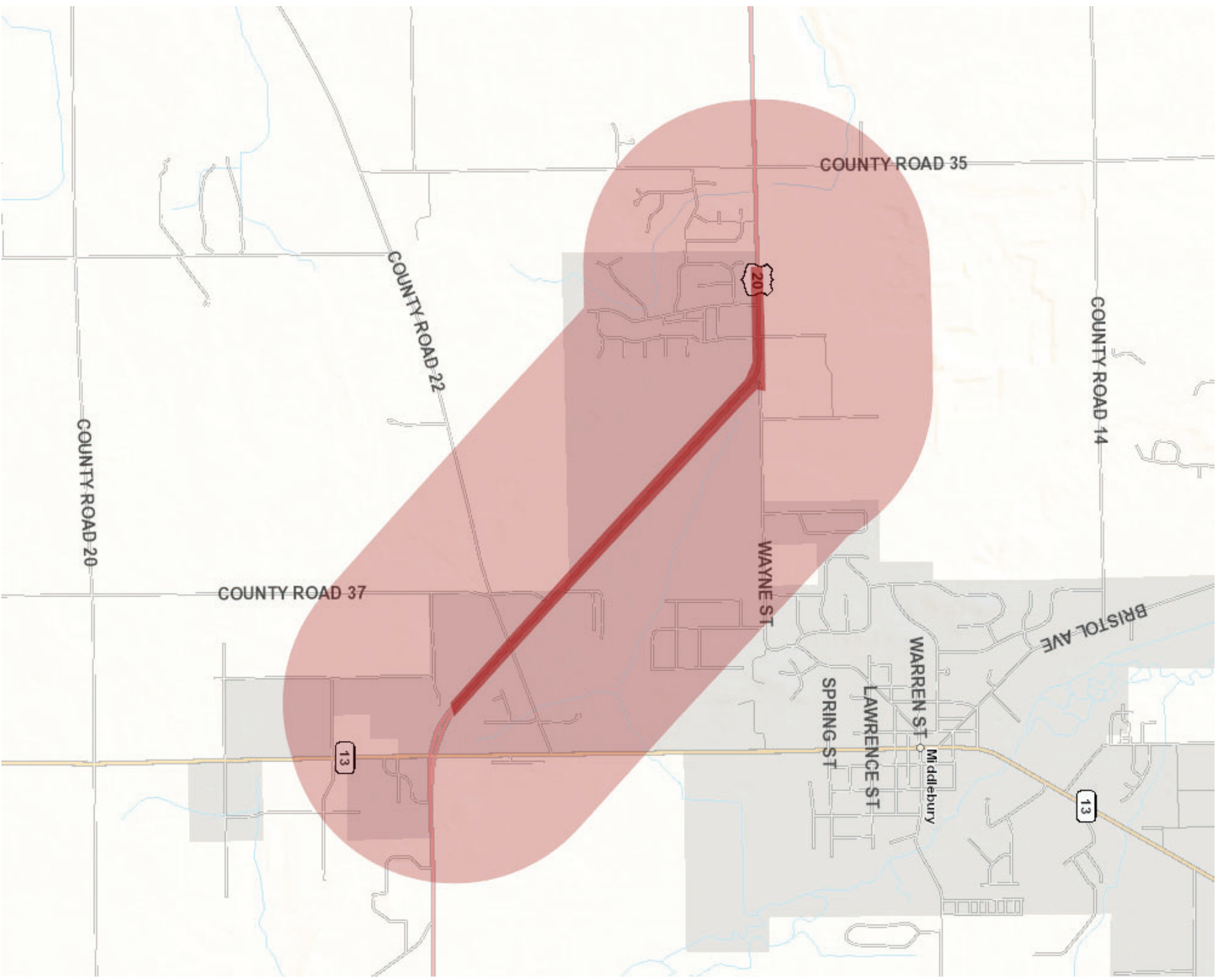
This information was furnished by Indiana Geological Survey

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

Email: IGSEnvir@indiana.edu

Phone: 812 855-7428

Date: November 09, 2020



Metadata:

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

INDOT Bridge/Small Structure Bat Inspection Data Sheet (Rev 4/29/2016)

General Information			
Date of Inspection: 10/14/2019	Initial Inspection <input checked="" type="checkbox"/>	Temp: 43 °F	
Time of Inspection: 10:00 am	Follow-up Inspection <input type="checkbox"/>	Wind: 10 mph	
County: Elkhart	Construction <input type="checkbox"/>	Precip: 0	
Inspected by: R. Connolly, L. Little	Contract Number:	Sunrise: 7:25	Sunset: 7:59
GPS Northing: 4612657.06	R-42379, Des. 1900095	Anticipated Start Date for Construction:	Spring 2024
Easting: 607123.22			
UTM Zone: 16			

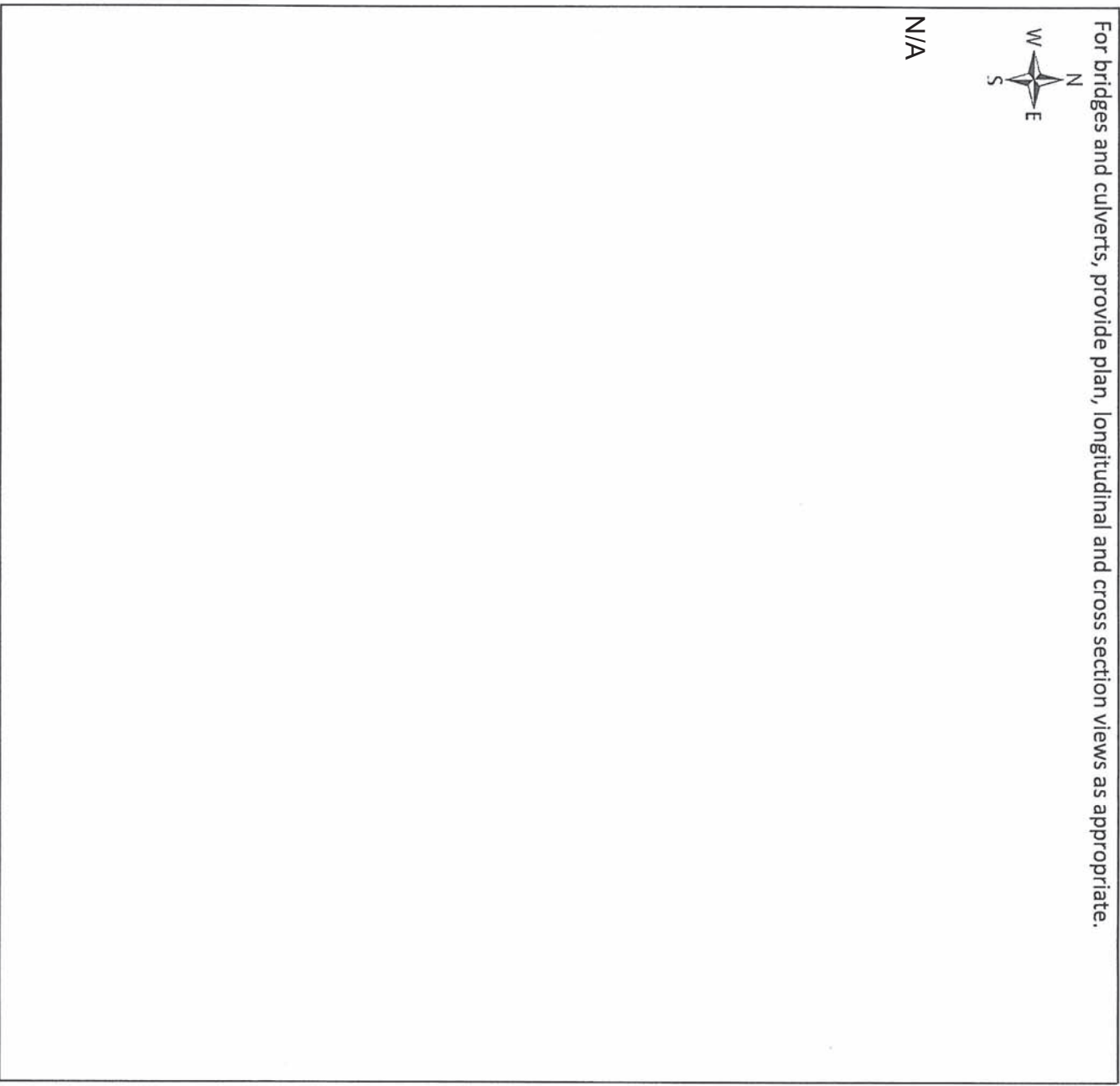
Bridge or Culvert	Bridge or Culvert
Stream or Road Crossed: N/A	Station: N/A
Bridge/Culvert number: CV 020-020-104.91	Number of Spans: N/A
Type of Structure:	Material:
<input type="checkbox"/> Concrete box beam	<input checked="" type="checkbox"/> Concrete <input type="checkbox"/> Steel
<input type="checkbox"/> Concrete I-beam	<input type="checkbox"/> Other (describe):
<input type="checkbox"/> Concrete bulb tee beam	
<input type="checkbox"/> Concrete arch	Shape:
<input type="checkbox"/> Concrete girder	<input type="checkbox"/> Box Culvert
<input type="checkbox"/> Concrete slab	<input type="checkbox"/> Arch
<input type="checkbox"/> Multi-plate arch	<input type="checkbox"/> Corrugated steel pipe
<input type="checkbox"/> Other (list):	<input type="checkbox"/> Pipe
<input type="checkbox"/> Other (list):	<input checked="" type="checkbox"/> Slab
Searched entire structure? If not, why not? Yes	Location of bats or signs of use (w/drawing and photos):
Bats Present? <input type="checkbox"/> Seen? <input type="checkbox"/> Heard? No	N/A
In Clusters? Number of clusters: N/A	
Number of bats in largest cluster: N/A	
Approximate total number of bats found: N/A	
Signs of previous bat use? <input type="checkbox"/> Guano <input type="checkbox"/> Staining	NO

If Bats Present
Date and Time Project Supervisor was notified: N/A
Name of Project Supervisor notified: N/A

For bridges and culverts, provide plan, longitudinal and cross section views as appropriate.



N/A



INDOT Bridge/Small Structure Bat Inspection Data Sheet (Rev 4/29/2016)

General Information			
Date of Inspection: 10/14/2019	Initial Inspection <input checked="" type="checkbox"/>	Follow-up Inspection <input type="checkbox"/>	Temp: 43 °F
Time of Inspection: 10:00 am	Construction <input type="checkbox"/>		Wind: 10 mph
County: Elkhart			Precip: 0
Inspected by: R. Connolly, L. Little	Contract Number: R-42379, Des. 1900095		Sunrise: 7:25 Sunset: 7:59
GPS Northing: 4612657.06		Anticipated Start Date for Construction: Spring 2024	
Easting: 607123.22			
UTM Zone: 16			

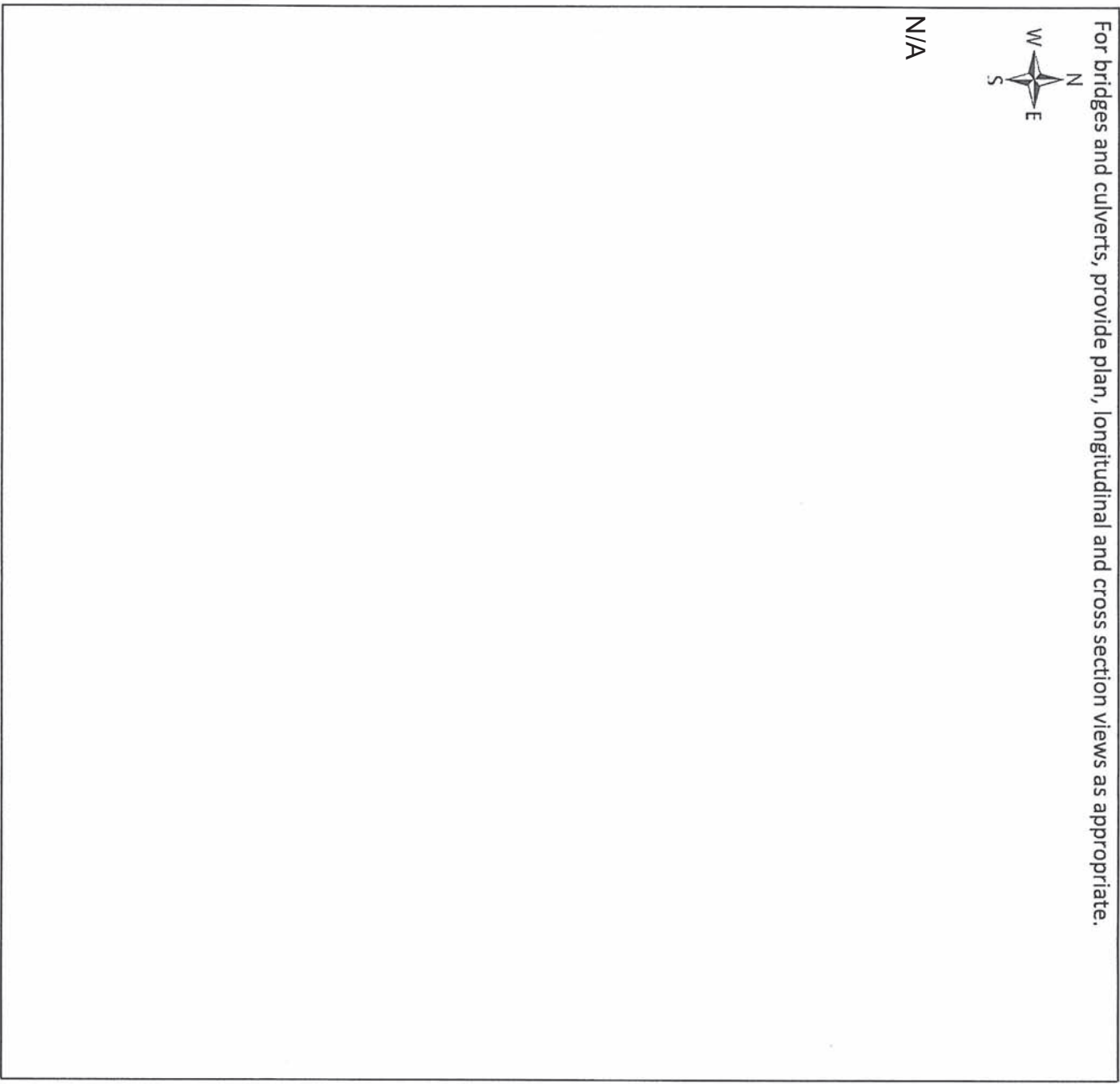
Bridge or Culvert	Bridge or Culvert
Stream or Road Crossed: N/A	Station: N/A
Bridge/Culvert number: CV 020-020-104.91	Number of Spans: N/A
Type of Structure:	Material:
<input type="checkbox"/> Concrete box beam	<input checked="" type="checkbox"/> Concrete <input type="checkbox"/> Steel
<input type="checkbox"/> Concrete I-beam	<input type="checkbox"/> Other (describe):
<input type="checkbox"/> Concrete bulb tee beam	
<input type="checkbox"/> Concrete arch	Shape:
<input type="checkbox"/> Concrete girder	<input type="checkbox"/> Box Culvert
<input type="checkbox"/> Concrete slab	<input type="checkbox"/> Arch
<input type="checkbox"/> Multi-plate arch	<input type="checkbox"/> Corrugated steel pipe
<input type="checkbox"/> Other (list):	<input type="checkbox"/> Pipe
<input type="checkbox"/> Other (list):	<input checked="" type="checkbox"/> Slab
Searched entire structure? If not, why not? Yes	Location of bats or signs of use (w/drawing and photos):
Bats Present? <input type="checkbox"/> Seen? <input type="checkbox"/> Heard? No	N/A
In Clusters? Number of clusters: N/A	
Number of bats in largest cluster: N/A	
Approximate total number of bats found: N/A	
Signs of previous bat use? <input type="checkbox"/> Guano <input type="checkbox"/> Staining	NO

If Bats Present
Date and Time Project Supervisor was notified: N/A
Name of Project Supervisor notified: N/A

For bridges and culverts, provide plan, longitudinal and cross section views as appropriate.



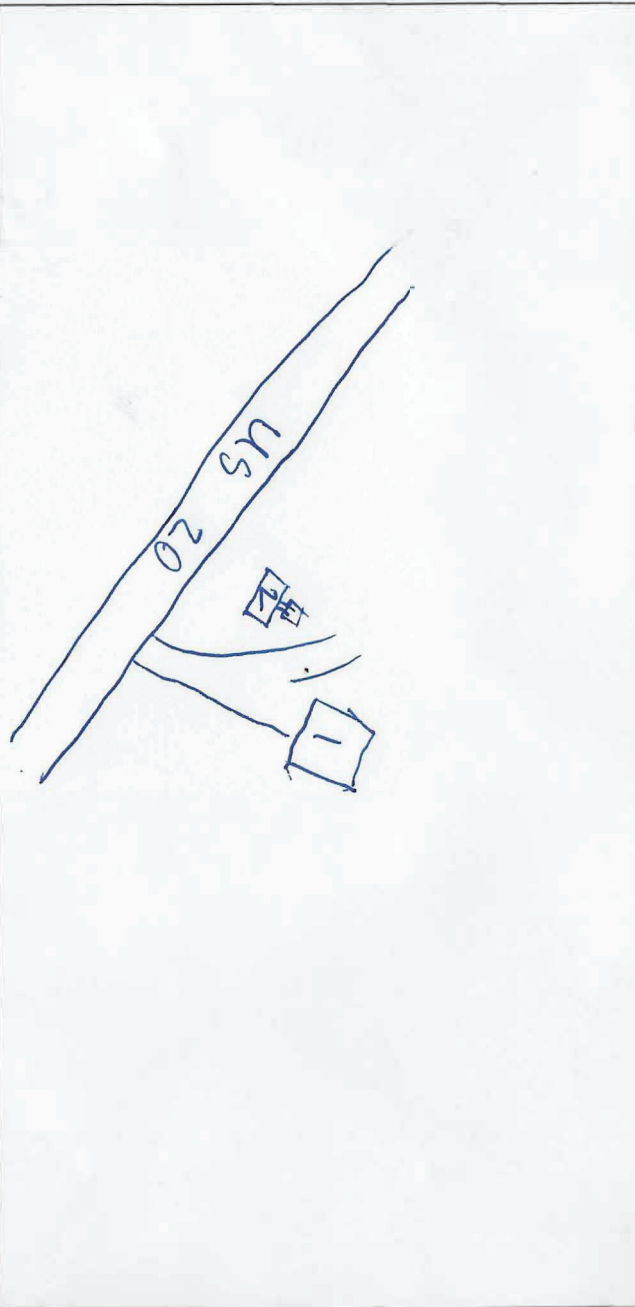
N/A



INDOT Building Bat Inspection Data Sheet (Rev. 4/29/2016)

General Information			
Date of Inspection: <i>7/8/2021</i>	Initial Inspection	<input checked="" type="checkbox"/>	Temp: <i>130C</i>
Time of Inspection: <i>1:30pm</i>	Follow-up Inspection	<input type="checkbox"/>	Wind: <i>3mph</i>
County: <i>Elkhart</i>	Contract Number:	<i>42379</i>	Precip: <i>60%</i>
Inspected by: <i>Candlon C.</i>	Scheduled Demolition Date:		Sunrise: <i>7:43am</i> Sunset: <i>6:14pm</i>
GPS Northing: <i>4612878.38</i>	State Parcel ID	<i>20-08-16-276-008,000-055</i>	
Easting: <i>606419.01</i>	LA Code		
UTM Zone: <i>16</i>			
Street Address			
<i>214 US20</i>			

Draw the position of each building on the parcel and give each building a number. Indicate North. A labeled aerial may be used instead—attach.



Building Number: *1*

Type of Structure: Residence Detached garage Metal pole barn Wood sided barn
 Shed Open-sided shelter Commercial Bldg Industrial Bldg Other (describe):

Check: loose siding, shutters, eaves, interior and exterior gaps between building components, and attic.
 Estimated building height: *15 feet*

Searched entire building? If not, why not?
No, Owners Not home

Bats Present? Seen? Heard? *N/A*

In Clusters? Number of clusters: *N/A*

Number of bats in largest cluster: *N/A*

Approximate total number of bats found: *N/A*

Signs of bat use?
 Guano Staining *N/A*

Location of bats or signs of use (w/drawing and photos): *N/A*

Date:

LA Code:

Parcel ID:

Sheet Number:

Building Number: **2**

- Type of Structure: Residence Detached garage Metal pole barn Wood sided barn
- Shed Open-sided shelter Commercial Bldg Industrial Bldg Other (describe):

Check: loose siding, shutters, eaves, interior and exterior gaps between building components, and attic.

Estimated building height: **20 Feet**

Searched entire building? If not, why not?

Location of bats or signs of use (w/drawing and photos): **N/A**

No, Owners nor home

Bats Present? Seen? Heard? **N/A**

In Clusters? Number of clusters: **N/A**

Number of bats in largest cluster: **N/A**

Approximate total number of bats found: **N/A**

Signs of previous bat use?

Guano Staining **N/A**

Building Number:

- Type of Structure: Residence Detached garage Metal pole barn Wood sided barn
- Shed Open-sided shelter Commercial Bldg Industrial Bldg Other (describe):

Check: loose siding, shutters, eaves, interior and exterior gaps between building components, and attic.

Estimated building height:

Searched entire building? If not, why not?

Location of bats or signs of use (w/drawing and photos):

Bats Present? Seen? Heard?

In Clusters? Number of clusters:

Number of bats in largest cluster:

Approximate total number of bats found:

Signs of previous bat use?

Guano Staining

Building Number:

- Type of Structure: Residence Detached garage Metal pole barn Wood sided barn
- Shed Open-sided shelter Commercial Bldg Industrial Bldg Other (describe):

Check: loose siding, shutters, eaves, interior and exterior gaps between building components, and attic.

Estimated building height:

Searched entire building? If not, why not?

Location of bats or signs of use (w/drawing and photos):

Bats Present? Seen? Heard?

In Clusters? Number of clusters:

Number of bats in largest cluster:

Approximate total number of bats found:

Signs of previous bat use?

Guano Staining

If Bats Present in any building on parcel

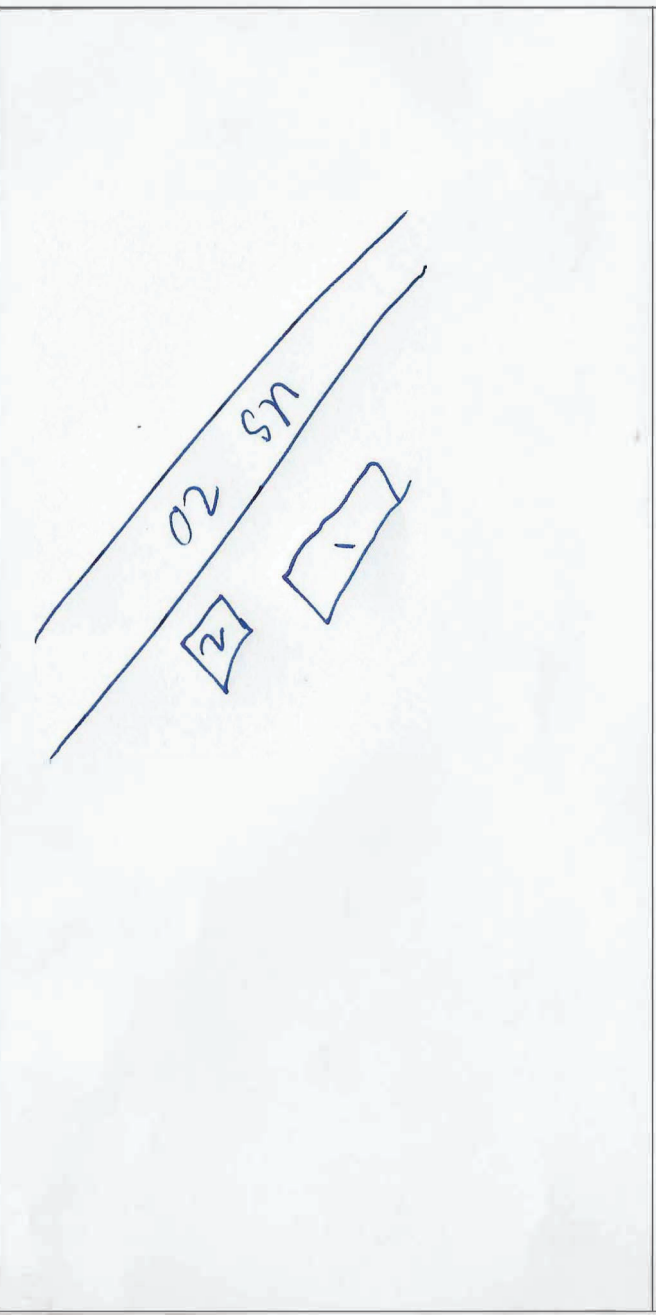
Date and Time Project Manager was notified:

Name of Project Manager notified:

INDOT Building Bat Inspection Data Sheet (Rev. 4/29/2016)

General Information			
Date of Inspection: 2/8/2021	Initial Inspection	<input checked="" type="checkbox"/>	Temp: 13°C
Time of Inspection: 1:00 pm	Follow-up Inspection	<input type="checkbox"/>	Wind: 3 mph
County: Elkhart			Precip: 60%
Inspected by: Landan L.	Contract Number:		Sunrise: 7:43 am Sunset: 6:14 pm
GPS Northing: 4612990.47		42379	Scheduled Demolition Date:
Easting: 606745.82			
UTM Zone: 16	LA Code		State Parcel ID
Street Address			20-08-16-276-008,000-055
218 US 20			

Draw the position of each building on the parcel and give each building a number. Indicate North. A labeled aerial may be used instead—attach.



Building Number: 1

Type of Structure: Residence Detached garage Metal pole barn Wood sided barn
 Shed Open-sided shelter Commercial Bldg Industrial Bldg Other (describe):

Check: loose siding, shutters, eaves, interior and exterior gaps between building components, and attic.
 Estimated building height: 2X 15 Ft

Searched entire building? If not, why not?
 N/A Not Home

Bats Present? Seen? Heard? N/A

In Clusters? Number of clusters: N/A

Number of bats in largest cluster: N/A

Approximate total number of bats found: N/A

Signs of bat use?
 Guano Staining N/A

Location of bats or signs of use (w/drawing and photos): N/A

Date:

LA Code:

Parcel ID:

Sheet Number:

Building Number: 2

Type of Structure: Residence Detached garage Metal pole barn Wood sided barn
 Shed Open-sided shelter Commercial Bldg Industrial Bldg Other (describe):

Check: loose siding, shutters, eaves, interior and exterior gaps between building components, and attic.

Estimated building height: 25 Feet
Searched entire building? If not, why not?
Location of bats or signs of use (w/drawing and photos): N/A

No, owner not home

Bats Present? Seen? Heard? N/A

In Clusters? Number of clusters: N/A

Number of bats in largest cluster: N/A

Approximate total number of bats found: N/A

Signs of previous bat use?

Guano Staining N/A

Building Number:

Type of Structure: Residence Detached garage Metal pole barn Wood sided barn
 Shed Open-sided shelter Commercial Bldg Industrial Bldg Other (describe):

Check: loose siding, shutters, eaves, interior and exterior gaps between building components, and attic.

Estimated building height:
Searched entire building? If not, why not?
Location of bats or signs of use (w/drawing and photos):

Bats Present? Seen? Heard?

In Clusters? Number of clusters:

Number of bats in largest cluster:

Approximate total number of bats found:

Signs of previous bat use?

Guano Staining

Building Number:

Type of Structure: Residence Detached garage Metal pole barn Wood sided barn
 Shed Open-sided shelter Commercial Bldg Industrial Bldg Other (describe):

Check: loose siding, shutters, eaves, interior and exterior gaps between building components, and attic.

Estimated building height:
Searched entire building? If not, why not?
Location of bats or signs of use (w/drawing and photos):

Bats Present? Seen? Heard?

In Clusters? Number of clusters:

Number of bats in largest cluster:

Approximate total number of bats found:

Signs of previous bat use?

Guano Staining

If Bats Present in any building on parcel

Date and Time Project Manager was notified:

Name of Project Manager notified:

Landon Little

From: Novak, Karen <KNovak@indot.IN.gov>
Sent: Tuesday, November 12, 2019 9:18 AM
To: Landon Little
Subject: RE: USFWS Bat Layer Check - Des. No. 1900095 US 20 added travel lanes, Elkhart County

Good Morning,

A review of the USFWS database did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. The range-wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat shall be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation for INDOT Projects".

Thank You,

Karen M. Novak

Sr Environmental Mgr Supervisor
5333 Hatfield Road
Fort Wayne, IN 46808
Office: (260) 969-8302
Email: knovak@indot.in.gov



From: Landon Little [mailto:llittle@hntb.com]
Sent: Monday, November 04, 2019 3:37 PM
To: Novak, Karen <KNovak@indot.IN.gov>
Subject: USFWS Bat Layer Check - Des. No. 1900095 US 20 added travel lanes, Elkhart County

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

Hello Karen,

HNTB would like to request a check of the USFWS bat data to determine the presence of any protected bat species in the area of this INDOT US 20 added travel lane project in Elkhart County. See attached graphic for location information. Please let me know if you need any additional information.

Thank you,
Landon Little
Scientist

Environmental Planning
Tel (317)917-5328 Email llittle@hntb.com

HNTB CORPORATION
111 Monument Circle, Suite 1200, Indianapolis, IN 46024 | www.hntb.com



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:

February 09, 2021

Consultation Code: 03E12000-2020-SLI-1036

Event Code: 03E12000-2021-E-03435

Project Name: US 20 Section 2 (CR 35 to SR 13) (Des. 1900095)

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

Counties: Elkhart County, Indiana

Endangered Species Act Species

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

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

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

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

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

Mammals

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

Critical habitats

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



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office
620 South Walker Street
Bloomington, IN 47403-2121
Phone: (812) 334-4261 Fax: (812) 334-4273
<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>

IPaC Record Locator: 520-98953456

February 11, 2021

Subject: Consistency letter for the 'US 20 Section 2 (CR 35 to SR 13) (Des. 1900095)' project (no current TAILS record) 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 **US 20 Section 2 (CR 35 to SR 13) (Des. 1900095)** (Proposed Action) 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 (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 the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*). Consultation with the 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.

This "may affect - not likely to adversely affect" determination becomes effective when the lead Federal action agency or designated non-federal representative requests the Service rely on the PBO to satisfy the agency's consultation requirements for this project.

Please provide this consistency letter to the lead Federal action agency or its designated non-federal representative with a request for review, and as the agency deems appropriate, to submit for concurrence verification through the IPaC system. The lead Federal action agency or designated non-federal representative should log into IPaC using their agency email account and click "Search by record locator". They will need to enter the record locator **520-98953456**.

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

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

Project Description

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

Name

US 20 Section 2 (CR 35 to SR 13) (Des. 1900095)

Description

The Indiana Department of Transportation (INDOT) and the Federal Highway Administration (FHWA) propose the addition of a two-way left turn and additional travel lanes along United States Highway 20 (US 20) between County Road 35 (CR 35) and State Road 13 (SR 13) in Elkhart County, Indiana. There are culverts within the project area that will be replaced or extended as part of this project. There is potentially suitable summer bat habitat located within and adjacent to the project area. Tree clearing will be required (2.15 acres) for this project during the inactive season before construction begins (October 1, 2024 and March 1, 2024). No tree clearing will be required greater than 100 feet from the edge of pavement. Dominant tree species in the area are *Quercus macrocarpa* (Bur oak) and *Fraxinus pennsylvanica* (Green ash). No bats or evidence of bats were observed during the October 14, 2019 or February 8, 2021 field visit.

A search of the USFWS database by INDOT Fort Wayne District on November 22, 2019, did not identify any documented bat habitat sites within a half mile of the project area. The project will not involve permanent lighting alterations but will require the use of temporary lighting during construction. The project is scheduled to let in December 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^[1]?

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

Automatically answered

Yes

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

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

Automatically answered

Yes

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

A) *Federal Highway Administration (FHWA)*

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

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

No

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

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

No

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

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

No

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

No

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

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

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

Yes

9. Will the project remove *any* suitable summer habitat^[1] 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

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

No

11. Have presence/probable absence (P/A) summer surveys^{[1][2]} been conducted^{[3][4]} **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

12. Does the project include activities **within documented Indiana bat habitat**^{[1][2]?}

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEEB 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.)

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

No

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

Yes

14. 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^{[1]?}

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

B) During the inactive season

15. Does the project include activities **within documented NLEEB habitat**^{[1][2]?}

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEEB 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.)

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

No

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

Yes

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

B) During the inactive season

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

Yes

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

No

20. Are *all* trees that are being removed clearly demarcated?

Yes

21. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?

No

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

No

23. Does the project include slash pile burning?

No

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

Yes

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

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

Yes

26. Has a bridge assessment^[1] been conducted **within** the last 24 months^[2] 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

- [INDOT Bridge Culvert_020.020.104.pdf](#) <https://ecos.fws.gov/ipac/project/H5WZORNJPNGB3ITV2XE2XBTB5Q/projectDocuments/21260812>
- [INDOT Bridge Culvert_Assessment_020.020.104.91.pdf](#) <https://ecos.fws.gov/ipac/project/H5WZORNJPNGB3ITV2XE2XBTB5Q/projectDocuments/21260814>

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

[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

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

No

29. 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.)

Yes

30. Is there *any* suitable habitat^[1] for Indiana bat or NLEB **within** 1,000 feet of the structure? (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

31. Has a structure assessment^[1] been conducted **within** the last 24 months^[2] to determine if bats are using the structure(s)?

[1] Structure assessment for occupied buildings means a cursory inspection for bat use. For abandoned buildings a more thorough evaluation is required (See [User Guide Appendix D](#) for bridge/abandoned structure assessment guidance).

[2] Assessments must be completed no more than 2 years prior to conducting any work on the structures, 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 structure in subsequent years.

Yes

SUBMITTED DOCUMENTS

- **218 US 21 Building Inspection Form.pdf** <https://ecos.fws.gov/ipac/project/H5WZORNJPNGB3ITV2XE2XBTB5Q/projectDocuments/99120738>
- **214 US 21 Building Inspection Form.pdf** <https://ecos.fws.gov/ipac/project/H5WZORNJPNGB3ITV2XE2XBTB5Q/projectDocuments/99120739>

32. Did the structure assessment detect *any* signs of Indiana bats and/or NLEBs roosting in/ under the structure (bats, guano, etc.)^[1]?

[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.

No

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

No

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

Yes

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

Yes

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

No

37. 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

38. 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^[1]?

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

Yes

39. 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^[1]?

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

Yes

40. 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

41. Will the project raise the road profile **above the tree canopy**?
No
42. 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.
43. 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
44. 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.
45. 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.
46. 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
47. Is the structure removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?
Automatically answered
Yes, because the structure has been assessed using the criteria documented in the BA and no signs of bats were detected

48. **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

49. **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^[1] 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

50. **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

51. **Tree Removal AMM 4**

Can the project avoid cutting down/removal of *all* (1) **documented**^[1] Indiana bat or NLEB roosts^[2] (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

52. **Lighting AMM 1**

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

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^[1] 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.
2.15
4. Please describe the proposed bridge work:
Culverts within the project area will be extended or replaced with longer culverts to accommodate the widened roadway.
5. Please state the timing of all proposed bridge work:
Bridge work is planned to begin in Spring/Summer of 2024 and be complete in the Summer/Fall of 2026.
6. Please enter the date of the bridge assessment:
October 14, 2019
7. Please describe the proposed structure work:
Once residence, including outbuildings may be demolished as part of the project.
8. Please state the timing of all proposed structure work:
November 2022.
9. Please enter the date of the structure assessment:
February 8, 2021

Avoidance And Minimization Measures (AMMs)

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

TREE REMOVAL AMM 1

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

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.

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.

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

This key was last updated in IPaC on December 29, 2020. 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.

Richard Connolly

Subject: FW: Des 1900095 US 20 Elkhart County USFWS IPAC

Thank You Rich. The letter has been sent to USFWS for their 14 day concurrence review.

Have a great day!

Karen M. Novak

Sr Environmental Mgr Supervisor

5333 Hatfield Road

Fort Wayne, IN 46808

Office: (260) 969-8302

Email: knovak@indot.in.gov



From: Richard Connolly <rconnolly@hntb.com>

Sent: Tuesday, February 09, 2021 1:16 PM

To: Novak, Karen <KNovak@indot.IN.gov>

Subject: RE: Des 1900095 US 20 Elkhart County USFWS IPAC

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

Karen,

The information of the USFWS IPAC website has been revised to document the potential for demolition of one residence.

Please verify the project information and the MA-NLAA determination. The USFWS finding letter is uploaded to the IPAC website.

The IPaC Record Locator for Des. 520-98953456

Please let me know if you have any questions.

Thanks

Richard J. Connolly, CPESC

Science Project Manager

Environmental Planning

Tel (317) 917-5333 Cell (317) 627-5311 Email rconnolly@hntb.com

HNTB CORPORATION

111 Monument Circle Suite 1200, Indianapolis, IN 46204 | www.hntb.com

100+ YEARS OF INFRASTRUCTURE SOLUTIONS

Appendix D: Section 106 of the NHPA

Minor Projects PA Project Assessment Form – Category B Projects with Archaeology Work

Date: 2/20/2020

Project Designation Number: 1900095

Route Number: US 20

Project Description: Added Travel Lanes, US 20 from 2.13 miles W of SR 13 (CR 35) to SR 13

The proposed US 20 Added Travel Lane Project in Elkhart County begins approximately 422 feet (.08 mile) east of its intersection with County Road (CR) 35 and extends 2.53 miles southeast along the current route of US 20. The proposed project will widen a portion of US 20 between CR 35 and SR 13 to accommodate the addition of one (1) travel lane in each direction and a two-way left turn lane throughout the corridor. The proposed project will include widening of the pavement and embankment, and installation of new pavement markings. The resulting typical section would be a five (5)-lane section with paved shoulders. Approximately 40 acres of permanent right-of-way (ROW) are anticipated to be acquired.

Feature crossed (if applicable): N/A

Township: Middlebury

City/County: Middlebury, Elkhart County

Information reviewed (please check all that apply):

General project location map USGS map Aerial photograph

Written description of project area General project area photos

Previously completed archaeology reports Interim Report

Previously completed historic property reports

Soil survey data Bridge inspection information

Other (please specify): Indiana State Historic Architectural and Archaeological Research Database (SHAARD); Indiana Buildings, Bridges, and Cemeteries Map website; *Elkhart County Interim Report*; Arc Map GIS; online street-view imagery; MPPA application (including maps and photographs) sent by HNTB Corporation, dated December 17th, 2019 and on file at INDOT-CRO.

Arnold, Craig

2018 Archaeological Records Check and Phase Ia Reconnaissance US 20 Two-way Left Turn Lane Project from Indiana State Road 15 to Elkhart County Road 35 in Jefferson Township, Elkhart County, Indiana. Weintraut and Associates. Submitted to HNTB Corporation. Report on file at IDNR, DHPA.

Harth, Aaron

2020 An Archaeological Reconnaissance for a Proposed Road Widening Project on US 20, from County Road 35 to State Road 13, in Elkhart County, Indiana (INDOT Des. No. 1900095). Cultural Resource Analysts, Inc. Submitted to HNTB Corporation. Report on file at IDNR, DHPA.

Results of the Records Review for Above-Ground Resources:

With regard to 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 Elkhart County. No listed resources are located within 0.25 mile of the project area, a distance that serves as an adequate potential area of effects given the scope of the project and the surrounding terrain

The Indiana Historic Sites and Structures Inventory (IHSSI) and National Register information for Elkhart County are available in the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) and the Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBCM). The *Elkhart County Interim Report* (2005; Middlebury Township) of the Indiana Historic Sites and Structures Inventory (IHSSI) was also consulted. An INDOT-CRO historian reviewed the SHAARD online map and checked it against the Interim Report hard-copy maps. No 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 and street-view photography. The project area is located in an exurban setting along US 20 with adjacent above-ground resources consisting of mid-twentieth to early twenty-first century residential and commercial buildings. None of the visible resources appear to possess the significance or integrity required to be considered NRHP-eligible.

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

Archaeology Report Author/Date:

Aaron Hearth/ January 27, 2020

Summary of Archaeology Investigation Results:

With regard to archaeological resources, an INDOT Cultural Resources archaeologist who meets the Secretary of the Interior’s Professional Qualification Standards as per 36 CFR Part 61 reviewed the report of investigation for the project and concurred with the results and recommendations (Harth 2020). The background research found that no archaeological sites were recorded and that historic maps did not indicate a structure had been present within the proposed project area. Two archaeological reconnaissance had been conducted at the western edge of the project, one reconnaissance was recent utilizing current methods and so that area was not resurveyed (Arnold 2018). One historic archaeological sites was located during the reconnaissance. The site was found to lack integrity and is ineligible to the state and national registers. No additional archaeological investigation was recommended.

Does the project appear to fall under the Minor Projects PA? yes no

If yes, please specify category and number (applicable conditions are highlighted):

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)

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

Additional comments:

INDOT Cultural Resources staff reviewer(s): Clint Kelly and David Moffatt

******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.***

A PHASE IA ARCHAEOLOGICAL RECONNAISSANCE FOR
A PROPOSED ROAD WIDENING PROJECT ON US 20,
FROM COUNTY ROAD 35 TO STATE ROAD 13, IN
ELKHART COUNTY, INDIANA
(INDOT DES. NO. 1900095)



by
Aaron L. Harth

Prepared for

HNTB
Corporation

Prepared by


cra
cultural resource analysts, inc

Kentucky | West Virginia | Wyoming
Indiana | Louisiana | Tennessee | Virginia

**A PHASE IA ARCHAEOLOGICAL RECONNAISSANCE FOR
A PROPOSED ROAD WIDENING PROJECT ON US 20,
FROM COUNTY ROAD 35 TO STATE ROAD 13, IN
ELKHART COUNTY, INDIANA
(INDOT DES. NO. 1900095)**

by
Aaron L. Harth

Prepared for

Richard Connolly
HNTB Corporation
111 Monument Circle, Suite 1200
Indianapolis, Indiana 46204
Phone: (317) 917-5333
Email: rconnolly@hntb.com

Prepared by

Cultural Resource Analysts, Inc.
201 NW 4th Street, Suite 204
Evansville, Indiana 47708
Phone: (812) 253-3009
Fax: (812) 253-3010
Email: amartin@crai-ky.com
CRA Project No.: 119H013



Andrew V. Martin, RPA 617710
Principal Investigator

January 27, 2020

Lead Agency: Indiana Department of Transportation
Des. No.: 1900095
Indiana State Museum Accession No.: 71.19.1744

ABSTRACT

Between January 6 and 8, 2020, Cultural Resource Analysts, Inc., personnel conducted a phase Ia archaeological reconnaissance for the proposed widening of US 20 in Middlebury, Elkhart County, Indiana (Indiana Department of Transportation Designation Number 1900095). The survey was conducted at the request of HNTB Corporation. The proposed project will be conducted along approximately 3.2 km (2.0 mi) of US 20, between County Road 35 and State Road 13. The survey area encompasses a total of approximately 27 ha (67 acres) of new, temporary, and existing right-of-way, and was investigated in its entirety. Survey methods consisted of systematic screened shovel testing and visual inspection of obviously disturbed areas.

Prior to conducting this survey, an archaeological records review was completed using the Indiana Division of Historic Preservation and Archaeology's State Historic Architectural and Archaeological Research Database. The records review revealed that no previously recorded archaeological sites have been documented within the survey boundaries. The records search also showed that approximately 0.8 ha (2.0 acres) of the western extent of the survey area was previously investigated. The previously surveyed area was not reinvestigated during the current survey.

One previously unrecorded archaeological site (12E494) was documented as a result of this survey. Site 12E494 is a moderate-density late nineteenth- through twentieth-century historic artifact scatter. Overall, Site 12E494 exhibited poor archaeological integrity and is recommended not eligible for inclusion in the National Register of Historic Places. Thus, no further work is recommended for this site, and archaeological clearance is recommended for the proposed project.

Richard Connolly

From: Moffatt, Charles D <CMoffatt@indot.IN.gov>
Sent: Thursday, February 20, 2020 8:42 AM
To: Andrew Martin
Cc: Kelly, Clint; Miller, Shaun (INDOT); Richard Connolly; Novak, Karen; Seculoff, Steven
Subject: RE: Des. No. 1900095, US 20 Travel Lane Addition Project, Elkhart County, MPPA Approval
Attachments: Minor Projects PA determination form_B-3_Des 1900095.pdf

Andy,

Thank you for the submittal of this project information for our review. We have determined that this project falls under Category B-3 of the MPPA, thus concluding the Section 106 process. Please find attached the completed determination forms for inclusion in the CE.

The archaeological report has been reviewed and approved by INDOT-CRO. Please forward one hard copy of the report to DHPA, indicating in the cover letter that the project qualified as a Minor Project and therefore the report is for their records only and no formal review is required under Section 106. In addition, we ask that a copy of the DHPA submittal letter be sent to INDOT CRO care of David Moffatt during the time of submission and that the archaeological report be posted to IN SCOPE (please ensure that the uploaded file follows the IN SCOPE naming conventions).

Please keep in mind that if the scope of the project or project limits should change, 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.

David Moffatt
Archaeologist
Environmental Services
Cultural Resources Office
Indiana Department of Transportation
317-233-3703

From: Miller, Shaun (INDOT)
Sent: Tuesday, January 28, 2020 2:36 PM
To: Moffatt, Charles D <CMoffatt@indot.IN.gov>
Cc: Kelly, Clint <CKelly1@indot.IN.gov>; Andrew Martin <amartin@crai-ky.com>; Richard Connolly <rconnolly@HNTB.com>; Novak, Karen <KNovak@indot.IN.gov>; Seculoff, Steven <SSeculoff@indot.IN.gov>
Subject: FW: Des. No. 1900095, US 20 Travel Lane Addition Project, Elkhart County, MPPA Approval

Dave,

Please review the attached report and complete your portion of the MPPA B-3 form by February 19. Clint has started the form here: [Minor Projects PA determination form B-3 Des 1900095.docx](#)
Be sure to add the accidental discovery clause at the end.

Thank you,

Appendix E: Red Flag and Hazardous Materials



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204

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

Eric Holcomb, Governor
Joe McGuinness,
Commissioner

Date: December 3, 2019

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

From: Landon Little
111 Monument Circle, Suite 1200
Indianapolis, IN 46204
llittle@hntb.com

Re: RED FLAG INVESTIGATION
Des. No. 1900095, State Project
Added Travel Lanes
U.S. 20 – Section 2 (CR 35 to SR 13)
Elkhart County, Indiana

PROJECT DESCRIPTION

Brief Description of Project: The Indiana Department of Transportation (INDOT) and the Federal Highway Administration (FHWA) propose the widening of United States Highway 20 (US 20) from a 2-lane/3-lane typical section to a 5-lane typical section including a two way left turn lane between County Road 35 (CR 35) and State Road 13 (SR 13) in Elkhart County, Indiana. Culverts, traffic signals, and intersections will be upgraded to accommodate the added travel lanes throughout the corridor. Utility relocation will be required on both the north and south sides of US 20.

Bridge and/or Culvert Project: Yes No Structure # N/A

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 N/A Permanent # Acres approximately 40 acres

Type of excavation: Up to 20 feet of excavation will be required for roadway reconstruction, utility relocation, installation of new culverts, and extension of the culvert carrying the Pumpkinvine Nature Trail.

Maintenance of traffic: During construction, 1 lane in each direction on US 20 will be maintained at all times.

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

State Project: LPA:

Any other factors influencing recommendations: N/A

INFRASTRUCTURE TABLE AND SUMMARY

Infrastructure			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
Religious Facilities*	4*	Recreational Facilities	4
Airports ¹	N/A	Pipelines	2
Cemeteries	N/A	Railroads	1
Hospitals	N/A	Trails	6
Schools	4	Managed Lands	1

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

Explanation:

- Religious Facilities*: Four (4) unmapped religious facilities are located within the 0.5 mile search radius. The nearest facility, Crystal Valley Missionary Church is adjacent to the project area, located at 233 US-20, Middlebury, IN. Coordination with Crystal Valley Missionary Church will occur. Pathway Assembly of God is adjacent to the project area, located at 13805 US -20, Middlebury, IN. Coordination with Pathway Assembly of God will occur.
- Schools: Four (4) schools are located within the 0.5 mile search radius. Northridge High School is mapped incorrectly and is located at 56779 Northridge Dr, Middlebury, IN, which is adjacent to the project area. No impact is expected; however, coordination with Northridge High School will occur.
- Recreational Facilities: Four (4) recreational facilities are located within the 0.5 mile search radius. Das Dutchman Essanhaus is mapped incorrectly and is located at 240 US-20, Middlebury, IN, which is located adjacent to the project area. Coordination with Das Dutchman Essanhaus will occur.
- Pipelines: Two (2) pipeline segments are located within the 0.5 mile search radius. One (1) pipeline, owned by Northern Indiana Public Service Co., crosses the project area 0.18 mile south of the US 20 and CR 16 intersection. Coordination with INDOT Utilities and Railroads should occur.
- Railroads: One (1) railroad segment is located within the 0.5 mile search radius. Although one segment, Conrail Railroad, crosses the project area it is listed as not active. Further investigation indicated that Conrail RR has been repurposed into Pumpkinvine Trail. Coordination will Elkhart County Parks and Recreation Department will occur.
- Trails: Six (6) trail segments are located within the 0.5 mile search radius. One (1) trail segment, Pumpkinvine Nature Trail, is located in the project area approximately 0.5 mile north west of the US 20 and SR 13 intersection. Coordination with Elkhart County Parks and Recreation Department will occur.
- Managed Lands: One (1) managed land is located within the 0.5 mile search radius. Pumpkinvine Nature Trail is located within the project area. Coordination with Elkhart County Parks and Recreation Department will occur.

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	1	Canal Routes - Historic	N/A
Karst Springs	N/A	NWI - Wetlands	47
Canal Structures – Historic	N/A	Lakes	24
NPS NRI Listed	N/A	Floodplain - DFIRM	N/A
NWI-Lines	1	Cave Entrance Density	N/A
IDEM 303d Listed Streams and Lakes (Impaired)	6	Sinkhole Areas	N/A
Rivers and Streams	19	Sinking-Stream Basins	N/A

Explanation:

- NWI-Points: One (1) NWI-Point is located within the 0.5 mile search radius. The point is located 0.48 mile north of the northern portion of the project area. No impact is expected.
- NWI-Lines: One (1) line is located within the project area. The line is located approximately 0.18 mile southwest of the northern portion of the project area. No impact is expected.
- IDEM 303d Listed Streams and Lakes (Impaired): Six (6) 303d Listed Streams are located within the 0.5 mile search radius. Little Elkhart River is located 0.05 mile northeast of the project area. No impact is expected.
- River and Streams: Nineteen (19) rivers and streams are located within the 0.5 mile search radius. The nearest stream is located adjacent to the project area approximately 0.05 mile east of CR 35. A Waters of the U.S. Report will be prepared and coordination with INDOT Ecology and Waterway Permitting (INDOT EWPO) will occur.
- NWI-Wetlands: Forty-seven (47) wetlands are located within the project area. The nearest wetland is located at the intersection of Spring Valley Drive and US 20 and is considered adjacent to the project area. Three other wetlands are located adjacent to the northwestern termini of the project area. A Waters of the U.S. Report will be prepared and coordination with INDOT EWPO will occur.
- Lakes: Twenty four (24) lakes are located within the 0.5 mile search radius. The nearest lake is located adjacent to the north portion of the project area. A Waters of the U.S. Report will be prepared and coordination with INDOT EWPO 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	N/A	Mineral Resources	1
Mines – Surface	N/A	Mines – Underground	N/A

Explanation:

- Mineral Resources: One (1) mineral resource is located within the 0.5 mile search radius. Elkhart County Gravel Inc is located approximately 0.5 mile north of the project area. No impact is expected.

HAZARDOUS MATERIAL CONCERNS TABLE AND SUMMARY

Hazardous Material Concerns

Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:

Superfund	N/A	Manufactured Gas Plant Sites	N/A
RCRA Generator/ TSD	3	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	2	Confined Feeding Operations (CFO)	N/A
Voluntary Remediation Program	1	Brownfields	N/A
Construction Demolition Waste	N/A	Institutional Controls	1
Solid Waste Landfill	1	NPDES Facilities	7
Infectious/Medical Waste Sites	N/A	NPDES Pipe Locations	N/A
Leaking Underground Storage (LUST) Sites	1	Notice of Contamination Sites	N/A

Explanation:

- RCRA Generator/TSD: Three (3) RCRA Generator/TSD are located within the 0.5 mile search radius. Louisiana Pacific Corporation is located at 219 US HWY 20 W, AI # 12005, IDEM conducted an inspection of IP Moulding, on February 6, 2018 and was found to be in compliance. No impact is expected.
- Underground Storage Tank (UST) Sites: Two (2) USTs are located within the 0.5 mile search radius. Middlebury Express is located at 901 S Main St, AI # 32025, IDEM conducted an Underground Storage Tank Inspection on August 18, 2016, and the facility was found to be in compliance with equipment, operating, and maintenance requirements set forth in Indiana’s UST Rule 329 IAC 9. No impact is expected.
- Voluntary Remediation Program: One (1) voluntary remediation program is location within the 0.5 mile search radius. Louisiana Pacific Corporation, located at 219 US 20 W, is adjacent to the project area. IDEM issued a Covenant Not To Sue on September 16, 1999, which stated that Louisiana Pacific Corporation completed the voluntary clean up and fulfilled the requirements of the VRP. No impact is expected.

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- Solid Waste Landfill: One (1) solid waste landfill is located within the 0.5 mile search radius. This site, Schult Homes Solid Fill Site, AI # 36494, is located approximately 0.13 mile south west of the project area. IDEM issued a Deed Notation for Closed Landfills letter, dated June 24, 2013, requesting deed information to provide information about the property. No impact is expected.
- Leaking Underground Storage (LUST) Sites: One (1) LUST is located within the 0.5 mile search radius. Long Convenience, 995 US Highway 20, AI # 33707, is the site of a gas station. According to the IDEM Virtual File Cabinet (VFC), IDEM issued a No Further Action Approval Determination Pursuant on November 15, 2007. Low levels of soil contamination may still remain on the site in the south west portion of the canopy. If excavation occurs in this area, petroleum contamination may be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary.
- Institutional Controls: One (1) institutional control is located within the 0.5 mile search radius. This site, Schult Homes Solid Fill Site, AI # 36494, is located approximately 0.13 mile south west of the project area. A deed restriction has been placed on the deed of the property summarizing site-specific requirements for the closed landfill. No impact is expected.
- NPDES Facilities: Seven (7) NPDES facilities are located within the 0.5 mile search radius. BP Gas Station and Convenience Store is adjacent to the southern portion of the project area. BP Gas Station and Convenience Store's permit is effective until October 28, 2021. Coordination with BP Gas Station and Convenience Store will occur.

ECOLOGICAL INFORMATION SUMMARY

The Elkhart 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 indicate the presence of endangered species. Coordination with USFWS and IDNR will occur.

A review of the USFWS database did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. The project area is located in a rural area surrounded by farm fields. The 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".

An inquiry using the USFWS Information for Planning and Consultation (IPAC) website did not indicate the presence of the federally endangered species, the Rusty Patched Bumble Bee, in or within 0.5 mile of the project area. No impact is expected.

RECOMMENDATIONS SECTION

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

INFRASTRUCTURE:

Trails: One (1) trail segment is located within the project area, located approximately 0.5 mile north west of the US 20 and SR 13 intersection. Coordination with Elkhart County Parks and Recreation Department will occur.

Schools: One (1) school is located at 56779 Northridge Dr, Middlebury, IN, which is adjacent to the project area. Coordination with Middlebury community Schools will occur.

Pipelines: One (1) pipeline crosses the project area. Coordination with INDOT Utilities and Railroads will occur.

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Recreational Facilities: One (1) recreational facility is located adjacent to the project area located at 240 US-20, Middlebury, IN. Coordination with Das Dutchman Essanhaus will occur.

Managed Lands: One (1) managed land, Pumpkinvine Trail, is located within the project area. Coordination with Elkhart County Parks and Recreation Department will occur.

WATER RESOURCES: The presence of the following water resources will require the preparation of a Waters of the U.S. Report and coordination with INDOT EWPO:

3 wetlands are located adjacent to the project area.

1 stream segment is located adjacent to the project area.

1 lake is located adjacent to the project area.

URBANIZED AREA BOUNDARY: N/A

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS:

- Leaking Underground Storage (LUST) Sites: One (1) LUST is located within the 0.5 mile search radius. Long Convenience, 995 US Highway 20, AI # 33707, is the site of a gas station. According to the IDEM Virtual File Cabinet (VFC), IDEM issued a No Further Action Approval Determination Pursuant on November 15, 2007. Low levels of soil contamination may still remain on the site in the south west portion of the canopy. If excavation occurs in this area, that petroleum contamination may be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary.

- NPDES Facilities: BP Gas Station and Convenience Store is adjacent to the southern portion of the project area. BP Gas Station and Convenience Store's permit is effective until October 28, 2021. Coordination with BP Gas Station and convenience Store will occur.

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

Nicole Fohey-
Digitally signed by
Nicole Fohey-Breting

Date: 2020.03.31

17:35:34 -04'00'

Breting (Signature)

INDOT Environmental Services concurrence:



Prepared by:
Landon Little
Scientist
HNTB Corporation

Graphics:

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

SITE LOCATION: YES

INFRASTRUCTURE: YES

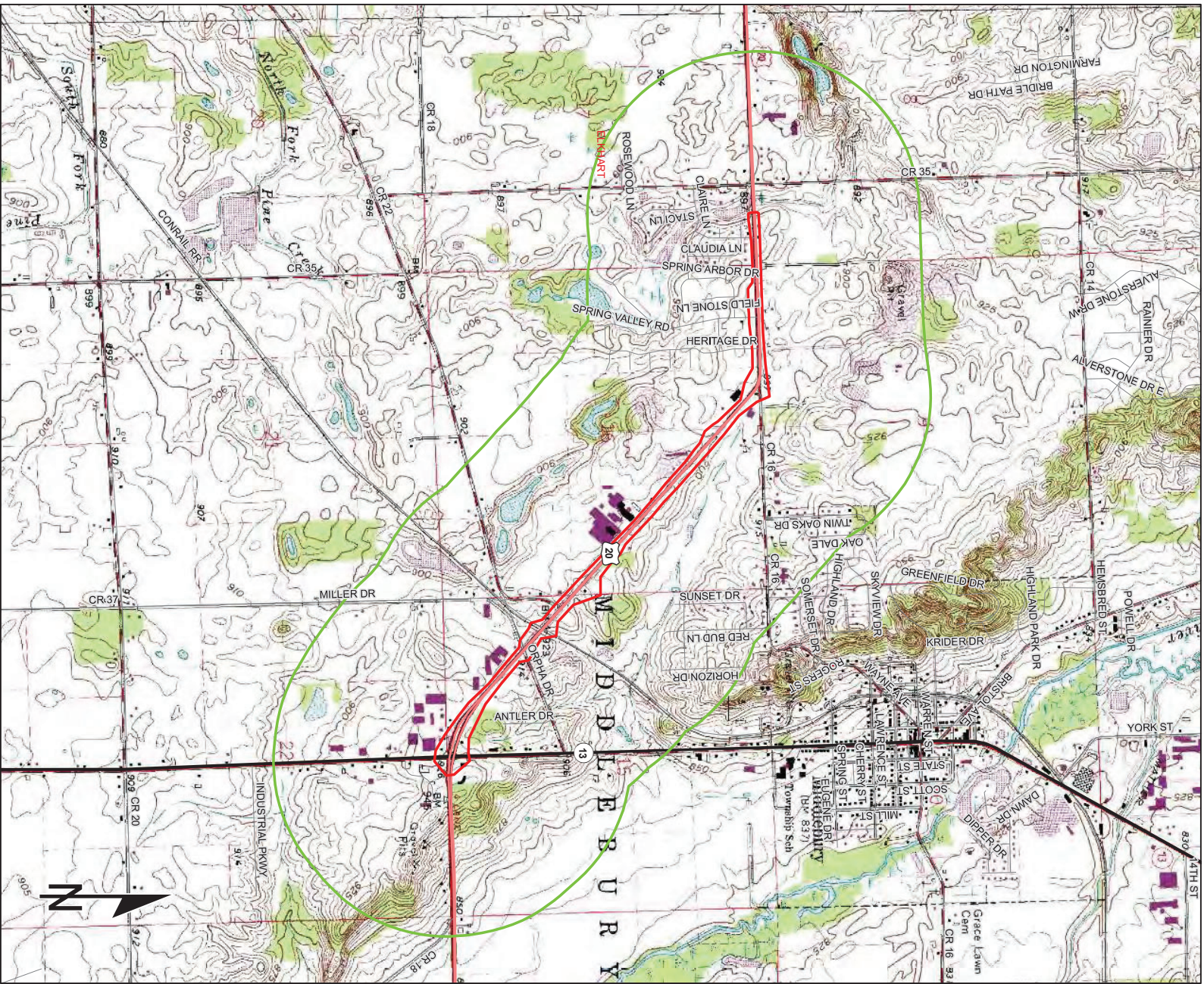
WATER RESOURCES: YES

URBANIZED AREA BOUNDARY: N/A

MINING/MINERAL EXPLORATION: YES

HAZARDOUS MATERIAL CONCERNS: YES

Red Flag Investigation - Project Location
U.S. 20 - SR 15 to CR 35
Des. No. 1900095, Added Travel Lanes
Elkhart County, Indiana



Sources: 0.35 0.175 0 0.35 Miles

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.

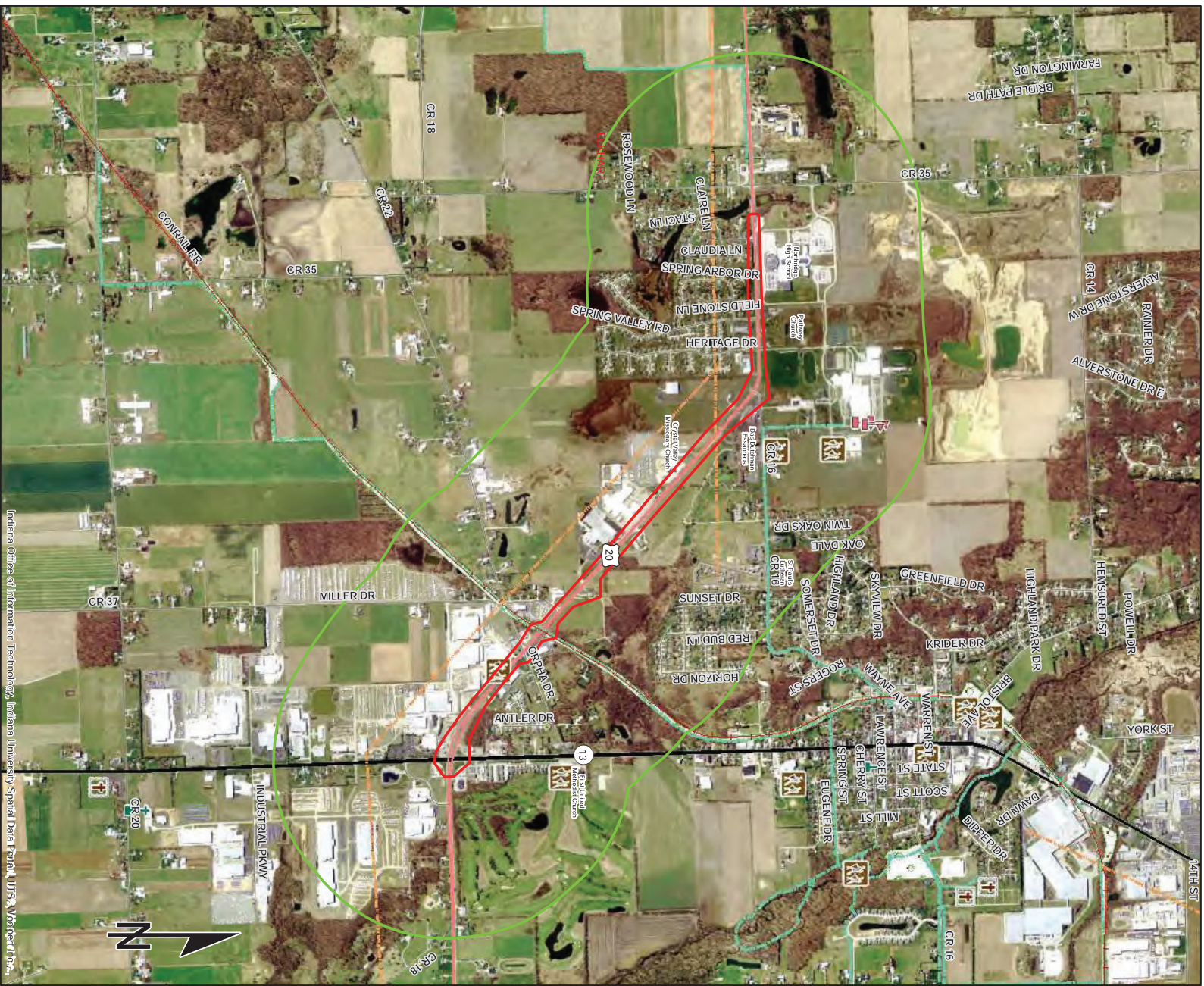
MIDDLEBURY QUADRANGLE
INDIANA
7.5 MINUTE SERIES
(TOPOGRAPHIC)

Red Flag Investigation - Infrastructure

U.S. 20 - SR 15 to CR 35

Des. No. 1900095, Added Travel Lanes

Elkhart County, Indiana



Indiana Office of Information Technology | Indiana University Spatial Data Portal | UITS | UITSpatialData.com

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



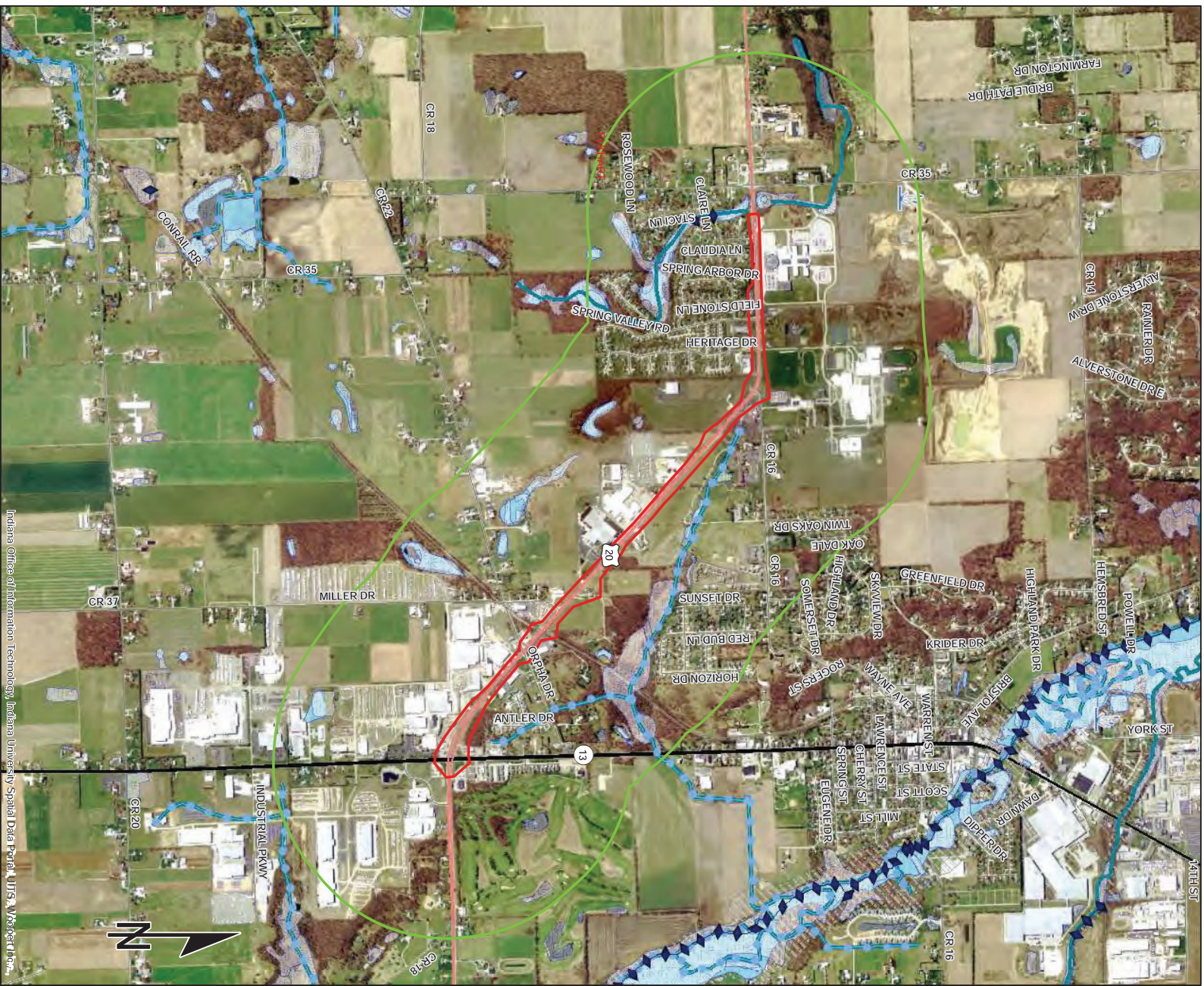
	Religious Facility		Project Area
	Airport		Half Mile Radius
	Cemeteries		Toll
	Hospital		Interstate
	School		State Route
			US Route
			Local Road
			Recreation Facility
			Pipeline
			Railroad
			Trails
			Managed Lands
			County Boundary

Red Flag Investigation - Water Resources

U.S. 20 - SR 15 to CR 35

Des. No. 1900095, Added Travel Lanes

Elkhart County, Indiana



Sources:
 Non Orthophotography - 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.

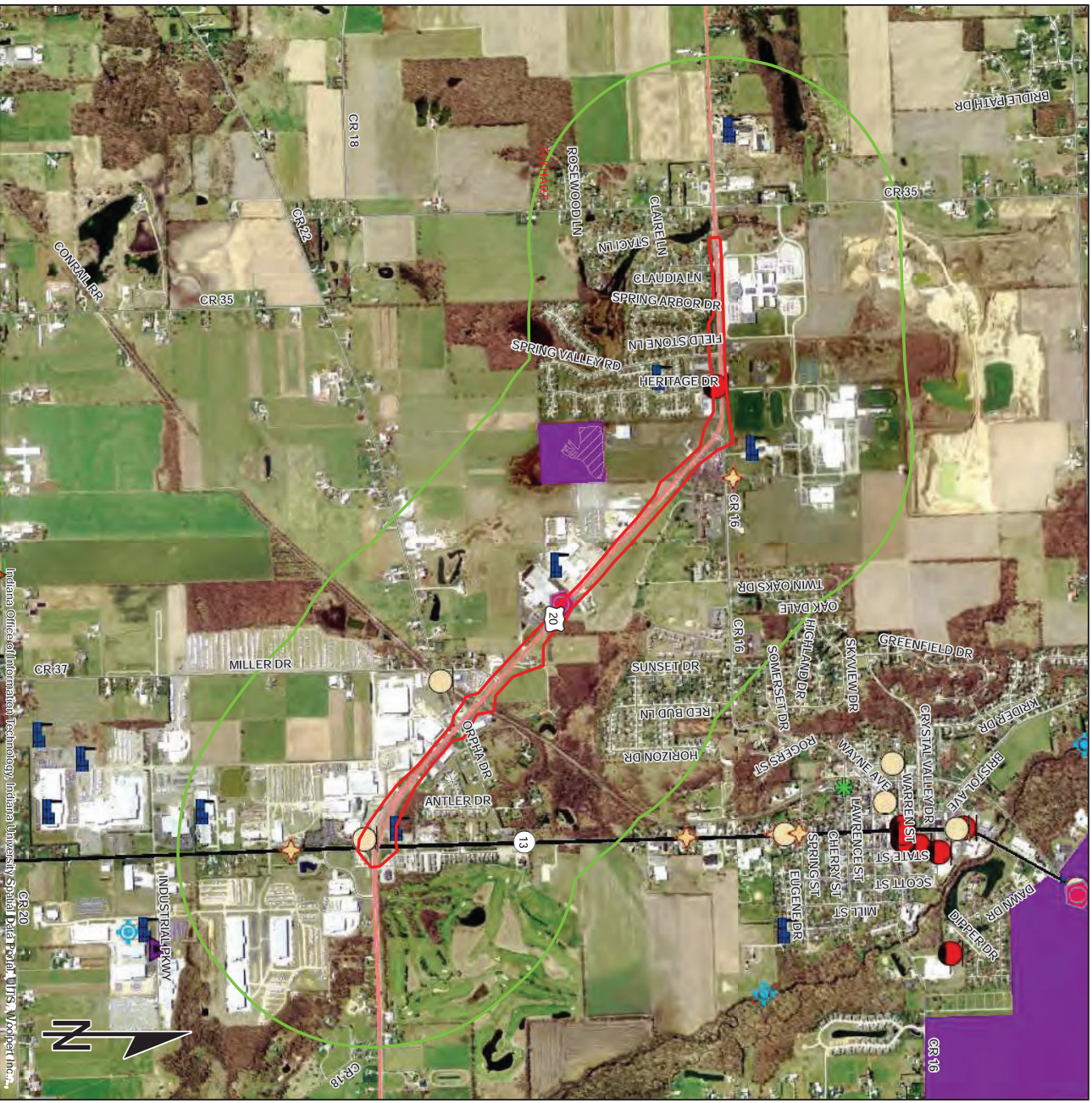


Red Flag Investigation - Hazardous Material Concerns

U.S. 20 - SR 15 to CR 35

Des. No. 1900095, Added Travel Lanes

Elkhart County, Indiana



	Brownfield		RCRA Generator/TSD		Institutional Controls
	RCRA Corrective Action Sites		Restricted Waste Site		County Boundary
	Confined Feeding Operation		Septage Waste Site		Project Area
	Notice_Of Contamination		Solid Waste Landfill		Half Mile Radius
	Construction/Demolition Site		State Cleanup Site		Toll
	Infectious/Medical Waste Site		Superfund		Interstate
	Leaking Underground Storage Tank		Tire Waste Site		State Route
	Manufactured Gas Plant		Underground Storage Tank		US Route
	NPDES Facilities		Voluntary Remediation Program		Local Road
	NPDES Pipe Locations		Waste Transfer Station		
	Open Dump Waste Site				



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

Sources:
 Non Orthophotography: Data - Obtained from the State of Indiana Geographical Information Office Library
 Orthophotography - Obtained from Indiana Map Framework Data
 Map Projection: UTM
 Vertical Datum: NAD83
 Horizontal Datum: NAD83

Indiana County Endangered, Threatened and Rare Species List

County: Elkhart

Species Name	Common Name	FED	STATE	GRANK	SRANK
Mollusk: Bivalvia (Mussels)					
Venusstacooncha ellipsiformis	Ellipse		SSC	G4	S2
Mollusk: Gastropoda					
Campeloma decisum	Pointed Campeloma		SSC	G5	S2
Insect: Coleoptera (Beetles)					
Nicrophorus americanus	American Burying Beetle	LE	SX	G2G3	SX
Insect: Hymenoptera					
Formica ulkei				G5	S1
Insect: Lepidoptera (Butterflies & Moths)					
Apamea lignicolora	The Wood-colored Apamea	ST	G5	S1S2	
Apamea nigrilor	Black-dashed Apamea	SR	G5	S2S3	
Capis curvata	Curved Halter Moth	ST	G5	S2S3	
Catocala praeclara	Praeclara Underwing	SR	G5	S2S3	
Crambus girardellus	Orange-striped Sedge Moth	SR	GNR	S2S3	
Dasychira cinnamomea	Cinnamon Tussock Moth	SR	G4	S1	
Exyra fax	Pitcher Window Moth	SE	G4	S1S2	
Iodopepia u-album	White-eyed Borer Moth	SR	G5	S2	
Leucantia multilinea	Many-lined Wainscot	SR	G5	S1S2	
Macrochilo absorptalis	Slant-lined Owlet	SR	G4G5	S2S3	
Melanomma auricinctaria	Twin-dotted Macrochilo	SR	G4	S2	
Papaipema appassionalata	Huckleberry Eye-spot Moth	SR	G4	S2S3	
Papaipema speciosissima	The Pitcher Plant Borer Moth	SE	G4	S1	
	The Royal Fern Borer Moth	ST	G4	S2S3	
Insect: Odonata (Dragonflies & Damselflies)					
Sympetrum semicinctum	Band-winged Meadowhawk	SR	G5	S2S3	
Insect: Tricoptera (Caddisflies)					
Setodes oligus	A Caddisfly	SE	G5	S1	
Fish					
Coregonus artedii	Cisco		SSC	G5	S2
Ichthyomyzon fossor	Northern Brook Lamprey		SE	G4	S1
Moxostoma valenciennesi	Greater Redhorse		SE	G4	S2
Rhinichthys catarractae	Longnose Dace		SSC	G5	S2
Amphibian					
Necturus maculosus	Common mudpuppy		SSC	G5	S2
Reptile					
Clemmys guttata	Spotted Turtle	C	SE	G5	S2
Glonophis kirtlandii	Kirtland's Snake		SE	G2	S2
Emydoidea blandingii	Blanding's Turtle	C	SE	G4	S2
Macrochelys temminckii	Alligator Snapping Turtle	C	SE	G3G4	SH

Indiana Natural Heritage Data Center Fed: LE = Endangered; LT = Threatened; C = candidate; PDL = proposed for delisting

Division of Nature Preserves State: SE = state endangered; ST = state threatened; SR = state rare; SSC = state species of special concern;

Indiana Department of Natural Resources SX = state extirpated; SG = state significant; WL = watch list

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Indiana County Endangered, Threatened and Rare Species List
County: Elkhart

Species Name	Common Name	FED	STATE	GRANK	SRANK
Sistrurus catenatus	Eastern Massasauga	LT	SE	G3	S2
Terrapene carolina carolina	Eastern Box Turtle		SSC	G5T5	S3
Bird					
Bartramia longicauda	Upland Sandpiper		SE	G5	S3B
Botaurus lentiginosus	American Bittern		SE	G5	S2B
Certhia americana	Brown Creeper		G5		S2B
Circus hudsonius	Northern Harrier		SE	G5	S2
Cistochoerus palustris	Marsh Wren		SE	G5	S3B
Cistochoerus platensis	Sedge Wren		SE	G5	S3B
Empidonax alnorum	Alder Flycatcher		G5		S2B
Grus canadensis	Sandhill Crane		SSC	G5	S2B,S1N
Haliaeetus leucocephalus	Bald Eagle		SSC	G5	S2
Ixobrychus exilis	Least Bittern		SE	G5	S3B
Lanius ludovicianus	Loggerhead Shrike		SE	G4	S3B
Pandion haliaetus	Osprey		SSC	G5	S1B
Rallus elegans	King Rail		SE	G4	S1B
Rallus limicola	Virginia Rail		SE	G5	S3B
Mammal					
Condylura cristata	Star-nosed Mole		SSC	G5	S2?
Mustela nivalis	Least Weasel		SSC	G5	S2?
Taxidea taxus	American Badger		SSC	G5	S2
Vascular Plant					
Actaea rubra	Red Baneberry		S1	G5	S2
Amelanchier humilis	Running Serviceberry		SE	G5	S1
Andromeda glaucophylla	Bog Rosemary		ST	G5T5	S2
Besseyia bullii	Kitten Tails		SE	G3	S1
Boechnera stricta	Drummond Rockcress		SE	G5	S1
Borodinia missouriensis	Missouri Rockcress		SE	G5	S1
Carex bebbii	Bebb's Sedge		SR	G5	S3
Carex debilis var. rudgei	White-edge Sedge		WL	G5T5	S3
Carex straminea	Straw Sedge		ST	G5	S2
Chimaphila umbellata ssp. cisatlantica	Pipsissewa		SE	G5T5	S1
Dendrolycopodium hickeyi	Hickey's Clubmoss		SR	G5	S3
Dendrolycopodium obscurum	Tree Clubmoss		SR	G5	S3
Eleocharis equisetoides	Horse-tail Spikerush		SE	G4	S1
Eleocharis robbinsii	Robbins Spikerush		ST	G4G5	S2
Epigaea repens	Trailing Arbutus		SR	G5	S3
Eriocaulon aquaticum	Pipewort		SE	G5	S1
Eriophorum gracile	Slender Cotton-grass		ST	G5	S2
Eriophorum viridicarinatum	Green-keeled Cotton-grass		SR	G5	S2

Indiana Natural Heritage Data Center

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Division of Nature Preserves

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Indiana County Endangered, Threatened and Rare Species List

County: Elkhart

Species Name	Common Name	FED	STATE	GRANK	SRANK
Fuirena pumila	Dwarf Umbrella-sedge		ST	G4	S2
Geranium robertianum	Herb-robert		SR	G5	S3
Juniperus communis var. depressa	Ground Juniper		SR	G5T5	S3
Linum striatum	Ridged Yellow Flax		WL	G5	S3
Malaxis unifolia	Green Adder's-mouth Orchid		SE	G5	S1
Matteuccia struthiopteris	Ostrich Fern		SR	G5	S3
Milium effusum	Tall Millet-grass		ST	G5	S1
Minuartia michauxii var. michauxii	Michaux's Stitchwort		ST	G5T5	S2
Pinus strobus	Eastern White Pine		SR	G5	S3
Piptochaetium avenaceum	Blackseed Needlegrass		SR	G5	S3
Platanthera leucophaea	Prairie White-fringed Orchid	LT	SE	G2G3	S1
Platanthera psycodes	Small Purple-fringe Orchid		SR	G5	S2
Poa paludigena	Bog Bluegrass		SR	G3	S3
Potamogeton pulcher	Spotted Pondweed		ST	G5	S2
Pseudognaphalium macounii	Winged Cudweed		SX	G5	SX
Pyrola americana	American Wintergreen		ST	G5	S2
Quercus prinoides	Dwarf Chinquapin Oak		SE	G5	S1
Rhynchospora macrostachya	Tall Beaked-rush		SR	G4	S3
Rhynchospora scirpoides	Long-beaked Baldrush		SR	G4	S3
Schoenoplectella purshiana	Weakstalk Bulrush		SR	G4G5	S3
Schoenoplectella smithii	Smith's Bulrush		ST	G5?	S2
Selaginella rupestris	Ledge Spike-moss		SE	G5	S1
Spiranthes lucida	Shining Ladies'-dresses		SR	G4	S3
Symphytotrichum boreale	Rushlike Aster		ST	G5	S2
Triantha glutinosa	False Asphodel		ST	G5	S2
Utricularia cornuta	Horned Bladderwort		SE	G5	S1
Utricularia minor	Lesser Bladderwort		ST	G5	S1
Utricularia purpurea	Purple Bladderwort		SR	G5	S3
Vaccinium oxycoccos	Small Cranberry		ST	G5	S2
Valerianella chenopodiifolia	Goose-foot Corn-salad		WL	G4	S3
Xyris difformis	Carolina Yellow-eyed Grass		ST	G5	S2
High Quality Natural Community					
Forest - floodplain mesic	Mesic Floodplain Forest		SG	G3?	S1
Forest - floodplain wet-mesic	Wet-mesic Floodplain Forest		SG	G3?	S3
Forest - upland mesic Northern Lakes	Northern Lakes Mesic Upland Forest		SG	GNR	S1
Lake - lake	Lake		SG	GNR	S2
Prairie - sand dry-mesic	Dry-mesic Sand Prairie		SG	G3	S3
Wetland - beach marl	Marl Beach		SG	G3	S2
Wetland - bog acid	Acid Bog		SG	G3	S2

Indiana Natural Heritage Data Center

Division of Nature Preserves

Indiana Department of Natural Resources

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Indiana County Endangered, Threatened and Rare Species List

County: Elkhart

Species Name	Common Name	FED	STATE	GRANK	SRANK
Wetland - bog circumneutral	Circumneutral Bog		SG	G3	S3
Wetland - fen	Fen		SG	G3	S3
Wetland - flat muck	Muck Flat		SG	G2	S2
Wetland - flat sand	Sand Flat		SG	G2	S1
Wetland - marsh	Marsh		SG	GU	S4
Wetland - swamp shrub	Shrub Swamp		SG	GU	S2

Indiana Natural Heritage Data Center
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This data is not the result of comprehensive county surveys.

Phase II Environmental Site Assessment

US 20 Improvements
Middlebury, Elkhart County, Indiana
November 10, 2020

INDOT Des No, 1900095
Terracon Project No. CJ207118



Prepared for:
HNTB Corporation and the Indiana Department of Transportation
Indianapolis, Indiana

Prepared by:
Terracon Consultants, Inc.
Indianapolis, Indiana



November 10, 2020

HNTB Corporation
111 Monument Circle Ste 1200
Indianapolis, IN 46204

Attn: Christopher Schultz
E: cjschultz@hntb.com

Re: Phase II Environmental Site Assessment
US 20 Improvements
Middlebury, Elkhart County, Indiana
INDOT Des No. 1900095
Terracon Project No. CJ207118

Dear Mr. Schultz

Terracon Consultants, Inc. (Terracon) is pleased to submit our report of Phase II Environmental Site Assessment (Phase II ESA) activities completed at the above referenced site. This investigation was performed in general accordance with our Task Order dated September 14, 2020. This report includes the findings of the investigation and our conclusions and recommendations.

Terracon appreciates this opportunity to provide environmental consulting services to you. Should you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,
Terracon Consultants, Inc.

Matt Robey, LPG - Terracon
Environmental Project Manager

Paul Melillo, CHMM - Terracon
Environmental Department Manager

Copied - Marlene Mathas, CHMM
SAM Team Lead
Office of Environmental Policy
INDOT

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Table 1 – VOCs, PAHs and Lead in Soil

Table 2 – VOCs, PAHs and Lead in Groundwater

APPENDIX A – EXHIBIT

Exhibit 1 – Site Map

APPENDIX B – SOIL BORING LOGS

APPENDIX C – ANALYTICAL REPORT AND CHAIN OF CUSTODY

Phase II Environmental Site Assessment

US 20 Improvements

Terracon Project No. CJ207118

INDOT Des No. 1900095

November 10, 2020

1.0 INTRODUCTION

The Indiana Department of Transportation (INDOT) is planning improvements to US 20 in Elkhart County, Indiana. Geotechnical investigations were conducted by Earth Exploration, Inc (EEI). Geotechnical services were proceeding under EEI Project No. CJ195411 when EEI staff processing the soil samples for laboratory testing noted that samples in the range of 7 to 11½ ft below the existing grade at one of the borings were exhibiting a suspected petroleum odor. Review of available Indiana Department of Environmental Management (IDEM) database (IDEM Virtual File Cabinet (VFC) and Underground Storage Tank (UST) database) and available aerial photographs from the area indicated that a large apparent commercial building south of US 20 and east of US 16 existed in 1998 and was removed by 2003. INDOT Site Assessment & Management (SAM) was notified of these findings and conducted their own research in the area. The INDOT SAM found through their own research that the removed building was an RV frame manufacturer and that several gas stations were located on the east side of US 20 in this area as late as the early 1970's. The INDOT SAM Team Lead has requested soil and groundwater investigation for both petroleum and chlorinated solvents related compounds to a maximum depth of 10 ft below the existing ground surface.

US 20 serves as a main east-west route from Angola to Elkhart, Indiana. The site is centered around the intersection of US 20 and Indiana SR 16 (Wayne Street). A site location map is included as Exhibit 1 in Appendix A.

2.0 SCOPE OF SERVICES

The following scope was developed to address INDOT concerns associated with historically documented activities and business in the area that maybe have resulted to petroleum hydrocarbon and chlorinated releases and impacts identified during the EEI geotechnical investigation.

2.1 Standard of Care

Terracon's services were performed in a manner consistent with generally accepted practices of the profession undertaken in similar studies in the same geographical area during the same time. Terracon makes no warranties, either express or implied, regarding the findings, conclusions, or recommendations. Please note that Terracon does not warrant the work of laboratories, regulatory agencies, or other third parties supplying information used in the preparation of the report. These Phase II ESA services were performed in accordance with the scope of work agreed with you, our client, as reflected in our original proposal, parenting agreement and supplemental Agreement for Services.

2.2 Additional Scope Limitations

Findings, conclusions, and recommendations resulting from these services are based upon information derived from the onsite activities and other services performed under this scope of work; such information is subject to change over time. Certain indicators of the presence of hazardous substances, petroleum products, or other constituents may have been latent, inaccessible, unobservable, nondetectable, or not present during these services. We cannot represent that the site contains no hazardous substances, toxic materials, petroleum products, or other latent conditions beyond those identified during this Phase II ESA. Subsurface conditions may vary from those encountered at specific borings or wells or during other surveys, tests, assessments, investigations, or exploratory services. The data, interpretations, findings, and our recommendations are based solely upon data obtained at the time and within the scope of these services.

2.3 Reliance

This Phase II ESA report is prepared for the exclusive use and reliance of HNTB (the client) and INDOT. Use or reliance by any other party is prohibited without the written authorization of the client and Terracon Consultants, Inc. (Terracon).

Any unauthorized distribution or reuse is at client's sole risk. Notwithstanding the foregoing, reliance by authorized parties will be subject to the terms, conditions, and limitations stated in the proposal, Phase II ESA report, the Agreement for Services, and supplemental agreement for

Phase II Environmental Site Assessment
US 20 Improvements Des No. 1900095 ■ Middlebury, Indiana
November 10, 2020 ■ Terracon Project No. CJ207118



services. The limitation of liability defined in the terms and conditions is the aggregate limit of Terracon's liability to the client and all relying parties.

Responsive ■ Resourceful ■ Reliable

3.0 FIELD INVESTIGATION

Terracon conducted the fieldwork under a safety plan developed for this project. Work was performed using the Occupational Health & Safety Administration (OSHA) Level D work attire consisting of hard hats, safety glasses, protective gloves, and protective boots. Terracon contacted Indiana 811 and a private utility locator to mark utilities that the services were responsible for, or in the immediate vicinity of the soil boring locations, before commencing intrusive activities at the site.

3.1 Soil Sampling

On October 7, 2020, Terracon mobilized a direct push sampling rig to advance six soil borings (SB-01 through SB-06) at the site. Borings were advanced to maximum depths of up to 12 feet below ground surface (bgs) at which depth groundwater bearing stratum was encountered, for the collection of both soil and groundwater samples (via temporary assessment wells). A site diagram with the boring locations is included as Exhibit 1 in Appendix A. The soil boring logs can be found in Appendix B.

Headspace screening of soil samples was conducted utilizing a calibrated photoionization detector (PID) equipped with a 11.7 electron-volt (eV) ultraviolet lamp source, which provides measurements of total volatile organic vapors in parts per million (ppm) isobutylene equivalents. Sampling personnel wore disposable nitrile gloves to minimize the potential for sample contamination. Samples were placed in laboratory prepared containers, labeled, and preserved on ice in a cooler, which was secured with custody seals. The samples were submitted to Pace Laboratories in Indianapolis, Indiana for laboratory analysis. Analytical parameters (detailed below) were selected based on Terracon experience with potential contaminants associated with the prior business identified in the area.

Soil samples were collected from each boring and were analyzed for volatile organic compounds (VOCs) via USEPA SW846 Methods 8260 which includes lead scavengers, polyaromatic hydrocarbons (PAHs) via USEPA SW846 Method 8270SIM, and the RCRA Metal Lead via USEPA SW846 Method 6010.

3.2 Groundwater Sampling

Upon completion of soil sampling activities, the soil borings were converted to one-inch diameter temporary assessment wells for the collection of groundwater samples. The wells were constructed of polyvinyl chloride (PVC) screen (0.010-inch factory slotted) and PVC riser.

Phase II Environmental Site Assessment

US 20 Improvements Des No. 1900095 ■ Middlebury, Indiana
November 10, 2020 ■ Terracon Project No. CJ207118

Groundwater was collected from the temporary wells using dedicated disposable PVC bailers). Due to insufficient groundwater recharge, groundwater sampling was not possible at temporary well SB-04-GW and SB-06-GW.

Groundwater samples from temporary assessment wells were submitted for laboratory analysis. Groundwater samples were analyzed for VOCs via USEPA SW846 Method 8260, Lead Scavengers via USEPA SW846 Method 8011, PAHs via USEPA SW846 Method 8270SIM, and total and dissolved metals via USEPA SW846 Method 6010/7470.

4.0 RESULTS OF THE FIELD INVESTIGATION

4.1 Geology/Hydrogeology

The boring logs in Appendix B detail the observed soil stratigraphy. In general, Terracon encountered topsoil underlain by clays and sand to the maximum depth of exploration (up to 12 feet bgs), at which drilling was terminated. Groundwater was encountered at SB-01, SB-02, SB-03 and SB-05 at depths ranging from 8 to 10 feet bgs at the time of borehole advancement.

4.2 Field Screening

The field screening results are summarized on the boring/monitoring well logs in Appendix B. Olfactory evidence indicative of potential impact was encountered in SB-05 at 2 feet bgs.

5.0 ANALYTICAL RESULTS

The laboratory analytical reports and chain-of-custody records are attached in Appendix C. The following sections describe the results of the testing.

5.1 Soil Sample Results

The soil analytical results were compared to IDEM 2020 screening levels (SLs), per the IDEM Remediation Closure Guide (RCG) as specified in the INDOT SAM. Soil SLs include residential, commercial/Industrial, and excavation SLs, as well as soil migration to groundwater (MTG) SLs for vadose zone soils.

VOCs were below detection limits for all the soil samples submitted for analysis.

The PAH Naphthalene was detected at a concentration of 0.39 mg/kg in soil sample SB-01 (8-10) which exceeds the IDEM RCGSL MTG SL of 0.11 mg/kg.

For the remaining samples, the reported concentrations were below IDEM MTG, Residential, and Industrial/Commercial Screening Levels. Refer to Table 1 (VOCs PAHs, and lead in Soil).

5.2 Groundwater Sample Results

The groundwater analytical results were compared to the IDEM 2020 RCG Tap Water SLs. IDEM Groundwater SLs include residential tap water SLs, and groundwater-based residential and commercial/Industrial soil gas SLs. Refer to Table 2 (VOCs, PAHs, and lead (dissolved) in groundwater.

No VOCs, PAHs, lead or lead scavengers were detected in Phase II ESA groundwater samples submitted for analysis.

6.0 WELL ABANDONMENT

Temporary assessment wells were abandoned following sample collection in accordance with applicable regulations. Surplus soil sample materials that were not submitted for laboratory analysis were disposed of as solid waste. Remaining investigation derived wastes (temporary well casing, sample gloves, bailers, etc.) were disposed as solid waste.

7.0 CONCLUSIONS

Based on the scope of services described in this report and subject to the limitations described herein, Terracon concludes the following:

- The PAH Naphthalene was detected above the IDEM RCG MTG SL in one of the soil samples (SB-01 (8-10)). A groundwater sample collected from the same location exhibited no detections of Naphthalene, therefore the migration pathway is considered incomplete.
- Standard Personal Protective Equipment (PPE) is considered sufficient for providing worker safety.
- Laboratory analytical results for all collected samples indicate no exceedances of IDEM RCG Excavation Worker SLs, therefore soil and groundwater are not thought to pose a risk to worker health during construction activities.
- If dewatering is required during construction activities water may be able to be discharged to sanitary sewers pending agreement from the appropriate regulatory body in the area.
- Excess soil and groundwater produced as investigation derived waste or during the construction of the proposed road improvements can be classified as non-hazardous waste and disposed of accordingly except for soils from the area of SB-01 which will require disposal at a licensed landfill facility.

Tables

Table 1 – VOCs, PAHs and Metals in Soil

Table 2 – VOCs, PAHs and Metals in Groundwater

**Table 1. VOCs, PAHs, Lead in Soil (mg/kg)
US 20 Improvements
Des No. 190095
Middlebury, Indiana**

				All VOCs	Acenaphthene	Acenaphthylene	Anthracene	Benzo(a)anthracene	Benzo(a)pyrene	Benzo(b)fluoranthene	Benzo(g,h,i)perylene	Benzo(k)fluoranthene	Chrysene	Dibenz(a,h)anthracene	Fluoranthene	Indeno(1,2,3-cd)pyrene	1-Methylnaphthalene	2-Methylnaphthalene	Naphthalene	Phenanthrene	Pyrene	Lead	
RCG Residential - Migration to Groundwater (mg/kg)				Various	110		1200	2.1	4.7	60		590	1800	19	1800	200	1.2	3.7	0.11		260	270	
RCG Residential - Direct Contact (mg/kg)				Various	5000		25000	15	1.5	15		150	1500	1.5	3400	15	250	340	53		2500	400	
RCG Industrial/Commercial - Direct Contact (mg/kg)				Various	45000		100000	210	21	210		2100	21000	21	30000	210	390	3000	170		23000	800	
Boring ID	Depth (ft bgs)			Date																			
SB-01	4	-	8	10/7/2020	BDL	<0.0046	<0.0046	<0.0046	0.0064	0.0079	0.012	<0.0051	<0.0046	0.009	<0.0046	0.017	0.0058	<0.0046	<0.0046	<0.0046	0.0082	0.013	4.7
SB-01	8	-	10	10/7/2020	BDL	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	0.0077	<0.0052	<0.0052	<0.0052	0.0057	<0.0052	0.44	0.81	0.39	0.0095	0.0052	2.8
SB-02	6	-	8	10/7/2020	BDL	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	6.6
SB-02	8	-	10	10/7/2020	BDL	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	2.9
SB-03	2	-	4	10/7/2020	BDL	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	5.9
SB-03	6	-	8	10/7/2020	BDL	<0.0048	<0.0048	<0.0048	<0.0048	<0.0048	<0.0048	<0.0048	<0.0048	<0.0048	<0.0048	<0.0048	<0.0048	<0.0048	<0.0048	<0.0048	<0.0048	<0.0048	3.2
DUP SB-03	6	-	8	10/7/2020	BDL	<0.0051	<0.0051	<0.0051	<0.0051	<0.0051	<0.0051	<0.0048	<0.0051	<0.0051	<0.0051	<0.0051	<0.0051	<0.0051	<0.0051	<0.0051	<0.0051	<0.0051	2.1
SB-04	2	-	4	10/7/2020	BDL	<0.0053	<0.0053	<0.0053	0.0074	0.0071	0.0095	<0.0053	<0.0053	0.0078	<0.0053	0.015	<0.0053	<0.0053	<0.0053	<0.0053	0.0061	0.013	5.8
SB-04	8	-	10	10/7/2020	BDL	<0.0055	<0.0055	<0.0055	<0.0055	<0.0055	<0.0055	<0.0055	<0.0055	<0.0055	<0.0055	0.0057	<0.0055	<0.0055	<0.0055	<0.0055	<0.0055	<0.0055	7.6
SB-05	4	-	6	10/7/2020	BDL	<0.0049	<0.0049	<0.0049	<0.0049	<0.0049	<0.0049	<0.0049	<0.0049	<0.0049	<0.0049	<0.0049	<0.0049	<0.0049	<0.0049	<0.0049	<0.0049	<0.0049	3.2
SB-05	8	-	10	10/7/2020	BDL	<0.0053	<0.0053	<0.0053	<0.0053	<0.0053	<0.0053	<0.0053	<0.0053	<0.0053	<0.0053	<0.0053	<0.0053	<0.0053	<0.0053	<0.0053	<0.0053	<0.0053	2.6
SB-06	6	-	8	10/7/2020	BDL	<0.0050	<0.0050	<0.0050	<0.0050	<0.0050	<0.0050	<0.0050	<0.0050	<0.0050	<0.0050	<0.0050	<0.0050	<0.0050	<0.0050	<0.0050	<0.0050	<0.0050	3.5
SB-06	8	-	10	10/7/2020	BDL	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	<0.0052	5.1

Notes:
VOCs = Volatile Organic Compounds
PAHs = Polyaromatic Hydrocarbons
Samples Analyzed using EPA SW-846 Method 8260, 8270SIM & 6010
mg/kg = milligrams per kilogram
BDL or <# = Below Laboratory Detection Limits
BDL = Detection below applicable IDEM RCG Screening Level
*From IDEM Remediation Closure Guide, Appendix A, Table A-6:Screening Level Summary Table (March, 2020)

Table 2. VOCs, PAHs, Lead in Groundwater (mg/kg)
US 20 Improvements
Des No. 1900095
Middlebury, Indiana

			All VOCs	All PAHs	Lead (dissolved)
RCG Residential - Tap (µg/L)			Various	Various	15
RCG Residential - Vapor Intrusion (µg/L)			Various	Various	
RCG Industrial/Commercial - Vapor Intrusion (µg/L)			Various	Various	
Boring ID	Screen Interval (ft bgs)	Date			
SP-GW-01	5-10	9/2/2020	BDL	BDL	BDL
SP-GW-02	5-10	9/2/2020	BDL	BDL	BDL
SP-GW-03	5-10	9/2/2020	BDL	BDL	BDL
SP-GW-05	5-10	9/2/2020	BDL	BDL	BDL

Notes:

VOCs = Volatile Organic Compounds

PAHs = Polyaromatic Hydrocarbons

Samples Analyzed using EPA SW-846 Method 8260, 8270SIM & 6010

mg/kg = milligrams per kilogram

BDL or <# = Below Laboratory Detection Limits

*From IDEM Remediation Closure Guide, Appendix A, Table A-6:Screening Level Summary Table (March, 2020)

APPENDIX A – EXHIBIT
Exhibit 1 – Site Map

US 20 Improvements

Soil/Temporary Groundwater Sampling Locations

Legend

- Soil and Groundwater
- Soil Only



Google Earth
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Project Manager:	PRM
Drawn by:	MJR
Checked by:	PRM
Approved by:	PRM
Project No.:	CJ207118
Scale:	AS SHOWN
File Name:	Boiling 118
Date:	10/15/20

Terracon
7770 W New York St
Indianapolis, IN 46214-2988

SITE DIAGRAM

US-20 Improvement Project
US-20 & IN-16
Middlebury, IN

Exhibit

X

DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES
AERIAL PHOTOGRAPHY PROVIDED BY GOOGLE EARTH

Appendix F: Water Resources

Waters of the US Report Attachments were removed to minimize file size. Maps showing wetlands and streams can be found in Appendix B.