



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room IGCN 758
Indianapolis, Indiana 46204

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

Eric Holcomb, Governor
Joe McGuinness, Commissioner

November 11, 2021

Sample Early Coordination Letter

{See Attached List}

Re: SR 3 and Waits Road Intersection Improvement
Noble County, Indiana
INDOT Des No.: 1900138
CMT Project No.: 19070904.03

Dear Interested Party:

The Indiana Department of Transportation (INDOT) with federal funding, intends to proceed with a project involving intersection improvements at State Road 3 (SR 3) and Waits Road in Noble County, Indiana. This letter is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. **Please use the above designation numbers and description in your reply.** We will incorporate your comments into a study of the project's environmental impacts.

Project Description

This project is located at the intersection of SR 3 and Waits Road in Kendallville, Noble County, Indiana. The proposed work is along SR 3 from 0.30 mile north of the Waits Road intersection to 0.15 mile south of the Waits Road intersection and along Waits Road from 0.07 mile west of the SR 3 intersection and 0.07 mile east of the SR 3 intersection. The project also involves modification to the traffic signal at SR 3 and Main Street, 0.17 miles south of the SR 3/Waits Road intersection. The project is located in Sections 4, 5, and 9, Township 34 North, and Range 11 East, on the U.S. Geological Survey (USGS) Kendallville, Indiana Quadrangle.

SR 3 in Noble County is classified by INDOT as a minor arterial and is not a part of FHWA National Highway System (NHS route). It travels north-south, connecting US 6 in Kendallville, Indiana to I-69 in Fort Wayne, Indiana. Through the project area the speed limit is 55 miles per hour (mph) with two 12-foot lanes in each direction with a 60-foot median. The northbound leg of SR 3 includes right and left turn lanes onto Waits Road with an outside and inside shoulder. The southbound leg of SR 3 includes a left turn lane onto Waits Roads with an outside shoulder and inside shoulder. Waits Road is classified by INDOT as a local road. The eastbound and westbound approaches on Waits Road have one lane in each direction for all movements. The speed limit on the east leg of Waits Road is 30 mph and the west leg is 40 mph.

Within a 3-year period between April 2017 and November 2019, 13 crashes were reported within the study intersection. Of these, four of the incidents resulted in injuries (including two that were incapacitating). A recent incident occurred in the spring of 2021 that involved multiple deaths. All of the

injury crashes during the study period, including the recent fatality, were right angle crashes where the driver tried to cross SR 3 along Waits Road but was struck once past the median.

The current proposed project is anticipated to convert the project intersection of SR 3 and Waits Road to a Closed Median Reduced Conflict Intersection (RCI). The approaches on Waits Road will be updated to right turn only movement. Vehicles wishing to travel through or turn left from the minor road would be required to turn right onto SR 3 and then complete a U-turn movement. Vehicles wishing to turn left onto Waits Road from SR 3 will be required to complete a U-turn movement at the Median U-Turn (MUT) location. The spacing of the MUT along SR 3 will be 1,500 feet north of the existing intersection due to the superelevation of the existing curve on SR 3. The MUT will be unsignalized. Lighting at the MUT may need to be provided for adequate visibility at the intersection. There will not be a south MUT, instead vehicles will need to travel to the intersection of SR 3 and Main Street, which is located approximately 0.33 mile south of the SR 3 and Waits Road intersection.

No permanent or temporary right of way will be needed for the project. The proposed method of traffic maintenance is anticipated to require/involve a single lane closure on SR 3. To complete work on Waits Road the approaches will be closed and a detour will be required. Vehicles traveling east on Waits Road will turn north on Beacon Road, east on Drake Road, and south on Main Street. Vehicles traveling west on Waits Road will turn north on Main Street, west on Drake Road, and south on Beacon Road. This detour is 3.1 miles long. No other closures or detours will be required for the construction of the project. No trees are expected to be cleared as part of this project. The project is anticipated to begin construction in Fall 2023.

Land use in the vicinity of the project is residential and farmland. Crawford, Murphy & Tilly, Inc. (CMT) performed a waters and wetlands determination to identify any water resources that may be present within the project area. Nine wetlands and three streams were identified within the project area. Impacts are anticipated to two wetlands, including a wetland located along the westside ditch of southbound SR 3 and a wetland located in the southeast quadrant of the intersection. Two unnamed tributaries (UNT) to Bixler Lake Ditch will likely be impacted. UNT 1 to Bixler Lake Ditch flows from west to east along the southside ditch of the east leg of Waits Road and will be impacted. UNT 2 to Bixler Lake Ditch flows from north to south along the westside ditch of SR 3 and will also be impacted. Due to the proposed turn lanes of SR 3, both streams are anticipated to be impacted below the the ordinary high water mark (OHWM) if re-grading of roadside ditches is needed. Impacts to UNT 1 to Bixler Lake Ditch below the OHWM are also anticipated due to the culvert extension underneath the west leg of Waits Road and regrading the roadside ditch along Waits Road. 401/404 Permits are anticipated to be required for this project. This project is anticipated to qualify for the USFWS Rangewide Programmatic Agreement for the Indiana bat and Northern long-eared bat by completing the USFWS's Information for Planning and Consultation (IPaC).

There are no previously recorded historic properties within or adjacent to the project area. INDOT will ensure compliance with Section 106 of the National Historic Preservation Act of 1966.

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

SR 3 and Waits Rd Intersection
November 11, 2021
Page 3

If you have any questions or concerns regarding this matter, please feel free to contact Jenny Bass at 260-969-8252 or via email at jbass@indot.in.gov, or contact me at 317-492-9162 or via email at nbatta@cmtengr.com. Thank you in advance for your input.

Sincerely,

Crawford, Murphy & Tilly, Inc.

A handwritten signature in black ink that reads "Nick Batta". The signature is written in a cursive style and is positioned above the printed name and title.

Nick Batta
Project Manager

Attachments-
Maps (Location, Aerial, USGS Topographic)
Photographs

Note: Duplicate mapping and photographs were included in the Early Coordination Packet, but were intentionally removed. Please see Appendix B for maps and photographs.

SR 3 Waits Rd Intersection Improvement ECL 1900138

The following agencies received Early Coordination Letters sent November 11, 2021:

Federal Highway Administration
Federal Office Building, Room 254
575 North Pennsylvania Street
Indianapolis, IN 46204
Kari Carmany-George
k.carmanygeorge@dot.gov

Indiana Geological and Water Survey
611 North Walnut Grove
Bloomington, IN 47405
Early Coordination submittal at
<https://igws.indiana.edu/eAssessment/>

Environmental Coordinator
Indiana Department of Natural Resources
Division of Fish and Wildlife
402 West Washington Street, Rm W273
Indianapolis, IN 46204
environmentalreview@dnr.in.gov

Utilize the IDEM's Wellhead Proximity
Determinator website
<https://www.in.gov/idem/cleanwater/pages/wellhead/>

Indiana Department of Environmental
Management
Electronic Website Coordination
<http://www.in.gov/idem/5284.htm>

Field Environmental Officer
Chicago Regional Office
US Department of Housing & Urban
Development
Metcalf Fed. Bldg.
77 West Jackson Blvd. Rm 2401
Chicago, IL 60604
erik.r.sandstedt@hud.gov

Karen Novak
Fort Wayne District – Environmental Section
Manager
Indiana Department of Transportation
5333 Hatfield Road
Fort Wayne, IN 46808
knovak@indot.in.gov

Ron Bales
Environmental Policy Manager
Indiana Department of Transportation
100 North Senate Ave. IGCN 758-ES
Indianapolis, IN 46204
rbales@indot.in.gov

Jenny Bass
Project Manager
Indiana Department of Transportation
5333 Hatfield Road
Fort Wayne, IN 46808
jbass@indot.in.gov

Scott Manning
Strategic Communications Director
Indiana Department of Transportation
100 North Senate Avenue
IGCN Room N755
Indianapolis, IN 46204
SManning1@indot.IN.gov

Ms. Deborah Snyder
US Army Corps of Engineers,
Louisville District, Indianapolis Regulatory
Office,
Indianapolis, IN 46216
RegulatoryApplicationsLRL@usace.army.mil

First Christian Church
110 West Waits Road
Kendallville, IN 46755
kvillefcc@att.net

Kendallville Municipal Airport
363 Airport Road
Kendallville, IN 46755
airport@kendallville-in.org

INDOT Utilities and Railroads
Sam Anderson
Utilities and Railroad Director
100 North Senate Ave. IGCN 758 - UT/RR
Indianapolis, IN 46204
saanderson2@indot.in.gov

Max Weber
Noble County Sheriff
210 7th Street
Albion, IN 46701

Noble County Highway Department
1118 East Main Street
Albion, IN 46701
highway@nobleco.org

Jeremy McKinley
Kendallville Fire Chief
304 East North Street
Kendallville, IN 46755
fire@kendallville-in.org

Lance Waters
Kendallville Police Chief
234 South Main Street
Kendallville, IN 46755
police@kendallville-in.org

SuzAnne Handshoe
Kendallville Mayor
234 South Main Street
Kendallville, IN 46755
mayor@kendallville-in.org

Scott Derby
Noble County Engineer
234 South Main Street
Kendallville, IN 46755
engineering@kendallville-in.org

Corey Boese
Noble Common Council
234 South Main Street
Kendallville, IN 46755
cboese@kendallville-in.org

Amy Ballard
Noble Common Council
234 South Main Street
Kendallville, IN 46755
aballard@kendallville-in.org

James Dazey
Noble Common Council
234 South Main Street
Kendallville, IN 46755
jdazey@kendallville-in.org

Regan Ford
Noble Common Council
234 South Main Street
Kendallville, IN 46755
rford@kendallville-in.org

Shari Targgart
Noble Common Council
234 South Main Street
Kendallville, IN 46755
starggart@kendallville-in.org

Dr. Teresa Gremaux
Superintendent
East Noble School Corporation
126 West Rush Street
Kendallville, IN 46755
tgremaux@eastnoble.net

Josh Buhro
Director of Transportation
East Noble School Corporation
126 West Rush Street
Kendallville, IN 46755
ibuhro@eastnoble.net

Randy Sexton
Noble County Surveyor
2090 North State Road 9, Suite B
Albion, IN 46701
rsexton@nobleco.us

Justin J. Stump
Director
Noble County Emergency Management Agency
107 Weber Rd
Albion, IN 46701
jstump@nobleco.us



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
Jenny Bass
5333 Hatfield Road
Fort Wayne , IN 46808
Date

Crawford, Murphy, & Tilly
Nick Batta
8790 Purdue Road
Indianapolis , IN 46268

To Engineers and Consultants Proposing Roadway Construction Projects:

RE: This project (Des. #1900138) is at the intersection of SR 3 and Waits Road in Kendallville, Noble County, Indiana. The proposed project is anticipated to convert the intersection of SR 3 and Waits Road to a Closed Median Reduced Conflict Intersection. The Waits Road approaches will be updated to right turn only . Vehicles wishing to travel through or turn left from the minor road would be required to turn right onto SR 3 and complete a U-turn. Vehicles wishing to turn left onto Waits Road from SR 3 will be required to complete a U-turn at the Median U-Turn location.

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

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

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

WATER AND BIOTIC QUALITY

1. Section 404 of the Clean Water Act requires that you obtain a permit from the U.S. Army Corps of Engineers (USACE) before discharging dredged or fill materials into any wetlands or other waters, such as rivers, lakes, streams, and ditches. Other activities regulated include the relocation, channelization, widening, or other such alteration of a stream, and the mechanical clearing (use of heavy construction equipment) of wetlands. Thus, as a project owner or sponsor, it is your responsibility to ensure that no wetlands are disturbed without the proper permit. Although you may initially refer to the U.S. Fish and Wildlife Service

National Wetland Inventory maps as a means of identifying potential areas of concern, please be mindful that those maps do not depict jurisdictional wetlands regulated by the USACE or the Department of Environmental Management. A valid jurisdictional wetlands determination can only be made by the USACE, using the 1987 Wetland Delineation Manual.

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

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

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

2. In the event a Section 404 wetlands permit is required from the USACE, you also must obtain a Section 401 Water Quality Certification from the IDEM Office of Water Quality Wetlands Program. To learn more about the Wetlands Program, visit: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>).
3. If the USACE determines that a wetland or other water body is isolated and not subject to Clean Water Act regulation, it is still regulated by the state of Indiana. A State Isolated Wetland permit from IDEM's Office of Water Quality (OWQ) is required for any activity that results in the discharge of dredged or fill materials into isolated wetlands. To learn more about isolated wetlands, contact the OWQ Wetlands Program at 317-233-8488.
4. If your project will involve over a 0.5 acre of wetland impact, stream relocation, or other large-scale alterations to water bodies such as the creation of a dam or a water diversion, you should seek additional input from the OWQ Wetlands Program staff. Consult the Web at: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>) for the appropriate staff contact to further discuss your project.
5. Work within the one-hundred year floodway of a given water body is regulated by the Department of Natural Resources, Division of Water. The Division issues permits for activities regulated under the following statutes:
 - o IC 14-26-2 Lakes Preservation Act 312 IAC 11
 - o IC 14-26-5 Lowering of Ten Acre Lakes Act No related code
 - o IC 14-28-1 Flood Control Act 310 IAC 6-1
 - o IC 14-29-1 Navigable Waterways Act 312 IAC 6
 - o IC 14-29-3 Sand and Gravel Permits Act 312 IAC 6
 - o IC 14-29-4 Construction of Channels Act No related code

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

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

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

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

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

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

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

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

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

AIR QUALITY

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

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

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

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

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

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

The U.S. EPA further recommends that all homes (and apartments within three stories of ground level) be tested for radon. If in-home radon levels are determined to be 4 pCi/L, or higher, EPA recommends a follow-up test. If the second test confirms that radon levels are 4 pCi/L, or higher, EPA recommends the installation

of radon-reduction measures. (For a list of qualified radon testers and radon mitigation (or reduction) specialists visit: http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf (http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf.) It also is recommended that radon reduction measures be built into all new homes, particularly in areas like Indiana that have moderate to high predicted radon levels.

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

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

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

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

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

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

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

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

4. With respect to lead-based paint removal: IDEM encourages all efforts to minimize human exposure to lead-based paint chips and dust. IDEM is particularly concerned that young children exposed to lead can suffer from learning disabilities. Although lead-based paint abatement efforts are not mandatory, any abatement that is conducted within housing built before January 1, 1978, or a child-occupied facility is required to comply with all lead-based paint work practice standards, licensing and notification requirements. For more information about lead-based paint removal visit: <http://www.in.gov/isdh/19131.htm> (<http://www.in.gov/isdh/19131.htm>).
5. Ensure that asphalt paving plants are permitted and operate properly. The use of cutback asphalt, or asphalt emulsion containing more than seven percent (7%) oil distillate, is prohibited during the months April through October. See 326 IAC 8-5-2, Asphalt Paving Rule

(<http://www.ai.org/legislative/iac/T03260/A00080.PDF>
(<http://www.ai.org/legislative/iac/T03260/A00080.PDF>)).

6. If your project involves the construction of a new source of air emissions or the modification of an existing source of air emissions or air pollution control equipment, it will need to be reviewed by the IDEM Office of Air Quality (OAQ). A registration or permit may be required under 326 IAC 2 (View at: www.ai.org/legislative/iac/t03260/a00020.pdf (<http://www.ai.org/legislative/iac/t03260/a00020.pdf>)). New sources that use or emit hazardous air pollutants may be subject to Section 112 of the Clean Air Act and corresponding state air regulations governing hazardous air pollutants.
7. For more information on air permits visit: <http://www.in.gov/idem/4223.htm> (<http://www.in.gov/idem/4223.htm>), or to initiate the IDEM air permitting process, please contact the Office of Air Quality Permit Reviewer of the Day at (317) 233-0178 or OAMPROD atdem.state.in.us.

LAND QUALITY

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

1. If the site is found to contain any areas used to dispose of solid or hazardous waste, you need to contact the Office of Land Quality (OLQ) at 317-308-3103.
2. All solid wastes generated by the project, or removed from the project site, need to be taken to a properly permitted solid waste processing or disposal facility. For more information, visit <http://www.in.gov/idem/4998.htm> (<http://www.in.gov/idem/4998.htm>).
3. If any contaminated soils are discovered during this project, they may be subject to disposal as hazardous waste. Please contact the OLQ at 317-308-3103 to obtain information on proper disposal procedures.
4. If PCBs are found at this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding management of any PCB wastes from this site.
5. If there are any asbestos disposal issues related to this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding the management of asbestos wastes (Asbestos removal is addressed above, under Air Quality).
6. If the project involves the installation or removal of an underground storage tank, or involves contamination from an underground storage tank, you must contact the IDEM Underground Storage Tank program at 317/308-3039. See: <http://www.in.gov/idem/4999.htm> (<http://www.in.gov/idem/4999.htm>).

FINAL REMARKS

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

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

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

Signature(s) of the Applicant

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

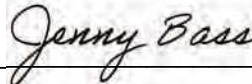
Project Description

This project (Des. #1900138) is at the intersection of SR 3 and Waits Road in Kendallville, Noble County, Indiana. The proposed project is anticipated to convert the intersection of SR 3 and Waits Road to a Closed Median Reduced Conflict Intersection. The Waits Road approaches will be updated to right turn only. Vehicles wishing to travel through or turn left from the minor road would be required to turn right onto SR 3 and complete a U-turn. Vehicles wishing to turn left onto Waits Road from SR 3 will be required to complete a U-turn at the Median U-Turn location.

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: 11/15/2021

Signature of the INDOT
Project Engineer or Other Responsible Agent _____



Jenny Bass

Date: 11/12/2021

Signature of the
For Hire Consultant _____



Nick Batta

Organization and Project Information

Project ID: 19070904.03
Des. ID: 1900138
Project Title: SR 3 and Waits Road Intersection Improvement
Name of Organization: Crawford Murphy & Tilly
Requested by: Nick Batta

Environmental Assessment Report

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

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

DISCLAIMER:

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

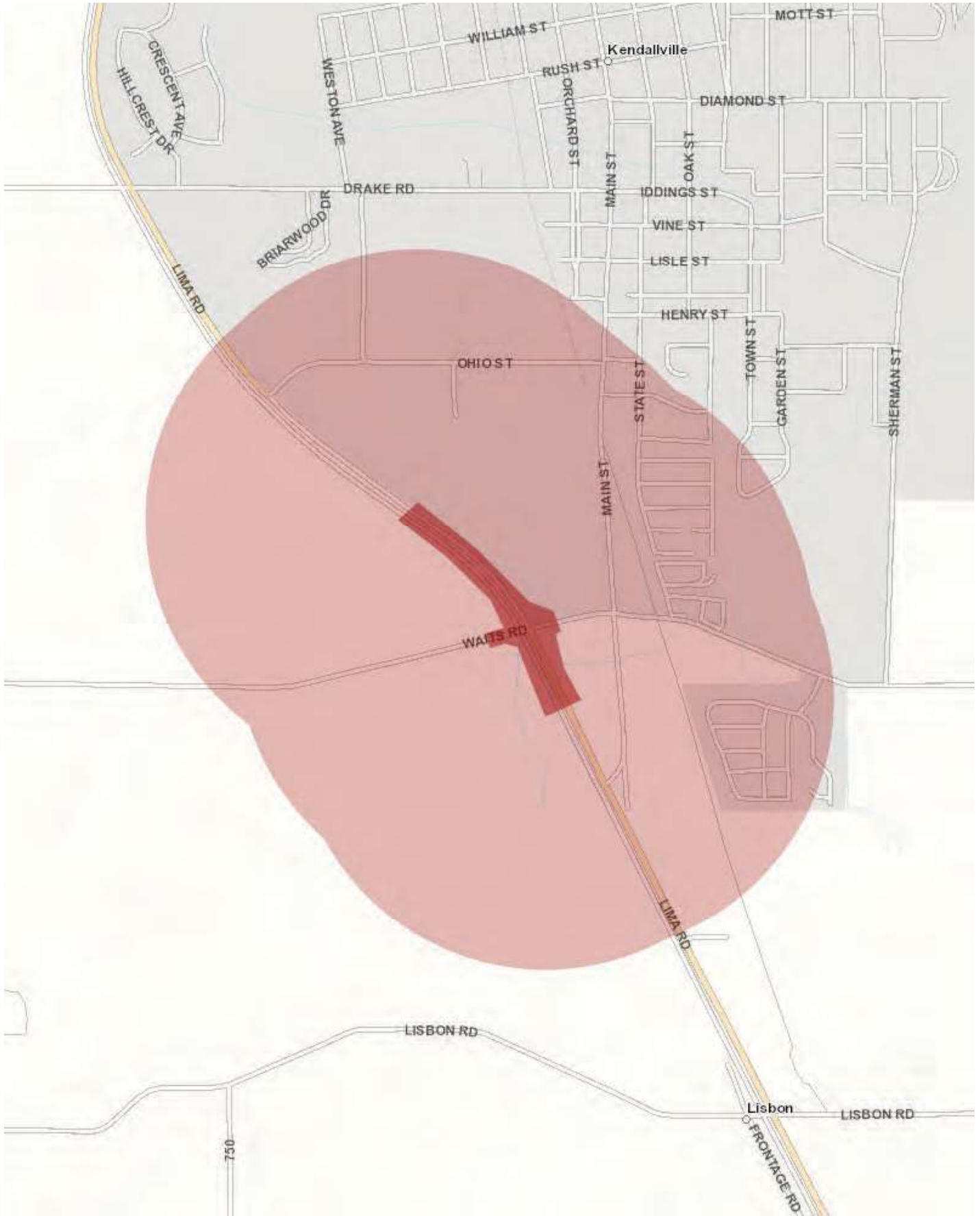
This information was furnished by Indiana Geological Survey

Address: 1001 E. 10th St., Bloomington, IN 47405

Email: IGSEnvir@indiana.edu

Phone: 812 855-7428

Date: November 12, 2021



Metadata:

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

From: [Justin Stump](#)
To: [Claudia McAllister-Peterson](#)
Subject: RE: Early Coordination Letter: Intersection Improvements at SR 3 and Waits Rd #1900138
Date: Tuesday, November 16, 2021 11:10:02 AM
Attachments: [image001.png](#)

External Message: This email was sent from someone outside of CMT. Please use caution with links and attachments from unknown senders or receiving unexpected emails.

Good Morning Claudia,

In reviewing the above mentioned project description in the area of SR3 and Waits Rd in Noble County, Indiana. It is my opinion that there are no adverse effects incurred as a result of the proposed project from an Emergency Management standpoint.

Thank you,

Justin J. Stump, FF/NREMT

Director

Noble County Emergency Management Agency

107 Weber Road

Albion, IN 46701

Office: 260-636-2938

Cell: 260-347-7378

Email: jstump@nobleco.us

Web: <http://nobleco.squarespace.com/emergency-management/>



Emergency preparedness is a team sport.

NOTICE OF CONFIDENTIALITY: This email, and any attachments thereto, is intended for use only by the addressee(s) named herein and may contain confidential information, legally privileged information and/or classified information. If you are not the intended recipient of this email, you are hereby notified that any dissemination, distribution or copying of this email, and any attachments thereto, is strictly prohibited. If you have received this email in error, please notify the sender by email or telephone and permanently delete the original and any copies and printed material thereof.

From: Claudia McAllister-Peterson [mailto:CMcAllister-Peterson@cmtengr.com]
Sent: Friday, November 12, 2021 11:28 AM
To: Justin Stump <jstump@nobleco.us>
Cc: knovak@indot.in.gov; jbass@indot.in.gov
Subject: Early Coordination Letter: Intersection Improvements at SR 3 and Waits Rd #1900138

Dear Interested Party,

The Indiana Department of Transportation intends to proceed with a project involving intersection improvements at State Road 3 (SR 3) and Waits Road in Kendallville, Noble County, Indiana (INDOT Des No.: 1900138). Please see the attached letter, which is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. We will incorporate your comments into a study of the project's environmental impacts.

If you have any questions or concerns regarding this matter, please feel free to contact me at 317-808-9466 or via e-mail. Thank you for your assistance, and we look forward to your response.

Thank you,

CLAUDIA MCALLISTER-PETERSON | ECOLOGICAL ENGINEER



Crawford, Murphy & Tilly | Engineers & Consultants

8790 Purdue Road | Indianapolis, IN 46268

w 317.808.9466 | f 317.298.4503 | CMcAllister-Peterson@cmtengr.com

Centered in Value

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

DNR #: ER-24249

Request Received: November 12, 2021

Requestor: Crawford Murphy and Tilly Inc
Nick Batta
8790 Purdue Road
Indianapolis, IN 46268

Project: SR 3 and Waits Road intersection improvement, Kendallville; Des #1900138, CMT #19070904.03

County/Site info: Noble

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

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

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

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

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

1) Crossing Structure:

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

The new, replacement, or rehabbed structure, and any bank stabilization under the structure, should not create conditions that are less favorable for wildlife passage under the structure compared to the current conditions. When determining an appropriate bridge or culvert size, consider whether or not wildlife/vehicle collisions are a concern at the crossing site. If feasible, a larger bridge or culvert opening can allow for the movement of wildlife under the roadway in order to minimize wildlife/vehicle collisions.

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

2) Bank Stabilization:

Establishing vegetation along the banks is critical for stabilization and erosion control. In addition to vegetation, some other form of bank stabilization may be needed. While hard armoring alone (e.g. riprap or glacial stone) may be needed in certain instances, soft armoring and bioengineering techniques should be considered first. In many instances, one or more methods are necessary to increase the likelihood of vegetation establishment. Combining vegetation with most bank stabilization methods can provide additional bank protection and help reduce impacts upon fish and wildlife. Information about bioengineering techniques can be found at <http://www.in.gov/legislative/iac/20120404-IR-312120154NRA.xml.pdf>. Also, the following is a USDA/NRCS document that outlines many different bioengineering techniques for streambank stabilization: <http://directives.sc.egov.usda.gov/17553.wba>.

Riprap must not be placed in the active thalweg channel or placed in the streambed in a manner that precludes fish or aquatic organism passage (riprap must not be placed above the existing streambed elevation). Riprap may be used only at the toe of the sideslopes up to the ordinary high water mark (OHWM). The banks above the OHWM must be restored, stabilized, and revegetated using geotextiles and a mixture of grasses, sedges, wildflowers, shrubs, and trees native to Northern Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion.

3) Riparian Habitat:

We recommend a mitigation plan be developed for any unavoidable habitat impacts that will occur. The DNR's Habitat Mitigation Guidelines (and plant lists) can be found online at: <http://iac.iga.in.gov/iac/20200527-IR-312200284NRA.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) or by using the 1:1 replacement ratio based on area depending on the type of habitat impacted (individual canopy tree removal in an urban streetscape or park-like environment versus removal of habitat supporting a tree canopy, woody understory, and herbaceous layer). Impacts under 0.10 acre in an urban area may still involve the replacement of large diameter trees but typically do not require any additional mitigation or additional plantings beyond seeding and stabilizing disturbed areas. There are exceptions for high quality habitat sites however.

4) 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 (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.

5) Lighting:

The International Dark-Sky Association (IDA) states that, to minimize the negative impacts of artificial lighting on wildlife, "lighting should only be on when needed, only light the area that needs it, be no brighter than necessary, minimize blue light emissions, [and] be fully shielded (pointing downward)". The Division of Fish and Wildlife strongly encourages visiting the IDA's website to learn more about selecting lighting fixtures that minimize the harmful effects of lighting on humans and wildlife: <http://darksky.org/lighting/lighting-basics/>.

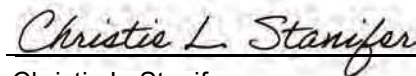
State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Fish and Wildlife
Early Coordination/Environmental Assessment

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 within the project area using a mixture of grasses (excluding all varieties of tall fescue), sedges, wildflowers, shrubs, and trees native to Northern Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion.
2. Minimize and contain within the project limits inchannel disturbance and the clearing of trees and brush.
3. Do not work in the waterway from April 1 through June 30 without the prior written approval of the Division of Fish and Wildlife.
4. Do not 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.
5. Do not excavate in the low flow area except for the placement of piers, foundations, and riprap, or removal of the old structure.
6. Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds.
7. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids.
8. Do not use broken concrete as riprap.
9. Underlay the riprap with a bedding layer of well graded aggregate or a geotextile to prevent piping of soil underneath the riprap.
10. Minimize the movement of resuspended bottom sediment from the immediate project area.
11. Do not deposit or allow demolition/construction materials or debris to fall or otherwise enter the waterway.
12. 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.
13. 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.
14. 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 10, 2021

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

Marion Wells

From: Mark Schultz <MSchultz@kendallville-in.org>
Sent: Wednesday, September 1, 2021 8:24 AM
To: Nick Batta
Subject: RE: Request for Verification of Existing Facilities - SR 3 at Waits Road - INDOT Des No. 1900138
Attachments: DOC090121-09012021071913.pdf

External Message: This email was sent from someone outside of CMT. Please use caution with links and attachments from unknown senders or receiving unexpected emails.

Hi Nick,
This should be what you need, However, if you need additional information just let me know.

Sewer is shown in green and water in blue

Mark Schultz
WWTP Superintendent
Kendallville, Indiana

Mailing: 234 Main St.
Plant: 501 W Wayne St.
Kendallville, IN 46755
Plant 260-347-1362
Direct 260-347-2311
Cell 260-318-2464

From: Nick Batta <nbatta@cmtengr.com>
Sent: Wednesday, September 1, 2021 8:17 AM
To: Mark Schultz <MSchultz@kendallville-in.org>
Subject: FW: Request for Verification of Existing Facilities - SR 3 at Waits Road - INDOT Des No. 1900138

NICK BATTA | Crawford, Murphy & Tilly | w 317.492.9162 | m 317.409.0665
Project Manager

From: Nick Batta
Sent: Tuesday, August 31, 2021 7:45 AM
To: US Crossings <us_crossings@tcenergy.com>; Dustin Kroeckel <dkroeckel1@mediacomcc.com>;
dagarrett@nisource.com; ds8383@att.com; mschultz@kendallville-in.org; water@kendallville-in.org;
TWSTENLEY@AEP.COM
Subject: Request for Verification of Existing Facilities - SR 3 at Waits Road - INDOT Des No. 1900138

Please see the attached request to review our survey information for the location of your utility facilities. I have also attached a location map to the PDF file. Although the principal work will occur at the SR 3/Waits Road intersection, we may be making modifications to the signal at SR 3/Main Street, so I have also included a schematic of it for your review.

If you believe that your company does not have any facilities in the area of this project, either respond to this email or review/sign page 1 of the attached work plan.

Thanks.

NICK BATTA | Project Manager



Crawford, Murphy & Tilly | Engineers & Consultants

8790 Purdue Road | Indianapolis, IN | 46268

w 317.492.9162 | m 317.409.0665 | nbatta@cmtengr.com

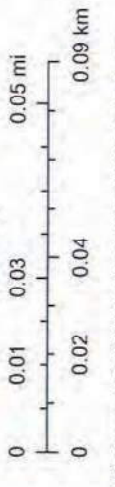
 *Centered in Value*

ArcGIS Web Map



9/1/2021, 8:20:11 AM

1:2,257



Esri, HERE, Garmin, INCREMENT P, NGA, USGS, Noble County, Indiana

Esri, HERE, Garmin, INCREMENT P, NGA, USGS | Noble County, Indiana | City of Kendallville | City of Kendallville |

Nick Batta

From: US Crossings <us_crossings@tcenergy.com>
Sent: Monday, July 26, 2021 6:53 PM
To: Nick Batta
Subject: RE: Initial Utility Notice - SR 3 at Waits Road - INDOT Des No. 1900138

External Message: This email was sent from someone outside of CMT. Please use caution with links and attachments from unknown senders or receiving unexpected emails.

Nick,

Normally, we get the plans and a Workplan. The form has two different pages. One for if there are no facilities within the project, the other is if there are facilities, then the second page is filled out. That is why we asked for the Workplan.

Thanks,

Karen Macejewski
Land Representative
TC Energy Pipelines Limited
Environment Land and Indigenous Relations
US Land West
US Crossings and Encroachments

karen_macejewski@tcenergy.com
mobile: 281-961-3492 **desk:** 832-320-5414



700 Louisiana Street
Suite 1300
Houston, TX 77002

TCEnergy.com

From: Nick Batta <nbatta@cmtengr.com>
Sent: Monday, July 5, 2021 11:23 AM
To: US Crossings <us_crossings@tcenergy.com>
Subject: [EXTERNAL] RE: Initial Utility Notice - SR 3 at Waits Road - INDOT Des No. 1900138

EXTERNAL EMAIL: PROCEED WITH CAUTION.

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe. If this email looks suspicious, report it.

Karen,

Usually at this early stage, I just need confirmation whether there is a utility facility within the project area and some basic information about it. I would typically only project the work plan to fill out if you know for certain that there are no facilities in the project area. Is that the case? Thanks.

NICK BATTA | Crawford, Murphy & Tilly | w 317.492.9162 | m 317.409.0665
Project Manager

From: US Crossings <us_crossings@tcenergy.com>
Sent: Wednesday, June 23, 2021 10:45 AM
To: Nick Batta <nbatta@cmtengr.com>
Subject: RE: Initial Utility Notice - SR 3 at Waits Road - INDOT Des No. 1900138

External Message: This email was sent from someone outside of CMT. Please use caution with links and attachments from unknown senders or receiving unexpected emails.

Nick,

Can you please send the Workplan for our Engineer to fill out? Once he gets that and fills it out, I will return it to you.

Thanks,

Karen Macejewski
Land Representative
TC Energy Pipelines Limited
Environment Land and Indigenous Relations
US Land West
US Crossings and Encroachments

karen_macejewski@tcenergy.com
mobile: 281-961-3492 **desk:** 832-320-5414



700 Louisiana Street
Suite 1300
Houston, TX 77002

TCEnergy.com

From: Nick Batta <nbatta@cmtengr.com>
Sent: Thursday, June 17, 2021 6:14 PM
To: g09871@att.com; mschultz@kendallville-in.org; water@kendallville-in.org; US Crossings <us_crossings@tcenergy.com>; TWSTENLEY@AEP.COM
Subject: [EXTERNAL] RE: Initial Utility Notice - SR 3 at Waits Road - INDOT Des No. 1900138

EXTERNAL EMAIL: PROCEED WITH CAUTION.
This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe. If this email looks suspicious, report it.

A friendly reminder about the attached initial notice. Please try to respond by July 1st so I can forward that information to my surveyors. Thanks.

NICK BATTA | Crawford, Murphy & Tilly | w 317.492.9162 | m 317.409.0665
Project Manager

From: Nick Batta
Sent: Tuesday, May 25, 2021 10:06 AM
To: g09871@att.com; relocations@intelligentfiber.com; mschultz@kendallville-in.org; water@kendallville-in.org; jpogar@mediacomcc.com; dagarrett@nisource.com; us_crossings@transcanada.com; TWSTENLEY@AEP.COM
Subject: Initial Utility Notice - SR 3 at Waits Road - INDOT Des No. 1900138

Please see the attached initial notice with location map for this intersection improvement project in Kendallville. Thanks.

NICK BATTA | Project Manager



Crawford, Murphy & Tilly | Engineers & Consultants
8790 Purdue Road | Indianapolis, IN | 46268
w 317.492.9162 | m 317.409.0665 | nbatta@cmtengr.com

 *Centered in Value*

We respect your right to choose which electronic messages you receive. To stop receiving this and similar communications from TC Energy please [Click here to unsubscribe.](#)

If you are unable to click the request link, please reply to this email and change subject line to "UNSUBSCRIBE".

This electronic message and any attached documents are intended only for the named addressee(s). This communication from TC Energy may contain information that is privileged, confidential or otherwise protected from disclosure and it must not be disclosed, copied, forwarded or distributed without authorization. If you have received this message in error, please notify the sender immediately and delete the original message.

Thank you

From: [Papadakis, Arianna](#)
To: [Novak, Karen](#); [Claudia McAllister-Peterson](#)
Subject: RE: Early Coordination Letter: Intersection Improvements at SR 3 and Waits Rd #1900138
Date: Tuesday, November 16, 2021 3:22:26 PM
Attachments: [image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

External Message: This email was sent from someone outside of CMT. Please use caution with links and attachments from unknown senders or receiving unexpected emails.

Good afternoon,

I have reviewed the enclosed early coordination packet and I do not have any environmental concerns regarding the project (Des. No. 1900138, Intersection improvements) at this time. Therefore, I will not be providing a comment letter.

Thank you,

Arianna Papadakis
Environmental Manager II
Fort Wayne District
5333 Hatfield Road
Fort Wayne, IN 46808
Phone: (260) 969-8262
Email: APapadakis@indot.in.gov



From: Novak, Karen <KNovak@indot.IN.gov>
Sent: Monday, November 15, 2021 8:41 AM
To: Papadakis, Arianna <APapadakis@indot.IN.gov>
Subject: FW: Early Coordination Letter: Intersection Improvements at SR 3 and Waits Rd #1900138

Arianna,

Please review and respond to ECL within 30 days.

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: Claudia McAllister-Peterson <CMcAllister-Peterson@cmtengr.com>

Sent: Friday, November 12, 2021 11:03 AM

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

Cc: Bass, Jenny R <JBass@indot.IN.gov>

Subject: Early Coordination Letter: Intersection Improvements at SR 3 and Waits Rd #1900138

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

Dear Ms. Novak,

The Indiana Department of Transportation intends to proceed with a project involving intersection improvements at State Road 3 (SR 3) and Waits Road in Kendallville, Noble County, Indiana (INDOT Des No.: 1900138). Please see the attached letter, which is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. We will incorporate your comments into a study of the project's environmental impacts.

If you have any questions or concerns regarding this matter, please feel free to contact me at 317-808-9466 or via e-mail. Thank you for your assistance, and we look forward to your response.

Thank you,

CLAUDIA MCALLISTER-PETERSON | ECOLOGICAL ENGINEER



Crawford, Murphy & Tilly | Engineers & Consultants

8790 Purdue Road | Indianapolis, IN 46268

w 317.808.9466 | f 317.298.4503 | CMcAllister-Peterson@cmtengr.com

 *Centered in Value*



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room IGCN 758
Indianapolis, Indiana 46204

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

Eric Holcomb, Governor
Joe McGuinness, Commissioner

February 10, 2022

Sue McGee
Kendallville MS4 Coordinator
234 S. Main Street
Kendallville, IN 46755

Re: SR 3 and Waits Road Intersection Improvement
Noble County, Indiana
INDOT Des No.: 1900138
CMT Project No.: 19070904.03

Dear Sue McGee:

The Indiana Department of Transportation (INDOT) with federal funding, intends to proceed with a project involving intersection improvements at State Road 3 (SR 3) and Waits Road in Noble County, Indiana. This letter is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. **Please use the above designation numbers and description in your reply.** We will incorporate your comments into a study of the project's environmental impacts.

Project Description

This project is located at the intersection of SR 3 and Waits Road in Kendallville, Noble County, Indiana. The proposed work is along SR 3 from 0.30 mile north of the Waits Road intersection to 0.15 mile south of the Waits Road intersection and along Waits Road from 0.07 mile west of the SR 3 intersection and 0.07 mile east of the SR 3 intersection. The project also involves modification to the traffic signal at SR 3 and Main Street, 0.17 miles south of the SR 3/Waits Road intersection. The project is located in Sections 4, 5, and 9, Township 34 North, and Range 11 East, on the U.S. Geological Survey (USGS) Kendallville, Indiana Quadrangle.

You are being notified because this project lies within the Kendallville Urbanized Area Boundary (UAB). In accordance with 327 IAC 15-13 (Rule 13 - Municipal Separate Storm Sewer Systems), INDOT has developed a Storm Water Quality Management Plan (SWQMP). As part of its implementation, projects falling within the UAB will be required to consider appropriate post construction storm water quality best management practices (BMPs). These BMPs should take into consideration the available space, pollutants of concern and receiving waters.

SR 3 in Noble County is classified by INDOT as a minor arterial and is not a part of FHWA National Highway System (NHS route). It travels north-south, connecting US 6 in Kendallville, Indiana to I-69 in Fort Wayne, Indiana. Through the project area the speed limit is 55 miles per hour (mph) with two 12-foot lanes in each direction with a 60-foot median. The northbound leg of SR 3 includes right and left turn lanes onto Waits Road with an outside and inside shoulder. The southbound leg of SR 3 includes a left turn lane onto Waits Roads with an outside shoulder and inside shoulder. Waits Road is classified by INDOT as a local road. The eastbound and

westbound approaches on Waits Road have one lane in each direction for all movements. The speed limit on the east leg of Waits Road is 30 mph and the west leg is 40 mph.

Within a 3-year period between April 2017 and November 2019, 13 crashes were reported within the study intersection. Of these, four of the incidents resulted in injuries (including two that were incapacitating). A recent incident occurred in the spring of 2021 that involved multiple deaths. All of the injury crashes during the study period, including the recent fatality, were right angle crashes where the driver tried to cross SR 3 along Waits Road but was struck once past the median.

The current proposed project is anticipated to convert the project intersection of SR 3 and Waits Road to a Closed Median Reduced Conflict Intersection (RCI). The approaches on Waits Road will be updated to right turn only movement. Vehicles wishing to travel through or turn left from the minor road would be required to turn right onto SR 3 and then complete a U-turn movement. Vehicles wishing to turn left onto Waits Road from SR 3 will be required to complete a U-turn movement at the Median U-Turn (MUT) location. The spacing of the MUT along SR 3 will be 1,500 feet north of the existing intersection due to the superelevation of the existing curve on SR 3. The MUT will be unsignalized. Lighting at the MUT may need to be provided for adequate visibility at the intersection. There will not be a south MUT, instead vehicles will need to travel to the intersection of SR 3 and Main Street, which is located approximately 0.33 mile south of the SR 3 and Waits Road intersection.

No permanent or temporary right of way will be needed for the project. The proposed method of traffic maintenance is anticipated to require/involve a single lane closure on SR 3. To complete work on Waits Road the approaches will be closed and a detour will be required. Vehicles traveling east on Waits Road will turn north on Beacon Road, east on Drake Road, and south on Main Street. Vehicles traveling west on Waits Road will turn north on Main Street, west on Drake Road, and south on Beacon Road. This detour is 3.1 miles long. No other closures or detours will be required for the construction of the project. No trees are expected to be cleared as part of this project. The project is anticipated to begin construction in Fall 2023.

Land use in the vicinity of the project is residential and farmland. Crawford, Murphy & Tilly, Inc. (CMT) performed a waters and wetlands determination to identify any water resources that may be present within the project area. Nine wetlands and three streams were identified within the project area. Impacts are anticipated to one wetland, including a wetland located along the westside ditch of southbound SR 3. One unnamed tributary (UNT) to Bixler Lake Ditch will likely be impacted. UNT 3 to Bixler Lake Ditch flows from north to south along the westside ditch of SR 3 and will be impacted. Impacts to UNT 3 to Bixler Lake Ditch below the ordinary high water mark (OHWM) are anticipated due to the culvert extension underneath the west leg of Waits Road and regrading the roadside ditch along Waits Road. 401/404 Permits are anticipated to be required for this project. This project is anticipated to qualify for the USFWS Rangewide Programmatic Agreement for the Indiana bat and Northern long-eared bat by completing the USFWS's Information for Planning and Consultation (IPaC).

There are no previously recorded historic properties within or adjacent to the project area. INDOT will ensure compliance with Section 106 of the National Historic Preservation Act of 1966.

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

SR 3 and Waits Rd Intersection


February 10, 2022

Page 3

If you have any questions or concerns regarding this matter, please feel free to contact Miguel Tucker at 260-969-8225 or via email at mtucker@indot.in.gov, or contact me at 317-492-9162 or via email at nbatta@cmtengr.com. Thank you in advance for your input.

Sincerely,

Crawford, Murphy & Tilly, Inc.

A handwritten signature in black ink that reads "Nick Batta". The signature is written in a cursive style with a large initial "N".

Nick Batta

Project Manager

Attachments-

Maps (Location, Aerial, USGS Topographic)

Photographs

Note: Duplicate mapping and photographs were included in the Early Coordination Packet, but were intentionally removed. Please see Appendix B for maps and photographs.



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room IGCN 758
Indianapolis, Indiana 46204

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

Eric Holcomb, Governor
Joe McGuinness, Commissioner

February 14, 2022

US Fish and Wildlife Service
Northern Indiana Suboffice
P.O. Box 2616
Chesterton, IN 46304

Re: SR 3 and Waits Road Intersection Improvement
Noble County, Indiana
INDOT Des No.: 1900138
CMT Project No.: 19070904.03

Dear Interested Party:

The Indiana Department of Transportation (INDOT) with federal funding, intends to proceed with a project involving intersection improvements at State Road 3 (SR 3) and Waits Road in Noble County, Indiana. This letter is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. **Please use the above designation numbers and description in your reply.** We will incorporate your comments into a study of the project's environmental impacts.

Project Description

This project is located at the intersection of SR 3 and Waits Road in Kendallville, Noble County, Indiana. The proposed work is along SR 3 from 0.30 mile north of the Waits Road intersection to 0.15 mile south of the Waits Road intersection and along Waits Road from 0.07 mile west of the SR 3 intersection and 0.07 mile east of the SR 3 intersection. The project also involves modification to the traffic signal at SR 3 and Main Street, 0.17 miles south of the SR 3/Waits Road intersection. The project is located in Sections 4, 5, and 9, Township 34 North, and Range 11 East, on the U.S. Geological Survey (USGS) Kendallville, Indiana Quadrangle.

SR 3 in Noble County is classified by INDOT as a minor arterial and is not a part of FHWA National Highway System (NHS route). It travels north-south, connecting US 6 in Kendallville, Indiana to I-69 in Fort Wayne, Indiana. Through the project area the speed limit is 55 miles per hour (mph) with two 12-foot lanes in each direction with a 60-foot median. The northbound leg of SR 3 includes right and left turn lanes onto Waits Road with an outside and inside shoulder. The southbound leg of SR 3 includes a left turn lane onto Waits Roads with an outside shoulder and inside shoulder. Waits Road is classified by INDOT as a local road. The eastbound and westbound approaches on Waits Road have one lane in each direction for all movements. The speed limit on the east leg of Waits Road is 30 mph and the west leg is 40 mph.

Within a 3-year period between April 2017 and November 2019, 13 crashes were reported within the study intersection. Of these, four of the incidents resulted in injuries (including two that were incapacitating). A recent incident occurred in the spring of 2021 that involved multiple deaths. All of the injury crashes during the study

period, including the recent fatality, were right angle crashes where the driver tried to cross SR 3 along Waits Road but was struck once past the median.

The current proposed project is anticipated to convert the project intersection of SR 3 and Waits Road to a Closed Median Reduced Conflict Intersection (RCI). The approaches on Waits Road will be updated to right turn only movement. Vehicles wishing to travel through or turn left from the minor road would be required to turn right onto SR 3 and then complete a U-turn movement. Vehicles wishing to turn left onto Waits Road from SR 3 will be required to complete a U-turn movement at the Median U-Turn (MUT) location. The spacing of the MUT along SR 3 will be 1,500 feet north of the existing intersection due to the superelevation of the existing curve on SR 3. The MUT will be unsignalized. Lighting at the MUT may need to be provided for adequate visibility at the intersection. There will not be a south MUT, instead vehicles will need to travel to the intersection of SR 3 and Main Street, which is located approximately 0.33 mile south of the SR 3 and Waits Road intersection.

No permanent or temporary right of way will be needed for the project. The proposed method of traffic maintenance is anticipated to require/involve a single lane closure on SR 3. To complete work on Waits Road the approaches will be closed and a detour will be required. Vehicles traveling east on Waits Road will turn north on Beacon Road, east on Drake Road, and south on Main Street. Vehicles traveling west on Waits Road will turn north on Main Street, west on Drake Road, and south on Beacon Road. This detour is 3.1 miles long. No other closures or detours will be required for the construction of the project. No trees are expected to be cleared as part of this project. The project is anticipated to begin construction in Fall 2023.

Land use in the vicinity of the project is residential and farmland. Crawford, Murphy & Tilly, Inc. (CMT) performed a waters and wetlands determination to identify any water resources that may be present within the project area. Nine wetlands and three streams were identified within the project area. Impacts are anticipated to one wetland, including a wetland located along the westside ditch of southbound SR 3. One unnamed tributary (UNT) to Bixler Lake Ditch will likely be impacted. UNT 3 to Bixler Lake Ditch flows from north to south along the westside ditch of SR 3 and will be impacted. Impacts to UNT 3 to Bixler Lake Ditch below the ordinary high water mark (OHWM) are anticipated due to the culvert extension underneath the west leg of Waits Road and regrading the roadside ditch along Waits Road. 401/404 Permits are anticipated to be required for this project. This project is anticipated to qualify for the USFWS Rangewide Programmatic Agreement for the Indiana bat and Northern long-eared bat by completing the USFWS's Information for Planning and Consultation (IPaC).

There are no previously recorded historic properties within or adjacent to the project area. INDOT will ensure compliance with Section 106 of the National Historic Preservation Act of 1966.

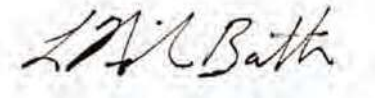
Should we not receive a response **within thirty (30) calendar days** from the date of this letter, it will be assumed that your agency feels that there will be no adverse effects incurred as a result of the proposed project. However, should you find that an extension to the response time is necessary;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

If you have any questions or concerns regarding this matter, please feel free to contact Miguel Tucker at 260-969-8225 or via email at mtucker@indot.in.gov, or contact me at 317-492-9162 or via email at nbatta@cmtengr.com. Thank you in advance for your input.

SR 3 and Waits Rd Intersection
February 14, 2022
Page 3

Sincerely,

Crawford, Murphy & Tilly, Inc.

A handwritten signature in black ink that reads "Nick Batta". The signature is written in a cursive style and is positioned above the printed name and title.

Nick Batta
Project Manager

Attachments-
Maps (Location, Aerial, USGS Topographic)
Photographs

Note: Duplicate mapping and photographs were included in the
Early Coordination Packet, but were intentionally removed.
Please see Appendix B for maps and photographs.

Marion Wells

From: McCloskey, Elizabeth <elizabeth_mccloskey@fws.gov>
Sent: Wednesday, February 16, 2022 12:42 PM
To: Marion Wells
Cc: Nick Batta
Subject: Re: [EXTERNAL] Early Coordination Letter: Intersection Improvements at SR 3 and Waits Rd #1900138

External Message: This email was sent from someone outside of CMT. Please use caution with links and attachments from unknown senders or receiving unexpected emails.

Good afternoon, because the proposed project will have minor impacts on natural resources, and no Federally endangered species are known to be present, the U.S. Fish and Wildlife Service will not be providing a comment letter.

Elizabeth McCloskey
U.S. Fish and Wildlife Service
Northern Indiana Suboffice
Ecological Services
Chesterton, Indiana

From: Marion Wells <mwells@cmtengr.com>
Sent: Monday, February 14, 2022 1:09 PM
To: McCloskey, Elizabeth <elizabeth_mccloskey@fws.gov>
Cc: Nick Batta <nbatta@cmtengr.com>
Subject: [EXTERNAL] Early Coordination Letter: Intersection Improvements at SR 3 and Waits Rd #1900138

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Dear Interested Party,

The Indiana Department of Transportation intends to proceed with a project involving intersection improvements at State Road 3 (SR 3) and Waits Road in Kendallville, Noble County, Indiana (INDOT Des No.: 1900138). Please see the attached letter, which is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. We will incorporate your comments into a study of the project's environmental impacts.

If you have any questions or concerns regarding this matter, please feel free to contact Miguel Tucker at 260-969-8225 or via email at mtucker@indot.in.gov, or contact Nick Batta at 317-492-9162 or via email at nbatta@cmtengr.com. Thank you in advance for your input.

Thank you,
Marion

MARION WELLS | Environmental Scientist



Crawford, Murphy & Tilly | Engineers & Consultants

8790 Purdue Road | Indianapolis, IN 46268

w 937.701.6579 | m 513.907.2365 | f 614.854.0569 | mwells@cmtengr.com



Centered in Value



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 14, 2022

Project Code: 2022-0005396

Project Name: SR 3 and Waits Road Intersection Improvement (Des No. 1900138)

Subject: 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 enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

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.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of

Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Code 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
- Migratory Birds
- Wetlands

Official Species List

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

This species list is provided by:

Indiana Ecological Services Field Office

620 South Walker Street
Bloomington, IN 47403-2121
(812) 334-4261

Project Summary

Project Code: 2022-0005396
Event Code: None
Project Name: SR 3 and Waits Road Intersection Improvement (Des No. 1900138)
Project Type: Road/Hwy - Maintenance/Modification
Project Description: This project (Des No. 1900138) is located at SR 3 and Waits Road in Noble County, Indiana. The proposed work is along SR 3 from 0.30 mile north of the Waits Road intersection to 0.15 mile south of the Waits Road intersection as well as along Waits Road from 0.07 mile west of the SR 3 intersection and 0.07 mile east of the SR 3 intersection. The project is located in Section 4, Township 34 North, and Range 11 East, on the U.S. Geological Survey (USGS) Kendallville, Indiana Quadrangle.

Proposed improvements include converting the project intersection of State Road 3 (SR 3) and Waits Road to a Closed Median Reduced Conflict Intersection (RCI). The approaches on Waits Road will be updated to right turn only movement. Vehicles wishing to travel through or turn left from Waits Road will be required to turn right onto SR 3 and then complete a U-turn movement. Vehicles wishing to turn left onto Waits Road from SR 3 will be required to complete a U-turn movement at the Median U-Turn (MUT) location. The spacing of the MUT along SR 3 will be 1,500 feet north of the existing intersection due to the existing curve on SR 3. The MUT will be unsignalized. Lighting at the MUT may need to be provided for adequate visibility at the intersection. There will not be a south MUT, instead vehicles will need to travel to the intersection of SR 3 and Main Street, which is located approximately 0.33 mile south of the SR 3 and Waits Road intersection. The culvert (COID-33932) under Waits Road to the west of SR 3 will be extended to the north approximately 65 feet. The total length of the improvements is 0.59 mile. Construction is anticipated to begin in Summer 2023 and be completed by the end of Summer 2024.

Land use in the vicinity of the project is primarily residential and agricultural with small patches of forest. The project area contains three unnamed tributaries, which ultimately flow southeast to Bixler Lake Ditch.

A review of the USFWS database on September 8, 2021 did not indicate the presence of the Indiana bat or the northern long-eared bat in or within 0.5 mile of the study area. The August 4, 2021 culvert bat inspection states that no evidence of bats was seen or heard in the culvert (COID-33932) located in the project area. Suitable summer habitat is located within and adjacent to the study area. Suitable summer habitat, including emergent wetlands and adjacent edges of agricultural fields, will

be impacted for the construction of the project. No tree removal will be required for the project. The project activities will not include the use of percussives and will not replace permanent lighting, but may add additional permanent lighting. Although temporary lighting is not expected to be required for the construction of the project, it is possible some night work will be performed. No mitigation is anticipated to be required for the project.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.425738949999996,-85.26850154302338,14z>



Counties: Noble County, Indiana

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

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

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

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

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

Mammals

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

Insects

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

Critical habitats

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

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

-
1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern \(BCC\)](#) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the [FAQ below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the **PROBABILITY OF PRESENCE SUMMARY** at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31

Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the [FAQ "Proper Interpretation and Use of Your Migratory Bird Report"](#) before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

■ probability of presence ■ breeding season | survey effort — no data

SPECIES JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC

Bobolink
BCC Rangewide
(CON)



Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern \(BCC\)](#) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Wetlands

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- R4SBC

IPaC User Contact Information

Name: Ryan Gaherty
Address: 8790 Purdue Rd
City: Indianapolis
State: IN
Zip: 46268
Email: rgaherty@cmtengr.com
Phone: 5138283379



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 21, 2022

Project code: 2022-0005396

Project Name: SR 3 and Waits Road Intersection Improvement (Des No. 1900138)

Subject: Concurrence verification letter for the 'SR 3 and Waits Road Intersection Improvement (Des No. 1900138)' project under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request to verify that the **SR 3 and Waits Road Intersection Improvement (Des No. 1900138)** (Proposed Action) may rely on the concurrence provided in the February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, and may affect, but is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*).

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

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

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or Northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required. If the Proposed Action may affect any other federally-listed or proposed species, and/or any designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please contact this Service Office.

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

- Monarch Butterfly *Danaus plexippus* Candidate

Project Description

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

Name

SR 3 and Waits Road Intersection Improvement (Des No. 1900138)

Description

This project (Des No. 1900138) is located at SR 3 and Waits Road in Noble County, Indiana. The proposed work is along SR 3 from 0.30 mile north of the Waits Road intersection to 0.15 mile south of the Waits Road intersection as well as along Waits Road from 0.07 mile west of the SR 3 intersection and 0.07 mile east of the SR 3 intersection. The project is located in Section 4, Township 34 North, and Range 11 East, on the U.S. Geological Survey (USGS) Kendallville, Indiana Quadrangle.

Proposed improvements include converting the project intersection of State Road 3 (SR 3) and Waits Road to a Closed Median Reduced Conflict Intersection (RCI). The approaches on Waits Road will be updated to right turn only movement. Vehicles wishing to travel through or turn left from Waits Road will be required to turn right onto SR 3 and then complete a U-turn movement. Vehicles wishing to turn left onto Waits Road from SR 3 will be required to complete a U-turn movement at the Median U-Turn (MUT) location. The spacing of the MUT along SR 3 will be 1,500 feet north of the existing intersection due to the existing curve on SR 3. The MUT will be unsignalized. Lighting at the MUT may need to be provided for adequate visibility at the intersection. There will not be a south MUT, instead vehicles will need to travel to the intersection of SR 3 and Main Street, which is located approximately 0.33 mile south of the SR 3 and Waits Road intersection. The culvert (COID-33932) under Waits Road to the west of SR 3 will be extended to the north approximately 65 feet. The total length of the improvements is 0.59 mile. Construction is anticipated to begin in Summer 2023 and be completed by the end of Summer 2024.

Land use in the vicinity of the project is primarily residential and agricultural with small patches of forest. The project area contains three unnamed tributaries, which ultimately flow southeast to Bixler Lake Ditch.

A review of the USFWS database on September 8, 2021 did not indicate the presence of the Indiana bat or the northern long-eared bat in or within 0.5 mile of the study area. The August 4, 2021 culvert bat inspection states that no evidence of bats was seen or heard in the culvert (COID-33932) located in the project area. Suitable summer habitat is located within and adjacent to the study area. Suitable summer habitat, including emergent wetlands and adjacent edges of agricultural fields, will be impacted for the construction of the project. No tree removal will be required for the project. The project activities will not include the use of percussives and will not replace permanent lighting, but may add additional permanent lighting. Although temporary lighting is not expected to be required for the construction of the project, it is possible some night work will be performed. No mitigation is anticipated to be required for the project.

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.

No

10. 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

11. 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 NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

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

No

12. Does the project include activities **within documented NLEB 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 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.)

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

No

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

No

14. Does the project include slash pile burning?

No

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

Yes

16. 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

17. 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

- *Bridge Structure Bat Assessment COID-33932.pdf* <https://ipac.ecosphere.fws.gov/project/DRDHPNSQAFHTDJJ7CKQTQMZDPM/projectDocuments/109847607>

18. 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

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

Yes

20. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

No

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

Yes

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

Yes

23. Will the project install *any* new or replace any existing **permanent** lighting in addition to the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities?

Yes

24. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **permanent** lighting (other than the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities) will be installed or replaced?

Yes

25. Does the project include percussives or other activities (**not including tree removal/trimming or bridge/structure work**) that will increase noise levels above existing traffic/background levels?

No

26. 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

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

No

28. Are the 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 consistent with a No Effect determination in this key?

Automatically answered

Yes, other project activities are limited to actions that DO NOT cause any additional stressors to the bat species as described in the BA/BO

29. 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

30. **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

31. **Lighting AMM 1**

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

Yes

32. **Lighting AMM 2**

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

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

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

Yes

33. Lighting AMM 2

Will the **permanent** lighting (other than any lighting already indicated for tree clearing or bridge/structure removal, replacement or maintenance activities) be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?

Yes

Project Questionnaire

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

N/A

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

N/A

3. Please describe the proposed bridge work:

The existing culvert under Waits Road to the west of SR 3 will be extended to the north approximately 65 feet.

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

Construction is anticipated to begin in Summer 2023 and be completed by the end of Summer 2024.

5. Please enter the date of the bridge assessment:

08/04/21

Avoidance And Minimization Measures (AMMs)

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

LIGHTING AMM 1

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

LIGHTING AMM 2

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

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 January 26, 2022. 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.

IPaC User Contact Information

Name: Arianna Papadakis
Address: 5333 Hatfield Road
City: Fort Wayne
State: IN
Zip: 46808
Email: apapadakis@indot.in.gov
Phone: 2609698262

Marion Wells

From: Papadakis, Arianna <APapadakis@indot.IN.gov>
Sent: Thursday, February 17, 2022 2:09 PM
To: Ryan Gaherty; Mettler, Madeline
Cc: Marion Wells; Batta, Lawrence N; Tucker, Miguel
Subject: RE: IPaC Verification Request: SR 3 and Waits Road Intersection Improvement (Des No. 1900138)

Follow Up Flag: Follow up
Flag Status: Flagged

External Message: This email was sent from someone outside of CMT. Please use caution with links and attachments from unknown senders or receiving unexpected emails.

Hello,

The document's finding of May Effect, NLAA-With AMMs for DES 1900138 has been deemed sufficient. It has been verified and submitted to USFWS. The Service has 14 days after the "Not Likely to Adversely Affect" determination letter is generated. They will review that information once it is received; if you do not receive a response within 14 days, they have no additional comments for the two bats covered under the programmatic. The NEPA document submittal may not occur until this review period has ended. The Official Species List, Consistency Letter, and Concurrence Verification Letter are all now immediately available for your use. It is suggested that these documents be downloaded at this time. This concludes the IPaC phase of coordination with the Fort Wayne environmental office.

Please note, the email has been sent out prior to the concurrence verification letter actually generating. IPaC is having document generation delays, which is a normal occurrence. The document's generation is in IPaC's queue and will be automatically generated once the system catches up. The 14-day review time begins on the date on the letter once it is generated.

Thank you.

Arianna Papadakis

Sr Environmental Mngr Supervisor

Fort Wayne District

5333 Hatfield Road

Fort Wayne, IN 46808

Phone: (260) 969-8262

Email: APapadakis@indot.in.gov



From: Ryan Gaherty <rgaherty@cmtengr.com>
Sent: Monday, February 14, 2022 4:08 PM
To: Papadakis, Arianna <APapadakis@indot.IN.gov>; Mettler, Madeline <MMettler1@indot.IN.gov>
Cc: Marion Wells <mwells@cmtengr.com>; Batta, Lawrence N <nbatta@cmtengr.com>; Tucker, Miguel <MTucker2@indot.IN.gov>
Subject: RE: IPaC Verification Request: SR 3 and Waits Road Intersection Improvement (Des No. 1900138)

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

Good Afternoon Arianna,

The consistency letter has been re-generated and is ready for your review.

Thank You,

Ryan Gaherty | Crawford, Murphy & Tilly | m 513.828.3379
Environmental Scientist II, 8790 Purdue Road | Indianapolis, IN 46268

From: Papadakis, Arianna <APapadakis@indot.IN.gov>
Sent: Monday, February 14, 2022 11:43 AM
To: Ryan Gaherty <rgaherty@cmtengr.com>; Mettler, Madeline <MMettler1@indot.IN.gov>
Cc: Marion Wells <mwells@cmtengr.com>; Nick Batta <nbatta@cmtengr.com>; Tucker, Miguel <MTucker2@indot.IN.gov>
Subject: RE: IPaC Verification Request: SR 3 and Waits Road Intersection Improvement (Des No. 1900138)

External Message: This email was sent from someone outside of CMT. Please use caution with links and attachments from unknown senders or receiving unexpected emails.

Hi,

All districts should be following the current guidance from the INDOT External Protected Species Guidance, perhaps the information was outdated. I am going to summarize and quote the current guidance for your reference.

- For projects that have many culverts to inspect all the information below should be included Pg. 10:
If there are a large number of structures that require inspections in the project area, an environmental inspection form does not need uploaded into IPaC for each structure. An Excel spreadsheet can be completed to summarize all the structure inspections and uploaded into IPaC. An example of how to complete an Excel spreadsheet is provided below. Please note, INDOT or USFWS may request a specific structure inspection form as applicable, so completing them and placing them in the project file is always recommended.

DES Number	Structure Number	Type of Structure	Size of Structure	Length of Structure	Location	Waterbody	Date of Inspection	Evidence of Bats	Evidence of Birds	Work Type
1234567	46	CMP	4' x 4'	125'	CR 400	UNT 1 to Goose Creek	5/1/2021	No	No	Replacement

- Since only one pipe is included in the scope of work, please use the inspection sheet and keep this for future reference.
- Bridges are defined as any structure creating a gap in the transportation facility, this includes culverts and pipes. This definition should be used throughout IPaC including the determination key. Pg. 9
- Since 2019 the USFWS has required investigations of only structures that will be part of the project scope. If the scope of the project changes and impacts a structure not initially anticipated, the IPaC will need updated anyway, so please only include the current scope of work and information required for it.
- Pages 19-23 include definitions/important information for each determination key question. When discussing Suitable Habitat removal only suitable trees apply. Please ensure all determination key questions have been answered according to the current guidance.

Please review the Guidance document to ensure all practices are up to date. If you have any questions please let me know.

Thanks,

Arianna Papadakis

Sr Environmental Mngr Supervisor

Fort Wayne District

5333 Hatfield Road

Fort Wayne, IN 46808

Phone: (260) 969-8262

Email: APapadakis@indot.in.gov



From: Ryan Gaherty <rgaherty@cmtengr.com>

Sent: Monday, February 14, 2022 10:46 AM

To: Papadakis, Arianna <APapadakis@indot.IN.gov>; Mettler, Madeline <MMettler1@indot.IN.gov>

Cc: Marion Wells <mwells@cmtengr.com>; Nick Batta <nbatta@cmtengr.com>

Subject: RE: IPaC Verification Request: SR 3 and Waits Road Intersection Improvement (Des No. 1900138)

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

Hello Arianna,

Thank you for your comments. We will update the project description to include a statement on mitigation. The project area and investigated area included 50 culverts; however, based on current plans only one of those culverts will be impacted. We had included the others in case impacts change, but can remove them.

We had been advised from Karen, formally with the Fort Wayne District, as well as other districts that an excel table was appropriate and could be used when there were many culverts within the investigated area. Has this been a change? We have another large project within the Fort Wayne district, and would like to confirm we need individual forms versus a table. We will fill out the structure form for the impacted culvert for this project.

There will be no tree removal; however, suitable habitat (including emergent wetlands and adjacent edges of agricultural fields) will be removed/impacted by the project. Therefore, we had answered yes, to #9 that the project will remove suitable summer habitat. Also, yes to #13 and #16, the project will involve removal of habitat (although no removal of trees). This was also based on previous guidance from another district. Please let us know if we should answer no to all of these questions, as there is suitable habitat removal, but no tree removal.

We apologize, we had previously been directed by another district to include culverts under other structures, and not under bridges. We will revise our answers to have the culvert under bridges.

Thank you,

Ryan Gaherty | Crawford, Murphy & Tilly | m 513.828.3379
Environmental Scientist II, 8790 Purdue Road | Indianapolis, IN 46268

From: Papadakis, Arianna <APapadakis@indot.IN.gov>
Sent: Monday, February 14, 2022 10:20 AM
To: Ryan Gaherty <rgaherty@cmtengr.com>; Mettler, Madeline <MMettler1@indot.IN.gov>
Cc: Marion Wells <mwells@cmtengr.com>; Nick Batta <nbatta@cmtengr.com>
Subject: RE: IPaC Verification Request: SR 3 and Waits Road Intersection Improvement (Des No. 1900138)

External Message: This email was sent from someone outside of CMT. Please use caution with links and attachments from unknown senders or receiving unexpected emails.

Hello,

I have completed a review of the 1900138 IPaC and have the following comments:

In the project description, please include a statement of whether or not mitigation is anticipated. Also, in the project description you state that 50 culverts were inspected. Only one culvert is affected by the project. Please only include information pertaining to this project.

For the culvert inspection paperwork, an excel sheet cannot be used for IPaC. There is a specific form to fill out for each individual structure provided by USFWS.

In the determination key, you answered that trees will be removed but in the project description it says no trees will be removed. Please update whichever one is incorrect. If there is tree removal please include acreage, species, and location in the project description. It has also been answered that no bridge work is happening. For IPaC culverts and pipes are considered bridges not "other". Please update the determination key based on the guidance.

If you have any questions, please let me know.

Thanks,

Arianna Papadakis
Sr Environmental Mngr Supervisor
Fort Wayne District
5333 Hatfield Road
Fort Wayne, IN 46808
Phone: (260) 969-8262
Email: APapadakis@indot.in.gov



From: Ryan Gaherty <rgaherty@cmtengr.com>
Sent: Wednesday, February 9, 2022 1:55 PM
To: Mettler, Madeline <MMettler1@indot.IN.gov>; Papadakis, Arianna <APapadakis@indot.IN.gov>
Cc: Marion Wells <mwells@cmtengr.com>; Nick Batta <nbatta@cmtengr.com>
Subject: IPaC Verification Request: SR 3 and Waits Road Intersection Improvement (Des No. 1900138)

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

Good Afternoon Madeline and Arianna,

We have completed the IPAC and are requesting verification of a “may affect – not likely to adversely affect” (MA-NLAA) determination for the SR 3 and Waits Road Intersection Improvement (Des No. 1900138) project in Noble County, Indiana.

The IPAC Record Locator Number is: 021-109665625

The proposed work includes converting the project intersection of State Road 3 (SR 3) and Waits Road to a Closed Median Reduced Conflict Intersection (RCI). The approaches on Waits Road will be updated to right turn only movement. Vehicles wishing to travel through or turn left from Waits Road will be required to turn right onto SR 3 and then complete a U-turn movement. Vehicles wishing to turn left onto Waits Road from SR 3 will be required to complete a U-turn movement at the Median U-Turn (MUT) location. The spacing of the MUT along SR 3 will be 1,500 feet north of the existing intersection due to the existing curve on SR 3. The MUT will be unsignalized. Lighting at the MUT may need to be provided for adequate visibility at the intersection. There will not be a south MUT, instead vehicles will need to travel to the intersection of SR 3 and Main Street, which is located approximately 0.33 mile south of the SR 3 and Waits Road intersection. The total length of the improvements is 0.59 mile.

No tree clearing will be necessary for the project. No bats were seen or heard, nor was any evidence of bats observed within any of the culverts.

Please let me know if you have any questions.

Thank You,
Ryan

Ryan Gaherty | Crawford, Murphy & Tilly | m 513.828.3379
Environmental Scientist II, 8790 Purdue Road | Indianapolis, IN 46268

Marion Wells

From: Papadakis, Arianna <APapadakis@indot.IN.gov>
Sent: Wednesday, September 8, 2021 2:32 PM
To: Claudia McAllister-Peterson
Cc: Mettler, Madeline
Subject: RE: Bat Database Check - SR 3 and Waits Road Intersection Improvement (Des No. 1900138)

External Message: This email was sent from someone outside of CMT. Please use caution with links and attachments from unknown senders or receiving unexpected emails.

Hello,

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(s). 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".

Thanks,

Arianna Papadakis
Environmental Manager II
Fort Wayne District
5333 Hatfield Road
Fort Wayne, IN 46808
Phone: (260) 969-8262
Email: APapadakis@indot.in.gov



From: Mettler, Madeline <MMettler1@indot.IN.gov>
Sent: Tuesday, September 7, 2021 10:19 AM
To: Papadakis, Arianna <APapadakis@indot.IN.gov>
Subject: FW: Bat Database Check - SR 3 and Waits Road Intersection Improvement (Des No. 1900138)

Hi Arianna,

Please complete the bat layer review request.

Thank you,

Madeline Mettler
Environmental Manager II
5333 Hatfield Road
Fort Wayne, IN 46808
Phone: (260) 969-8231
Email: mmettler1@indot.in.gov





From: Claudia McAllister-Peterson <CMcAllister-Peterson@cmtengr.com>
Sent: Tuesday, September 7, 2021 10:15 AM
To: Novak, Karen <KNovak@indot.IN.gov>; Mettler, Madeline <MMettler1@indot.IN.gov>
Cc: Marion Wells <mwells@cmtengr.com>
Subject: Bat Database Check - SR 3 and Waits Road Intersection Improvement (Des No. 1900138)

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

Ms. Mettler and Ms. Novak:

We are requesting review of the bat database regarding the presence of endangered bats in near the project area for the SR 3 and Waits Road Intersection Improvement project (Des No. 1900138). This information will be used in the Red Flag Investigation. The project area is shown in the attached aerial map, USGS map, and shapefile.

Please let me know if you need anything else.

Thank you,








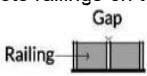

CLAUDIA MCALLISTER-PETERSON | ECOLOGICAL ENGINEER



Crawford, Murphy & Tilly | Engineers & Consultants
8790 Purdue Road | Indianapolis, IN 46268
w 317.808.9466 | f 317.298.4503 | CMcAllister-Peterson@cmtengr.com

 *Centered in Value*

Bridge/Structure Bat Assessment Form

Date & Time of Assessment 8/4/21 4:30 PM		DOT Project Number 1900138		Route/Facility Carried Waits Road		County Noble	
Federal Structure ID COID-33932		Structure Coordinates (latitude and longitude) 41.424949 -85.268490		Structure Height (approximate) 36"		Structure Length 68'	
Structure Type (check one)				Structure Material (check all that apply)			
<i>Bridge Construction Style</i>				<i>Deck Material</i>		<i>Beam Material</i>	
<input type="radio"/> Cast-in-place 		<input type="radio"/> Pre-stressed Girder 		<input type="checkbox"/> Metal	<input type="checkbox"/> None	<input type="checkbox"/> Concrete	
<input type="radio"/> Flat Slab/Box 		<input type="radio"/> Steel I-beam 		<input type="checkbox"/> Concrete	<input type="checkbox"/> Concrete	<input type="checkbox"/> Timber	
<input type="radio"/> Truss 		<input type="radio"/> Covered 		<input type="checkbox"/> Timber	<input type="checkbox"/> Steel	<input type="checkbox"/> Stone/Masonry	
<input type="radio"/> Parallel Box Beam 		<input type="radio"/> Other:		<input type="checkbox"/> Open grid	<input type="checkbox"/> Timber	<input type="checkbox"/> Other:	
				<input type="checkbox"/> Other:		Creosote Evidence	
Culvert Type				Culvert Material		<input type="radio"/> Yes <input type="radio"/> No	
<input type="radio"/> Box		<input type="radio"/> Other Structure		<input checked="" type="checkbox"/> Metal		<input type="radio"/> Unknown	
<input checked="" type="radio"/> Pipe/Round				<input type="checkbox"/> Concrete		Notes: 36" sumped CMP with wing walls	
<input type="radio"/> Other:				<input type="checkbox"/> Plastic			
				<input type="checkbox"/> Stone/Masonry			
Crossings Traversed (check all that apply)				Surrounding Habitat (check all that apply)			
<input type="checkbox"/> Bare ground		<input type="checkbox"/> Open vegetation		<input checked="" type="checkbox"/> Agricultural		<input type="checkbox"/> Grassland	
<input type="checkbox"/> Rip-rap		<input type="checkbox"/> Closed vegetation		<input type="checkbox"/> Commercial		<input type="checkbox"/> Ranching	
<input type="checkbox"/> Flowing water		<input type="checkbox"/> Railroad		<input type="checkbox"/> Residential-urban		<input type="checkbox"/> Riparian/wetland	
<input type="checkbox"/> Standing water		<input checked="" type="checkbox"/> Road/trail - Type: Asphalt Road		<input checked="" type="checkbox"/> Residential-rural		<input type="checkbox"/> Mixed use	
<input type="checkbox"/> Seasonal water		<input type="checkbox"/> Other:		<input type="checkbox"/> Woodland/forested		<input type="checkbox"/> Other:	
Areas Assessed (check all that apply)							
Check all areas that apply. If an area is not present in the structure, check the "not present" box. Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.							
Area (check if assessed)		Assessment Notes		Evidence of Bats (include photos if present)			
<input type="checkbox"/> All crevices and cracks: Bridges/culverts: rough surfaces or imperfections in concrete Other structures: soffits, rafters, attic areas		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead #		<input type="checkbox"/> Audible <input type="checkbox"/> Species	
				<input type="checkbox"/> Guano		<input type="checkbox"/> Odor	
				<input type="checkbox"/> Staining		<input type="checkbox"/> Photos	
<input type="checkbox"/> Concrete surfaces (open roosting on concrete)		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead #		<input type="checkbox"/> Audible <input type="checkbox"/> Species	
				<input type="checkbox"/> Guano		<input type="checkbox"/> Odor	
				<input type="checkbox"/> Staining		<input type="checkbox"/> Photos	
<input type="checkbox"/> Spaces between concrete end walls and the bridge deck		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead #		<input type="checkbox"/> Audible <input type="checkbox"/> Species	
				<input type="checkbox"/> Guano		<input type="checkbox"/> Odor	
				<input type="checkbox"/> Staining		<input type="checkbox"/> Photos	
<input type="checkbox"/> Crack between concrete railings on top of the bridge deck 		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead #		<input type="checkbox"/> Audible <input type="checkbox"/> Species	
				<input type="checkbox"/> Guano		<input type="checkbox"/> Odor	
				<input type="checkbox"/> Staining		<input type="checkbox"/> Photos	
<input type="checkbox"/> Vertical surfaces on concrete I-beams		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead #		<input type="checkbox"/> Audible <input type="checkbox"/> Species	
				<input type="checkbox"/> Guano		<input type="checkbox"/> Odor	
				<input type="checkbox"/> Staining		<input type="checkbox"/> Photos	
<input type="checkbox"/> Spaces between walls, ceiling joists		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead #		<input type="checkbox"/> Audible <input type="checkbox"/> Species	
				<input type="checkbox"/> Guano		<input type="checkbox"/> Odor	
				<input type="checkbox"/> Staining		<input type="checkbox"/> Photos	
<input type="checkbox"/> Weep holes, scupper drains, and inlets/pipes		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead #		<input type="checkbox"/> Audible <input type="checkbox"/> Species	
				<input type="checkbox"/> Guano		<input type="checkbox"/> Odor	
				<input type="checkbox"/> Staining		<input type="checkbox"/> Photos	
<input type="checkbox"/> All guiderails		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead #		<input type="checkbox"/> Audible <input type="checkbox"/> Species	
				<input type="checkbox"/> Guano		<input type="checkbox"/> Odor	
				<input type="checkbox"/> Staining		<input type="checkbox"/> Photos	
<input type="checkbox"/> All expansion joints		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead #		<input type="checkbox"/> Audible <input type="checkbox"/> Species	
				<input type="checkbox"/> Guano		<input type="checkbox"/> Odor	
				<input type="checkbox"/> Staining		<input type="checkbox"/> Photos	
Name: Claudia McAllister-Peterson				Signature: 			



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N758-ES
Indianapolis, Indiana 46204

PHONE: (317) 463-6948
(317) INDOT4U

Eric Holcomb, Governor
Michael Smith, Commissioner

March 1, 2022

INDOT Office of Aviation
100 N. Senate Avenue, Rm. 955
Indianapolis, IN 46204

Re: SR 3 and Waits Road Intersection Improvement
Noble County, Indiana
INDOT Des No.: 1900138
CMT Project No.: 19070904.03

Dear Interested Party:

The Indiana Department of Transportation (INDOT) with federal funding, intends to proceed with a project involving intersection improvements at State Road 3 (SR 3) and Waits Road in Noble County, Indiana. This letter is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. **Please use the above designation numbers and description in your reply.** We will incorporate your comments into a study of the project's environmental impacts.

Project Description

This project is located at the intersection of SR 3 and Waits Road in Kendallville, Noble County, Indiana. The proposed work is along SR 3 from 0.30 mile north of the Waits Road intersection to 0.15 mile south of the Waits Road intersection and along Waits Road from 0.07 mile west of the SR 3 intersection and 0.07 mile east of the SR 3 intersection. The project also involves modification to the traffic signal at SR 3 and Main Street, 0.17 miles south of the SR 3/Waits Road intersection. The project is located in Sections 4, 5, and 9, Township 34 North, and Range 11 East, on the U.S. Geological Survey (USGS) Kendallville, Indiana Quadrangle.

SR 3 in Noble County is classified by INDOT as a minor arterial and is not a part of FHWA National Highway System (NHS route). It travels north-south, connecting US 6 in Kendallville, Indiana to I-69 in Fort Wayne, Indiana. Through the project area the speed limit is 55 miles per hour (mph) with two 12-foot lanes in each direction with a 60-foot median. The northbound leg of SR 3 includes right and left turn lanes onto Waits Road with an outside and inside shoulder. The southbound leg of SR 3 includes a left turn lane onto Waits Roads with an outside shoulder and inside shoulder. Waits Road is classified by INDOT as a local road. The eastbound and westbound approaches on Waits Road have one lane in each direction for all movements. The speed limit on the east leg of Waits Road is 30 mph and the west leg is 40 mph.

Within a 3-year period between April 2017 and November 2019, 13 crashes were reported within the study intersection. Of these, four of the incidents resulted in injuries (including two that were incapacitating). A recent incident occurred in the spring of 2021 that involved multiple deaths. All of the injury crashes during the study

period, including the recent fatality, were right angle crashes where the driver tried to cross SR 3 along Waits Road but was struck once past the median.

The current proposed project is anticipated to convert the project intersection of SR 3 and Waits Road to a Closed Median Reduced Conflict Intersection (RCI). The approaches on Waits Road will be updated to right turn only movement. Vehicles wishing to travel through or turn left from the minor road would be required to turn right onto SR 3 and then complete a U-turn movement. Vehicles wishing to turn left onto Waits Road from SR 3 will be required to complete a U-turn movement at the Median U-Turn (MUT) location. The spacing of the MUT along SR 3 will be 1,500 feet north of the existing intersection due to the superelevation of the existing curve on SR 3. The MUT will be unsignalized. Lighting at the MUT may need to be provided for adequate visibility at the intersection. There will not be a south MUT, instead vehicles will need to travel to the intersection of SR 3 and Main Street, which is located approximately 0.33 mile south of the SR 3 and Waits Road intersection.

No permanent or temporary right of way will be needed for the project. The proposed method of traffic maintenance is anticipated to require/involve a single lane closure on SR 3. To complete work on Waits Road the approaches will be closed and a detour will be required. Vehicles traveling east on Waits Road will turn north on Beacon Road, east on Drake Road, and south on Main Street. Vehicles traveling west on Waits Road will turn north on Main Street, west on Drake Road, and south on Beacon Road. This detour is 3.1 miles long. No other closures or detours will be required for the construction of the project. No trees are expected to be cleared as part of this project. The project is anticipated to begin construction in Fall 2023.

Land use in the vicinity of the project is residential and farmland. Crawford, Murphy & Tilly, Inc. (CMT) performed a waters and wetlands determination to identify any water resources that may be present within the project area. Nine wetlands and three streams were identified within the project area. Impacts are anticipated to one wetland, including a wetland located along the westside ditch of southbound SR 3. One unnamed tributary (UNT) to Bixler Lake Ditch will likely be impacted. UNT 3 to Bixler Lake Ditch flows from north to south along the westside ditch of SR 3 and will be impacted. Impacts to UNT 3 to Bixler Lake Ditch below the ordinary high water mark (OHWM) are anticipated due to the culvert extension and replacement underneath the west leg of Waits Road and regrading the roadside ditch along Waits Road. 401/404 Permits are anticipated to be required for this project. This project is anticipated to qualify for the USFWS Rangewide Programmatic Agreement for the Indiana bat and Northern long-eared bat by completing the USFWS's Information for Planning and Consultation (IPaC).

There are no previously recorded historic properties within or adjacent to the project area. INDOT will ensure compliance with Section 106 of the National Historic Preservation Act of 1966.

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

If you have any questions or concerns regarding this matter, please feel free to contact Miguel Tucker at 260-969-8225 or via email at mtucker@indot.in.gov, or contact me at 317-492-9162 or via email at nbatta@cmtengr.com. Thank you in advance for your input.

SR 3 and Waits Rd Intersection

March 1, 2022

Page 3

Sincerely,

Crawford, Murphy & Tilly, Inc.

A handwritten signature in black ink that reads "Nick Batta". The signature is written in a cursive style with a large initial "N".

Nick Batta

Project Manager

Attachments-

Maps (Location, Aerial, USGS Topographic)

Photographs

Note: Duplicate mapping and photographs were included in the Early Coordination Packet, but were intentionally removed. Please see Appendix B for maps and photographs.

Marion Wells

From: Courtade, Julian <JCourtade@indot.IN.gov>
Sent: Tuesday, March 8, 2022 8:17 AM
To: Marion Wells
Subject: RE: Early Coordination Letter: Intersection Improvements at SR 3 and Waits Rd #1900138

External Message: This email was sent from someone outside of CMT. Please use caution with links and attachments from unknown senders or receiving unexpected emails.

Marion –

After reviewing the Early Coordination Letter, I have determined that if any object, obstruction, or equipment will exceed 158 ft. in height, further coordination will be required with our office and the FAA. This is due to the close proximity of Kendallville Airport and the need for any obstructions within 5 miles to meet a 100:1 glideslope to the nearest runway according to 14 CFR Part 77 standards. You can find these standards and information on filing at the website below:

<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

Please let me know if you have any questions!

Best,

Julian L. Courtade
Chief Airport Inspector
100 North Senate Ave, N758-MM
Indianapolis, IN 46204
Cell: (317) 954-7385
Email: jcourtade@indot.in.gov



From: Marion Wells <mwells@cmtengr.com>
Sent: Tuesday, March 1, 2022 3:46 PM
To: Courtade, Julian <JCourtade@indot.IN.gov>
Cc: Nick Batta <nbatta@cmtengr.com>
Subject: Early Coordination Letter: Intersection Improvements at SR 3 and Waits Rd #1900138

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

Dear Julian,

The Indiana Department of Transportation intends to proceed with a project involving intersection improvements at State Road 3 (SR 3) and Waits Road in Kendallville, Noble County, Indiana (INDOT Des No.: 1900138). Please see the attached letter, which is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. We will incorporate your comments into a study of the project's environmental impacts.

One public-use airport, Kendallville Municipal Airport, is located within 3.8 miles (20,000 feet) of the project area. The public-use airport is located approximately 3.0 miles north of the project area; therefore, we are completing early coordination with INDOT Aviation.

We are hoping to submit the environmental document for the project by March 15th; therefore, a response prior to March 15th would be greatly appreciated.

If you have any questions or concerns regarding this matter, please feel free to contact Jenny Bass at 260-969-8252 or via email at jbass@indot.in.gov, or contact Nick Batta at 317-492-9162 or via email at nbatta@cmtengr.com. Thank you in advance for your input.

Thank you,
Marion

MARION WELLS | Environmental Scientist



Crawford, Murphy & Tilly | Engineers & Consultants

8790 Purdue Road | Indianapolis, IN 46268

w 937.701.6579 | m 513.907.2365 | f 614.854.0569 | mwells@cmtengr.com



Centered in Value

Minor Projects PA Project Assessment Form

Date: 1/7/2022

Project Designation Number: 1900138

Route Number: State Road (SR) 3

Project Description: Intersection Improvement at Waits Road, 2.22 miles south of US 6

The proposed project is located along State Road (SR) 3 within Noble County, Indiana at the intersection with Waits Road. The approximate project length is 0.5 miles. SR 3 is a divided rural minor arterial. Through the project area, SR 3 consists of two 12-foot lanes in each direction with a 60-foot median. The northbound leg of SR 3 includes 12-foot right and left turn lanes onto Waits Road with a 4-foot outside and inside shoulder. The southbound leg of SR 3 includes a 12-foot left turn lane onto Waits Road with an 11-foot outside shoulder and a 4-foot inside shoulder. Waits Road is classified as a rural local road. The east and west legs of Waits Road are stop controlled and include one 10-foot lane in each direction of travel with no paved or aggregate shoulder. Drainage throughout the project area consists primarily of an open drainage ditch system. Ditches run parallel to SR 3 and Waits Road. The ditches on the west side of SR 3 flow to the southwest corner of the intersection into an unnamed stream that proceeds east to west across SR 3 through an existing 84-inch by 66-inch pipe, designated CV 003-057-200.96. This pipe will not be disturbed by the project. The ditches along the east side of SR 3 flow to the southeast corner into an unnamed stream. There are also existing 36-inch pipes across Waits Road on both the east and west legs. The pipes along the east legs will not be disturbed by this project.

The need for this project is due to the high number of accidents involving vehicles traveling across SR 3 from the existing median crossover. The purpose of this project is to improve the intersection in a manner that will reduce these median crossover crashes.

The preferred alternative for this project is to convert the intersection of SR 3 and Waits Road to a closed median reduced conflict intersection. The approaches on Waits Road will be updated to right turn only movement. Vehicles wishing to travel through or turn left from the minor road would be required to complete a U-turn movement at the signalized intersection of SR 3 and Main Street. This signal will be updated accordingly. Vehicles wishing to turn left from SR 3 would be required to complete a U-turn movement at the median U-turn location. This median U-turn will be located 1,500 feet to the north from the intersection due to the superelevation of the existing curve on SR 3. This median U-turn will be unsignalized and a truck loon will be provided to aid in the turning movements of the design vehicle.

Lighting will be added at both the intersection of SR 3 and Waits Road as well as at this median U-turn. In addition, a new pipe will be added in the median underneath this median U-turn. Further, the pipe in the northwest quadrant of the intersection will be lengthened, matching the size of the existing pipe. See enclosed photos and plan sets, showing the location of the existing pipe. All work is expected to occur within the existing right-of-way of SR 3.

Feature crossed (if applicable):

City/Township: Kendallville/ Allen Township

County: Noble County

Information reviewed (please check all that apply):

General project location map	<input checked="" type="checkbox"/>	USGS map	<input checked="" type="checkbox"/>	Aerial photograph	<input checked="" type="checkbox"/>
Written description of project area	<input type="checkbox"/>	General project area photos	<input type="checkbox"/>		
Previously completed archaeology reports	<input checked="" type="checkbox"/>	Interim Report	<input checked="" type="checkbox"/>		
Previously completed historic property reports	<input type="checkbox"/>				
Soil survey data	<input type="checkbox"/>	Bridge inspection information	<input type="checkbox"/>		
SHAARD	<input checked="" type="checkbox"/>	SHAARD GIS	<input checked="" type="checkbox"/>	Streetview Imagery	<input checked="" type="checkbox"/>

Minor Projects PA Project Assessment Form

Other (please specify): Indiana State Historic Architectural and Archaeological Research Database (SHAARD); Indiana Buildings, Bridges, and Cemeteries Map (IBBCM) website; *Noble County Interim Report*; Arc Map GIS; Noble County GIS (accessed via <https://beacon.schneidercorp.com>); online street-view imagery; MPPA application (including maps and photographs) sent by SJCA, dated November 29th, 2021, and on file at Cultural Resources Office (CRO).

Tonetti, Alan C. and E.J. Fabyan

1977 An Archaeological Resources Assessment of Indiana State Highway Commission Project S-419(20) Allen, DeKalb, and Noble Counties, Indiana. Indiana State Highway Commission. Report on file, Indiana Department of Transportation, Cultural Resources Office, Indianapolis, In.

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

- A-2.** All work within interchanges and within medians of divided highways in previously disturbed soils.
- A-3.** Replacement, repair, lining, or extension of culverts and other drainage structures that do not exhibit wood, stone or brick structures or parts therein and are in previously disturbed soils.
- A-4.** Roadway work associated with surface replacement, reconstruction, rehabilitation, or resurfacing projects, including overlays, shoulder treatments, pavement repair, seal coating, pavement grinding, and pavement marking within previously disturbed soils where replacement, repair, or installation of curbs, curb ramps or sidewalks will not be required.
- A-5.** Repair, in-kind replacement or upgrade of existing lighting, signals, signage, and other traffic control devices in previously disturbed soils.
- B-2.** Installation of new lighting, signals, signage, and other traffic control devices under the following conditions [***BOTH Condition A, which pertains to Archaeological Resources, and Condition B, which pertains to Above-Ground Resources, must be satisfied***]:

Condition A (Archaeological Resources)

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

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

Condition B (Above-Ground Resources)

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

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

Condition A (Archaeological Resources)

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

- i. **Work occurs in previously disturbed soils;** OR
- ii. Work occurs in undisturbed soils and an archaeological investigation conducted by the applicant and reviewed by INDOT Cultural Resources Office determines that no National Register-listed or potentially

Minor Projects PA Project Assessment Form

National Register-eligible archaeological resources are present within the project area. If the archaeological investigation locates National Register-listed or potentially National Register-eligible archaeological resources, then full Section 106 review will be required. Copies of any archaeological reports prepared for the project will be provided to the DHPA and any archaeological site form information will be entered directly into the SHAARD by the applicant. The archaeological reports will also be available for viewing (by Tribes only) on INSCOPE.

Condition B (Above-Ground Resources)

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

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

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

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

Minor Projects PA Project Assessment Form

Additional Comments:

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

The Indiana Historic Sites and Structures Inventory (IHSSI) and National Register information for Noble County is available in the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) and the Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBCM). The *Noble County Interim Report* (1986; Allen Township) was also consulted. All sites were reviewed through the IHBBCM, which contains the most recently updated SHAARD information. No IHSSI documented properties are located within 0.25 mile of the project area.

The INDOT-CRO historian reviewed structures adjacent to the project area utilizing online aerial, street-view photography, and the Noble County GIS website. The project area is located on a four-lane divided highway with grass divider. The terrain consists of rolling hills. Scattered trees and vegetation are located either side of the highway. The adjacent building stock consists primarily of early to late twentieth century residential and commercial buildings. None of the structures immediately adjacent to the project area and visible on online street-view photography appear to possess the integrity or significance necessary to be considered National Register-eligible. While other structures within 0.25 mile of the project area are not visible online, the terrain, trees, vegetation, and other structures visually screen them from project activities.

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

Archaeological Resources

An INDOT Cultural Resources Office (CRO) archaeologist, who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61, reviewed the proposed project area and prepared an archaeological assessment. With regards to archaeological resources, the proposed project will occur within the existing right-of-way of SR 3 which was previously investigated for archaeological resources prior to its conversion to a 4-lane divided highway (Tonetti and Fabyan 1977). No archaeological sites were identified in or adjacent to the proposed project area. Since the project is limited to the existing SR 3 right-of-way, all construction work will occur in soils previously disturbed by the berming of the highway corridor, digging for median and roadside ditches, the cutting and filling of soils, and utility easements. According to SHAARD, no archaeological sites have been recorded in or near the project area since the 1977 reconnaissance. Given, the above factors, there are no archaeological concerns.

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

INDOT Cultural Resources staff reviewer(s): Clint Kelly and Shaun Miller

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



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N758-ES
Indianapolis, Indiana 46204

PHONE: (855) 463-6948
(855) INDOT4U

Eric Holcomb, Governor
Michael Smith, Commissioner

Date: March 2, 2022

To: Site Assessment & Management (SAM)
Environmental Policy Office - Environmental Services Division (ESD)
Indiana Department of Transportation
100 N Senate Avenue, Room N758-ES
Indianapolis, IN 46204

From: Claudia McAllister-Peterson
Crawford, Murphy & Tilly, Inc.
8790 Purdue Road
Indianapolis, IN 46268
cmcallister-peterson@cmtengr.com

Re: RED FLAG INVESTIGATION
DES No. 1900138, State Project
Intersection Improvement
State Road 3 at Waits Road
Noble County, Indiana

PROJECT DESCRIPTION

Brief Description of Project: The proposed project consists of converting the existing two-way stop-controlled State Road (SR) 3 and Waits Road intersection to a standard reduced conflict intersection in Kendallville, Noble County, Indiana. The proposed work is along SR 3 from 0.30 mile north of the Waits Road intersection to 0.15 mile south of the Waits Road intersection as well as along Waits Road from 0.07 mile west of the SR 3 intersection and 0.07 mile east of the SR 3 intersection. The need for this project is evidenced by the high number of accidents involving vehicles traveling across SR 3 from the existing median crossover. The purpose of the project is to improve the intersection in a manner that will reduce these median crossover crashes. The project is located in Section 4, Township 34 North, and Range 11 East, on the U.S. Geological Survey (USGS) Kendallville, Indiana Quadrangle.

The project will modify the SR 3 and Waits Road intersection by adding a northbound right turn lane and close the existing median opening. In addition, about 1,500 feet north of the intersection, a new median U-turn will be installed. As westbound on Waits Road approaches the intersection, vehicles will be required to turn right (northbound) onto SR 3. If westbound traffic desires to go south down SR 3, they will utilize the median U-turn. If westbound Waits Road traffic desires to the continue straight ahead, vehicles will turn right onto SR 3, utilize the median U-turn, and then turn right back onto Waits Road. Similarly, eastbound traffic will also be required to turn right (southbound) onto SR 3. The nearby intersection of SR 3 at Main Street will be used to facilitate any U-turns for eastbound traffic that desires to go north onto SR 3 or ahead onto Waits Road.

The new turn lane and median U-turn will require new full depth pavement. Drainage will be perpetuated by re-grading any impacted roadside and median ditches. An existing 69-foot long, 36-inch-wide corrugated metal pipe (COID-33932) is located underneath Waits Road to the west of SR 3. An unnamed tributary to Bixler Lake Ditch flows generally south through the existing pipe as an encapsulated stream underneath Waits Road. The existing pipe may be fully replaced and extended to the north of Waits Road for 65 feet. Another unnamed tributary to Bixler Lake Ditch, located along the south side of Waits Road, flows generally east through an existing 87-inch by 63-inch pipe (CV 003-057-200.96) underneath the south leg of US 3. No impact is expected to CV 003-057-200.96. The total length of the improvements is 0.59 mile.

Bridge and/or Culvert Project: Yes No Structure # _____

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

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

Proposed right of way: Temporary # Acres _____ Permanent # Acres 0.27

Type and proposed depth of excavation: Excavation is required of an existing hillside to regrade the existing ditch along SR 3 and to place new drainage structures under the north median U-turn. Excavation is limited to 24 inches or less below the ground line.

Maintenance of traffic: This project is not considered a mobility significant project per IDM Section 503-2.02. The construction of the project can be completed with a single lane closure on SR 3. To complete work on Waits Road the approaches are planned to be closed and a detour would be required. No other closures or detours will be required for the construction of the project.

Work in waterway: Yes No Above 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	1*	Recreational Facilities	N/A
Airports ¹	1	Pipelines	5
Cemeteries	N/A	Railroads	2
Hospitals	N/A	Trails	3
Schools	2*	Managed Lands	N/A

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

Religious Facilities*: Although not mapped on the GIS layer, one (1) religious facility was identified within the 0.5 mile search radius. The unmapped religious facility, First Christian Church, is located adjacent to the project area on the northeast corner of the intersection of SR 3 and Waits Road. Coordination with First Christian Church will occur.

Schools*: Two (2) schools, both unmapped, are located within the 0.5 mile search radius. The nearest facility, Islamic Academy of Kendallville, is located approximately 0.35 mile north of the project area. No impact is expected.

Airports: Although not located within the 0.5 mile search radius, one (1) public-use airport, Kendallville Municipal Airport, is located within 3.8 miles (20,000 feet) of the project area. The public-use airport is located approximately 3.0 miles north of the project area; therefore, early coordination with INDOT Aviation will occur.

Pipelines: Five (5) pipeline segments are located within the 0.5 mile search radius. Two (2) pipeline segments, associated with Northern Indiana Fuel & Light Co., cross the project area. Coordination with INDOT Utilities and Railroads should occur.

Railroads: Two (2) railroad segments are located within the 0.5 mile search radius. The nearest railroad segment, operated by Norfolk and Southern Railroad, is inactive and located 0.18 mile east of the project area. No impact is expected.

Trails: Three (3) trail segments are located within the 0.5 mile search radius. The nearest trail segment, Fishing Line Trail, is located 0.20 mile east of the project area. No impact is expected.

WATER RESOURCES TABLE AND SUMMARY

Water Resources			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
NWI - Points	N/A	Canal Routes - Historic	N/A
Karst Springs	N/A	NWI - Wetlands	35
Canal Structures – Historic	N/A	Lakes	10
NPS NRI Listed	N/A	Floodplain - DFIRM	7
NWI-Lines	1	Cave Entrance Density	N/A
IDEM 303d Listed Streams and Lakes (Impaired)	N/A	Sinkhole Areas	N/A
Rivers and Streams	8	Sinking-Stream Basins	N/A

NWI Lines: One (1) NWI-line segment is located within the 0.5 mile search radius. The NWI-line segment, a freshwater emergent wetland, is located approximately 0.38 mile northeast of the project area. No impact is expected.

Rivers and Streams: Eight (8) river or stream segments are located within the 0.5 mile search radius. One (1) stream, an unnamed tributary of Bixler Lake Ditch, is located within the project area. A Waters of the US Report has been prepared and coordination with INDOT ESD Ecology and Waterway Permitting will occur.

NWI – Wetlands: Thirty-five (35) NWI wetlands are located within the 0.5 mile search radius. Three (3) wetlands are located adjacent to the project area. A Waters of the US Report has been prepared and coordination with INDOT ESD Ecology and Waterway Permitting will occur.

Lakes: Ten (10) lakes are located within the 0.5 mile search radius. The nearest lake is located approximately 0.01 mile west of the project area. No impact is expected.

Floodplain – DFIRM: Seven (7) 100-year floodplain polygons are located within the 0.5 mile search radius. The nearest polygon is located approximately 0.28 mile east of the project area. No impact is expected.

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	N/A
Mines – Surface	N/A	Mines – Underground	N/A

Explanation:

No mining or mineral exploration resources were identified within the 0.5 mile search radius.

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	1
RCRA Generator/ TSD	N/A	Open Dump Waste Sites	N/A
RCRA Corrective Action Sites	N/A	Restricted Waste Sites	N/A
State Cleanup Sites	N/A	Waste Transfer Stations	N/A
Septage Waste Sites	N/A	Tire Waste Sites	N/A
Underground Storage Tank (UST) Sites	N/A	Confined Feeding Operations (CFO)	N/A
Voluntary Remediation Program	N/A	Brownfields	2
Construction Demolition Waste	N/A	Institutional Controls	1
Solid Waste Landfill	N/A	NPDES Facilities	4
Infectious/Medical Waste Sites	N/A	NPDES Pipe Locations	N/A
Leaking Underground Storage (LUST) Sites	N/A	Notice of Contamination Sites	N/A

Unless otherwise noted, site specific details presented in this section were obtained from documents reviewed on the Indiana Department of Environmental Management (IDEM) Virtual File Cabinet (VFC).

Explanation:

Manufactured Gas Plant Sites: One (1) manufactured gas plant site is located within the 0.5 mile search radius. The site, Kendallville Manufactured Gas Plant (MGP), at 900 Main Street, Kendallville, IN 46755 (AI 45745), is located 0.49 mile north of the project area. According to a letter dated December 7, 2004, the Kendallville MGP application for the Voluntary Remediation Program was accepted. According to documents from 2013 and 2016 documents, the site evaluation is ongoing. No impact is expected.

Brownfields: Two (2) Brownfield sites are located within the 0.5 mile search radius. The nearest site, Dalton Corporation, at 200 W Ohio Street, Kendallville, IN 46755 (AI 11690), was formerly the site of a foundry located 0.28 mile north of the

project area. This brownfield site also is shown as a landfill but not listed as a solid waste landfill. The site was also in the Voluntary Remediation Program, but the project was terminated effective May 4, 2020 due to inadequate Remediation Work Plan and Addendum, lack of progress on the remediation of the site, and lack of timely response. IDEM issued a Comfort Letter Bona Fide Prospective Purchaser, dated August 1, 2016. Following investigation, an Environmental Restrictive Covenant (ERC) was recorded on the deed of the property on September 20, 2016, due to elevated levels of arsenic, total barium, total cadmium, total chromium, and total lead in on-site groundwater. The ERC prohibits use or extraction of groundwater at the site for any purpose. No impact is expected.

Institutional Controls: One (1) Institutional Control site is located within the 0.5 mile search radius. The site, Reliable Tool & Machine Company, at 300 W Ohio Street, Kendallville, IN 46755 (AI 42955), is located 0.43 mile north of the project area. No impact is expected.

NPDES Facilities: Four (4) NPDES facilities are located within the 0.5 mile search radius. Hidden Ego Volleyball Facility, at 555 W Ohio Street, Kendallville, IN 46755 (NPDES ID INR10N732), is the closest and located 0.19 north of project area. The permit expired in 2004 and no impact is expected.

ECOLOGICAL INFORMATION SUMMARY

The Noble County listing of the Indiana Natural Heritage Data Center information on endangered, threatened, or rare (ETR) species and high quality natural communities is provided at https://www.in.gov/dnr/nature-preserves/files/np_noble.pdf. A preliminary review of the Indiana Natural Heritage Database by INDOT Environmental Services did not indicate the presence of ETR 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 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".

RECOMMENDATIONS SECTION

INFRASTRUCTURE:

Religious Facilities: One (1) unmapped religious facility, First Christian Church, is located adjacent to the project area on the northeast corner of the intersection of SR 3 and Waits Road. Coordination with First Christian Church will occur.

Airports: One (1) public-use airport, Kendallville Municipal Airport, is located approximately 3.0 miles north of the project area; therefore, early coordination with INDOT Aviation will occur.

Pipelines: Two (2) pipeline segments, associated with Northern Indiana Fuel & Light Co., cross the project area. Coordination with INDOT Utilities and Railroads should occur.

WATER RESOURCES:

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

Three (3) wetlands are located adjacent to the project area.

One (1) stream segment, an unnamed tributary to Bixler Lake Ditch, flows through the project area.

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS: N/A

ECOLOGICAL INFORMATION:

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

INDOT Environmental Services concurrence:

Nicole
Fohey-
Breting

Digitally signed by
Nicole Fohey-Breting
Date: 2022.03.02
18:08:07 -05'00'

(Signature)

Prepared by:

Claudia McAllister-Peterson
Ecological Engineer
Crawford, Murphy & Tilly, Inc.

Graphics:

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

SITE LOCATION: YES

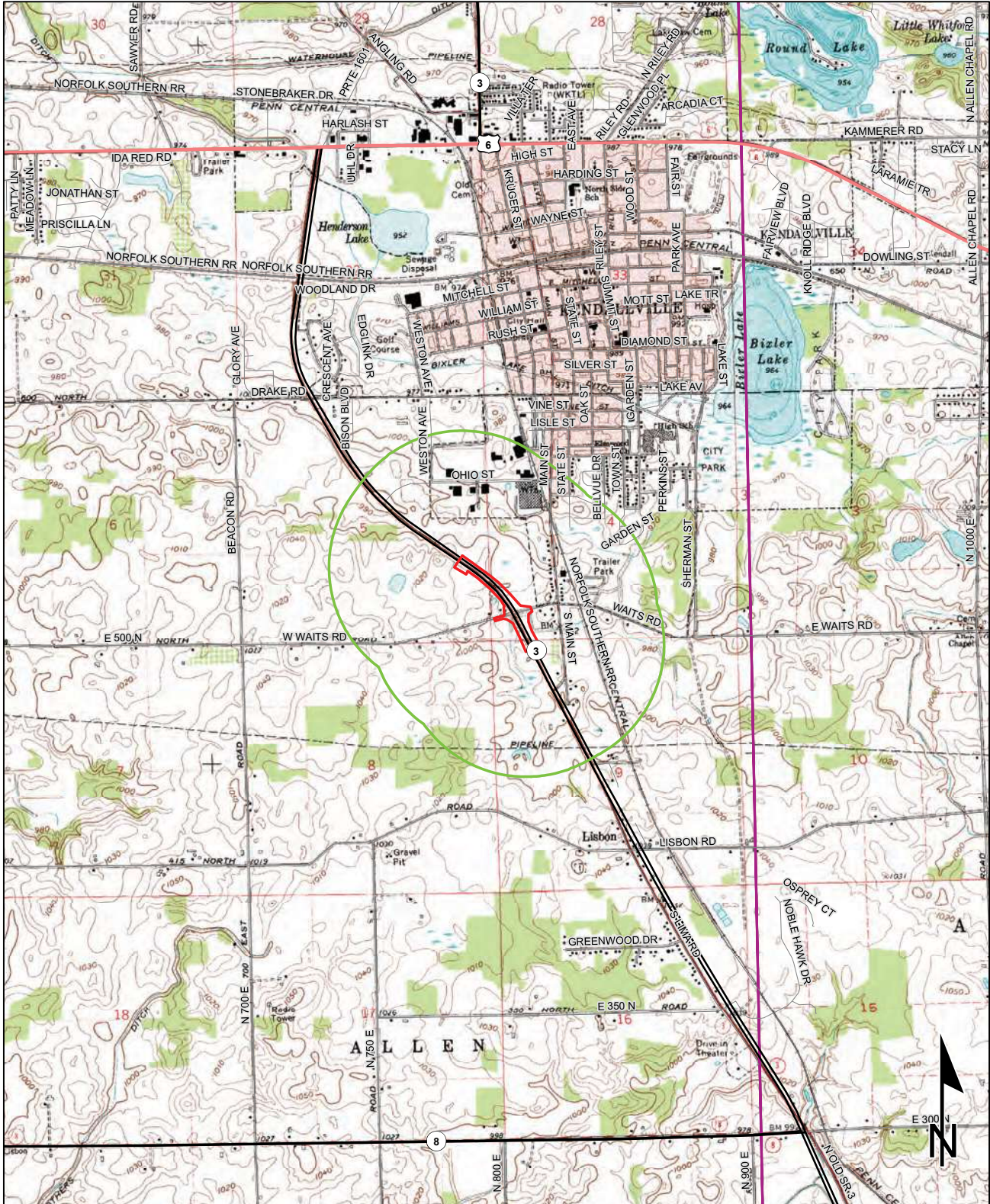
INFRASTRUCTURE: YES

WATER RESOURCES: YES

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS: YES

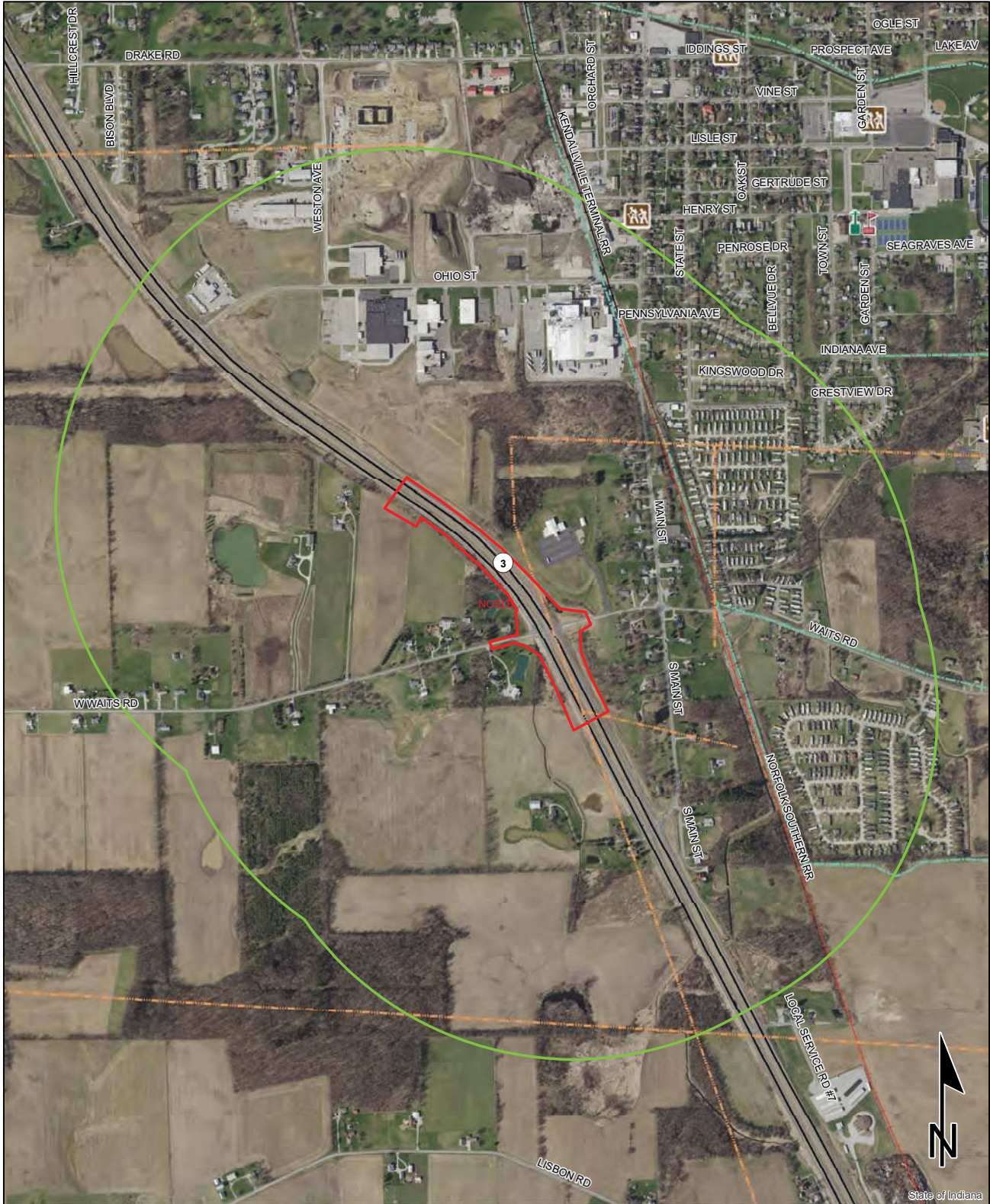
Red Flag Investigation - Site Location
 SR 3 at Waits Road
 Des. No. 1900138, Intersection Improvement
 Noble County, Indiana



Sources: 0.5 0.25 0 0.5 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.

**KENDALLVILLE QUADRANGLE
 INDIANA
 7.5 MINUTE SERIES
 (TOPOGRAPHIC)**

Red Flag Investigation - Infrastructure SR 3 at Waits Road Des. No. 1900138, Intersection Improvement Noble County, Indiana



Sources: 0.15 0.075 0 0.15 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.

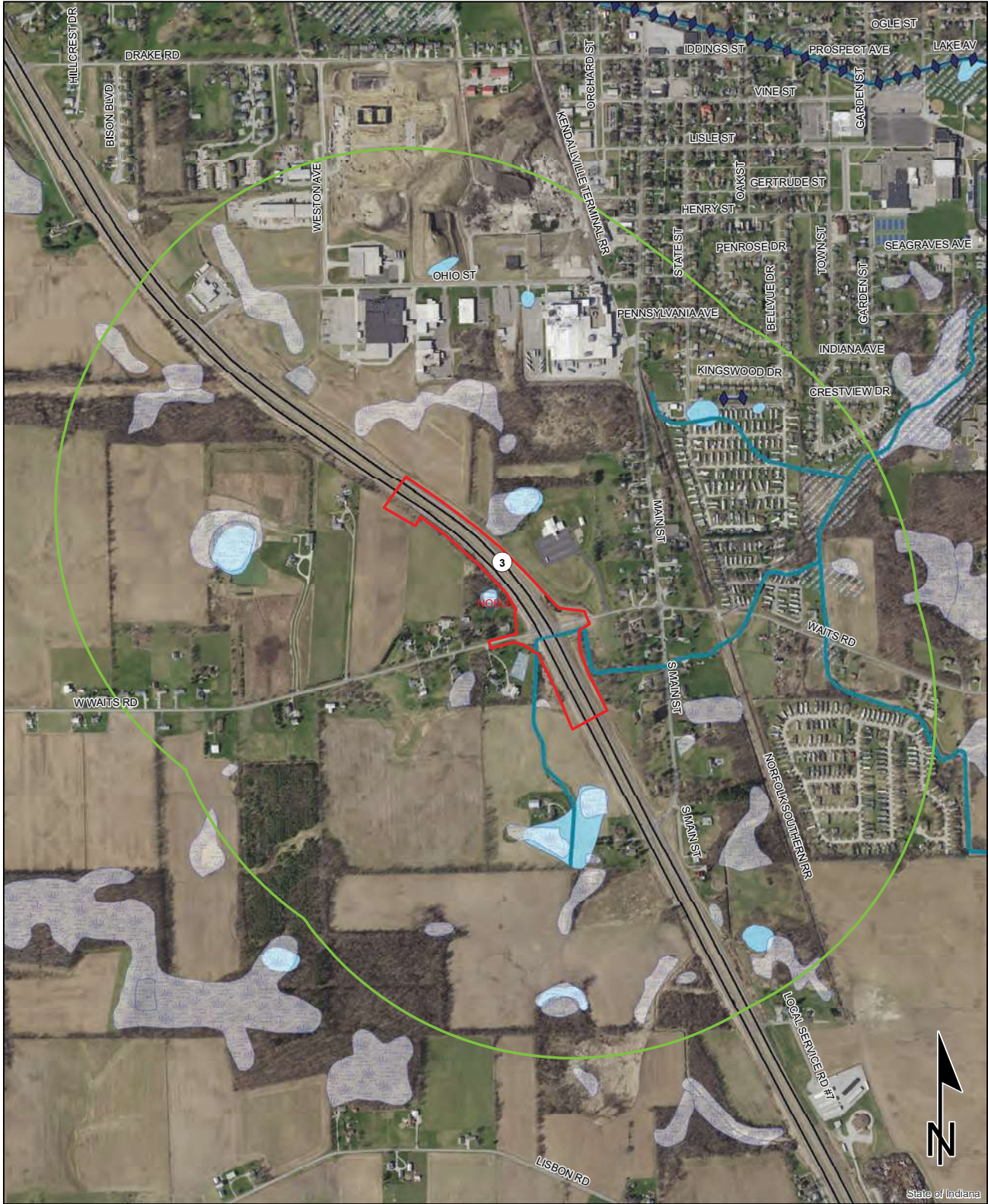
	Religious Facility		Recreation Facility		Project Area
	Airport		Pipeline		Half Mile Radius
	Cemeteries		Railroad		Toll
	Hospital		Trails		Interstate
	School		Managed Lands		State Route
			County Boundary		US Route
					Local Road

Red Flag Investigation - Water Resources

SR 3 at Waits Road

Des. No. 1900138, Intersection Improvement

Noble County, Indiana



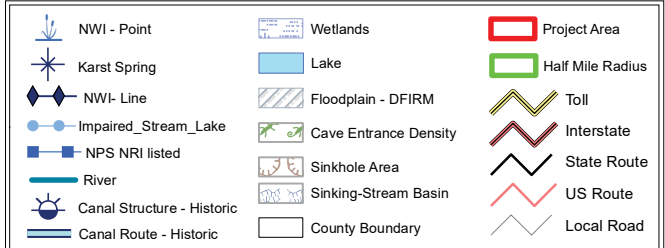
Sources: 0.15 0.075 0 0.15 Miles

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

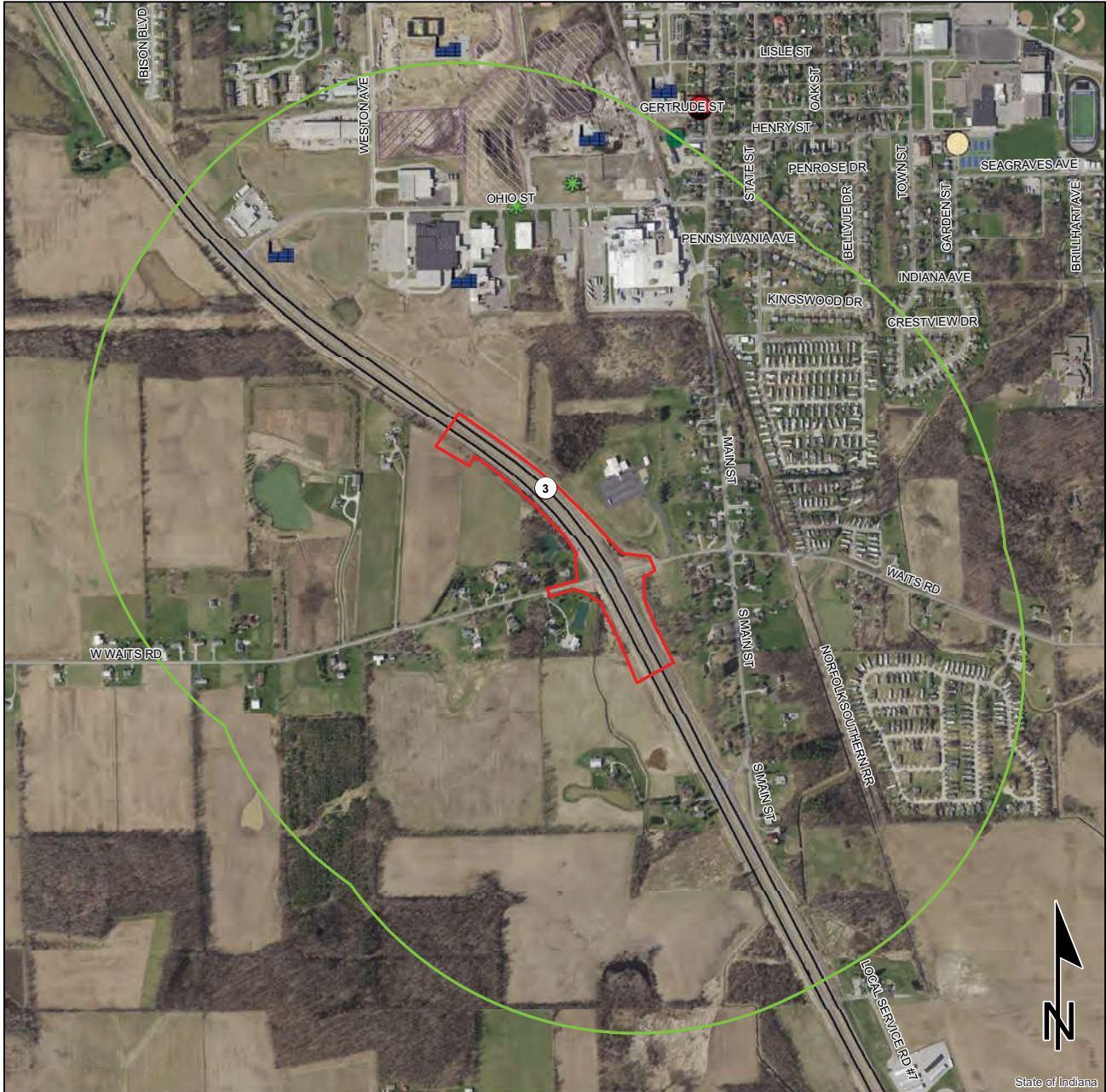
Orthophotography - Obtained from Indiana Map Framework Data (www.indianamap.org)

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.



Red Flag Investigation - Hazardous Material Concerns SR 3 at Waits Road Des. No. 1900138, Intersection Improvement Noble County, Indiana



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

0.2 0.1 0 0.2 Miles

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

E-10

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