

Appendix C
Early Coordination

EXAMPLE EARLY COORDINATION LETTER

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

Re: Designation No.: 1600294
 SR 16 Pavement Replacement
 Town of Denver
 Miami County, Indiana

February 6, 2018

Dear Environmental Coordinator:

The Indiana Department of Transportation (INDOT) and Federal Highway Administration (FHWA) intends to proceed with a project involving the replacement of the State Route (SR) 16 pavement replacement through the Town of Denver, Miami County, Indiana. This letter is part of the early coordination phase of the environmental review process. Burgess & Niple, Inc. (B&N) is requesting comments from your area of expertise regarding any possible environmental effects associated with this project. **Please use the above designation number and description in your reply.** We will incorporate your comments into a study of the project's environmental impacts.

The pavement replacement of SR 16 will begin 2.90 miles east of U.S. Route (USR) 31 to 3.62 miles east of USR 31 (RP 72+86 to RP 73+58) for a distance of 0.72 mile. The project will also replace the existing sidewalks, curbs, and gutters where they exist in the town. A new storm sewer system will be installed in the curb and gutter section. No work will occur within Weesau Creek on the west end of town and the unnamed tributary (locally known as Robert S. Kline Ditch) on the east end of town. Americans With Disabilities Act (ADA)-compliant curb ramps will be installed as part of the sidewalk replacement. The existing 12-foot wide travel lanes and various shoulder widths, including parking areas on the shoulder will be maintained. The open ditch drainage system on the east and west ends of the project will be maintained. Driveway culvert pipes will be installed in the open ditch area to obtain positive drainage. The Nickel Plate Recreational Trail crosses SR 16 at the western end of the project. Safety improvements for bicycles and pedestrians crossing SR 16 at the trail are included.

Two options are being considered for maintenance of traffic on SR 16 during construction. One option will close SR 16 with limited local access to driveways in the town. The second option is to provide part width construction and maintain one-way single-lane traffic on the other side. Based on the Miami County property maps, reacquisition of portions of the SR 16 right of way (ROW) will be required. In addition, some permanent ROW will be required at several intersections and temporary ROW for driveway tie in and yard regrading behind the sidewalk. No residents or businesses will be acquired.

Land use in the vicinity consists of commercial and residential property. Since no Waters of the U.S. will be impacted, a Water's Report will not be prepared. The project qualifies for the application of the U.S. Fish & Wildlife Service (USFWS) range-wide programmatic informational consultation for the Indiana bat and Northern long-eared bat. The project information form will be provided to USFWS for review separately. INDOT has indicated that the project will most likely be cleared with a Categorical Exclusion Level 1 document.

February 6, 2018
Page 2

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

If you have any questions regarding this matter, please feel free to contact me at the address and phone number on the letterhead above or by email at rick.fitch@burgessniple.com. Thank you in advance for your input.

Sincerely,



Richard G. Fitch AICP
Environmental Planner

RGF:cmc
Attachments
Maps, Photographs, Agency Form (if required)
List of ECL Recipients

**THE ATTACHMENTS HAVE BEEN REMOVED TO PREVENT
DUBLICATION OF MAPS AND FIGURES IN THE CE**

The following agencies received Early Coordination Letters:

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

Ms. Elizabeth McCloskey
Field Supervisor
U.S. Fish & Wildlife Service
Northern Field Office
P.O. Box 2616
Chesterton, IN 46304
(Electronic Coordination)

Reginal Wolfe, Sr.
Jefferson Township Trustee
P.O. Box 245
Mexico, IN 46958
(Hard Copy)

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

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

Miami County Commissioners
Miami County Courthouse
25 N Broadway
Peru, IN 46970
(Hard Copy)

Mr. Rick Neilson
State Conservationist
Natural Resources Conservation Service
6013 Lakeside Blvd.
Indianapolis, IN 46278
(Electronic Coordination)

Council Members
Miami County Council
Miami County Courthouse
25 N Broadway
Peru, IN 46970
(Hard Copy)

Mr. Mike Sisson, Superintendent
Miami County Highway Department
35 Germann Street
Peru, IN 46970
(Hard Copy)

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

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

INDOT – Office of Public Involvement
Public Hearings Manager
100 N. Senate Avenue, Rm 642
Indianapolis, IN 46204
(Electronic Coordination)

Denver Town Council
P.O. Box 192
Denver, IN 46926
(Hard Copy)



MENU

(<https://portal.idem.in.gov/>)

Gov. Eric J. Holcomb

(M.IN.GOV/)

IDEM (<http://www.in.gov/idem/index.htm>) > Proposed Roadway Letter



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 Fort Wayne District

5333 Hatfield Road
Fort Wayne , IN 46808

Burgess & Niple, Inc.

Richard Fitch
251 N Illinois Street
Suite 920
Indianapolis , IN 46204

Date

Dear Grant Administrator or Other Finance Approval Authority:

RE: Replacement of SR 16 pavement through the Town of Denver, Miami County IN. The Pavement Replacement DES # 1600294 project will replace the existing pavement with in HMA for a distance of 0.72 miles. Sidewalks, curbs, and gutters will be replaced where ones currently exist. The existing 12' travel lanes will be maintained as well as shoulders and parking lanes through out the project limits.

The Indiana Department of Environmental Management (IDEM) is aware that many local government or not-for-profit entities are seeking grant monies, a bond issuance, or another public funding mechanism to cover some portion of the cost of a public works, infrastructure, or community development project. IDEM also is aware that in order to be eligible for such funding assistance, applicants are required to first evaluate the potential impacts that their particular project may have on the environment. In order to assist applicants seeking such financial assistance and to ensure that such projects do not have an adverse impact on the environment, IDEM has prepared the following list of environmental issues that each applicant must consider in order to minimize environmental impacts in compliance with all relevant state laws.

IDEM recommends that each applicant consider the following issues when moving forward with their project. IDEM also requests that, in addition to submitting the information requested above, each applicant also sign the attached certification, attesting to the fact that they have read the letter in its entirety, agree to abide by the recommendations of the letter, and to apply for any permits required from IDEM for the completion of their project.

IDEM recommends that any person(s) intending to complete a public works, infrastructure, or community development project using any public funding consider each of the following applicable recommendations and requirements:

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>)

(<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. To learn more about the water quality certification 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 body of water 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 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 Office of Water Quality at 317-233-8488.
4. If your project will impact more than 0.5 acres of wetland, stream relocation, or other large-scale alterations to bodies of water such as the creation of a dam or a water diversion, you should seek additional input from the Office of Water Quality, Wetlands staff at 317-233-8488.
5. Work within the one-hundred year floodway of a given body of water is regulated by the Department of Natural Resources, Division of Water. Contact this agency at 317-232-4160 for further information.
6. 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.
7. For projects involving construction activity (which includes clearing, grading, excavation and other land disturbing activities) that result in the disturbance of one (1), or more, acres of total land area, contact the Office of Water Quality – Watershed Planning Branch (317/233-1864) regarding the need for of a Rule 5 Storm Water Runoff Permit. Visit the following Web page
 - <http://www.in.gov/idem/4902.htm> (<http://www.in.gov/idem/4902.htm>)

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

Upon receipt of the construction plan, personnel of the SWCD or the Indiana Department of Environmental Management will review the plan to determine if it meets the requirements

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

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

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

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

8. For projects involving impacts to fish and botanical resources, contact the Department of Natural Resources - Division of Fish and Wildlife (317-232-4080) for additional project input.
9. 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.
10. 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.
11. 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 (see page 1) 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 under specific conditions (<http://www.in.gov/idem/4148.htm> (<http://www.in.gov/idem/4148.htm>)). You also can seek an open burning variance from IDEM.

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) on-site, although burying large quantities of such material can lead to subsidence problems.

2. 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.

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 three to five 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 three to five 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.

3. The U.S. EPA and the U.S. 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/4267.htm> (<http://www.in.gov/idem/4267.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, then U.S. EPA recommends a follow-up test. If the second test confirms that radon levels are 4 pCi/L or higher, then U.S. 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). 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>).

4. With respect to asbestos removal, all facilities slated for renovation or demolition (except residential buildings that have four (4) 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.

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 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. Billings will occur 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>).

5. 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/idem/permits/guide/waste/leadabatement.html> (<http://www.in.gov/idem/permits/guide/waste/leadabatement.html>).
6. 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 of 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>)).

7. 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 (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.
8. 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@idem.in.gov.

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 Polychlorinated Biphenyls (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(<http://www.in.gov/idem/4999.htm> (<http://www.in.gov/idem/4999.htm>)).

FINAL REMARKS

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

Please note that this letter does not constitutes a permit, license, endorsement, or any other form of approval on the part of either the Indiana Department of Environmental Management or any other Indiana state agency.

Should you have any questions relating to the content or recommendations of this letter, or if you have additional questions about whether a more complete environmental review of your project should be conducted, please feel free to contact Steve Howell at (317) 232-8587, snhowell@idem.in.gov.



Signature(s) of the Applicant

I acknowledge that I am seeking grant monies, a bond issuance, or other public funding mechanism to cover some portion of the cost of the public works, infrastructure, or community development project as described herein, which I am working (possibly with others) to complete.

Project Description

Replacement of SR 16 pavement through the Town of Denver, Miami County IN. The Pavement Replacement DES # 1600294 project will replace the existing pavement with in HMA for a distance of 0.72 miles. Sidewalks, curbs, and gutters will be replaced where ones currently exist. The existing 12' travel lanes will be maintained as well as shoulders and parking lanes through out the project limits.

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

Dated Signature of the Public Owner Contact/Responsible Elected Official		4/27/2020
<hr style="width: 100%;"/>		
Steve Seculoff		
Dated Signature of the Project Planner/Consultant Contact Person		2/7/2018

Richard Fitch

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

DNR #: ER-20388 Request Received: February 7, 2018

Requestor: Burgess and Niple Inc
Richard G Fitch
251 North Illinois Street, Suite 920
Indianapolis, IN 46204-1935

Project: SR 16 pavement replacement along 0.72 mile from 2.90 miles east of US 31 to 3.62 miles east of US 31 (RP 72+86 to RP 73+58), Town of Denver; Des #1600294

County/Site info: Miami

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

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


Regulatory Assessment: This proposal may require the formal approval of our agency pursuant to the Flood Control Act (IC 14-28-1) for any proposal to construct, excavate, or fill in or on the floodway of Weesau Creek. Please submit more detailed plans to the Division of Water's Technical Services Section if you are unsure whether or not a permit will be required.

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

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

1. Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue) and legumes as soon as possible upon completion; low endophyte tall fescue may be used in the ditch bottom and side slopes only.
2. Minimize and contain within the project limits all tree and brush clearing.
3. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
4. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
5. Plant five trees, at least 2 inches in diameter-at-breast height, for each tree which is removed that is ten inches or greater in diameter-at-breast height.

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



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

Date: March 7, 2018



Organization and Project Information

Project ID:
Des. ID: 1600294
Project Title: SR 16 Pavement Replacement
Name of Organization: Burgess & Niple
Requested by: Richard Fitch

Environmental Assessment Report

1. Geological Hazards:

- Moderate liquefaction potential
- 1% Annual Chance Flood Hazard

2. Mineral Resources:

- Bedrock Resource: High Potential
- Sand and Gravel Resource: High Potential

3. Active or abandoned mineral resources extraction sites:

- Petroleum Exploration Wells

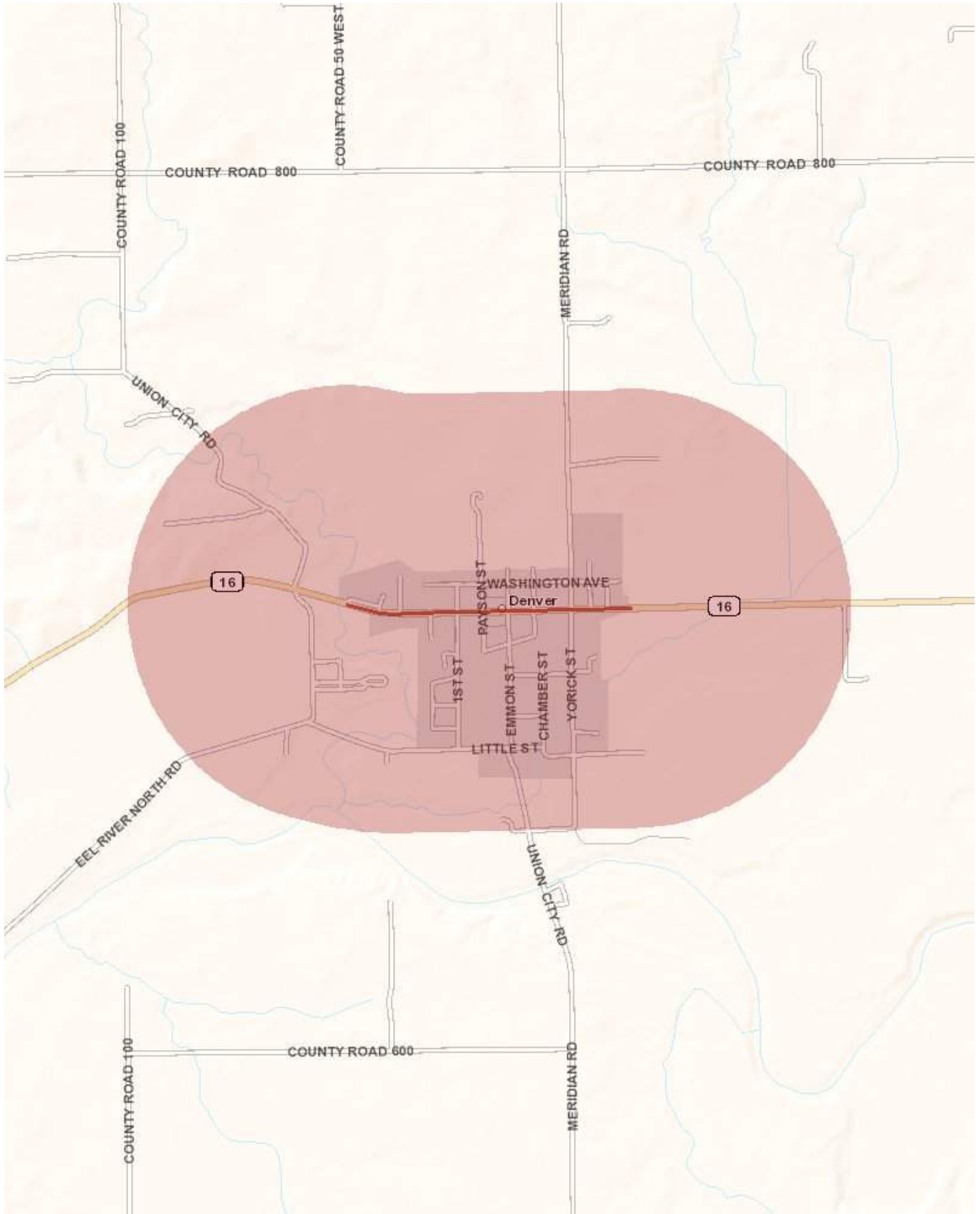
*All map layers from Indiana Map (maps.indiana.edu)

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: 611 N. Walnut Grove Avenue, Bloomington, IN 47405-2208
Email: IGSEnvir@indiana.edu
Phone: 812 855-7428

Date: February 07, 2018



Metadata:

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



United States Department of Agriculture

November 20, 2019

Richard Fitch
Burgess & Niple
251 North Illinois Street, Capital Center Suite 920
Indianapolis, Indiana 46204

Dear Mr. Fitch:

The proposed project to replace the pavement along State Road 16 in the Town of Denver, Miami County, Indiana, (Des No 1600294) as referred to in your letter received February 6, 2018, will cause a conversion of prime farmland.

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

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

Sincerely,

JERRY RAYNOR
State Conservationist

Enclosures

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

PART I (To be completed by Federal Agency)		3. Date of Land Evaluation Request 2/7/18	4. Sheet 1 of 1
1. Name of Project SR 16 Pavement Replacement	5. Federal Agency Involved FHWA		
2. Type of Project Roadway, sidewalk, curb & gutter replaceme	6. County and State Miami County, Indiana		
PART II (To be completed by NRCS)		1. Date Request Received by NRCS 11-1-2019	2. Person Completing Form JRA
3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form) YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		4. Acres Irrigated Average Farm Size 308	
5. Major Crop(s) Corn	6. Farmable Land in Government Jurisdiction Acres: 229,848 % 95	7. Amount of Farmland As Defined in FPPA Acres: 205,798 % 85	
8. Name Of Land Evaluation System Used LESA	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS 11/20/2019	

PART III (To be completed by Federal Agency)	Alternative Corridor For Segment			
	Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly	0.6			
B. Total Acres To Be Converted Indirectly, Or To Receive Services	0			
C. Total Acres In Corridor	83	0	0	0

PART IV (To be completed by NRCS) Land Evaluation Information	
A. Total Acres Prime And Unique Farmland	0.6
B. Total Acres Statewide And Local Important Farmland	0
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	<0.001
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	8

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)	
	95

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points				
1. Area in Nonurban Use	15	7			
2. Perimeter in Nonurban Use	10	0			
3. Percent Of Corridor Being Farmed	20	0			
4. Protection Provided By State And Local Government	20	0			
5. Size of Present Farm Unit Compared To Average	10	10			
6. Creation Of Nonfarmable Farmland	25	0			
7. Availability Of Farm Support Services	5	5			
8. On-Farm Investments	20	2			
9. Effects Of Conversion On Farm Support Services	25	0			
10. Compatibility With Existing Agricultural Use	10	10			
TOTAL CORRIDOR ASSESSMENT POINTS	160	0 34	0	0	0

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100	95			
Total Corridor Assessment (From Part VI above or a local site assessment)	160	0 34	0	0	0
TOTAL POINTS (Total of above 2 lines)	260	0 129	0	0	0

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
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5. Reason For Selection:
Met the Purpose and Need of the project while minimizing impacts to farmland.

Signature of Person Completing this Part: *Richard Steh* | DATE: 11/25/2019

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



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

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

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

In Reply Refer To:

November 29, 2018

Consultation Code: 03E12000-2019-I-0178

Event Code: 03E12000-2019-E-01133

Project Name: SR 16 Pavement Replacement (DES 1600294)

Subject: Concurrence verification letter for the 'SR 16 Pavement Replacement (DES 1600294)' 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 dated to verify that the **SR 16 Pavement Replacement (DES 1600294)** (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, 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 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:

- Rabbitsfoot, *Quadrula cylindrica cylindrica* (Threatened)

Project Description

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

Name

SR 16 Pavement Replacement (DES 1600294)

Description

This roadway improvement is located on State Road (SR) 16 from 2.90 miles east of US 31 to 3.74 miles east of US 31 (Reference Post (RP) 72+86 to RP 73+73). The project site is located in the town of Denver in Miami County in the Fort Wayne District.

Construction letting is planned for December 2020.

The primary need for the project is to address the deteriorated condition and end of the functional life of the existing pavement on SR 16. There are numerous transverse cracks that appear in the pavement surface. The existing sidewalk is severely deteriorated and the curb ramps are either non-existent or not Americans with Disabilities Act (ADA) compliant. The existing curb has minimal drainage capacity due to previous overlays and the existing storm sewer appears to be inadequate to collect and convey the design year storm. There are several areas within the project that currently experience ponding of storm water.

Land use within the project area is primarily residential with some commercial, agricultural areas, and forested areas. The eastern and western ends of the project area have forested areas adjacent to SR 16. There will be approximately 0.08 acres of tree removal in one area on the western edge of the project area north of SR 16 (40.866405, -86.084401) in order to place a culvert under the access road to relieve water ponding. Approximately 26.7 ft. of riprap will be placed at the outlet to prevent scouring. Tree clearing will occur during the inactive bat season.

The proposed project consists of full depth pavement reconstruction with underdrains as well as removing and replacing the curb and gutter, storm drainage, sidewalk and curb ramps. Nickel Plate Trail crosses SR 16 on the west end of the project. Safety improvements for bicyclists and pedestrians crossing SR 16 will be included in this alternative. The designer shall consider ditch flow line elevations when designing the underdrain trench. Ditches should be regraded and shaped to reestablish positive drainage. From the west limits of the project to North Street, the ditches on the north and south side will require regrading and installing culverts under the drive approaches in order to drain storm water to Weesau Creek. Due to the inadequacy of the existing storm sewer, a new storm sewer system shall be constructed in the curb and gutter section.

There is no proposed impacts to any Jurisdictional Waters of the U.S. or State and there are

no bridges or large culverts within the project area. Temporary lighting may be used both during the active and inactive bat seasons.

A review of the USFWS database by INDOT - Fort Wayne District for Des. No. 1600294 on November 13, 2018 did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. Use of the Information for Planning and Consultation (IPaC) database for the Range-Wide Programmatic Information Consultation for Indiana Bat and Northern Long-Eared Bat will be required. If applicable, preparation of the Project Submittal Form for Range-wide Programmatic Consultation for Indiana Bat and Northern Long-Eared Bat will be required.

The Red Flag Investigation was approved by INDOT - Site Assessment and Management on 6/12/2017.

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 an Indiana bat and/or NLEB hibernaculum^[1]?

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

No

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

No

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

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

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

Yes

9. Will the project remove *any* suitable summer habitat^[1] and/or remove/trim any existing trees **within** suitable summer habitat?

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

Yes

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

No

11. Have presence/probable absence (P/A) summer surveys^{[1][2]} been conducted^{[3][4]} **within** the suitable habitat located within your project action area?

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

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

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

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

No

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

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

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

Yes

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

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

B) During the inactive season

15. Does the project include activities **within documented 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 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

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

Yes

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

B) During the inactive season

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

Yes

19. Will the tree removal alter *any* **documented** Indiana bat or NLEB roosts and/or alter any surrounding summer habitat **within** 0.25 mile of a documented roost?

No

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

No

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

Yes

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

No

23. Does the project include maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins)?

No

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

No

25. Does the project include slash pile burning?

No

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

No

27. 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

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

Yes

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

Yes

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

No

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

Yes

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

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

Yes

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

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

Yes

34. Are *all* project activities that are **not associated with** habitat removal, tree removal/trimming, bridge or structure removal, replacement, and/or maintenance, lighting, or use of percussives, limited to actions that DO NOT cause any stressors to the bat species, including as described in the BA/BO (i.e. activities that do not involve ground disturbance, percussive noise, temporary or permanent lighting, tree removal/trimming, nor bridge/structure activities)?

Examples: lining roadways, unlighted signage, rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

Yes

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

No

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

Automatically answered

Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and are not within documented habitat

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

Automatically answered

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

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

Automatically answered

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

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

Automatically answered

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

40. **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

41. **Tree Removal AMM 1**

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

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

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

Yes

42. **Tree Removal AMM 2**

Can *all* tree removal activities be restricted to when Indiana bats are not likely to be present (e.g., the inactive season)^[1]?

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

Automatically answered

Yes

43. **Tree Removal AMM 2**

Can *all* tree removal activities be restricted to when Northern long-eared bats are not likely to be present (e.g., the inactive season)^[1]?

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

Automatically answered

Yes

44. **Tree Removal AMM 3**

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

Yes

45. **Tree Removal AMM 4**

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

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

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

Yes

46. **Lighting AMM 1**

Will *all* **temporary** lighting used during the removal of suitable habitat and/or the removal/trimming of trees within suitable habitat be directed away from suitable habitat during the active season?

Yes

47. **Lighting AMM 1**

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

Yes

Project Questionnaire

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

Yes

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

No

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

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

0.08

Avoidance And Minimization Measures (AMMs)

These measures **were accepted** as part of this determination key result:

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.

LIGHTING AMM 1

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

TREE REMOVAL AMM 1

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

TREE REMOVAL AMM 2

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

TREE REMOVAL AMM 3

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

TREE REMOVAL AMM 4

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

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

This key was last updated in IPaC on March 16, 2018. 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 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.



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

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

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

In Reply Refer To:

November 29, 2018

Consultation Code: 03E12000-2019-SLI-0178

Event Code: 03E12000-2019-E-01130

Project Name: SR 16 Pavement Replacement (DES 1600294)

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

To Whom It May Concern:

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

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

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

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

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

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

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

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

Attachment(s):

- Official Species List

Official Species List

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

This species list is provided by:

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

(812) 334-4261

Project Summary

Consultation Code: 03E12000-2019-SLI-0178

Event Code: 03E12000-2019-E-01130

Project Name: SR 16 Pavement Replacement (DES 1600294)

Project Type: TRANSPORTATION

Project Description: This roadway improvement is located on State Road (SR) 16 from 2.90 miles east of US 31 to 3.74 miles east of US 31 (Reference Post (RP) 72+86 to RP 73+73). The project site is located in the town of Denver in Miami County in the Fort Wayne District.

Construction letting is planned for December 2020.

The primary need for the project is to address the deteriorated condition and end of the functional life of the existing pavement on SR 16. There are numerous transverse cracks that appear in the pavement surface. The existing sidewalk is severely deteriorated and the curb ramps are either non-existent or not Americans with Disabilities Act (ADA) compliant. The existing curb has minimal drainage capacity due to previous overlays and the existing storm sewer appears to be inadequate to collect and convey the design year storm. There are several areas within the project that currently experience ponding of storm water.

Land use within the project area is primarily residential with some commercial, agricultural areas, and forested areas. The eastern and western ends of the project area have forested areas adjacent to SR 16. There will be approximately 0.08 acres of tree removal in one area on the western edge of the project area north of SR 16 (40.866405, -86.084401) in order to place a culvert under the access road to relieve water ponding. Approximately 26.7 ft. of riprap will be placed at the outlet to prevent scouring. Tree clearing will occur during the inactive bat season.

The proposed project consists of full depth pavement reconstruction with underdrains as well as removing and replacing the curb and gutter, storm drainage, sidewalk and curb ramps. Nickel Plate Trail crosses SR 16 on the west end of the project. Safety improvements for bicyclists and pedestrians crossing SR 16 will be included in this alternative. The designer shall consider ditch flow line elevations when designing the underdrain trench. Ditches should be regraded and shaped to reestablish positive drainage. From the west limits of the project to North Street, the ditches on the north and south side will require regrading and installing

culverts under the drive approaches in order to drain storm water to Weesau Creek. Due to the inadequacy of the existing storm sewer, a new storm sewer system shall be constructed in the curb and gutter section.

There is no proposed impacts to any Jurisdictional Waters of the U.S. or State and there are no bridges or large culverts within the project area. Temporary lighting may be used both during the active and inactive bat seasons.

A review of the USFWS database by INDOT - Fort Wayne District for Des. No. 1600294 on November 13, 2018 did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. Use of the Information for Planning and Consultation (IPaC) database for the Range-Wide Programmatic Information Consultation for Indiana Bat and Northern Long-Eared Bat will be required. If applicable, preparation of the Project Submittal Form for Range-wide Programmatic Consultation for Indiana Bat and Northern Long-Eared Bat will be required.

The Red Flag Investigation was approved by INDOT - Site Assessment and Management on 6/12/2017.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/40.86616333732444N86.07246523652196W>



Counties: Miami, IN

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. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/1/office/31440.pdf	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Incidental take of the NLEB is not prohibited here. Federal agencies may consult using the 4(d) rule streamlined process. Transportation projects may consult using the programmatic process. See www.fws.gov/midwest/endangered/mammals/nleb/index.html Species profile: https://ecos.fws.gov/ecp/species/9045 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/10043/office/31440.pdf	Threatened

Clams

NAME	STATUS
Rabbitsfoot <i>Quadrula cylindrica cylindrica</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5165	Threatened

Critical habitats

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

BURGESS & NIPLE

251 North Illinois Street | Capital Center Suite 920 | Indianapolis, IN 46204 | 317.237.2760

Executive Director
Nickel Plate Trail, Inc.
P.O. Box 875
Peru, IN 46970

-Re- INDOT Roadway Project
State Route 16 Denver, Indiana
Des No. 1600294

August 27, 2018

Dear Executive Director:

On April 23, 2018, we sent a letter to your attention concerning impacts to the Nickel Plate Trail at SR 16 in Denver, IN. A copy of the letter is attached. Since we did not receive any comments or questions from your organization concerning the project, we are sending you an Official With Jurisdiction letter for your signature that you concur that the project will have a *de minimis* effect on the trail.

The project will replace the pavement on SR 16 begin 2.90 miles east of U.S. Route (USR) 31 to 3.62 miles east of USR 31 (RP 72+86 to RP 73+58), for 0.72 mile. The project will also replace the existing sidewalks, curbs, and gutters where they exist in the town of Denver. A new storm sewer system will be installed in the curb and gutter section. No work will occur within Weesau Creek on the west end of town and the unnamed tributary (locally known as Robert S. Kline Ditch) on the east end of town. Americans With Disabilities Act (ADA)-compliant curb ramps will be installed as part of the sidewalk replacement. The existing 12-foot wide travel lanes and various shoulder widths, including parking areas on the shoulder will be maintained. The open ditch drainage system on the west end of the project will be maintained. Driveway culvert pipes will be installed in the open ditch area to obtain positive drainage.

The work that impacts the Nickel Plate Trail will include closure of SR 16 at the trail for reconstruction of the roadway, storm sewer, curbs, and gutters. Due to a slight grade change of SR 16 pavement, the trail connection at SR 16 will be reconstructed. The sidewalks adjacent to the trail will be reconstructed. Safety improvements for bicycles and pedestrians crossing SR 16 at the trail are included. The attached plans show the area at the trail and the proposed work at the trail crossing. A temporary detour will be required of the trail while the roadway is reconstructed. SR 16 will be closed in sections during construction. The trail will be closed during the western construction phase. Due to slight grade change of SR 16 at the path, the trail approach at SR 16 will need to be regraded and repaved. The trail detour will require trail users to use public streets as the detour or the contractor may choose to build a temporary trail at the existing location. Improved connection between the trail and public streets will need to be included if the use of public streets is the chosen detour.

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Due to the use of federal funds, the proposed transportation project is subject to the requirements of Section 4(f) of the Department of Transportation (DOT) Act of 1966, which affords protection to publicly-owned parks, recreation areas, and wildlife and water fowl refuges. The purpose of this correspondence is to document that the Official with Jurisdiction concurs with the listed measures to minimize harm and the assessment of impacts.

The following measures to minimize harm will be incorporated into the plans as plan notes and as environmental commitments in the environmental document:

- Access to the Nickel Plate Trail shall be maintained at all times during construction activities by use of a detour on public streets or temporary trail adjacent to the existing trail maintained by the contractor.
- The closure of the trail at SR 16 and the use of a detour or a temporary trail will be for less than 6 months.
- Temporary construction fencing shall be installed along proposed construction limits prior to the start of construction activities to protect the existing 4(f) property and the public.
- Appropriate signage shall be installed to alert users of the Nickel Plate Trail of construction activities, access restrictions or closures, and temporary detour route.
- The staging and/or storage of construction equipment or materials shall not take place outside proposed construction limits that are within the defined boundaries of the 4(f) property.
- The contractor shall be required to closely coordinate the construction schedule with INDOT and the Nickel Plate Trail Inc. prior to the start of construction activities.

In accordance with 23 CFR 774, the proposed project will have a *de minimis* impact upon the Nickel Plate Trail, based upon the following assessment:

- All possible planning to minimize harm has been incorporated into project development,
- The nature and magnitude of changes will not adversely affect the recreational activities, features, or attributes that qualified the property for 4(f) protection,
- Proposed measures to minimize harm and resulting mitigation, in regards to protecting the 4(f) property and maintaining access and safety, are considered to be reasonable and acceptable.

Based on the scope of the proposed project and type of work, there will be no adverse effects to the protected recreational activities, features, or attributes associated with the Nickel Plate Trail.

If you concur with the measures to minimize harm and the assessment of impacts in regards to the proposed project, please indicate as such by providing your signature in the space provided below and return to me

August 27, 2018
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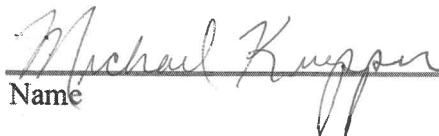
no later than September 15, 2018. Thank you for your time and cooperation on this matter. If you have questions and/or concerns, please feel to contact me at rick.fitch@burgessniple.com and (614) 459-2050.

Respectfully



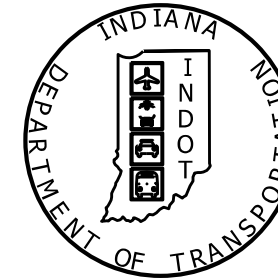
Richard G. Fitch, AICP
Environmental Planner
attachments

Official with Jurisdiction Concurrence


Name

1-2-19
Date

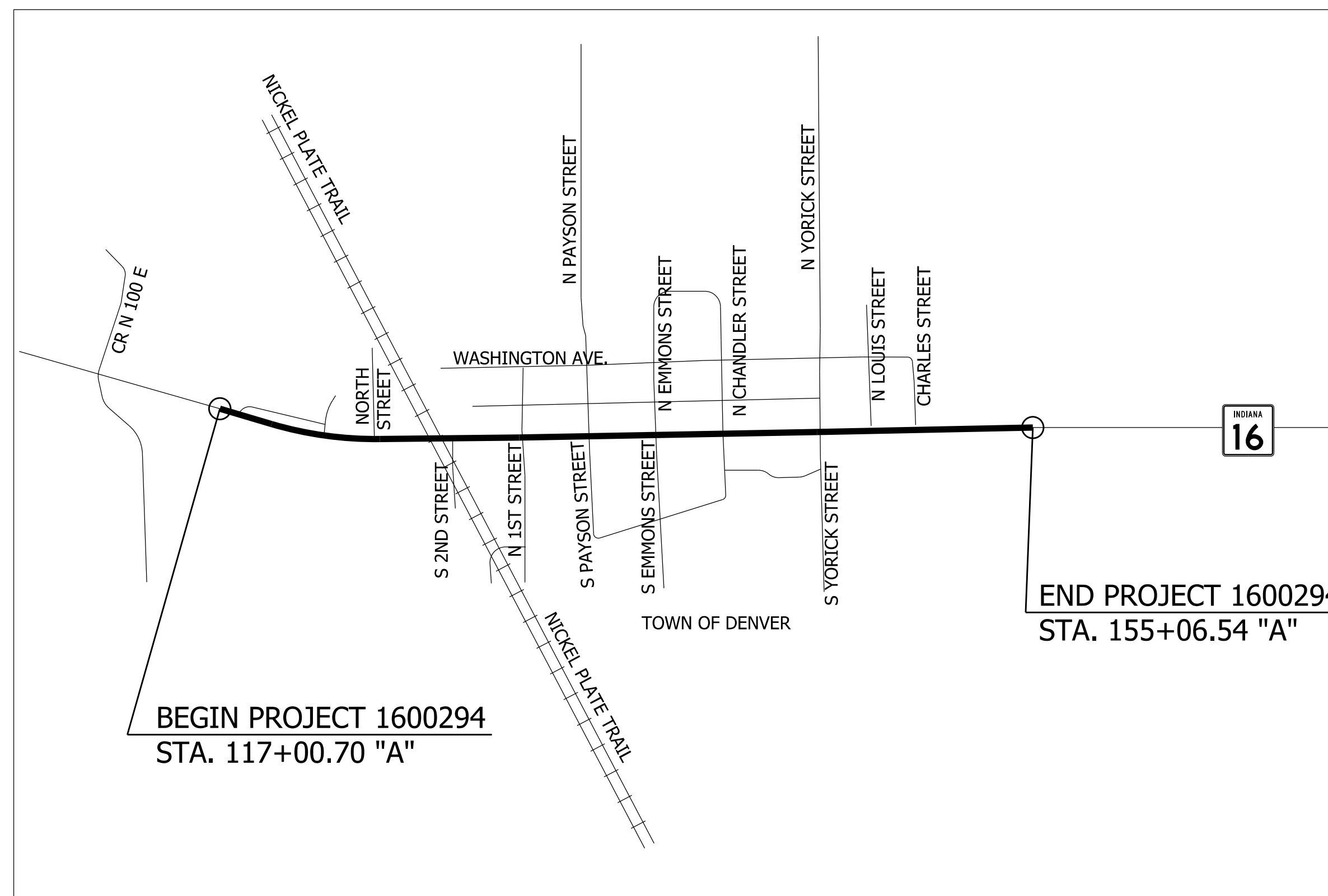
INDIANA
DEPARTMENT OF
TRANSPORTATION



ROAD PLANS
STATE ROAD 16
PROJECT NO. 1600294 P.E.
PROJECT NO. 1600294 CONST.

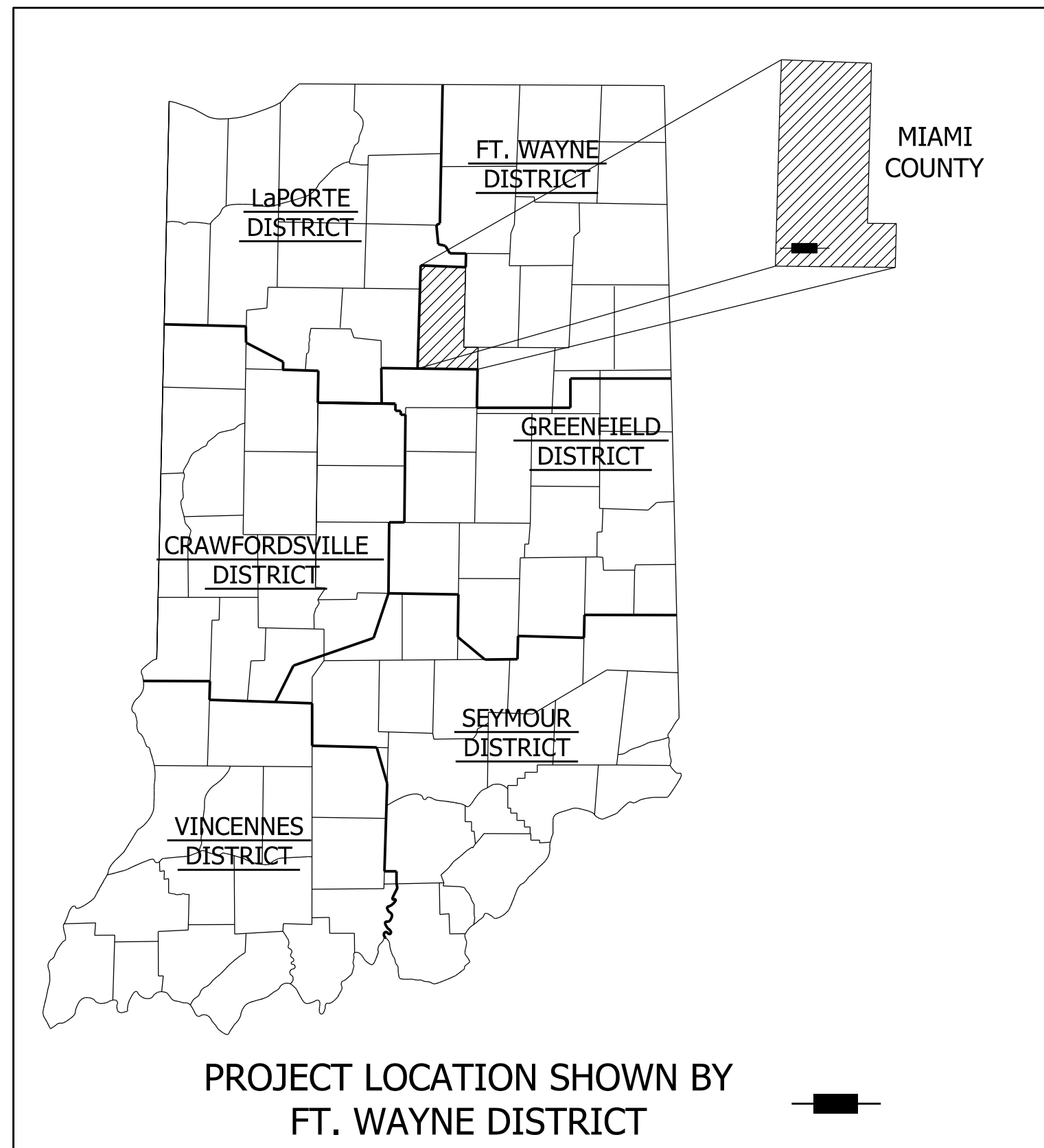
ROADWAY REHABILITATION BEGINNING AT 2.90 MILES EAST OF U.S. 31 EXTENDING EAST TO 3.53 MILES EAST OF U.S.31. SECTIONS 21, 16, (WEESAN SECTION), 15, 22 T-28-N, R-4-E, (T-99, R99) IN JEFFERSON TOWNSHIP OF MIAMI COUNTY, INDIANA

RP 72+86 TO 73+49



LOCATION MAP
SCALE: 1" = 500'

PROJECT	DESIGNATION
1600294	1600294
CONTRACT	BRIDGE FILE
R-39890	N/A



PROJECT LOCATION SHOWN BY
FT. WAYNE DISTRICT

Latitude 40°51' 57" N Longitude 86°04'58" W

STATE ROAD 16	
TRAFFIC DATA: SEGMENT 1 - CR 100W to 1st STREET	
A.A.D.T. (2020 PROJECTED)	840 VPD
A.A.D.T. (2040 PROJECTED)	940 VPD
D.H.V. (2040 PROJECTED)	9.0%
DIRECTIONAL DISTRIBUTION	46.66% POSITIVE
TRUCKS	6% A.A.D.T., 8% DHV
TRAFFIC DATA: SEGMENT 2 - 1st STREET to YORICK STREET	
A.A.D.T. (2020 PROJECTED)	1,960 VPD
A.A.D.T. (2040 PROJECTED)	2,700 VPD
D.H.V. (2040 PROJECTED)	10.0%
DIRECTIONAL DISTRIBUTION	38.82% POSITIVE
TRUCKS	3% A.A.D.T., 1% DHV
TRAFFIC DATA: SEGMENT 3 - YORICK STREET to CR 100E	
A.A.D.T. (2020 PROJECTED)	570 VPD
A.A.D.T. (2040 PROJECTED)	570 VPD
D.H.V. (2040 PROJECTED)	9.0%
DIRECTIONAL DISTRIBUTION	41.36% POSITIVE
TRUCKS	9% A.A.D.T., 6% DHV
DESIGN DATA - 1) BEGIN PROJECT to NORTH STREET	
DESIGN SPEED	55 MPH
PROJECT DESIGN CRITERIA	4R (RURAL COLLECTOR)
FUNCTION CLASSIFICATION	RURAL MAJOR COLLECTOR
RURAL/URBAN	RURAL
TERRAIN	LEVEL
ACCESS CONTROL	NONE
DESIGN DATA - 2) NORTH STREET to END OF PROJECT	
DESIGN SPEED	30 MPH
PROJECT DESIGN CRITERIA	* 4R (URBAN COLLECTOR, SUBURBAN)
FUNCTION CLASSIFICATION	URBAN MAJOR COLLECTOR
RURAL/URBAN	URBAN
TERRAIN	LEVEL
ACCESS CONTROL	NONE

* URBAN DESIGN CRITERIA USED FOR THIS SECTION DUE TO RELATIVELY BUILT-UP RURAL AREA AS STATED IN THE IDM CHAPTER 53-1.0(5) AND THE LOW POSTED SPEED LIMIT.

GROSS LENGTH:	0.72 MI.
NET LENGTH:	0.72 MI.
MAXIMUM GRADE:	1.88 %

HYDROLOGIC UNIT CODES
05120104060030

INDIANA DEPARTMENT OF TRANSPORTATION
STANDARD SPECIFICATIONS DATED 2018
TO BE USED WITH THESE PLANS

BURGESS & NIPLE
Engineers ■ Architects ■ Planners

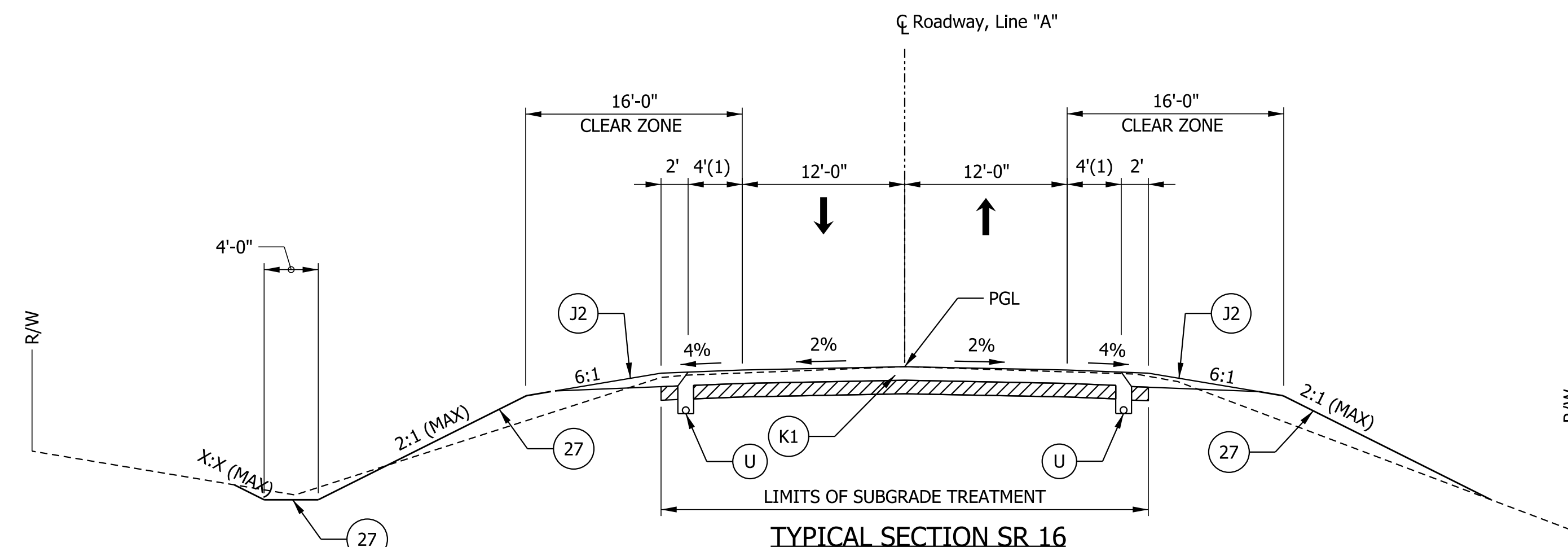
251 N. ILLINOIS ST.
CAPITOL CENTER SUITE 920
INDIANAPOLIS, IN 46221
PHONE (317) 237-2760
FAX (317) 237-2755

AUGUST 15, 2018
PFC PLANS

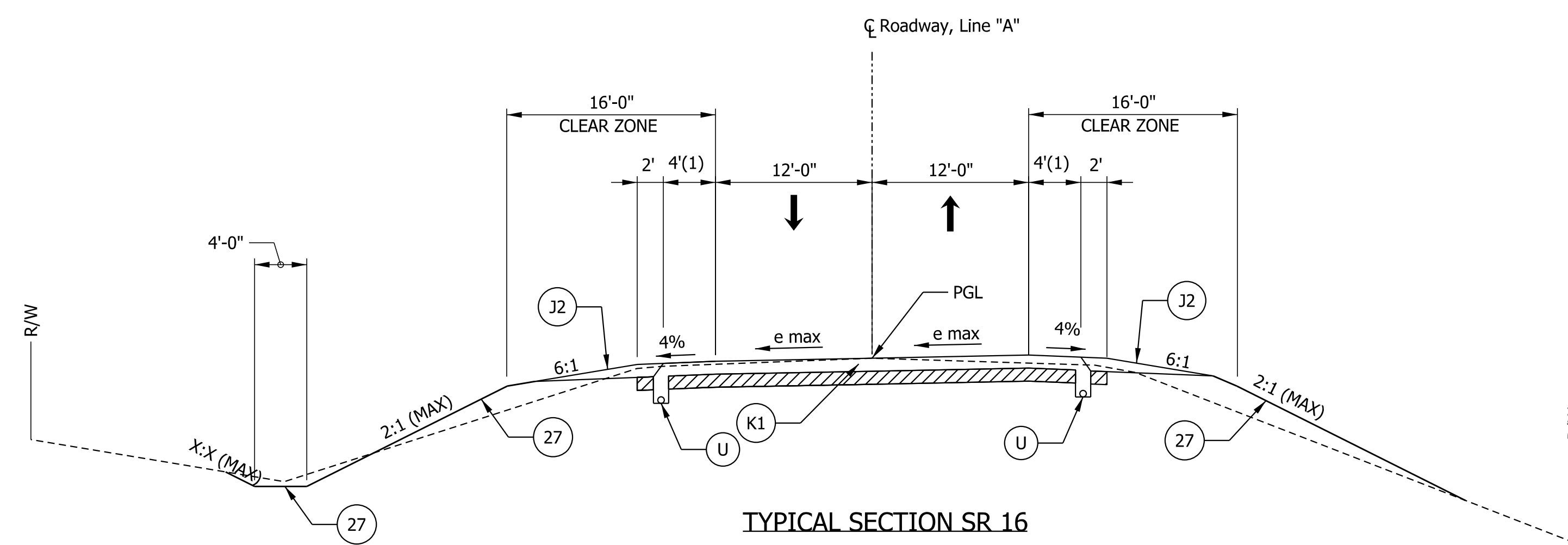
PLANS PREPARED BY:	BURGESS & NIPLE, INC.	(317) 237-2760
		PHONE NUMBER
PREPARED BY:		DATE
FOR LETTING APPROVED:	INDIANA DEPARTMENT OF TRANSPORTATION	DATE

BRIDGE FILE	
N/A	
DESIGNATION	
1600294	
DWG. NO.	SHEET NO.
TI-01	1 of 128
CONTRACT	PROJECT
R-39890	1600294

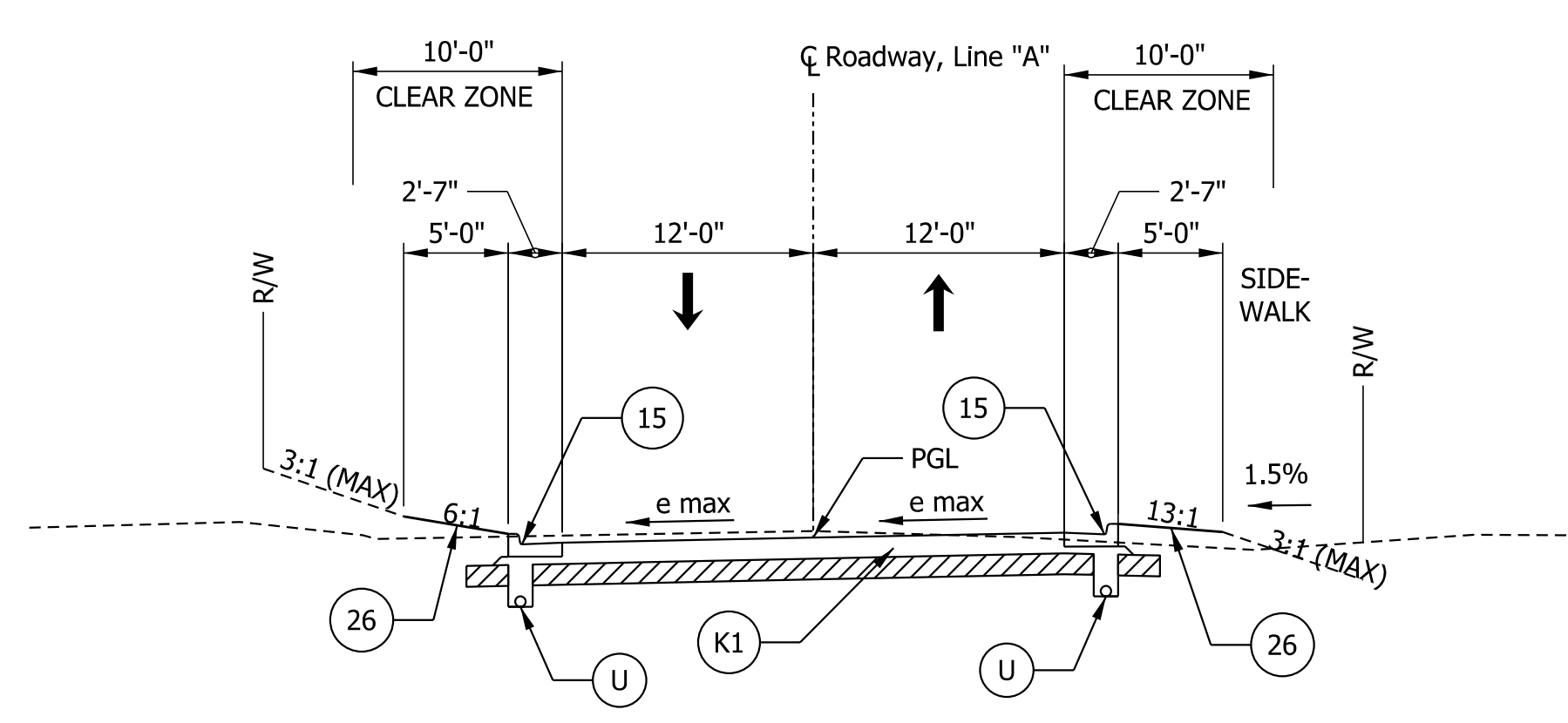
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TYPICAL SECTION SR 16
 STA. 117+00.70 TO STA. 118+52.29 LINE "A" LT. & RT.
 (1) 8.00' STA. 117+00.70 TO STA. 118+11.93
 VARIES 8.00' TO 4.00' STA. 118+11.93 TO STA. 119+21.86
 4.00' STA. 119+21.86 TO STA. 124+41.00 LT. & STA. 125+23.00 RT.

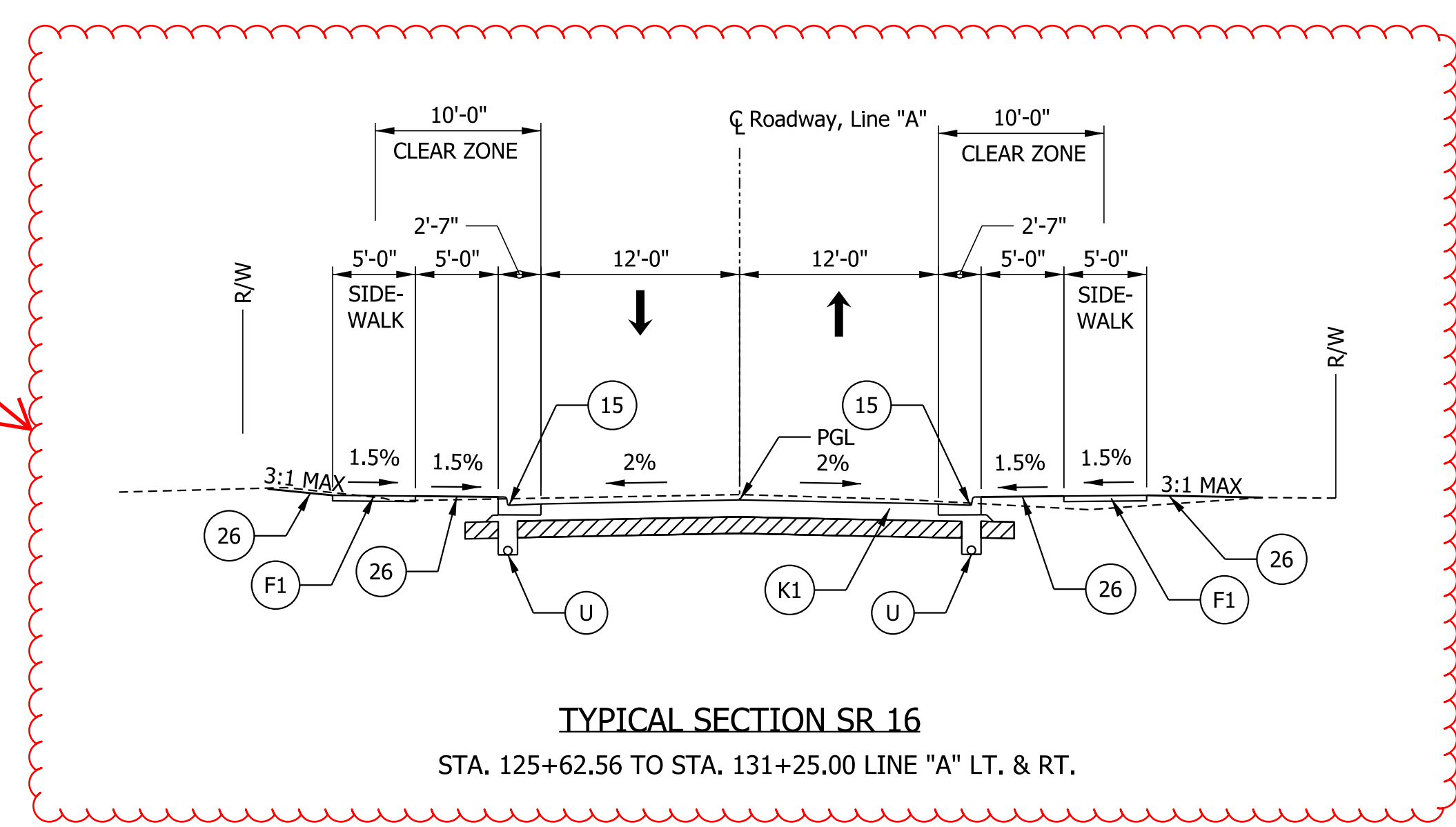


TYPICAL SECTION SR 16
 e max = 3.8 %
 STA. 118+52.29 TO STA. 124+41.00 LINE "A" LT. & RT.
 STA. 124+41.00 TO STA. 125+23.00 LINE "A" RT.
 (1) 8.00' STA. 117+00.70 TO STA. 118+11.93
 VARIES 8.00' TO 4.00' STA. 118+11.93 TO STA. 119+21.86
 4.00' STA. 119+21.86 TO STA. 124+41.00 LT. & STA. 125+23.00 RT.

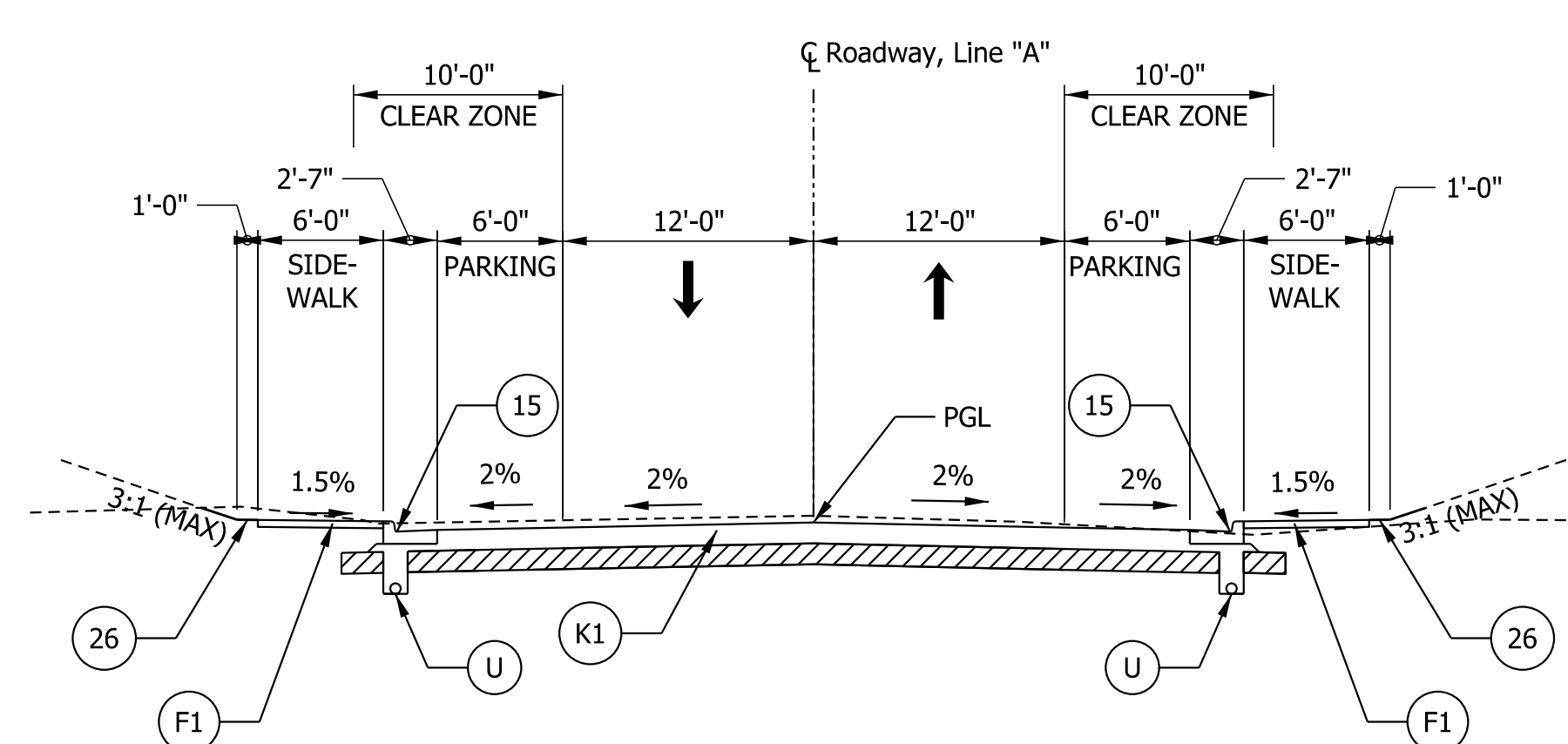


TYPICAL SECTION SR 16
 e max = 3.8 %
 STA. 124+41.00 TO STA. 125+62.56 LINE "A" LT.
 STA. 125+23.00 TO STA. 125+62.56 LINE "A" RT.

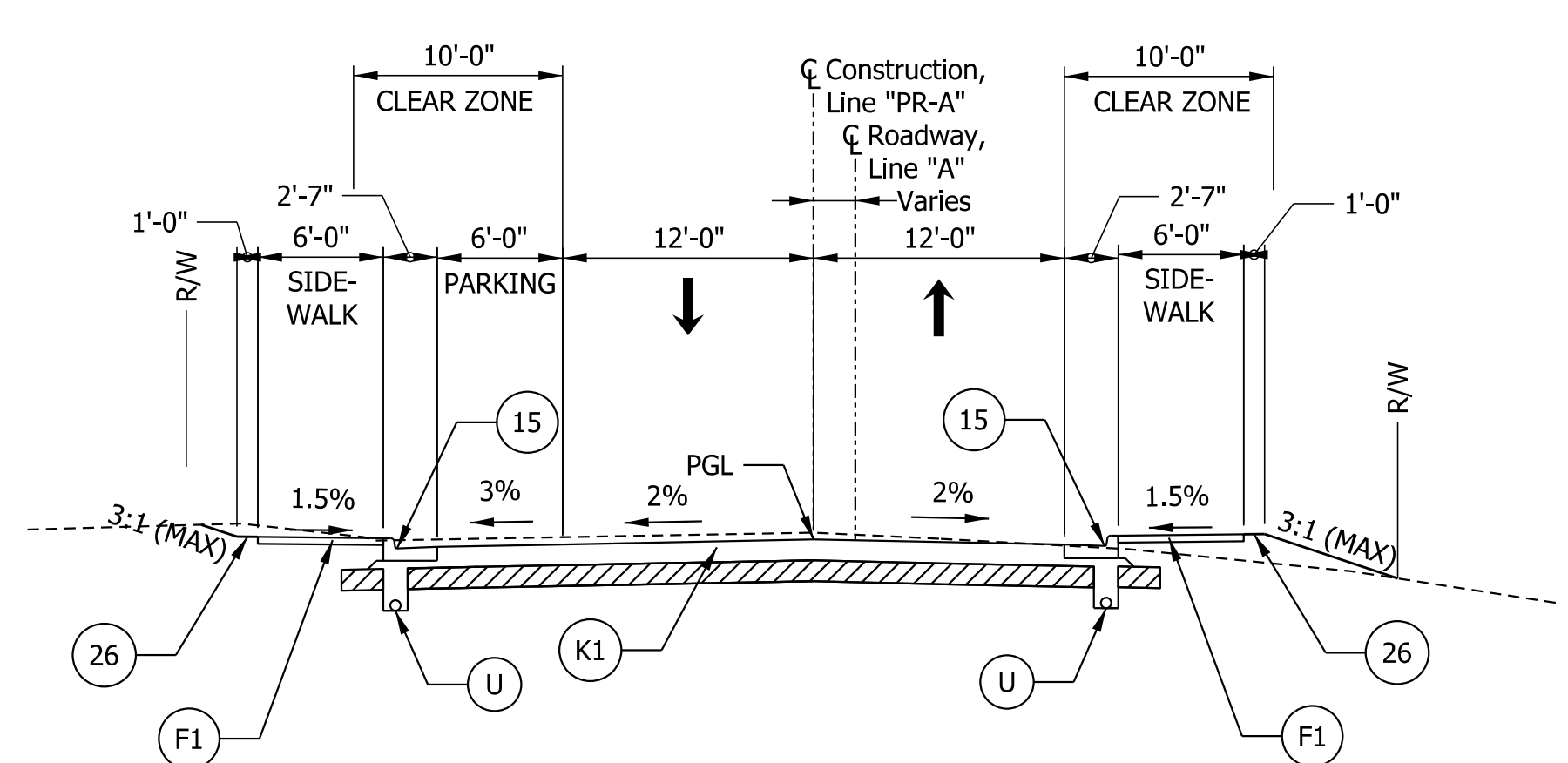
Section at Nickel Plate Trail



TYPICAL SECTION SR 16
 STA. 125+62.56 TO STA. 131+25.00 LINE "A" LT. & RT.



TYPICAL SECTION SR 16
 STA. 131+25.00 TO STA. 144+95.47 LINE "A" LT. & RT.



TYPICAL SECTION SR 16
 STA. 144+95.47 TO STA. 149+38.00 LINE "PR-A" LT. & RT.

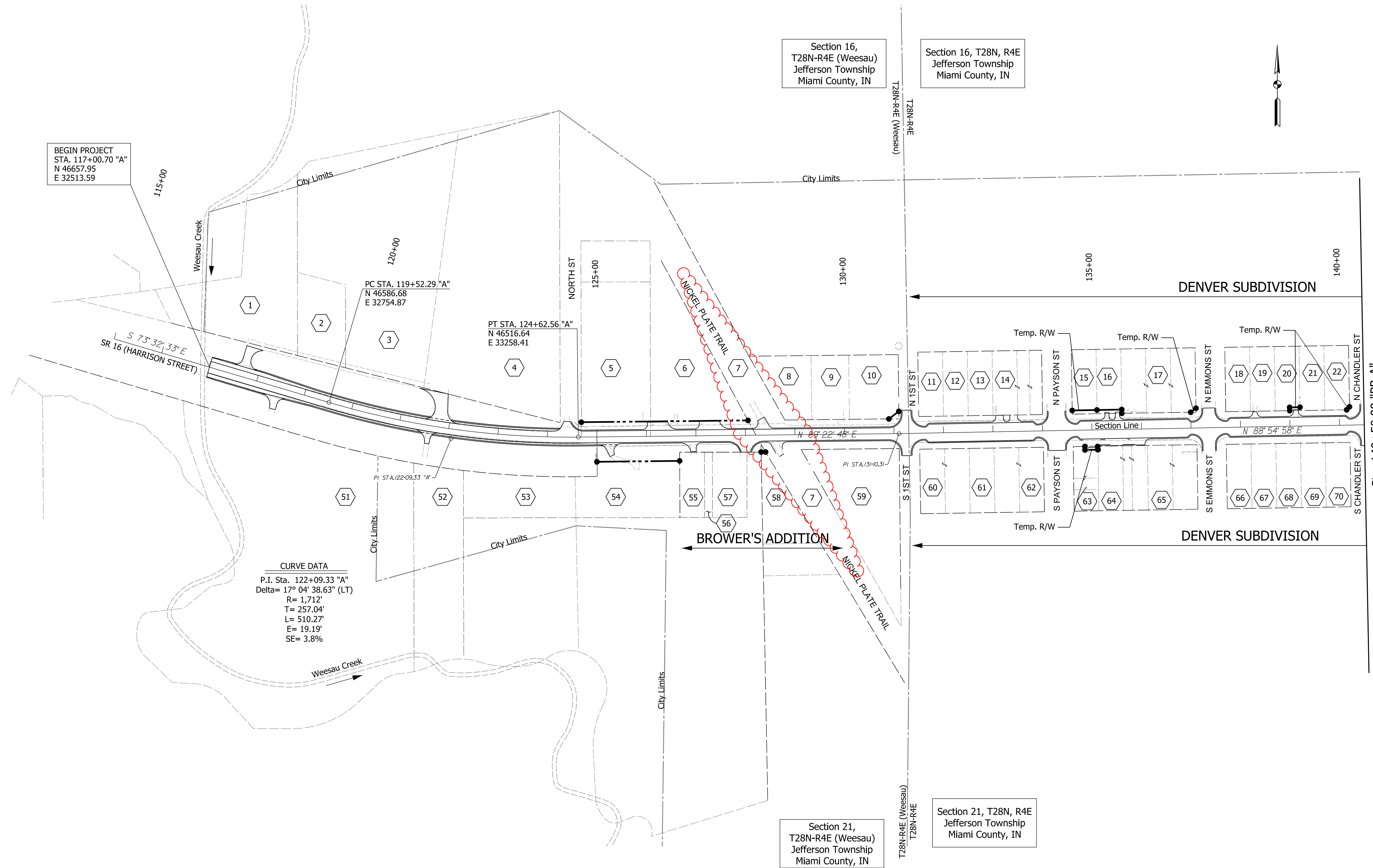
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LEGEND		
(K1)	165 #/SY QC/QA-HMA, 3, 70, SURFACE, 9.5 mm ON 275 #/SY QC/QA-HMA, 3, 70, INTERMEDIATE, 19.0 mm ON 330 #/SY QC/QA-HMA, 3, 64, BASE, 19.0 mm ON 250 #/SY QC/QA-HMA, 5, 76, INTERMEDIATE OG, 19.0 mm ON 330 #/SY QC/QA-HMA, 3, 64, BASE, 19.0 mm ON SUBGRADE TREATMENT, TYPE IB	(15) COMBINED CONCRETE CURB & GUTTER, TYPE B
(F1)	HMA FOR SIDEWALK: VAR. DEPTH, COMPACTED AGGREGATE FOR SHOULDER, NO. 53	(26) SODDING (NURSERY)
(J2)	6" UNDERDRAIN	(27) SEED MIXTURE, U
(U)	SUBGRADE TREATMENT	

RECOMMENDED FOR APPROVAL		DESIGN ENGINEER		DATE	
DESIGNED:	MJS	DRAWN:	MJS		
CHECKED:	JRA	CHECKED:	JRA		

INDIANA DEPARTMENT OF TRANSPORTATION		
TYPICAL SECTIONS		

HORIZONTAL SCALE	BRIDGE FILE	
1/8" = 1'-0"	N/A	
VERTICAL SCALE	DESIGNATION	
	1600294	
SURVEY BOOK	DWG. NO.	SHEET NO.
	TS-01	3 of 128
CONTRACT	PROJECT	
R-39890	1600294	



NOTE TO REVIEWER: DRAFT PLAT NO. 1 FOR INFORMATION ONLY. IT IS NOT REQUIRED AT STAGE 1 SUBMITTAL

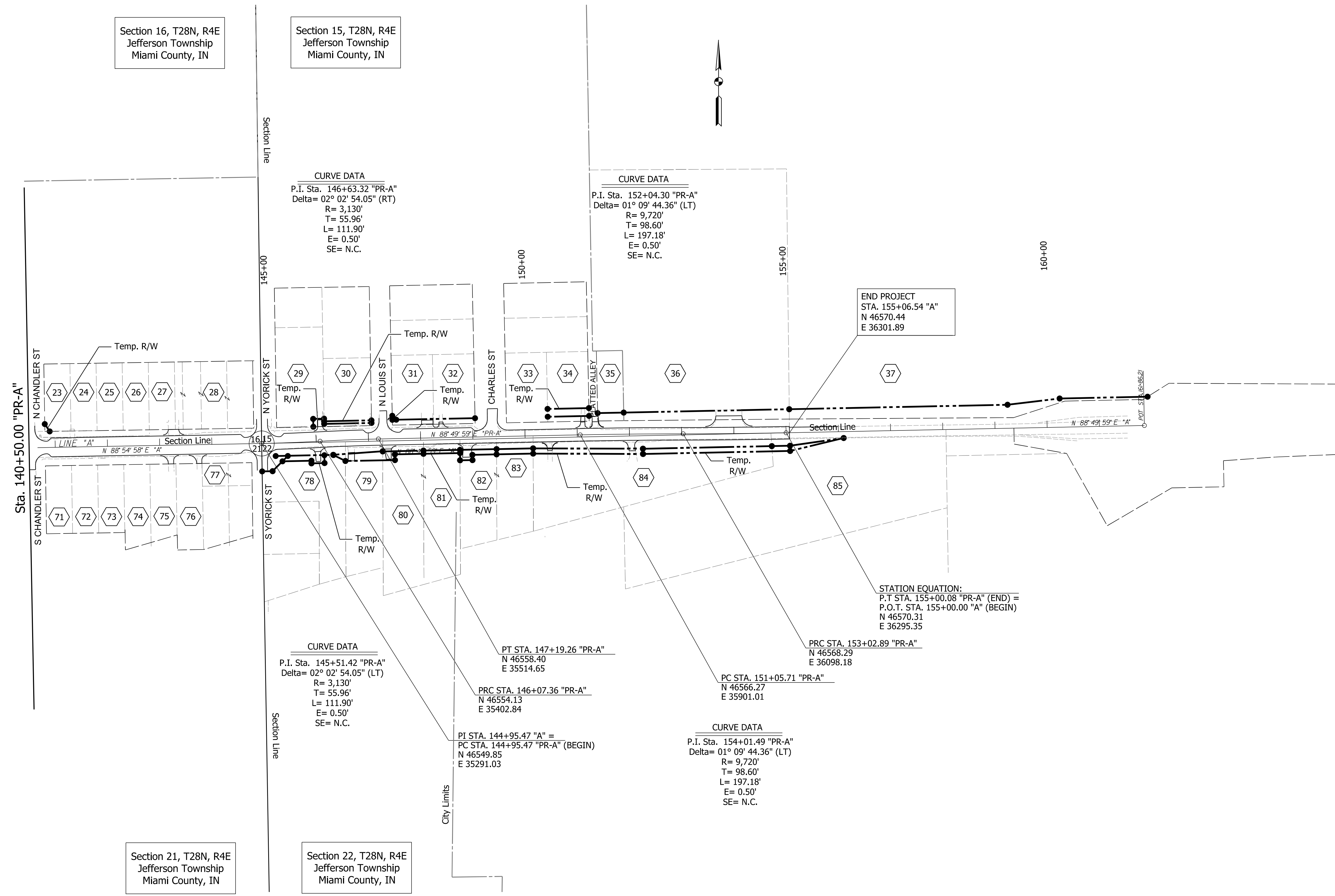
RECOMMENDED FOR APPROVAL		DESIGN ENGINEER	DATE
DESIGNED: MJS	DRAWN: KSC		
CHECKED: JMM	CHECKED: JMM		

INDIANA
DEPARTMENT OF TRANSPORTATION

PLAT NO. 1
LINE "A"

HORIZONTAL SCALE	BRIDGE FILE	
1" = 100'		
VERTICAL SCALE	DESIGNATION	
	1600294	
SURVEY BOOK	DWG. NO.	SHEET NO.
	PN1-01	5 of 128
CONTRACT	PROJECT	
R-39890	1600294	

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PLAT NO. 1 PROPERTY OWNER TABLE

Section	Index No.	Owner
16	1	Mavrick, Michael A & Gerri
16	2	Mavrick, Michael A & Gerri
16	3	Raider, Fred A & Mary A
16	4	Raider, Fred A & Mary A
16	5	Fox, Thomas
16	6	Miami County
9	7	Nickel Plate Trail, Inc.
16	8	Hunt, Herbert Walter & Carolyn Sue
16	9	Hostetler, Kevin E & Hayley L
16	10	Kendall, Jason J & Heather M Kendall
16	11	Cole, Wayne
16	12	Imhoof, Max A & Diane H
16	13	Joseph, Johnny R
16	14	Sixbey, Maurice D
16	15	Stevens, Glenn T & Janet K (1/2) &
16	16	Robins, Richard & Barbara Jane
16	17	Trigg, Christopher J
16	18	Whiteside, James M & Donna L
16	19	Fuller, Stewart
16	20	Fuller, Durward L & Carrie L
16	21	Galbraith, Bret A
16	22	Hart, Phyllis A
16	23	Musselman, Donald G & Jean A
16	24	Wray, Terry E
16	25	Truex, Noble C
16	26	Truex, Noble C
16	27	Slusser, Wayne & Minnie L
16	28	Trustees Methodist Church Denver
15	29	Ashcraft, Wayne & Gladys V
15	30	Wright, Michael R & Rebecca S
15	31	Wood, Emerson L, Carlene L Wood, Pamela L Carpenter
15	32	Cole, Wayne
15	33	Gray, Larry H & Rebecca S
15	34	Robins, Jeff & Rhonda
15	35	Robins, Jeff & Rhonda
15	36	Town Of Denver
15	37	Ceres Farms, Llc
21	51	Rodriguez, Rhonda L
21	52	Rodriguez, Rhonda L
21	53	Rodriguez, Rhonda L
21	54	Voorhees, Randall L & Edward Rodriguez
21	55	Voorhees, Randall L & Edward Rodriguez
21	56	Brinker, David R
21	57	Brinker, David R
21	58	Sailors, David Jr & Melissa
21	59	Burkhardt, Steven E & Judy A
21	60	Vance, Aaron S
21	61	Federal National Mortgage Association ("Fannie Mae")
21	62	Town Of Denver
21	63	Pattison, Chadd A
21	64	Robins, Richard & Barbara Jane
21	65	United Telephone Co Of Indiana
21	66	Mull, James A & Shirley A Family
21	67	Bapp, Carl And Jane
21	68	Shoemaker, Brent E
21	69	Stone, Shirley & James
21	70	Fox, Thomas R
21	71	See, David W And Sali C
21	72	Maple, Richard A & Bonnie J
21	73	127 East Harrison Street Land Trust
21	74	Fox, Thomas R.
21	75	Julliot, Jeremy B & Lisa M
21	76	Holland, Michael D
21	77	Fox, Thomas R & Judith A Houlihan
22	78	Holland, David L & Amy C
22	79	Engle, Robert V & Christy L
22	80	Finnegan, Samuel L
22	81	Finnegan, Samuel L
22	82	Cole, Wayne
22	83	Cole, Wayne
22	84	Mosley, Tammy A
22	85	State Of Indiana Department Of

NOTE TO REVIEWER: DRAFT PLAT NO. 1 FOR INFORMATION ONLY. IT IS NOT REQUIRED AT STAGE 1 SUBMITTAL

RECOMMENDED FOR APPROVAL _____ DESIGN ENGINEER _____ DATE _____

DESIGNED: MJS DRAWN: KSC

CHECKED: JMM CHECKED: JMM

INDIANA DEPARTMENT OF TRANSPORTATION

PLAT NO. 1 LINE "PR-A"

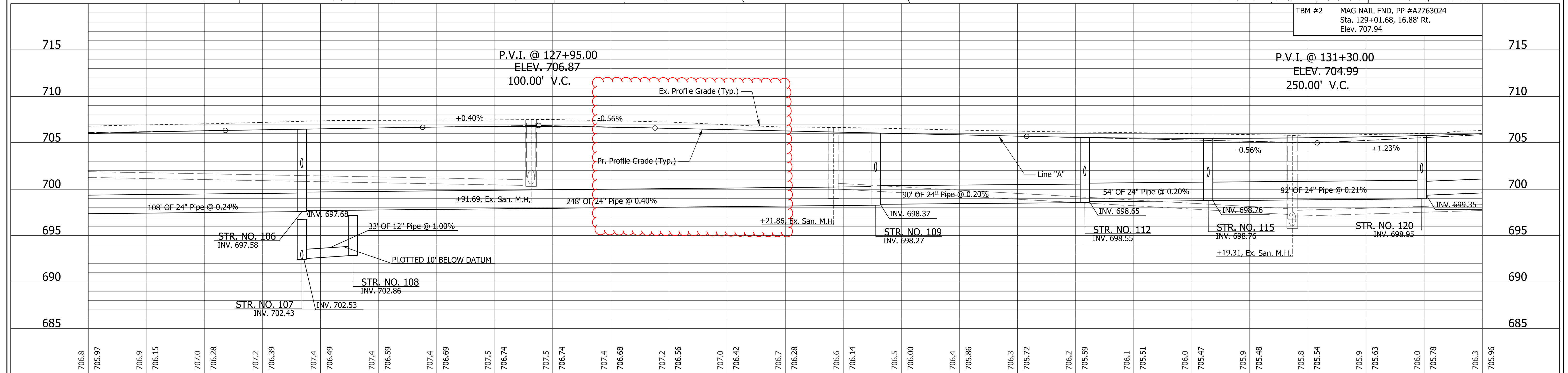
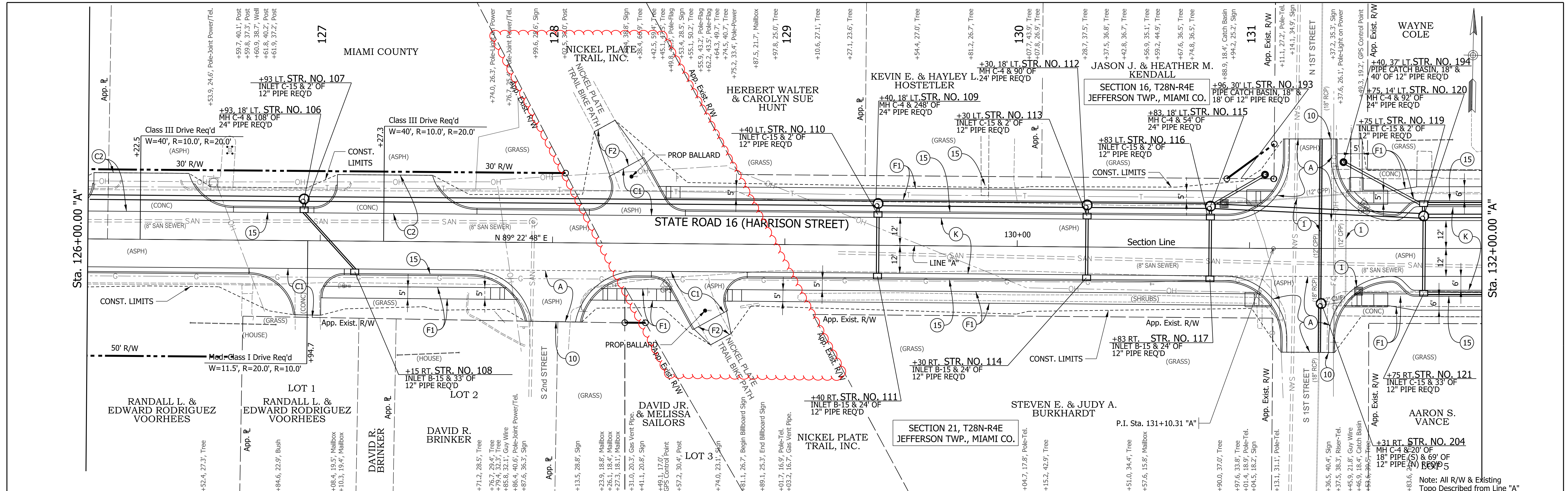
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1" = 100'		
VERTICAL SCALE	DESIGNATION	
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SURVEY BOOK	DWG. NO.	SHEET NO.
	PN1-02	6 of 128
CONTRACT	PROJECT	
R-39890	1600294	

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STREET APPROACH REQ'D, RT.
STA. 128+00.3 LINE "A" W=19.0', R=25.0', R=25.0'

STREET APPROACH REQ'D, LT.
STA. 131+26.2 LINE "A" W=18.0', R=25.0', R=25.0'

STREET APPROACH REQ'D, RT.
STA. 131+25.0 LINE "A" W=18.0', R=25.0', R=25.0'



706.8	705.97	706.9	706.15	707.0	706.28	707.2	706.39	707.4	706.49	707.4	706.59	707.4	706.69	707.5	706.74	707.5	706.74	707.4	706.68	707.2	706.56	707.0	706.42	706.7	706.28	706.6	706.14	706.5	706.00	706.4	705.86	706.3	705.72	706.2	705.59	706.1	705.51	706.0	705.47	705.9	705.48	705.8	705.54	705.9	705.63	706.0	705.78	706.3	705.96																																		
126+00												127+00												128+00												129+00												130+00												131+00												132+00											

- LEGEND**
- (K) FULL DEPTH HMA
 - (A) FULL DEPTH HMA FOR APPROACHES
 - (J2) VAR. DEPTH, COMPACTED AGGREGATE FOR SHOULDER, NO. 53
 - (R) HMA FOR RESURFACING 165 #/SY QC/QA-HMA, 3, 70, SURFACE, 9.5 mm ON 1.5" SURFACE MILLING, HMA (MIN.)
 - (D1) HMA FOR APPROACHES: 165 #/SY HMA SURFACE TYPE B ON 275 #/SY HMA INTERMEDIATE TYPE B ON 880 #/SY HMA BASE, TYPE B ON SUBGRADE TREATMENT TYPE II
 - (C1) 6" PCCP FOR APPROACH ON SUBGRADE TREATMENT TYPE II
 - (C2) 9" PCCP FOR APPROACH ON SUBGRADE TREATMENT, TYPE II
 - (D2) HMA FOR APPROACHES: 165 #/SY HMA SURFACE TYPE B ON 385 #/SY HMA INTERMEDIATE TYPE B ON SUBGRADE TREATMENT TYPE II
 - (N) FOR APPROACHES: 5 IN. COMPACTED AGGREGATE FOR SURFACE, NO. 53
 - (F1) CONCRETE SIDEWALK
 - (F2) HMA FOR SIDEWALK:
 - (1) REMOVE
 - (10) SAW CUT
 - (13) CONCRETE CURB, TYPE B
 - (15) COMBINED CONCRETE CURB AND GUTTER, TYPE B
 - (26) SODDING (NURSERY)
 - (TG) TEMP. RIGHT-OF-WAY FOR GRADING
 - (TD) TEMP. RIGHT-OF-WAY FOR DRIVEWAY

RECOMMENDED FOR APPROVAL _____

DESIGN ENGINEER _____ DATE _____

DESIGNED: MJS DRAWN: KSC

CHECKED: JMM CHECKED: JMM

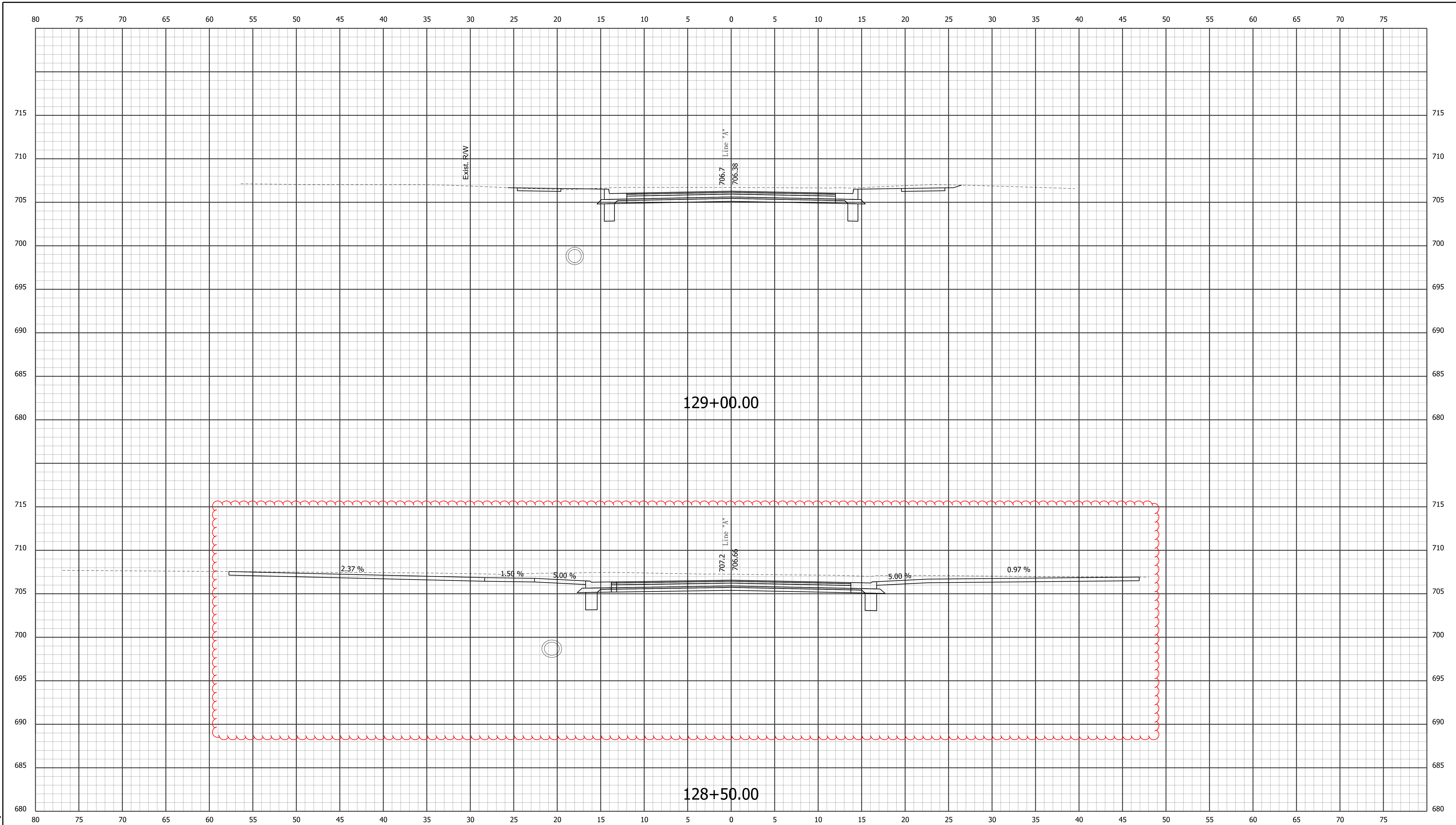
INDIANA
DEPARTMENT OF TRANSPORTATION

PLAN & PROFILE
STA. 126+00 "A" TO STA. 132+00 "A"

HORIZONTAL SCALE 1" = 20'	BRIDGE FILE N/A
VERTICAL SCALE 1" = 5'	DESIGNATION 1600294
SURVEY BOOK	DWG. NO. PP-03
	SHEET NO. 10 of 128
CONTRACT R-39890	PROJECT 1600294

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Note: All R/W & Existing Topo Described from Line "A"



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	RECOMMENDED FOR APPROVAL _____ DESIGN ENGINEER DATE	INDIANA DEPARTMENT OF TRANSPORTATION	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>HORIZONTAL SCALE</td> <td colspan="2">BRIDGE FILE</td> </tr> <tr> <td>1" = 5'</td> <td colspan="2">N/A</td> </tr> <tr> <td>VERTICAL SCALE</td> <td colspan="2">DESIGNATION</td> </tr> <tr> <td>1" = 5'</td> <td colspan="2">1600294</td> </tr> <tr> <td>SURVEY BOOK</td> <td>DWG. NO.</td> <td>SHEET NO.</td> </tr> <tr> <td></td> <td>XS-21</td> <td>37 of 128</td> </tr> <tr> <td>CONTRACT</td> <td colspan="2">PROJECT</td> </tr> <tr> <td>R-39890</td> <td colspan="2">1600294</td> </tr> </table>	HORIZONTAL SCALE	BRIDGE FILE		1" = 5'	N/A		VERTICAL SCALE	DESIGNATION		1" = 5'	1600294		SURVEY BOOK	DWG. NO.	SHEET NO.		XS-21	37 of 128	CONTRACT	PROJECT		R-39890	1600294	
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CONTRACT	PROJECT																										
R-39890	1600294																										
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Appendix D
Section 106 of the NHPA



Division of Historic Preservation & Archaeology · 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646 · Fax 317-232-0693 · dhpa@dnr.IN.gov · www.IN.gov/dnr/historic



March 18, 2020

Linda Weintraut, Ph.D.
Weintraut & Associates
P.O. Box 5034
Zionsville, IN 46077

Federal Agency: Indiana Department of Transportation (“INDOT”),
on behalf of Federal Highway Administration (“FHWA”)

Re: INDOT’s finding, with supporting documentation, of No Adverse Effect, for the State Road 16 Road Improvement Project, from 2.90 miles east of US 31 to 3.62 miles east of US 31, extending through the Town of Denver, Miami County, Indiana (Des. No. 1600294; DHPA No. 23283)

Dear Dr. Weintraut:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the “Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana,” the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO staff” or “INDNR-DHPA”) has conducted an analysis of your review request submittal form, finding and 36 C.F.R. § 800.11(e) documentation dated February 20, 2020, and received on February 24 for the above-indicated project in Miami County, Indiana.

We concur with INDOT’s February 14, 2020, finding that the House at 246 East Harrison Street (IHSSI # 103-507-21015), the Denver Hardware Building (IHSSI # 103-507-21019), and the Beecher Garage are the only historic properties within the project’s area of potential effects.

We also concur with INDOT’s February 14, Section 106 finding on behalf of FHWA, of No Adverse Effect for the State Road 16 Road Improvement Project, from 2.90 miles east of US 31 to 3.62 miles east of US 31, extending through the Town of Denver, Miami County.

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. 800.

The structures reviewer on the Indiana SHPO staff for this project is John Carr, and the archaeological reviewer is Beth McCord. However, if you have a question about our comments or about the review process, we ask that you initially direct your question to a staff member of the INDOT Cultural Resources Office who has been assigned to this project.

Linda Weintraut, Ph.D.
March 18, 2020
Page 2

In all future correspondence regarding the State Road 16 Road Improvement Project through the Town of Denver in Liberty Township, Miami County (Des. No. 1600294), please continue to refer to DHPA No. 23283.

Very truly yours,



Beth K. McCord
Deputy State Historic Preservation Officer

BKM:JLC:jlc

cc: RMK Properties, LLC, property owner
Jeffery and Kimberly Robins, property owners
Michael and Rebecca Wright, property owners

emc: Joyce Newland, FHWA
Anuradha Kumar, INDOT
Susan Branigin, INDOT
Shaun Miller, INDOT
Mary Kennedy, INDOT
Jason Mathias, P.E., Burgess & Niple
Linda Weintraut, Ph.D., Weintraut & Associates, Inc.
Forest County Potawatomi Community
Miami Tribe of Oklahoma
Denver Town Council, c/o Mary Raider, Clerk-Treasurer
Beth K. McCord, INDNR-DHPA
John Carr, INDNR-DHPA

FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECTS
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
STATE ROAD 16 ROAD IMPROVEMENT PROJECT
IN THE TOWN OF DENVER, JEFFERSON TOWNSHIP, MIAMI COUNTY, INDIANA
DES. NO.: 1600294

AREA OF POTENTIAL EFFECTS

(Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effects (APE) was generally drawn to extend to properties adjacent to the undertaking. The APE for archaeology was the project footprint. (See Appendix A: Maps and Site Plans and Appendix B: Plans.)

ELIGIBILITY DETERMINATIONS

(Pursuant to 36 CFR 800.4(c)(2))

As a result of Section 106 identification and evaluation efforts, No properties in the APE are listed in the National Register of Historic Places (NRHP). Three resources in the APE are recommended as eligible for listing in the NRHP: the House at 246 East Harrison Street (IHSSI No.: 103-507-21015), the Denver Hardware Building (IHSSI No.: 103-507-21019), and the Beecher Garage (WA-4).

House at 246 East Harrison Street (IHSSI No.: 103-507-21015) — Located at the northwest corner of Harrison and Louis Streets, the one- and one-half story house (circa 1920) is a well-preserved example of a bungalow. The building features many noteworthy Craftsman details, including wide, unenclosed eave overhangs, exposed rafter tails, triangular bracing, paired windows, and square column porch roof supports that extend to ground level. This house is eligible under Criterion C. The period of significance is circa 1920, the date of construction.

Denver Hardware Building (IHSSI No.: 103-507-21019) — This one story, double-width storefront commercial building (circa 1900) sits on a poured concrete foundation with rough-faced concrete block walls and a paneled, Mesker-crafted facade made from pressed tin with a floral pattern. The building façade is split down the middle with each side having a central, recessed entry flanked by pairs of large, wooden, two-light picture windows, which were once topped by transoms. This building is eligible under Criterion C. The period of significance is circa 1900, the date of construction.

Beecher Garage (WA-4) — The one-story commercial garage (circa 1930) has a flat roof with a tile-topped parapet and is constructed of both rough-faced and a pressed-pattern cement block. Its two service bays have glazed, roll up doors positioned in the eastern side of the building. The central service bay is sheltered beneath a large, wooden front gable roof supported by metal poles on concrete pedestals. This building is eligible under Criterion C. The period of significance is circa 1930, the date of construction.

EFFECT FINDING

House at 246 East Harrison Street (IHSSI No.: 103-507-21015) — No Adverse Effect

Denver Hardware Building (IHSSI No.: 103-507-21019) — No Adverse Effect

Beecher Garage (WA-4) — No Adverse Effect

The Indiana Department of Transportation (INDOT), acting on behalf of the Federal Highway Administration (FHWA), has determined a finding of “No Adverse Effect” is appropriate for the SR 16 Road Improvement Project. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of “No Adverse Effect.”

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

House at 246 East Harrison Street (IHSSI No.: 103-507-21015) — The undertaking will not convert property from the House at 246 East Harrison Street, a Section 4(f) historic property, to a transportation use; therefore, no Section 4(f) evaluation is required.

Denver Hardware Building (IHSSI No.: 103-507-21019) — The undertaking will not convert property from the Denver Hardware Building, a Section 4(f) historic property, to a transportation use; therefore, no Section 4(f) evaluation is required.

Beecher Garage (WA-4) — The undertaking will not convert property from the Beecher Garage building, a Section 4(f) historic property, to a transportation use; therefore, no Section 4(f) evaluation is required.

Anuradha Kumar V.

Anuradha V. Kumar
Manager,
INDOT Cultural Resources

02/14/2020

Approved Date

**FEDERAL HIGHWAY ADMINISTRATION'S
DOCUMENTATION OF SECTION 106 FINDING OF
NO ADVERSE EFFECT
SUBMITTED TO THE STATE HISTORIC PRESERVATION OFFICER
PURSUANT TO 36 CFR Section 800.5(c)
STATE ROAD 16 ROAD IMPROVEMENT PROJECT
IN THE TOWN OF DENVER, JEFFERSON TOWNSHIP, MIAMI COUNTY, INDIANA
DES. NO.: 1600294**

1. DESCRIPTION OF THE UNDERTAKING

The Indiana Department of Transportation (INDOT) with funding from the Federal Highway Administration (FHWA) proposes a project involving the full depth reconstruction of the State Road (SR) 16 roadway through the Town of Denver, in Jefferson Township, Miami County, Indiana. Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties. The federal involvement is funding from the FHWA.

The proposed project is a road rehabilitation of SR 16 beginning 2.90 miles east of United States Highway (US) 31 and continuing to 3.62 miles east of US 31 for a distance of about 0.72 mile. The project would also replace the existing sidewalks, curbs, and gutters where they exist in the town. A new storm sewer system will be installed in the curb and gutter section. No work will occur within Weesau Creek on the west end of town and the unnamed tributary (locally known as Robert S. Kline Ditch) on the east end of town. Americans with Disabilities Act (ADA)-compliant curb ramps will be installed as part of the sidewalk replacement. The existing 12-foot wide travel lanes and various shoulder widths, including parking areas on the shoulder, will be maintained. The open ditch drainage system on the east and west ends of the project will be maintained. Driveway culvert pipes will be installed in the open ditch area to obtain positive drainage. Additional project activities will occur where the Nickel Plate Recreational Trail crosses SR 16 at the western end of the project. Safety improvements for bicycles and pedestrians crossing SR 16 at the trail will be included as part of this project. A small, temporary gravel connection is planned to link the Nickel Plate Trail to Washington Street during project construction (Appendix A: Maps and Site Plans and Appendix B: Plans).

The Area of Potential Effects (APE) is “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist. The area of potential effects is influenced by the scale and nature of an undertaking and may be different for different kinds of effects caused by the undertaking.” [36 CFR § 800.16(d)]

The APE was drawn to include properties adjacent to the undertaking. The APE for archaeology is the project footprint (Appendix A: Maps and Site Plans).

2. EFFORTS TO IDENTIFY HISTORIC PROPERTIES

Pursuant to 36 CFR § 800.4(b), staff for Weintraut & Associates, Inc. (W&A) reviewed the list of properties in the National Register of Historic Places (NRHP), National Historic Landmarks (NHL) Program, Indiana Register of Historic Sites and Structures (State Register), Indiana Historic Sites and Structures Inventory (IHSSI), Historic American Buildings Survey/Historic American Engineering Record (HABS/HAER), State Historical Architectural and Archaeological Research Database (SHAARD), Indiana Historic Buildings, Bridges, and Cemeteries Map, the *Miami County Interim Report* (1998), and the *Indiana Historic Bridge Inventory* for previously identified properties. Historians also examined primary and secondary resources. Documentary research for the project included a review of county histories, aerial photographs, and online resources.

On January 25, 2018, historians for W&A conducted a field reconnaissance of the APE for above-ground resources. During the survey, historians walked and drove the APE, recorded survey notes, took photographs of properties more than fifty years of age within the APE, and photographed representative views of the APE (Appendix A: Maps and Site Plans and Appendix C: Photographs.)

Historians for W&A prepared a Historic Property Report (HPR) that was approved by INDOT-Cultural Resources Office (CRO) on December 4, 2018. In the report, W&A recommended three resources as eligible for listing in the NRHP: the House at 246 East Harrison Street (IHSSI No.: 103-507-21015), the Denver Hardware Building (IHSSI No.: 103-507-21019), and the Beecher Garage (WA-4) (Appendix D: Report Summaries).

On December 4, 2018, W&A emailed and mailed (Appendix F: Consulting Parties) an invitation to join in consultation to the following: Miami County Historian, Miami County Historical Society and Museum, Miami County Board of Commissioners, Miami County Planning Department, Miami County Highway Department, Indiana Landmarks – Northeast Field Office, RMK Properties, LLC (property owner of Denver Hardware), Richard and Barbara Jane Robins (property owners of Beecher Garage), and Michael and Rebecca Wright (property owners of 246 E. Harrison Street). The invitation directed recipients to access the early coordination letter and the HPR on INDOT's online document portal (INSCOPE). No invitees responded. W&A mailed a paper copy of the invitation to join in consultation, early coordination letter, and the HPR to the Indiana State Historic Preservation Officer (SHPO), a designated consulting party. The Indiana SHPO acknowledged receiving this mailing on December 6, 2018, in its December 28, 2018 response (Appendix E: Correspondence and Appendix F: Consulting Parties).

Also on December 4, 2018, INDOT emailed the invitation to join consultation to the following Tribal organizations: Eastern Shawnee Tribe of Oklahoma, Forest County Potawatomi Community, Miami Tribe of Oklahoma, Peoria Tribe of Indians of Oklahoma, and Pokagon Band of Potawatomi Indians. The invitation directed recipients to access the early coordination letter and the HPR on INDOT's online document portal (INSCOPE). The Miami Tribe of Oklahoma and Forest County Potawatomi responded and joined in consultation. No other Tribes responded (Appendix E: Correspondence and Appendix F: Consulting Parties).

On December 28, 2018, staff of the Indiana SHPO responded to the early coordination materials. The letter noted that they were "not aware of any parties who should be invited to participate in the Section 106 consultation for this federal undertaking, beyond those whom INDOT has already invited." The letter also agreed that the APE utilized within the HPR was "appears to be of appropriate size for a project of this nature." For the purposes of Section 106, the staff agreed with the recommendations of the HPR that the Craftsman Bungalow at 246 East Harrison Street (IHSSI No.: 103-507-21015), the Denver Hardware Building (IHSSI No: 103-507-21019) at 90 West Harrison Street, and the Beecher Garage (WA-4) at 76 West Harrison Street are all eligible for inclusion in the NRHP under Criterion C for architecture and with their proposed historic property boundaries. The staff of the SHPO asked that consultants include in their future correspondence which of the invited consulting parties have accepted the invitation. Finally, the letter indicated that the SHPO staff would "resume identification and evaluation procedures for this project" after receiving additional information regarding archaeological resources and ground disturbance (Appendix E: Correspondence).

Pursuant to 36 CFR § 800.4(b), W&A archaeologists performed an archaeological records review on November 19, 2018, and conducted an archaeological reconnaissance on November 28, 2018. An Archaeology Short Report (ASR) was produced (Arnold, July 26, 2019) that found no archaeological resources in the project area and recommended that the project be allowed to proceed. On August 1, 2019, INDOT-CRO emailed consulting tribes that a copy of the ASR was available on INSCOPE; a paper copy was sent to the Indiana SHPO by U.S. mail on the same date (Appendix E: Correspondence).

After the HPR had been submitted to consulting parties, designers determined that an alternative connection to the Nickel Plate Trail would be needed during project construction to detour traffic away from the trail's intersection with SR 16. The addition of this new area had changed the scope of the project, requiring additional work to identify and evaluate properties located adjacent to the proposed trail connection at Washington Street. On May 31, 2019, W&A conducted a field survey of the area around the proposed trail connection using the same methodology as in the original APE.

On August 27, 2019, the staff of the SHPO responded to the ASR. SHPO staff agreed with the conclusions of the ASR that "no further archaeological investigations appear necessary within the proposed project area" (Appendix E: Correspondence).

On November 13, 2019, a letter distributed to SHPO and consulting parties provided information regarding a design change that would add a proposed temporary connection to the Nickel Plate Trail from Washington Street. W&A included maps showing the extent of the new APE. No historic properties were identified in the APE. A full set of project plans for the original project area and a plan sheet showing the new trail connection were sent to consulting parties with the letter (Appendix E: Correspondence).

On December 12, 2019, the Indiana SHPO responded to the information regarding the design change. The staff “agree[d] that the expansion of the area of potential effects did not include any additional, above-ground properties that would be eligible” for the NRHP. The same letter stated that “we do not think that laying down gravel on a grassy area for the 30-foot extension of West Washington Street for temporary access to the Nickel Plate Trail is likely to affect archaeological sites, if any exist in that area.” Furthermore, the letter stated that any prehistoric or historic archaeological artifacts or human remains uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) would require that the discovery be reported to INDNR-DHPA within two (2) business days” (Appendix E: Correspondence).

No other efforts were undertaken to identify and evaluate historic properties, and no other comments were received.

3. DESCRIBE AFFECTED HISTORIC PROPERTIES

Three resources in the APE are either listed in or recommended as eligible for listing in the NRHP: the House at 246 East Harrison Street (IHSSI No.: 103-507-21015), the Denver Hardware Building (IHSSI No.: 103-507-21019), and the Beecher Garage (WA-4).

House at 246 East Harrison Street (IHSSI No.: 103-507-21015) — Located at the northwest corner of Harrison and Louis Streets, the one- and one-half story house (circa 1920) is a well-preserved example of a bungalow. The building features many noteworthy Craftsman details, including wide, unenclosed eave overhangs, exposed rafter tails, triangular bracing, paired windows, and square column porch roof supports that extend to ground level. This house is eligible under Criterion C. The period of significance is circa 1920, the date of construction.

Denver Hardware Building (IHSSI No.: 103-507-21019) — This one-story, double-width storefront commercial building (circa 1900) sits on a poured concrete foundation with rough-faced concrete block walls and a paneled, Mesker-crafted facade made from pressed tin with a floral pattern. The building façade is split down the middle with each side having a central, recessed entry flanked by pairs of large, wooden, two-light picture windows, which were once topped by transoms. This building is eligible under Criterion C. The period of significance is circa 1900, the date of construction.

Beecher Garage (WA-4) — This one-story commercial garage has a flat roof with a tile-topped parapet and is constructed of both rough-faced and a pressed-pattern cement block. Its two service bays have glazed, roll up doors positioned in the eastern side of the building. The central service bay is sheltered beneath a large, wooden front gable roof supported by metal poles on concrete pedestals. This building is eligible under Criterion C. The period of significance is circa 1930, the date of construction.

4. DESCRIBE THE UNDERTAKING'S EFFECTS ON HISTORIC PROPERTIES

House at 246 East Harrison Street (IHSSI No.: 103-507-21015) — The undertaking will reconstruct the existing SR 16 roadway, replace existing sidewalks, curbs, gutters, and storm drains, and install Americans With ADA-compliant curb ramps as part of the sidewalk replacement. Project changes remain south of the historic property boundary of this resource and its contributing concrete retaining wall. These changes will upgrade SR 16 and the sidewalk and add curb and gutter at the edge of the property's historic boundary along Harrison Street. As part of these changes, the project will expand the sidewalk slightly toward Harrison Street in front of the house, install a new ADA-compliant curb ramp at the corner of Harrison Street and Louis Street adjacent to the historic property, and create a bump-out on the north side of Harrison Street approximately fifteen feet west from the corner. The bump-out will restrict shoulder parking for about fifteen feet near the corner of Louis Street and Harrison Street adjacent to the historic property. This section of shoulder is directly adjacent to the intersection at Louis Street making it less conducive for parking. Shoulder parking resumes about five feet east of the front walk of the house

and continues to the west as it has in the past. The new curb line of Harrison Street will shift slightly to the south as it travels west from the historic property. Project changes will not significantly change the historic configuration of the sidewalk, roadway, and intersection near the property. The concrete retaining wall surrounding the property and its front steps and walk will not be disturbed. While project changes will be visible to the property, they do not encroach upon the historic property boundary of the property and will not diminish the characteristics that make the property eligible for the NRHP. Plans will be marked “Do Not Disturb,” and commitments to avoid the property and its concrete retaining wall will be included in the environmental documentation.

Denver Hardware Building (IHSSI No.: 103-507-21019) — The undertaking will reconstruct the existing SR 16 roadway, replace existing sidewalks, curbs, gutters, and storm drains, and install ADA-compliant curb ramps at the corner of Harrison Street and Payson Street as part of the sidewalk replacement. These changes will occur adjacent to the historic property. A bump-out on the north side of Harrison Street in front of the historic property will extend approximately fifteen feet east and will restrict shoulder parking adjacent to the historic property. The new curb line of Harrison Street will shift slightly to the south from the historic property. Project changes will not significantly change the historic configuration of the sidewalk, roadway, and intersection near the property. The façade of the Denver Hardware building will not be disturbed. These changes will upgrade SR 16, the sidewalk, curbing, and curb ramps near the historic property, but will not encroach upon the historic property boundary of the Denver Hardware Building and will not diminish the characteristics that make the property eligible for the NRHP.

Plans will be marked “Do Not Disturb,” and commitments to avoid the structure will be included in the environmental documentation.

Beecher Garage (WA-4) — The undertaking will reconstruct the existing SR 16 roadway, replace existing sidewalks, curbs, gutters, and storm drains, and install ADA-compliant curb ramps as part of the sidewalk replacement. As part of these changes, the project will expand the sidewalk slightly toward Harrison Street in front of the Beecher Garage but these changes will not significantly alter the current configuration of the sidewalk, roadway, and shoulder parking near the historic property. These changes will upgrade SR 16 and the sidewalk and curbing near the Beecher Garage, including sections extending under the roof canopy of the garage and within the historic boundary of the property; however, these activities will not damage or destroy contributing elements of the property and will not diminish the characteristics that make the property eligible for the NRHP. Plans will be marked “Do Not Disturb,” and commitments to avoid the structure, its front gable roof canopy, and its canopy supports will be included in the environmental documentation.

5. EXPLAIN THE APPLICATION OF THE CRITERIA OF ADVERSE EFFECT—INCLUDE CONDITIONS OR FUTURE ACTIONS TO AVOID, MINIMIZE, OR MITIGATE ADVERSE EFFECTS

36 CFR § 800.5(a)(1) states: “An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property’s eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative.”

House at 246 East Harrison Street (IHSSI No.: 103-507-21015) — The criteria of adverse effect do not apply. The House at 246 East Harrison Street will be affected by the undertaking, but the effects of the undertaking will not be adverse.

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to the House at 246 East Harrison Street.

Per 36 CFR 800.5(a)(2)(i), the undertaking will cause no “physical destruction of or damage to all or part of the property.” The project does not encroach upon the historic property boundary of the House at 246 East Harrison Street. The concrete retaining wall surrounding the house and its front steps will be marked “do not disturb” on project plans, and firm commitments to avoid these contributing elements will be added to environmental documents.

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will be a minor change in “the character of the property’s use or of physical features within the property’s setting.” While the undertaking will not change the character of use for the House at 246 East Harrison Street, it will affect its setting by reconstructing the SR 16 roadway, its sidewalks, curbs, gutters, and drain structures that are visible to the House at 246 East Harrison Street. Project activities will not encroach on the historic property boundary of the House or disturb its concrete retaining walls, front walk, or front steps. Project changes will alter the setting of the property but those changes will not be adverse and will not “diminish the integrity of the property’s significant historic features.”

Per 36 CFR 800.5(a)(2)(v), there will not be an “introduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features.” The reconstruction of SR 16 and its sidewalks, curbs, gutters, drainage structures, and curb ramps are visible from the House at 246 East Harrison Street. The slight expansion of sidewalk, addition of raised curb and gutter along Harrison Street, and the incorporation of a shoulder bump-out at corner near the historic property will not significantly change the historic configuration of the roadway and sidewalk near the House. The concrete retaining wall surrounding the house and its front steps and walk will not be disturbed. So, while these changes will present changes to the viewshed of the property, but these changes will not be adverse and will not “diminish the integrity of the property’s significant historic features.”

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

Denver Hardware Building (IHSSI No.: 103-507-21019) — The criteria of adverse effect do not apply. The Denver Hardware Building will be affected by the undertaking, but the effects of the undertaking will not be adverse.

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to the Denver Hardware Building.

Per 36 CFR 800.5(a)(2)(i), the undertaking will cause no “physical destruction of or damage to all or part of the property.” The project does not encroach upon the historic property boundary of the Denver Hardware Building. The Denver Hardware Building will be marked “do not disturb” on project plans, and firm commitments to avoid the building will be added to environmental documents.

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will be a minor change in “the character of the property’s use or of physical features within the property’s setting.” While the undertaking will not change the character of use of the Denver Hardware Building, it will affect its setting by reconstructing the SR 16 roadway, its sidewalks, curbs, gutters, and drain structures adjacent to, and within the setting of, the Denver Hardware Building. These changes will alter the setting of the property but those changes will not be adverse and will not “diminish the integrity of the property’s significant historic features.”

Per 36 CFR 800.5(a)(2)(v), there will not be an “introduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features.” The reconstruction of SR 16 and its sidewalks, curbs, gutters, drainage structures, and curb ramps are visible from the Denver Hardware Building since they will occur adjacent to the historic property. The expansion of sidewalk toward Harrison Street, replacement of the curb and gutter, and the incorporation of a shoulder bump-out at the corner near the historic property will not significantly change the historic configuration of the roadway and sidewalk near the Denver Hardware. The building exterior will not be disturbed; plans will be marked with “Do Not Disturb.” These changes will present changes to the viewshed of the property, but these changes will not be adverse and will not “diminish the integrity of the property’s significant historic features.”

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

Beecher Garage (WA-4) — The criteria of adverse effect do not apply. The Beecher Garage will be affected by the undertaking, but the effects of the undertaking will not be adverse.

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to the Beecher Garage.

Per 36 CFR 800.5(a)(2)(i), the undertaking will cause no “physical destruction of or damage to all or part of the property.” The project does encroach upon the historic property boundary of the Beecher Garage to reconstruct the existing modern sidewalk; however, the effect will not be adverse because it will not destroy or damage contributing elements of the Beecher Garage. The garage building, canopy and support posts will be marked “do not disturb” on project plans and firm commitments to avoid these Contributing items will be added to environmental documents.

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will be a minor change in “the character of the property’s use or of physical features within the property’s setting.” While the undertaking will not change the character of use of the Beecher Garage, it will affect its setting by reconstructing the SR 16 roadway, its sidewalks, curbs, gutters, and drain structures that are adjacent to, and within the setting of, the Beecher Garage. These changes will alter the setting of the property but those changes will not be adverse and will not “diminish the integrity of the property’s significant historic features.”

Per 36 CFR 800.5(a)(2)(v), there will not be an “introduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features.” The reconstruction of SR 16 and its sidewalks, curbs, gutters, drainage structures, and curb ramps are adjacent to, and visible from, the Beecher Garage. The expansion of the sidewalk toward Harrison Street and replacement of the curb and gutter near the historic property will not significantly change the historic configuration of the roadway and sidewalk near the Beecher Garage. The building exterior, garage canopy, and the canopy supports will not be disturbed. These changes will

present visual changes of the property, but these changes will not be adverse and will not “diminish the integrity of the property’s significant historic features.”

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

EFFORTS TO AVOID, MINIMIZE, AND MITIGATE ADVERSE EFFECTS

Throughout the design process, project engineers worked to avoid and minimize impacts to historic resources. Changes included altering the design of the sidewalk area in front of the historic bungalow at 246 East Harrison Street (103-507-21015), to remove the need for permanent right-of-way there and planned impacts to the steps and retaining wall at the front of the house. Current construction plans do not require any right-of-way acquisition from historic properties and would not adversely affect the characteristics that make each resource eligible for listing in the NRHP. Construction plans are marked “Do Not Disturb” for all contributing elements of the three historic properties within the APE and firm commitments to avoid these resources will be placed in the environmental documents (Appendix B: Plans). Following the efforts to avoid and minimize adverse effects, W&A and INDOT distributed an Effects Report (Weintraut and Fivecoat, November 13, 2019) that recommended the project would have “No Adverse Effect” on historic resources.

6. SUMMARY OF CONSULTING PARTIES AND PUBLIC VIEWS

On December 19, 2018, the Miami Tribe of Oklahoma responded to the early coordination documentation and HPR. The Miami Tribe offered no objection to the project, but noted that several archaeological sites were located approximately one-half mile from the project area. The Miami Tribe accepted consultation on the project, noting that the project site is within the aboriginal homelands of the Miami Tribe. Further, the Miami Tribe requested immediate consultation if any “human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of the project” (Appendix E: Correspondence).

On December 28, 2018, staff of the Indiana SHPO responded to the early coordination materials. The letter from the SHPO staff noted that they were “not aware of any parties who should be invited to participate in the Section 106 consultation for this federal undertaking, beyond those whom INDOT has already invited.” The letter also agreed that the APE utilized within the HPR was “appears to be of appropriate size for a project of this nature.” The staff of the SHPO, for the purposes of Section 106, agreed with the recommendations of the HPR that the Craftsman Bungalow at 246 East Harrison Street (IHSSI No.: 103-507-21015), the Denver Hardware Building (IHSSI No: 103-507-21019) at 90 West Harrison Street, and the Beecher Garage (WA-4) at 76 West Harrison Street were all eligible for inclusion in the NRHP under Criterion C for architecture and with their proposed historic property boundaries. The staff of the SHPO asked that future correspondence for this project indicates which of the invited consulting parties have accepted the invitation. Finally, the letter indicated that the SHPO staff would “resume identification and evaluation procedures for this project” after receiving additional information regarding archaeological resources and ground disturbance (Appendix E: Correspondence).

On January 3, 2019, the Forest County Potawatomi Community responded to the early coordination materials. The Tribe noted that the project area falls within the ancestral territory of the Forest County Potawatomi. The Tribal Historic Preservation Office requested a copy of the archaeological report for this undertaking before it would render a decision for the Tribe regarding project impacts (Appendix E: Correspondence).

On August 27, 2019, the staff of the SHPO responded to the ASR. SHPO staff agreed with the conclusions of the ASR that “no further archaeological investigations appear necessary within the proposed project area” (Appendix E: Correspondence).

In an August 27, 2019 letter, SHPO staff asked “that plans showing where right-of-way will be acquired and where sidewalks, curb lines, curb ramps, storm sewers, and other structures will be built on or in close proximity

to the three identified historic properties be provided to their office and other consulting parties before a finding is made" (Appendix E: Correspondence).

On December 12, 2019, SHPO responded to a letter dated November 13, 2019 that provided additional information about a proposed trail connection, a final set of plans, and a discussion of the project's potential effects on historic properties. SHPO staff agreed that the expansion of the APE near the proposed trail connection "did not include any additional, above-ground properties that would be eligible for inclusion in the [NRHP]." Additionally, after an examination of the plans, SHPO staff noted that they "do not think that the integrity of any characteristics of the bungalow or its setting that qualify it for inclusion in the [NRHP] will be diminished." Additionally, the letter agreed that proposed project activities would "not diminish the integrity of any of the characteristics of the Denver Hardware Store or the Beecher Garage or their setting that qualify those properties for inclusion in the NRHP." The letter also concurred with the recommendations of the archaeology report that "no further archaeological investigations appear necessary within [the] project area," and added that the proposed temporary gravel connection to the Nickel Plate Trail is unlikely to "affect archaeological sites, if any exist in that area." Finally, SHPO staff noted that "it might now be appropriate to ask INDOT for a finding of effect" (Appendix E: Correspondence).

No further comments were received.

A public notice of "No Adverse Effect" will be posted in a local newspaper and the public will be afforded thirty (30) days to respond. If appropriate, this document will be revised after the expiration of the public comment period.

Appendices

Appendix A: Maps and Site Plans

Appendix B: Plans

Appendix C: Photographs

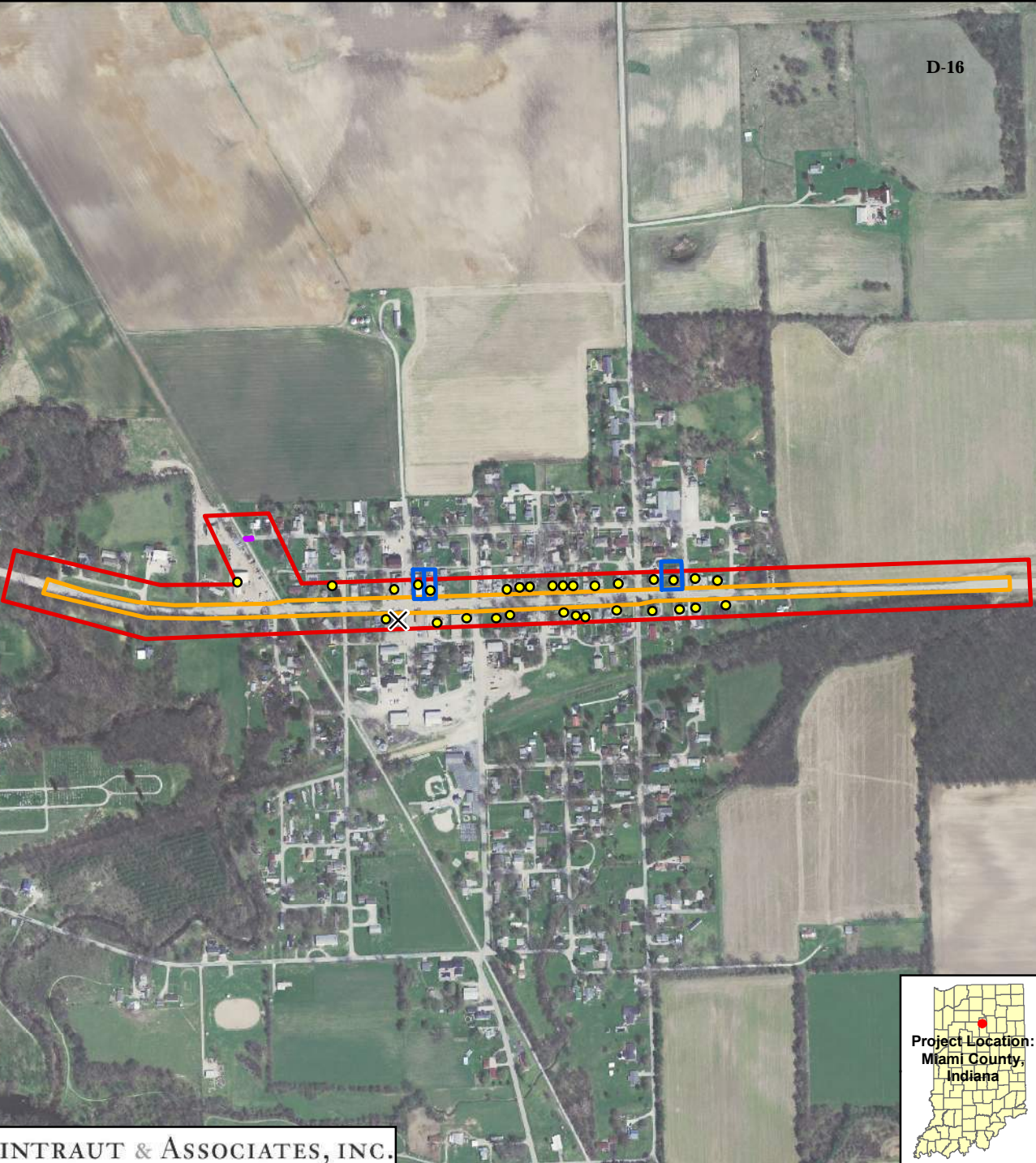
Appendix D: Report Summaries

Appendix E: Correspondence

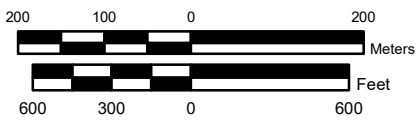
Appendix F: Consulting Parties

Appendix A: Maps and Site Plans

Use of this map should be limited to planning, and is intended to serve as an aid in graphic representation only.



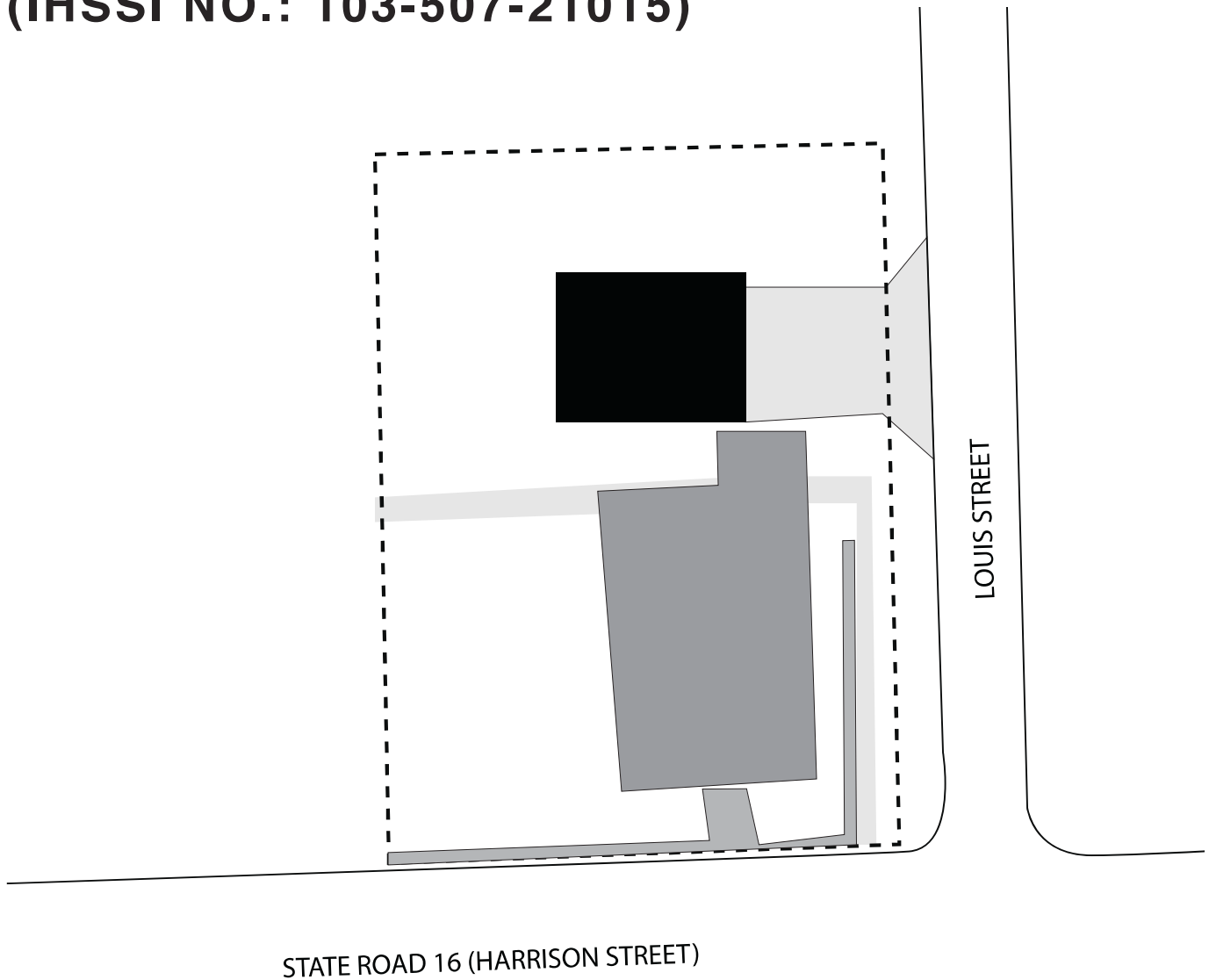
WEINTRAUT & ASSOCIATES, INC.









- APE
- Original Project Location
- NRHP-Eligible Historic Boundary
- Trail Connection
- Contributing
- X Demolished



HOUSE AT 246 EAST HARRISON STREET (IHSSI NO.: 103-507-21015)

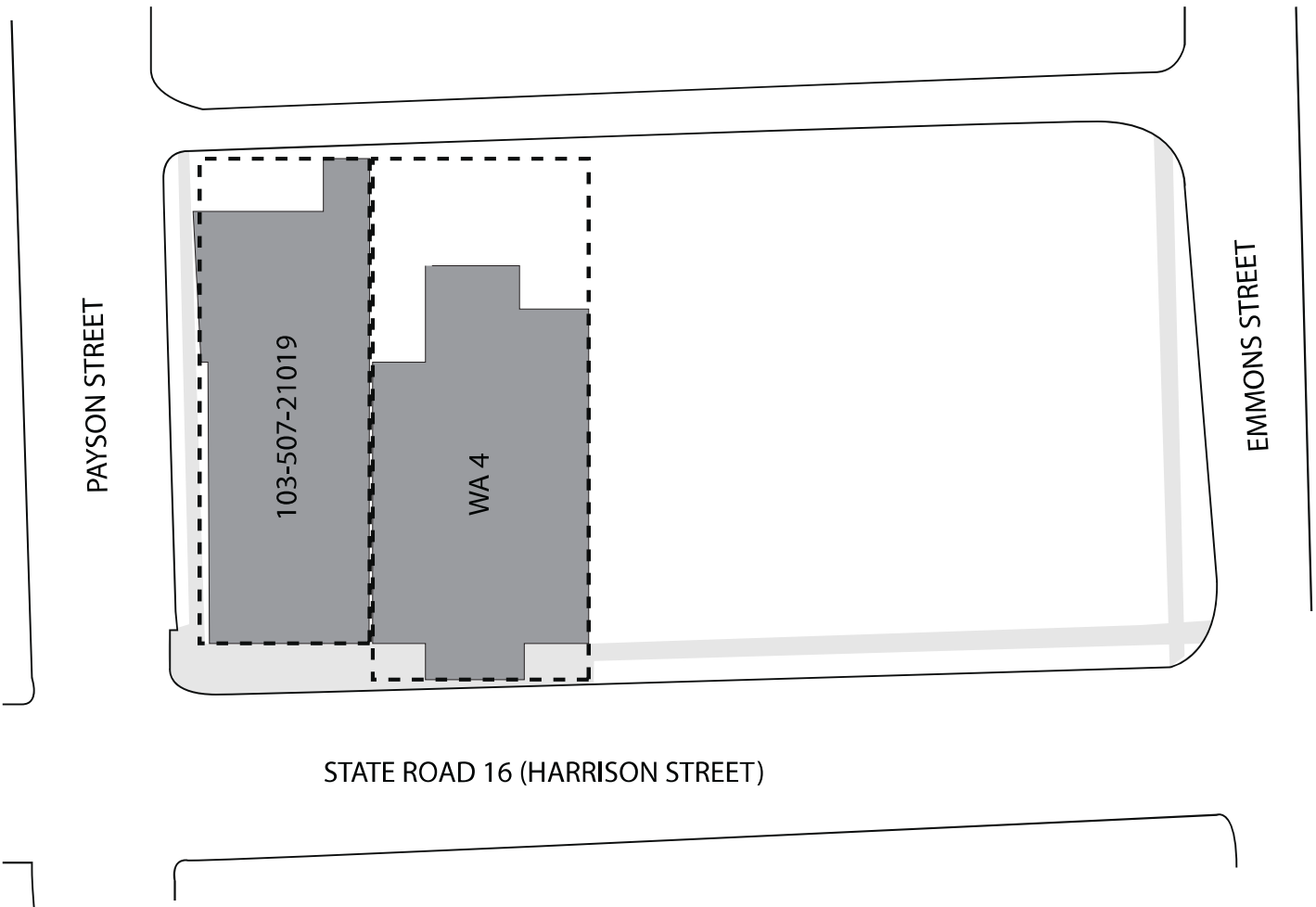


	CONTRIBUTING RESOURCES
	NON-CONTRIBUTING RESOURCES
	DRIVEWAY
	SIDEWALK
	RECOMMENDED BOUNDARY
	STREET







*Traced from 2018 aerial.

DENVER HARDWARE (IHSSI NO.: 103-507-21019) & BEECHER GARAGE (WA-4)



STATE ROAD 16 (HARRISON STREET)



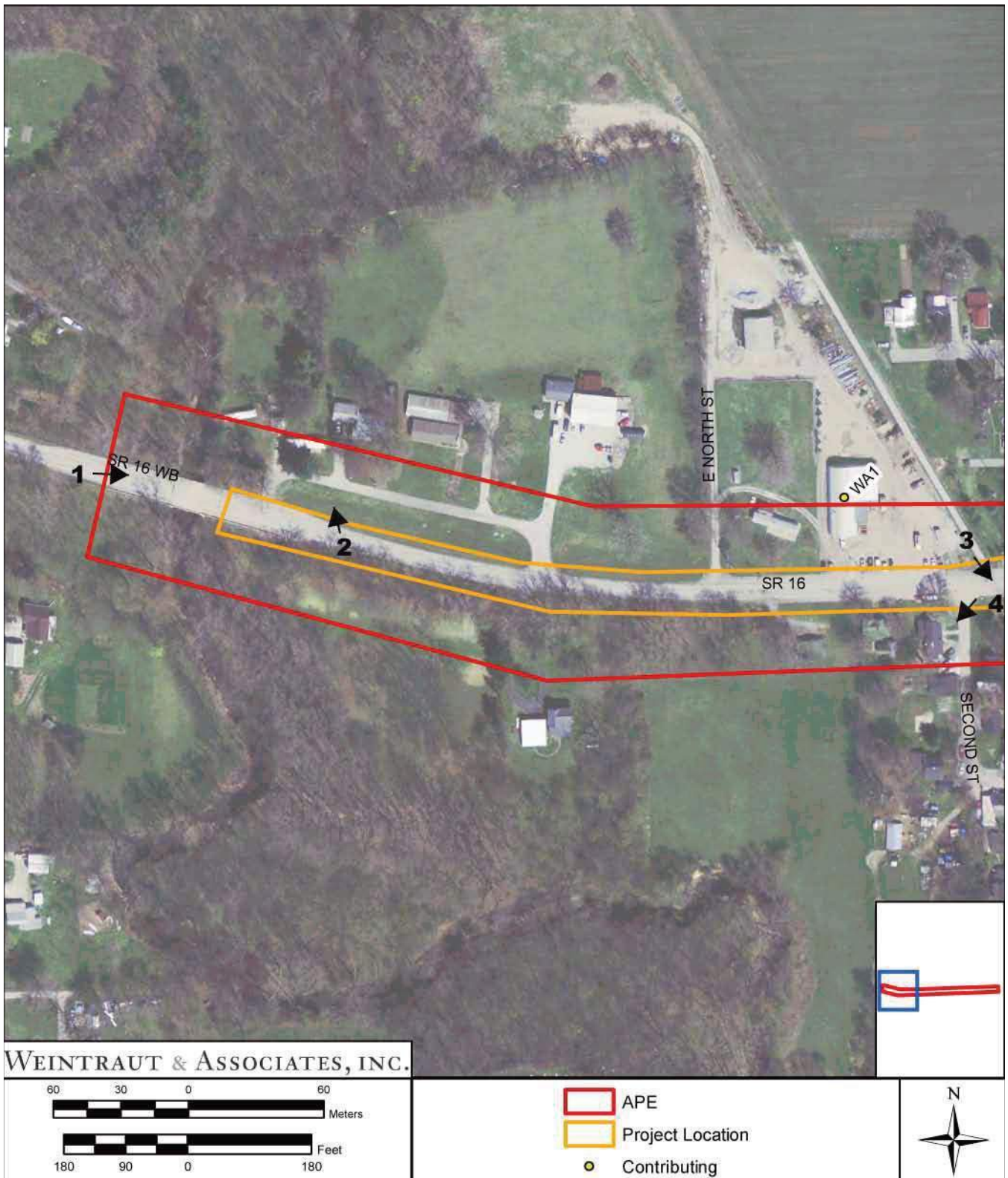
	CONTRIBUTING RESOURCES
	SIDEWALK
	RECOMMENDED BOUNDARY
	STREET

*Traced from 2018 aerial.

Appendix B: Plans

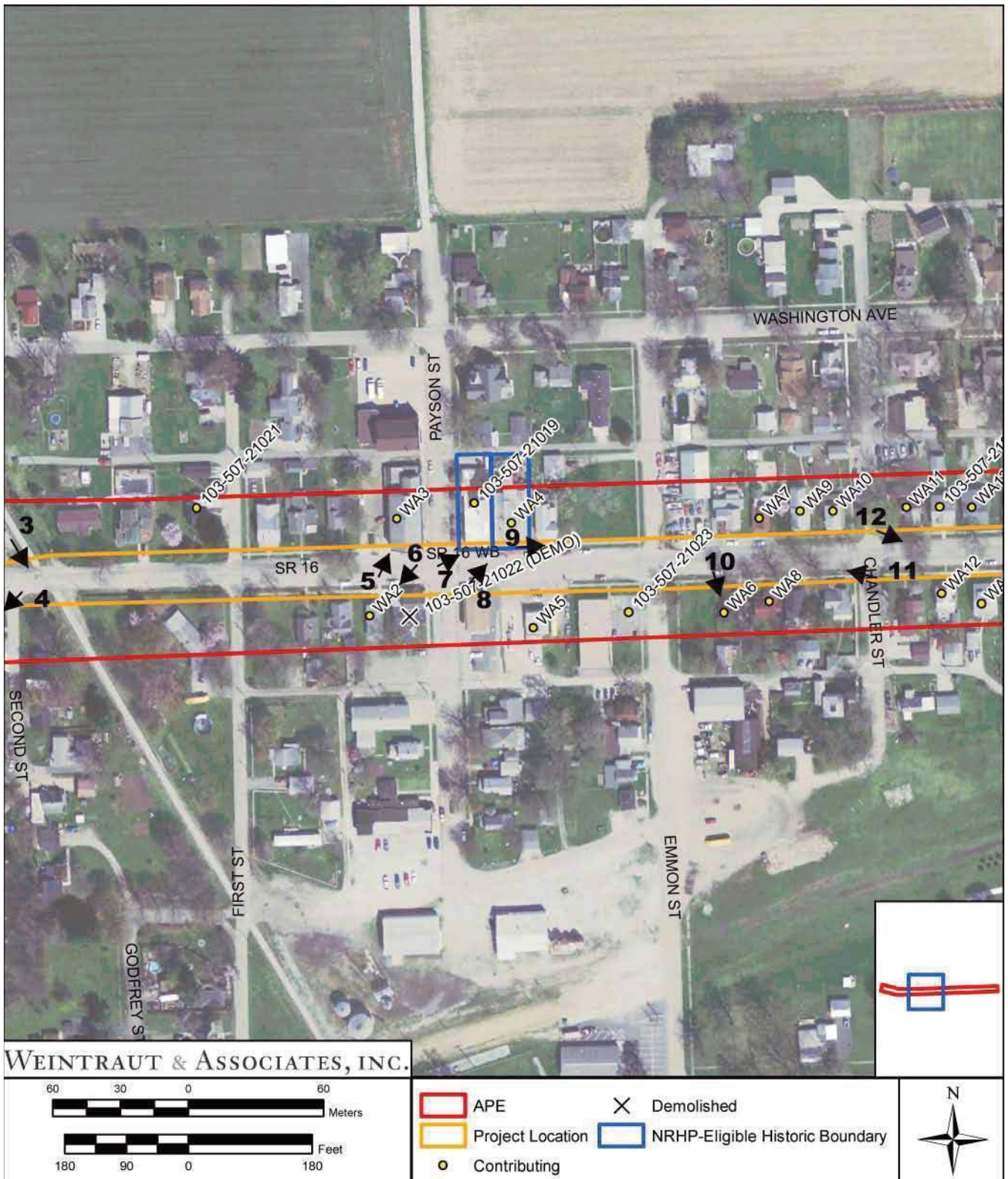
THE PROJECT PLANS SHEETS ARE REMOVED
DUE TO DUPLICATION AND TO REDUCE THE SIZE
OF THE DOCUMENT

Appendix C: Photographs

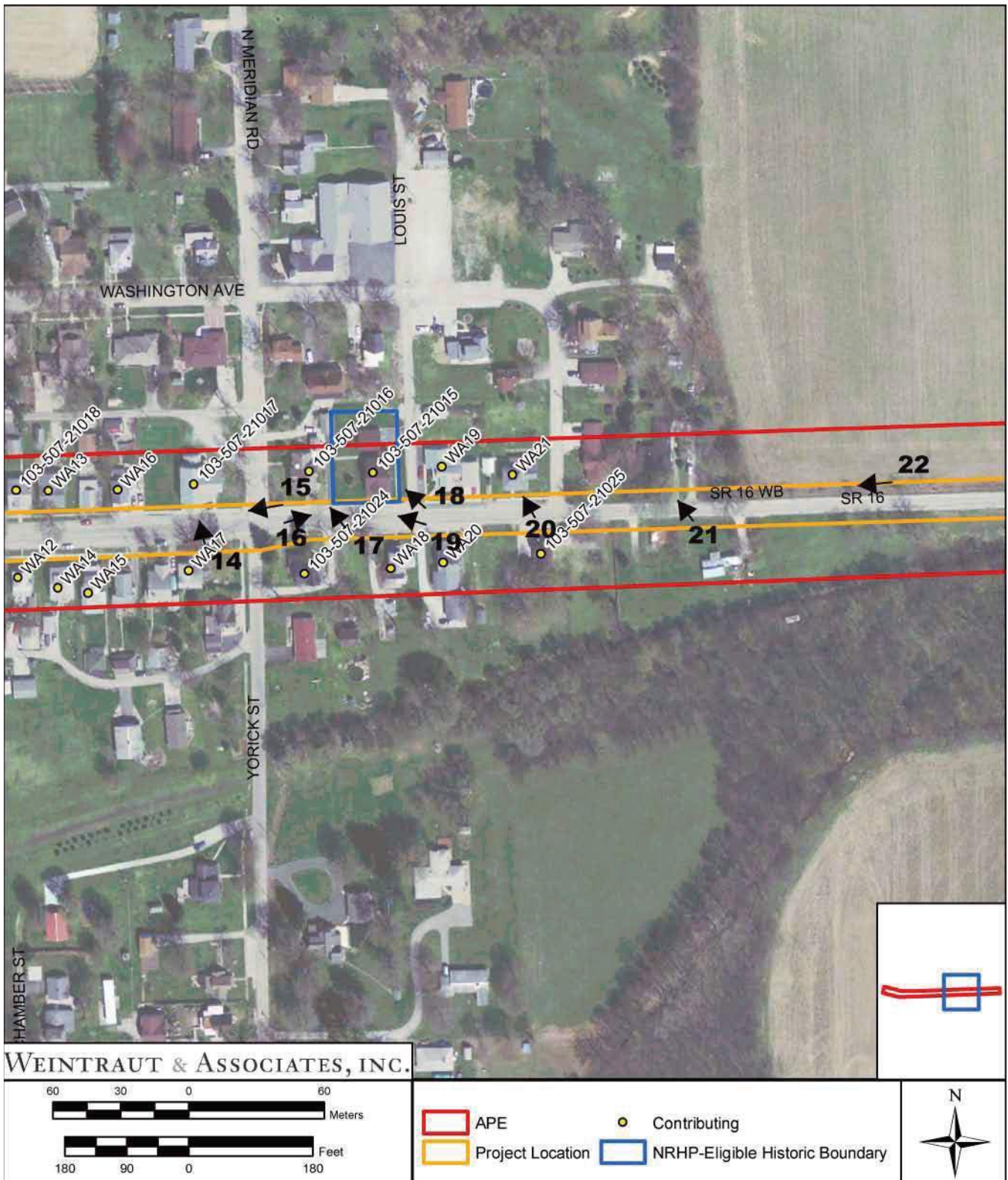


WEINTRAUT & ASSOCIATES, INC.

MAP 1 - THE PROJECT LOCATION, PROPOSED APE, AND CONTRIBUTING PROPERTIES SHOWN ON A 2005 AERIAL PHOTOGRAPH WITH PHOTO LOCATIONS.



MAP 2 - THE PROJECT LOCATION, PROPOSED APE, NRHP-RECOMMENDED HISTORIC PROPERTY BOUNDARY, AND CONTRIBUTING AND DEMOLISHED PROPERTIES SHOWN ON A 2005 AERIAL PHOTOGRAPH WITH PHOTO LOCATIONS.



MAP 3 - THE PROJECT LOCATION, PROPOSED APE, NRHP-RECOMMENDED HISTORIC PROPERTY BOUNDARY, AND CONTRIBUTING PROPERTIES SHOWN ON A 2005 AERIAL PHOTOGRAPH WITH PHOTO LOCATIONS.



WEINTRAUT & ASSOCIATES, INC.

MAP 4 - THE PROJECT LOCATION AND PROPOSED APE SHOWN ON A 2005 AERIAL PHOTOGRAPH WITH PHOTO LOCATIONS.



1. View looking east from west end of APE



2. Non-contributing mobile home at 466 Harrison St



3. Looking southeast along the Nickel Plate Trail at Harrison Street



4. Non-contributing house at 18 S 2nd St



5. Commercial Building at 106 W Harrison (WA3)



6. The Denver Town Hall (WA2) sits near an open lot that once housed a commercial structure (103-507-21022)



7. The facade of the Denver Hardware building (103-507-21019) at 90 W Harrison St



8. Wooden entry roof at 76 W Harrison St (WA4)



9. View of roof columns at 76 W Harrison St (WA4)



10. A contributing home at 29 E Harrison St (WA6)



11. Looking west-northwest along Harrison St from Chandler St



12. Looking southeast along Harrison St from Chandler St



13. A contributing bungalow at 124 E Harrison St (103-507-21018)



14. Denver Methodist Church located at 190 E Harrison St (103-507-21017)



15. View looking west from in front of 224 E Harrison St



16. View of the wall in front of 224 E Harrison (103-507-21016)



17. Contributing home at 224 E Harrison (103-507-21016)



18. NRHP-Eligible home at 246 E Harrison (103-507-21015)



19. View of retaining wall in front of 246 E Harrison St (103-507-21015)



20. Contributing Italianate home at 288 E Harrison St (WA21)

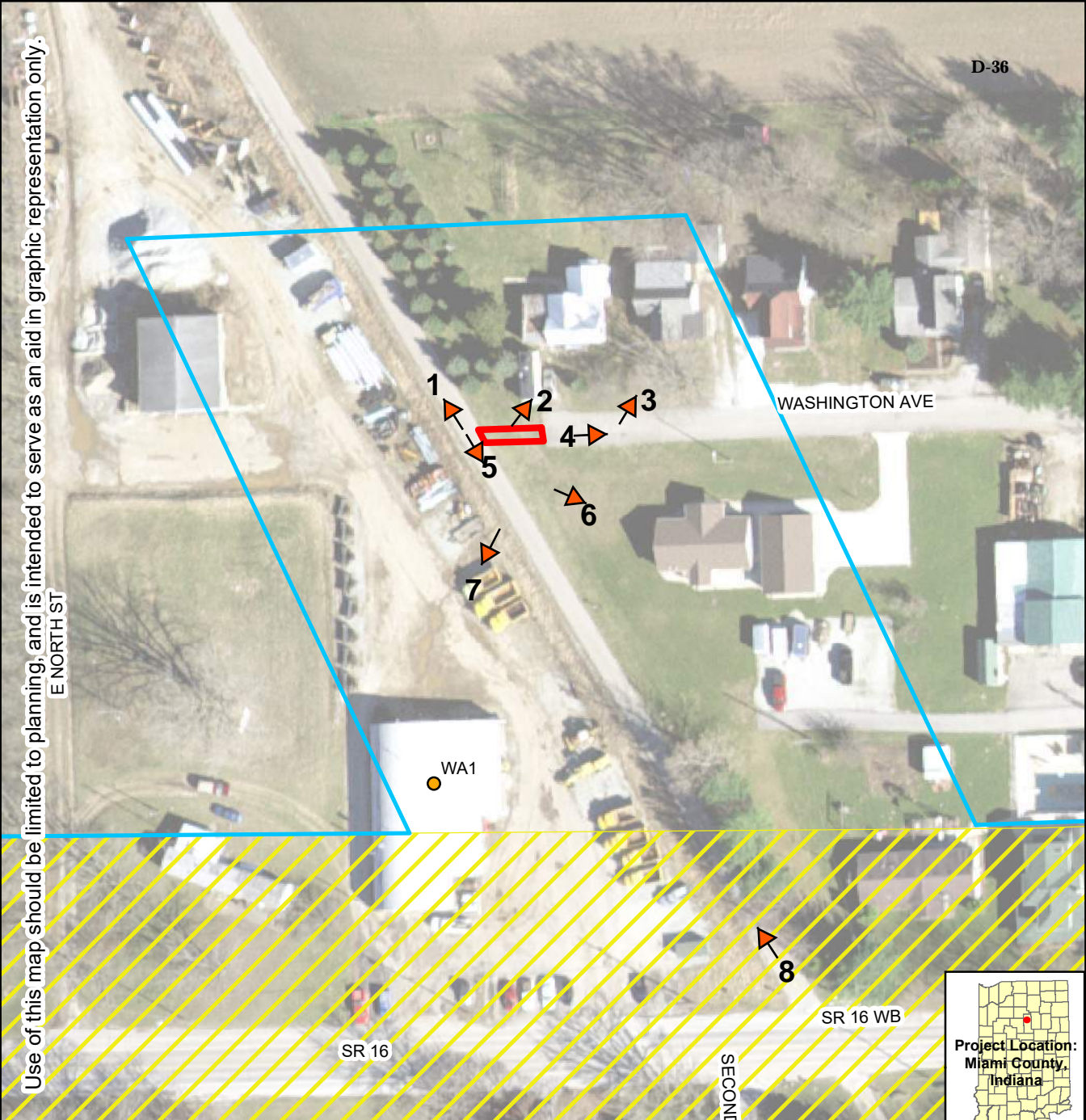


21. Non-contributing home at 336 E Harrison St



22. View looking southwest from near east end of APE

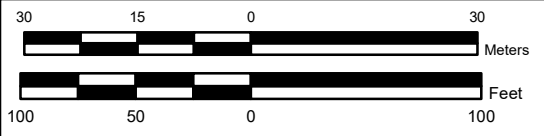
Use of this map should be limited to planning, and is intended to serve as an aid in graphic representation only.



Project Location:
Miami County,
Indiana

WEINTRAUT & ASSOCIATES, INC.

Aerial (2017) with photo locations



- Expanded APE
- New Project Location
- Original APE
- Contributing Property





1. View of trail looking northwest from proposed connection.



2. Non-contributing house at 292 Washington, looking at south and west elevations from end of Washington.



3. Non-contributing house at 274 Washington, looking at south and west elevations from Washington.



4. View of Washington Street looking east from west end.



5. View of trail looking southeast from proposed connection.



6. Modern house at 271 W Washington Street, looking southeast from end of Washington.



7. The trail connection area and Garage Complex, looking SW from end of Washington.



8. View of the trail connection area, looking north from trail near SR 16.

Appendix D: Report Summaries



**Archaeological Records Check and Phase Ia Reconnaissance:
Indiana State Road 16 Road Rehabilitation Project
In the Town of Denver, Jefferson and Richland Townships,
Miami County, Indiana
Des. No.: 1600294
Archaeological Short Report**

Prepared for
**Burgess and Niple, Inc., &
Indiana Department of Transportation/Federal Highway Administration**

Prepared by
WEINTRAUT & ASSOCIATES, INC.

Principal Investigator: Craig R. Arnold

P.O. Box 5034 | Zionsville, Indiana | (317)733-9770 | cranda@weintrautinc.com

July 26, 2019



INDIANA ARCHAEOLOGICAL SHORT REPORT

State Form 54566 (1-11)

INDIANA DEPARTMENT OF NATURAL RESOURCES **D-43**
DIVISION OF HISTORIC PRESERVATION
AND ARCHAEOLOGY
402 West Washington Street, Room W274
Indianapolis, Indiana 46204-2739
Telephone Number: (317) 232-1646
Fax Number: (317) 232-0693
E-mail: dhpa@dnr.IN.gov

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

Author: Craig R. Arnold, M.A.

Date (month, day, year): July 26, 2019

Project Title: Archaeological Records Check and Phase Ia Reconnaissance: Indiana State Road 16 Road Rehabilitation Project in the Town of Denver, Jefferson and Richland Townships, Miami County, Indiana (Des. No.: 1600294)

PROJECT OVERVIEW

Project Description:

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes a project involving the full depth reconstruction of State Route (SR) 16 through the Town of Denver, in Jefferson and Richland Townships, Miami County, Indiana. Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties. The federal involvement is funding from the FHWA.

The proposed undertaking of the pavement replacement of SR 16 would begin 4.67 kilometer (km) (2.90 miles [mi]) east of United States Highway (US) 31 to 6.03 km (3.75 mi) east of US 31 for a distance of 1.37 km (0.85 mi). The project area is located within the bounds of the USGS 7.5' series Peru, Indiana, topographic quadrangle map in Township 28 North, Range 4 East. It is located in portions of the Weesau Reserve, and Sections 15, 16, 21, and 22 of the map (Figures 1 and 2). The yellow project location is the area of the undertaking while the red APE in Figures 1 and 2 is the buffer used by the aboveground structures survey.

The area subjected to archaeological reconnaissance is located at the east end of the undertaking in Sections 15 and 22 (Figure 3). More specifically, it lies on the boundary where these two sections meet (Figure 4).

In addition to pavement replacement noted above, the project will replace the existing sidewalks, curbs, and gutters where they exist in the town. A new storm sewer system will be installed in the curb and gutter section. No work would occur within Weesau Creek on the west end of town and the unnamed tributary (locally known as Robert S. Kline Ditch) on the east end of town. Installation of Americans With Disabilities Act (ADA)-compliant curb ramps are part of the sidewalk replacement. Maintenance of the existing 12-foot wide travel lanes and various shoulder widths, including parking areas on the shoulder will occur. The open ditch drainage system on the east and west ends of the project would be maintained. Planning includes driveway culvert pipes for installation in the open ditch area to obtain positive drainage. The Nickel Plate Recreational Trail crosses SR 16 at the western end of the project. Safety improvements for bicycles and pedestrians crossing SR 16 at the trail would be included as part of this project.

Based on the Miami County property maps, reacquisition of portions of the SR 16 right

of way (ROW) would be required. In addition, some permanent ROW would be required at several intersections and temporary ROW for driveway tie in and yard regrading behind the sidewalk. The acquisition of no residences or businesses will be necessary. D-44

INDOT Designation Number/ Contract Number: 1600294 Project Number:

DHPA Number: Approved DHPA Plan Number:

Prepared For: Burgess and Niple, Incorporated (B&N)

Contact Person: Jason Mathias, PE

Address: 251 North Illinois Street, Suite 290

City: Indianapolis State: IN ZIP Code: 46204

Telephone Number: 317.237.2752 x4416 E-mail Address: jason.mathias@burgessniple.com

Principal Investigator: Craig R. Arnold

Signature: *C. R. Arnold*

Company/Institution: Weintraut & Associates, Inc. (W&A)

Address: P.O. Box 5034

City: Zionsville State: IN ZIP Code: 46077

Telephone Number: 317-733-9770 E-mail Address: carnold@weintrautinc.com

PROJECT LOCATION

County: Miami

USGS 7.5' series Topographic Quadrangle: Peru (see Figure 3)

Archaeological records check has determined that the project area does not have the potential to contain archaeological resources.

Archaeological records check has determined that the project area has the potential to contain archaeological resources.

Phase Ia reconnaissance has located no archaeological resources in the project area.

Phase Ia reconnaissance has identified landforms conducive to buried archaeological deposits.

Actual Area Surveyed hectares:

2.62

acres:

6.47

Comments:

Craig R. Arnold of W&A conducted the archaeological fieldwork on October 12, 2017. Arnold served as Principal Investigator for the project. One acre of undisturbed soils in the east end of project area was subject to shovel testing. The remainder of the project area was visually examined and determined to be previously disturbed by SR 16 roadway construction.

Shovel probes exhibited profiles consistent with Blount loam and Pewamo clay loam. A-horizon depths varied between probes. A typical shovel probe exhibited a profile containing a 10YR3/3 dark brown sandy loam or silt loam extending between 10 and 24 centimeters below surface. This was underlain by a lighter 10YR5/4 yellowish brown clay loam with 2.5Y5/1 mottles.

RECOMMENDATION

The archaeological records check has determined that the project area has the potential to contain archaeological resources and a Phase Ia archaeological reconnaissance is recommended.

The archaeological records check has determined that the project area does not have the potential to contain archaeological resources and no further work is recommended before the project is allowed to proceed.

The Phase Ia archaeological reconnaissance has located no archaeological sites within the project area and it is recommended that the project be allowed to proceed as planned.

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

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

Cemetery Name:

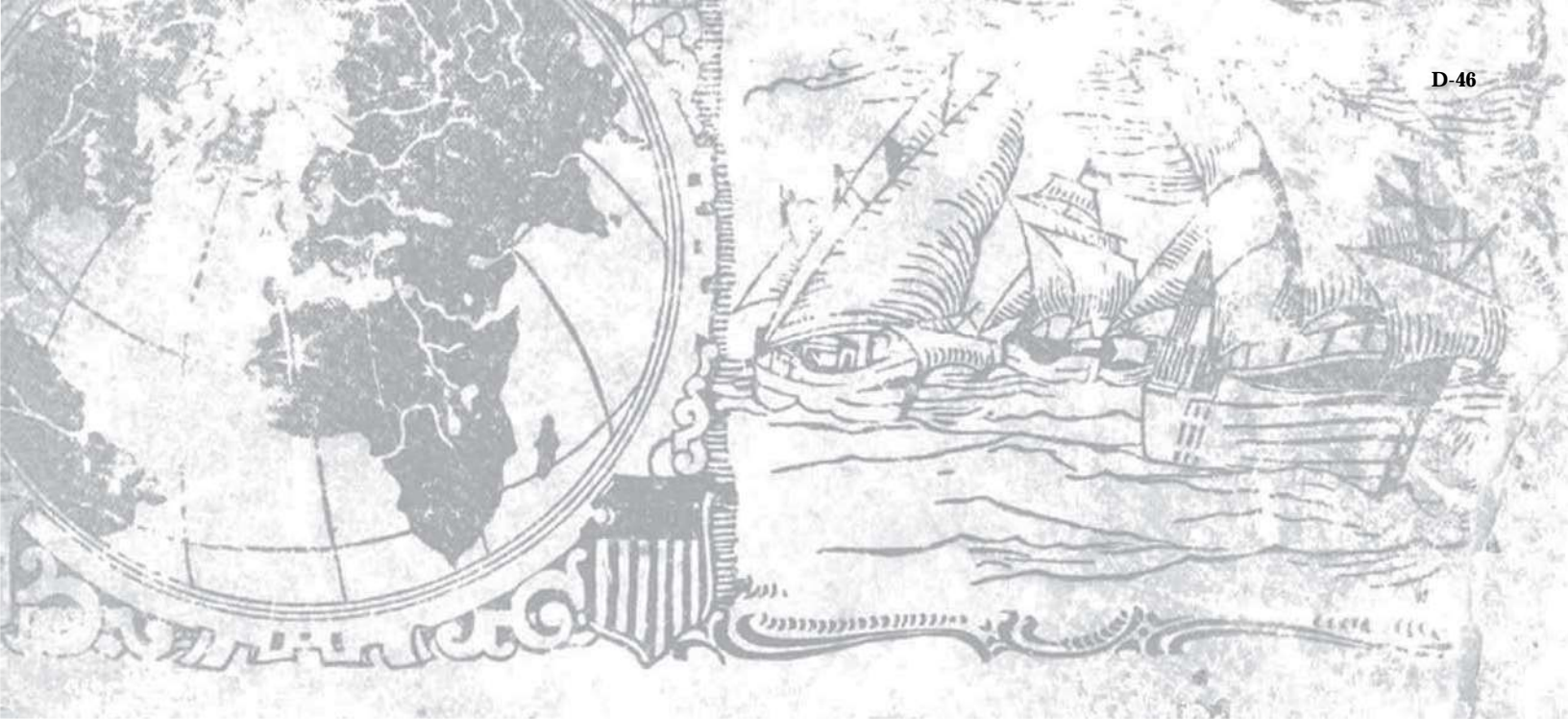
[Empty text box for Cemetery Name]

Other Recommendations/Commitments:

[Empty text box for Other Recommendations/Commitments]

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

Attachments



Historic Property Report
State Road 16 Road Improvement Project
In the Town of Denver, Jefferson Township, Miami County, Indiana
DES No.: 1600294

Prepared for
Burgess & Niple
Indiana Department of Transportation
Federal Highway Administration
Jason Mathias, PE | Transportation Engineer | Jason.Mathias@burgessniple.com

Prepared by
WEINTRAUT & ASSOCIATES, INC.
Principal Investigator: Dr. Linda Weintraut
Author: Douglas Fivecoat, M.A., with contributions from Kelly Lally Molloy, M.A.
P.O. Box 5034 | Zionsville, Indiana 46077 | 317.733.9770 | Linda@weintrautinc.com

October 15, 2018

Executive Summary: State Road 16 Road Improvement Project In the Town of Denver, Jefferson Township, Miami County, Indiana Des. No.: 1600294

This report documents the identification and evaluation efforts for properties included in the Area of Potential Effects (APE) for the State Road (SR) 16 Road Improvement Project, in the Town of Denver, Jefferson Township, Miami County, Indiana. Aboveground resources located within the project APE were identified and evaluated in accordance with Section 106, National Historic Preservation Act (NHPA) of 1966, as amended, and the regulations implementing Section 106 (36 CFR Part 800).

As a result of the NHPA, as amended, and CFR Part 800, federal agencies are required to take into account the impact of federal undertakings upon historic properties in the area of the undertaking. Historic properties include buildings, structures, sites, objects, and/or districts that are eligible for or listed in the National Register of Historic Places (NRHP). As this project is receiving funding from the Federal Highway Administration (FHWA), it is subject to a Section 106 review.

The APE contains no properties listed in the NRHP.

The APE contains three properties that are recommended eligible for listing in the National Register:

- The House at 246 East Harrison Street (IHSSI No.: 103-507-21015)
- The Denver Hardware building (IHSSI No.: 103-507-21019)
- The Beecher Garage at 76 East Harrison Street (WA-4)

Appendix E: Correspondence

Doug Fivecoat <dfivecoat@weintrautinc.com>

: FHWA Project: Des. No. 1600294; SR 16 Road Rehabilitation Project, Town of Denver, Miami County, Indiana

1 message

Linda Weintraut <linda@weintrautinc.com>

Tue, Dec 4, 2018 at 10:58 AM

To: Kreig Adkins <kreigadkins@sbcglobal.net>, mchs@miamicountymuseum.com, JFrancis <jfrancis@miamicountyin.gov>, ahunt@miamicountyin.gov, lwest@miamicountyin.gov, tgamble@miamicountyin.gov, msisson@miamicountyin.gov, northeast@indianalandmarks.org
 Cc: "Slider, Chad" <CSlider@dnr.in.gov>, "Kelly, Clinton" <ckelly1@indot.in.gov>, "Kumar, Anuradha" <akumar@indot.in.gov>, "Miller, Shaun (INDOT)" <smiller@indot.in.gov>, "Branigin, Susan" <sbranigin@indot.in.gov>, Doug Fivecoat <dfivecoat@weintrautinc.com>, "Mathias, Jason" <jason.mathias@burgessniple.com>, "Rominger, Greg" <greg.rominger@burgessniple.com>, bethany w <bethany@weintrautinc.com>

Des. No.: 1600294**Project Description: SR 16 Road Rehabilitation Project****Location: Town of Denver, Miami County, Indiana**

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with a road rehabilitation project along State Route (SR) 16 through the Town of Denver, Miami County, Indiana (Des. No.: 1600294).

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are being invited to become consulting parties:

- Eastern Shawnee Tribe of Oklahoma
- Forest County Potawatomi Community
- Miami Tribe of Oklahoma
- Peoria Tribe of Indians on Oklahoma
- Pokagon Band of Indians of Oklahoma
- Miami County Historian
- Miami County Historical Society and Museum
- Miami County Board of Commissioners
- Miami County Planning Department
- Miami County Highway Department
- Indiana Landmarks – Northeast Field Office
- State Historic Preservation Officer

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

Please review the letter and Historic Property Report located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with your comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. If we do not receive a response from an invited consulting party in the time allotted, the project will proceed consistent with the proposed design. **Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.**

Tribal contacts may contact Shaun Miller at smiller@indot.in.gov or 317-233-6795 or Michelle Allen at FHWA at michelle.allen@dot.gov or 317-226-7344.

Thank you in advance for your input,

--

Linda Weintraut, Ph.D.
 Weintraut & Associates, Inc.
 PO Box 5034
 4649 Northwestern Drive
 Zionsville, Indiana 46077
 317.733.9770 ext. 310

www.weintrautinc.com

Fwd: FW: FHWA Project: Des. No. 1600294; SR 16 Road Rehabilitation Project, Town of Denver, Miami County, Indiana

1 message

Linda Weintraut <linda@weintrautinc.com>
 To: Doug Fivecoat <dfivecoat@weintrautinc.com>

Tue, Dec 4, 2018 at 3:32 PM

----- Forwarded message -----

From: **Kelly, Clint** <CKelly1@indot.in.gov>
 Date: Tue, Dec 4, 2018 at 3:19 PM
 Subject: FW: FHWA Project: Des. No. 1600294; SR 16 Road Rehabilitation Project, Town of Denver, Miami County, Indiana
 To: thpo@estoo.net <thpo@estoo.net>, dhunter@miamination.com <dhunter@miamination.com>, lpappenfort@peoriatrbe.com <lpappenfort@peoriatrbe.com>, Matthew.Bussler@pokagonband-nsn.gov <Matthew.Bussler@pokagonband-nsn.gov>, Allison.Daniels@fcpotawatomi-nsn.gov <Allison.Daniels@fcpotawatomi-nsn.gov>
 Cc: Kumar, Anuradha <akumar@indot.in.gov>, Branigin, Susan <SBranigin@indot.in.gov>, Miller, Shaun (INDOT) <smiller@indot.in.gov>, Linda Weintraut <linda@weintrautinc.com>, Seculoff, Steven <SSeculoff@indot.in.gov>, michelle.allen@dot.gov <michelle.allen@dot.gov>

Des. No.: 1600294**Project Description: SR 16 Road Rehabilitation Project****Location: Town of Denver, Miami County, Indiana**

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with a road rehabilitation project along State Route (SR) 16 through the Town of Denver, Miami County, Indiana (Des. No.: 1600294).

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are being invited to become consulting parties:

- Eastern Shawnee Tribe of Oklahoma
- Forest County Potawatomi Community
- Miami Tribe of Oklahoma
- Peoria Tribe of Indians on Oklahoma
- Pokagon Band of Indians of Oklahoma
- Miami County Historian
- Miami County Historical Society and Museum
- Miami County Board of Commissioners
- Miami County Planning Department
- Miami County Highway Department
- Indiana Landmarks – Northeast Field Office
- State Historic Preservation Officer

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

Please review the letter and Historic Property Report located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with your comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. If we do not receive a response from an invited consulting party in the time allotted, the project will proceed consistent with the proposed design. **Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.**

Tribal contacts may contact Shaun Miller at smiller@indot.in.gov or 317-233-6795 or Michelle Allen at FHWA at michelle.allen@dot.gov or 317-226-7344.

Thank you in advance for your input,

Clint



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204

PHONE: (317) 234-5168

Eric Holcomb, Governor
Joe McGuinness, Commissioner

December 4, 2018

This letter was sent to the listed parties.

RE: SR 16 Road Rehabilitation Project, Town of Denver, Miami County, Indiana
Des. No.: 1600294

Dear Consulting Party,

The Indiana Department of Transportation (INDOT) with funding from the Federal Highway Administration (FHWA) proposes to proceed with a road rehabilitation of State Route (SR) 16 through the Town of Denver, Miami County, Indiana (Des. No.: 1600294). Weintraut & Associates, Inc. is under contract with INDOT to advance the cultural resources documentation for the referenced project.

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

The proposed undertaking is located along SR 16 through Denver, Indiana. It is within Jefferson Township, Peru, Indiana USGS Topographic Quadrangle, in the Weesau Section and Sections 15 and 22 of Township 28 North, Range 4 East. (See attached map)

Purpose and Need: The project need is to address the deteriorated condition and end of the functional life of the existing pavement on SR 16. The purpose of the project is to maintain the local road network and provide desirable traffic operations and accessibility.

Proposed Project: The road rehabilitation of SR 16 will begin 2.90 miles east of U.S. Route (USR) 31 to 3.62 miles east of USR 31 (RP 72+86 to RP 73+58) for a distance of 0.72 mile. The project will also replace the existing sidewalks, curbs, and gutters where they exist in the town. A new storm sewer system will be installed in the curb and gutter section. No work will occur within Weesau Creek on the west end of town and the unnamed tributary (locally known as Robert S. Kline Ditch) on the east end of town. Americans With Disabilities Act (ADA)-compliant curb ramps will be installed as part of the sidewalk replacement. The existing 12-foot wide travel lanes and various shoulder widths, including parking areas on the shoulder will be maintained. The open ditch drainage system on the east and west ends of the project will be maintained. Driveway culvert pipes will be installed in the open ditch areas. Ditch grading will take place on the north side of SR 16 at the east end of the project area to obtain positive drainage. The Nickel Plate Recreational Trail crosses SR 16 at the western end of the project. Safety improvements for bicycles and pedestrians crossing SR 16 at the trail are included.

Existing Conditions: The existing roadway consists of two 12-foot travel lanes throughout the project limits with sections that contain variable width paved shoulders, no shoulders, or shoulders with curb. A parking lane

and curb are adjacent to the travel lane between 1st Street and Charles Street on the left and 1st Street and Yorick Street on the right. Nickel Plate Trail, which is a bicycle/pedestrian trail, is located just east of S. 2nd Street and crosses SR 16. The existing pavement and curb throughout the project limits is severely deteriorated and is at the end of its functional life.

Right-of-Way: This project will require the reacquisition of portions of the SR 16 right of way (ROW). In addition, some permanent ROW and temporary ROW will be required for sidewalk, yard regrading, and drive construction. Specific ROW amounts are not yet known. No residences or businesses will be acquired.

Maintenance of Traffic: Two options are being considered for maintenance of traffic on SR 16 during construction. One option will close SR 16 with limited local access to driveways in the town. The second option is to provide part width construction and maintain one-way single-lane traffic on the other side.

Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic and archaeological properties. In accordance with 36 CFR 800.2 (c), you are hereby requested to be a consulting party to participate in the Section 106 process. Entities that have been invited to participate in the Section 106 consultation process for this project are copied on this letter. Per 36 CFR 800.3(f), we hereby request that the Indiana State Historic Preservation Officer (SHPO) notify this office if the SHPO staff is aware of any other parties that may be entitled to be consulting parties or should be contacted as potential consulting parties for the project.

The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties. For more information regarding the protection of historic resources, please see the Advisory Council on Historic Preservation's guide: *Protecting Historic Properties: A Citizen's Guide to Section 106 Review* available online at <http://www.achp.gov/citizensguide.pdf>.

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. Historians who meet the Secretary of the Interior's Professional Qualification Standards identified and evaluated above-ground resources within the APE for potential eligibility for the National Register of Historic Places (NRHP). As a result of the historic property identification and evaluation efforts, three properties within the APE are recommended as eligible for listing on the NRHP:

- The House at 246 East Harrison Street (IHSSI No.: 103-507-21015)
- The Denver Hardware building (IHSSI No.: 103-507-21019)
- The Beecher Garage at 76 East Harrison Street (WA-4)

No other above-ground resources are recommended as eligible for listing on the NRHP.

An archaeologist who meets the Secretary of the Interior's Professional Qualification Standards is conducting a survey of archaeological resources within the APE for potential eligibility for the NRHP. A report of that investigation is forthcoming and will be distributed to the appropriate consulting parties for review at a later date.

The Historic Property Report is available for review in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/>; (the Des No. is the most efficient search term, once in IN SCOPE). You are invited to review these documents and respond with comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome

your related opinions and other input to be considered in the preparation of the environmental document. If you prefer a hard copy of this material, please respond to this email with your request within seven (7) days.

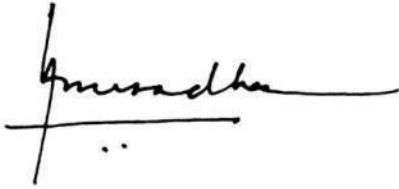
Please review the information and comment within thirty (30) calendar days of receipt. If you indicate that you do not desire to be a consulting party, or if you do not respond, you will not be included on the list of consulting parties for this project. If we do not receive your response in the time allotted, the project will proceed consistent with the proposed design and you will not receive further information about the project unless the design changes.

For questions concerning specific project details, you may contact Dr. Linda Weintraut of Weintraut & Associates, Inc. at (317) 733-9770 or Linda@weintrautinc.com. All future responses regarding the proposed project should be forwarded to Weintraut & Associates, Inc. at the following address:

Dr. Linda Weintraut
Weintraut & Associates, Inc.
P.O. Box 5034
Zionsville, IN 46077
Linda@weintrautinc.com

Tribal contacts may contact Shaun Miller at smiller@indot.in.gov or 317- 233-6795 or Michelle Allen at FHWA at michelle.allen@dot.gov or 317-226-7344.

Sincerely,



Anuradha V. Kumar, Manager
Cultural Resources Office
Environmental Services

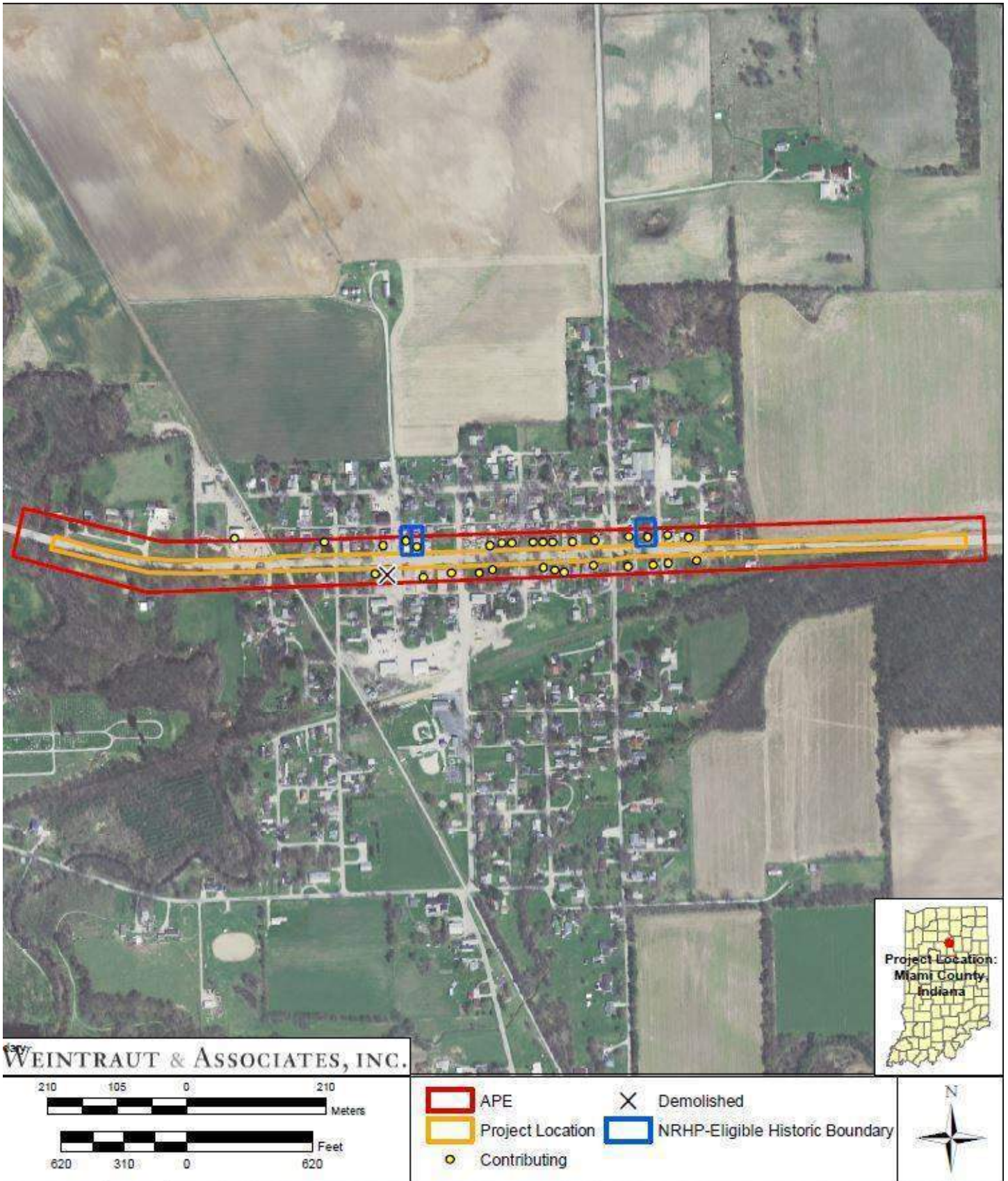
Enclosures:

Map

Distribution List:

*Eastern Shawnee Tribe of Oklahoma
Forest County Potawatomi Community
Miami Tribe of Oklahoma
Peoria Tribe of Indians on Oklahoma
Pokagon Band of Indians of Oklahoma
Miami County Historian
Miami County Historical Society and Museum
Miami County Board of Commissioners
Miami County Planning Department
Miami County Highway Department
Indiana Landmarks – Northeast Field Office*

RMK Properties, LLC (property owner)
Richard and Barbara Jane Robins (property owners)
Michael and Rebecca Wright (property owners)
State Historic Preservation Officer



Project APE, Project Location, Contributing and Demolished Properties, shown on a 2005 Aerial Photograph.

December 19, 2018

Shaun Miller
Archaeological Team Lead
Cultural Resources Office
Indiana DOT
575 North Pennsylvania Street
Indianapolis, IN 46204

Re: Des. No. 1600294; SR 16 Road Rehabilitation Project, Town of Denver, Miami County,
Indiana – Comments of the Miami Tribe of Oklahoma

Dear Mr. Miller:

Aya, kikwehsitoole – I show you respect. My name is Diane Hunter, and I am the Tribal
Historic Preservation Officer for the Federally Recognized Miami Tribe of Oklahoma. In this
capacity, I am the Miami Tribe's point of contact for all Section 106 issues.

The Miami Tribe offers no objection to the above-mentioned project at this time; however, sites
12Mi419, 12Mi421, 12Mi423, 12Mi424, 12Mi425, 12Mi426, as noted in GLO reports and maps,
are approximately only ½ mile from the project area. As this project site is within the aboriginal
homelands of the Miami Tribe, if any human remains or Native American cultural items falling
under the Native American Graves Protection and Repatriation Act (NAGPRA) or
archaeological evidence is discovered during any phase of this project, the Miami Tribe requests
immediate consultation with the entity of jurisdiction for the location of discovery. In such a
case, please contact me at 918-541-8966 or by email at dhunter@miamination.com to initiate
consultation.

The Miami Tribe accepts the invitation to serve as a consulting party to the proposed project. In
my capacity as Tribal Historic Preservation Officer I am the point of contact for consultation.

Respectfully,



Diane Hunter
Tribal Historic Preservation Officer

Division of Historic Preservation & Archaeology · 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646 · Fax 317-232-0693 · dhpa@dnr.IN.gov · www.IN.gov/dnr/historic



December 28, 2018

Linda Weintraut, PhD
Weintraut & Associates
P.O. Box 5034
Zionsville, IN 46077

Federal Agency: Indiana Department of Transportation ("INDOT"),
on behalf of Federal Highway Administration ("FHWA")

Re: Early coordination letter and historic property report (Fivecoat, 10/15/2018),
for the SR 16 Road Rehabilitation Project, through the Town of Denver, Jefferson
Township, Miami County, Indiana (Des. No. 1600294; DHPA No. 23283)

Dear Dr. Weintraut:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. §306108), 36 C.F.R. Part 800, and the "Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana," the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO staff" or "INDNR-DHPA") has reviewed Weintraut & Associates Inc.'s review request submittal form dated December 4, 2018, and INDOT's early coordination letter dated December 4, with enclosures, all of which we received on December 6 for the aforementioned project, which would begin 2.90 miles east of US 31 and extend through the Town of Denver to a point 3.62 miles east of US 31 .

We are not aware of any parties who should be invited to participate in the Section 106 consultation for this federal undertaking, beyond those whom INDOT has already invited.

The area of potential effects ("APE") proposed in the historic property report (Fivecoat, 10/15/2018; "HPR") appears to be of appropriate size for a project of this nature, in order to include the geographic area in which direct or indirect effects could occur.

The three properties recommended in the HPR as eligible for inclusion in the National Register of Historic Places ("NRHP") all appear to be good examples of their type and have good to very good exterior integrity. Of course, given the limitation on Weintraut & Associates' authority to investigate the interior integrity of privately-owned buildings, we do not have a sense of the current interior integrity of those three. However, for the purposes of this Section 106 review, we agree with the HPR that the side-gabled, Craftsman-style bungalow at 246 East Harrison Street (Indiana Historic Sites and Structures Inventory ["IHSSI"] No. 103-507-21015), the Denver Hardware Building at 90 West Harrison Street (IHSSI No. 103-507-21019), and the Beecher Garage at 76 West Harrison Street (WA-4) are all eligible for inclusion in the NRHP under Criterion C for architecture. We also agree with the historic property boundaries proposed in the HPR for those three buildings.

We also agree with the HPR that none of the other properties identified there appears to be eligible for the NRHP.

In regard to potential impacts by this proposed project on archaeological resources within the proposed project area, it is our understanding from the review request submittal that areas of ground disturbance have not yet been determined, but an archaeological investigation report will be forthcoming. Once the indicated information is received, the Indiana SHPO will resume identification and evaluation procedures for this project. Please keep in mind that additional information may be requested in the future.

Linda Weintraut, PhD
December 28, 2018
Page 2

In your next regular correspondence on this project, please advise us as to which of the invited consulting parties has accepted the invitation.

The structures reviewer on the Indiana SHPO staff for this project is John Carr, and the archaeological reviewer is Beth McCord. However, if you have a question about our comments or about the review process, we ask that you initially direct your question to a staff member of the INDOT Cultural Resources Office who has been assigned to this project.

In all future correspondence regarding the SR 16 Road Rehabilitation Project through the Town of Denver, Miami County (Des. No. 1600294), please refer to DHPA No. 23283.

Very truly yours,



Beth K. McCord
Deputy State Historic Preservation Officer

BKM:JLC:jlc

emc: Anuradha Kumar, INDOT
Susan Branigin, INDOT
Shaun Miller, INDOT
Mary Kennedy, INDOT
Jason Mathias, PE, Burgess & Niple
Linda Weintraut, PhD, Weintraut & Associates, Inc.
John Carr, INDNR-DHPA
Beth K. McCord, INDNR-DHPA

Fwd: FW: FHWA Project: Des. No. 1600294; SR 16 Road Rehabilitation Project, Town of Denver, Miami County, Indiana
1 message

Fri, Jan 4, 2019 at 9:40 AM

----- Forwarded message -----

From: **Miller, Shaun (INDOT)** <smiller@indot.in.gov>
Date: Fri, Jan 4, 2019 at 9:05 AM
Subject: FW: FHWA Project: Des. No. 1600294; SR 16 Road Rehabilitation Project, Town of Denver, Miami County, Indiana
To: Linda Weintraut <linda@weintrautinc.com>
Cc: Kelly, Clint <CKelly1@indot.in.gov>

Linda,

Please see the below response from the Forest County Potawatomi. The Miami also responded to this notification.

Thanks,

Shaun Miller
Archaeological Team Lead
INDOT, Cultural Resources Office
smiller@indot.in.gov
(317) 233-6795

From: Allison Daniels [mailto:Allison.Daniels@fcpotawatomi-nsn.gov]
Sent: Thursday, January 03, 2019 1:32 PM
To: Miller, Shaun (INDOT) <smiller@indot.IN.gov>; Michelle Allen <michelle.allen@dot.gov>
Cc: Kelly, Clint <CKelly1@indot.IN.gov>
Subject: RE: FHWA Project: Des. No. 1600294; SR 16 Road Rehabilitation Project, Town of Denver, Miami County, Indiana

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

Re: INDOT Des No. 1600294; SR 16 Road Rehabilitation Project, Town of Denver, Miami County, Indiana.

Dear Mr. Kelly,

Pursuant to consultation under Section 106 of the National Historic Preservation Act (1966 as amended) the Forest County Potawatomi as a Federally Recognized Native American Tribe reserves the right to comment on Federal undertakings, as defined under the act. Thank you for your participation in the process.

This response is regarding the projects mentioned above. This project falls within the ancestral territory of the Forest County Potawatomi. Therefore, the Tribal Historic Preservation Office requests that you provide copies of the archaeological report before rendering a decision on behalf of the Tribe regarding the projects impacts.

Your interest in protecting cultural and historic properties is appreciated. If you have any questions or concerns, please contact me at the phone number or email address listed below.

Respectfully,

Allison Daniels

Assistant Tribal Historic Preservation Officer

Forest County Potawatomi Community

Land & Natural Resource Division, PO Box 340 Crandon, WI 54520

Office: (715) 478-4704 | **Fax:** (715) 478-7225 | Allison.Daniels@fcpotawatomi-nsn.gov

Please note the office hours are Monday through Thursday, 7:00 am – 5:00 pm. Our office is closed on Fridays.

From: Kelly, Clint <CKelly1@indot.IN.gov>
Sent: Tuesday, December 04, 2018 2:19 PM
To: thpo@estoo.net; dhunter@miamination.com; lpappenfort@peoriatribe.com; Matthew.Bussler@pokagonband-nsn.gov; Allison Daniels <Allison.Daniels@fcpotawatomi-nsn.gov>
Cc: Kumar, Anuradha <akumar@indot.IN.gov>; Branigin, Susan <SBRanigin@indot.IN.gov>; Miller, Shaun (INDOT) <smiller@indot.IN.gov>; Linda Weintraut <linda@weintrautinc.com>; Seculoff, Steven <SSeculoff@indot.IN.gov>; michelle.allen@dot.gov
Subject: FW: FHWA Project: Des. No. 1600294; SR 16 Road Rehabilitation Project, Town of Denver, Miami County, Indiana

Des. No.: 1600294

Project Description: SR 16 Road Rehabilitation Project

Location: Town of Denver, Miami County, Indiana

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with a road rehabilitation project along State Route (SR) 16 through the Town of Denver, Miami County, Indiana (Des. No.: 1600294).

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are being invited to become consulting parties:

- Eastern Shawnee Tribe of Oklahoma
- Forest County Potawatomi Community
- Miami Tribe of Oklahoma
- Peoria Tribe of Indians on Oklahoma
- Pokagon Band of Indians of Oklahoma
- Miami County Historian
- Miami County Historical Society and Museum
- Miami County Board of Commissioners
- Miami County Planning Department
- Miami County Highway Department
- Indiana Landmarks – Northeast Field Office
- State Historic Preservation Officer

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

Please review the letter and Historic Property Report located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with your comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. If we do not receive a response from an invited consulting party in the time allotted, the project will proceed consistent with the proposed design. **Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.**

Tribal contacts may contact Shaun Miller at smiller@indot.in.gov or 317-233-6795 or Michelle Allen at FHWA at michelle.allen@dot.gov or 317-226-7344.

Thank you in advance for your input,

Clint

Clint Kelly
Historian

Cultural Resources Office

Environmental Services

100 N. Senate Ave., Rm. 642

Indianapolis, IN 46204

Office: (317) 232-1349

Email: ckelly1@indot.in.gov

[Facebook](#) [Twitter](#) [YouTube](#) [Core4](#)

BarTransActSizeF

--
Linda Weintraut, Ph.D.
Weintraut & Associates, Inc.
PO Box 5034
[4649 Northwestern Drive](#)
[Zionsville, Indiana 46077](#)
317.733.9770 ext. 310

www.weintrautinc.com

7 attachments



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FW: FHWA Project: Des. No. 1600294; SR 16 Road Rehabilitation Project, Town of Denver, Miami County, Indiana

1 message

Miller, Shaun (INDOT) <smiller@indot.in.gov>

Thu, Aug 1, 2019 at 10:10 AM

To: Allison Daniels <Allison.Daniels@fcpotawatomi-nsn.gov>, "dhunter@miamination.com" <dhunter@miamination.com>

Cc: "Korzeniewski, Patricia J" <PKorzeniewski@indot.in.gov>, Bethany Natali <bethany@weintrautinc.com>, "Michelle (FHWA) Allen" <michelle.allen@dot.gov>, "Kelly, Clint" <CKelly1@indot.in.gov>

Des. No.: 1600294

Project Description: SR 16 Road Rehabilitation Project

Location: Town of Denver, Miami County, Indiana

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with a road rehabilitation project along State Route (SR) 16 through the Town of Denver, Miami County, Indiana (Des. No.: 1600294). The Section 106 Early Coordination Letter and Historic Property Report for this project were originally distributed on December 4, 2018.

As part of Section 106 of the National Historic Preservation Act, an Archaeology Short Report has been prepared and is ready for review and comment by consulting parties (Tribes only).

Please review this documentation located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Tribal contacts may contact Shaun Miller at smiller@indot.in.gov or 317-233-6795 or Michelle Allen at FHWA at michelle.allen@dot.gov or 317-226-7344.


Thank you in advance for your input,

Shaun Miller

INDOT, Cultural Resources Office

Archaeology Team Lead

(317)233-6795

 **SR16_Des1600294_ASRLtr_2019-08-01.pdf**
1601K



Indiana Department
of Natural Resources

Eric Holcomb, Governor
Cameron F. Clark, Director

Division of Historic Preservation & Archaeology · 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646 · Fax 317-232-0693 · dhpa@dnr.IN.gov · www.IN.gov/dnr/historic



August 27, 2019

Linda Weintraut, PhD
Weintraut & Associates
P.O. Box 5034
Zionsville, IN 46077

Federal Agency: Indiana Department of Transportation ("INDOT"),
on behalf of Federal Highway Administration ("FHWA")

Re: Archaeological short report (Arnold, 7/26/2019) and second early coordination letter dated August 1, 2019, for the SR 16 Road Rehabilitation Project, from 2.90 miles east of US 31 to 3.75 miles east of US 31, extending through the Town of Denver, in Jefferson Township, Miami County, Indiana (Des. No. 1600294; DHPA No. 23283)

Dear Dr. Weintraut:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the "Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana," the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO staff" or "INDNR-DHPA") has reviewed Weintraut & Associates Inc.'s review request submittal form dated July 30, 2019 and the archaeological short report dated July 26, 2019, all of which we received on August 1, as well as INDOT's August 1, 2019, second early coordination letter, which we received on August 1.

We appreciate the update regarding which invited consulting parties have accepted INDOT's invitation.

As far as we can determine, there are two significant changes in the project description between INDOT's December 4, 2018, early coordination letter and INDOT's August 1, 2019, early coordination letter:

- (1) The project area has been extended 0.13 mile farther to the east; and
- (2) No reference is now being made to the two options that previously, were being considered for maintenance of traffic during construction (which, in the December 4 letter, were described as closing SR 16 but leaving limited local access to driveways or allowing one-way, single lane traffic).

If we have misunderstood or missed any changes to the project description since December 4, please advise us.

Based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places ("NRHP") within the proposed project area. We agree with the conclusions in the archaeological report (Arnold, 7/26/2019) that no further archaeological investigations appear necessary within proposed project area.

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the INDNR-DHPA within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. Part 800.

Linda Weintraut, PhD
 August 27, 2019
 Page 2

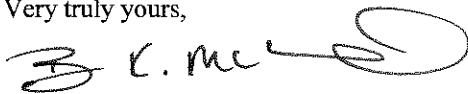
As you know, in our December 28, 2018, letter we concurred with the identification and evaluation, in the historic property report (Fivecoat, 10/15/2018), of above-ground properties that are listed in or believed to be eligible for inclusion in the NRHP within this project's area of potential effects. Specifically, we agreed that the side-gabled, Craftsman-style bungalow at 246 East Harrison Street, the Denver Hardware Building at 90 West Harrison Street, and the Beecher Garage at 76 West Harrison Street should be considered eligible for the purposes of this Section 106 review.

Because INDOT's December 1, 2018, and August 1, 2019, early coordination letters indicated that both permanent and temporary right-of-way is anticipated to be required, we ask that plans showing where right-of-way will be acquired and where sidewalks, curb lines, curb ramps, storm sewers, and other structures will be built on or within close proximity to the three identified historic properties be provided to our office and to the other participating consulting parties, before an effect finding is made.

The structures reviewer on the Indiana SHPO staff for this project is John Carr, and the archaeological reviewer is Beth McCord. However, if you have a question about our comments or about the review process, we ask that you initially direct your question to a staff member of the INDOT Cultural Resources Office who has been assigned to this project.

In all future correspondence regarding the SR 16 Road Rehabilitation Project through the Town of Denver in Liberty Township, Miami County (Des. No. 1600294), please continue to refer to DHPA No. 23283.

Very truly yours,



Beth K. McCord
 Deputy State Historic Preservation Officer

BKM:JLC:jlc

cmc: Joyce Newland, FHWA
 Anuradha Kumar, INDOT
 Susan Branigin, INDOT
 Shaun Miller, INDOT
 Mary Kennedy, INDOT
 Jason Mathias, PE, Burgess & Niple
 Linda Weintraut, PhD, Weintraut & Associates, Inc.
 Forest County Potawatomi Community
 Miami Tribe of Oklahoma
 John Carr, INDNR-DHPA
 Beth K. McCord, INDNR-DHPA

FW: FHWA Project: Des. No. 1600294; SR 16 Road Rehabilitation Project, Town of Denver, Miami County, Indiana

1 message

Miller, Shaun (INDOT) <smiller@indot.in.gov>
 To: Linda Weintraut <linda@weintrautinc.com>, Bethany Natali <bethany@weintrautinc.com>
 Cc: "Kelly, Clint" <CKelly1@indot.in.gov>

Thu, Sep 5, 2019 at 9:40 AM

Please find below a response to the archaeology report from the Forest County Potawatomi.

Thank you,

Shaun Miller

INDOT, Cultural Resources Office

Archaeology Team Lead

(317)233-6795

From: Michael LaRonge [mailto:Michael.LaRonge@fcpotawatomi-nsn.gov]
Sent: Wednesday, September 4, 2019 2:20 PM
To: Miller, Shaun (INDOT) <smiller@indot.IN.gov>
Subject: RE: FHWA Project: Des. No. 1600294; SR 16 Road Rehabilitation Project, Town of Denver, Miami County, Indiana

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

RE: FHWA Project: Des. No. 1600294, SR 16, Road Rehabilitation Project, Town of Denver, Miami County, Indiana.

Dear Mr. Miller,

Pursuant to consultation under Section 106 of the National Historic Preservation Act (1966 as amended) the Forest County Potawatomi Community, a Federally Recognized Native American Tribe, reserves the right to comment on Federal undertakings, as defined under the act.

Based on the information you provided in the Phase Ia archaeological report, it appears that the project will not impact any historic properties. Thus, the Tribal Historic Preservation Office is pleased to offer a finding of no historic properties affected with two conditions. First if the SHPO finding suggests there will be an adverse effect on either archaeological site the Tribe reserves the right to reconsider this opinion. Second, in the event that human remains or archaeological materials are exposed as a result of project activities work must halt and the Tribe must be included in any consultation regarding treatment and disposition of the find prior to removal.

Your interest in protecting cultural and historic properties is appreciated. If you have any questions or concerns, please contact me at the email address or phone number listed below.

Respectfully,

Michael LaRonge

Tribal Historic Preservation Officer

Natural Resources Department

Forest County Potawatomi Community

5320 Wensaut Lane

P.O. Box 340

Crandon, Wisconsin 54520

Phone: 715-478-7354

Fax: 715-478-7225

Email: Michael.LaRonge@FCPotawatomi-nsn.gov

From: Allison Daniels
Sent: Thursday, August 01, 2019 10:59 AM
To: Michael LaRonge
Subject: FW: FHWA Project: Des. No. 1600294; SR 16 Road Rehabilitation Project, Town of Denver, Miami County, Indiana

Allison Daniels

Land and Natural Resources Administrative Assistant II

Forest County Potawatomi Community

Land & Natural Resources Division, PO Box 340 Crandon, WI 54520

Office: (715) 478-7222 | **Fax:** (715) 478-7225 | Allison.Daniels@fcpotawatomi-nsn.gov

Please note the office hours are Monday through Thursday, 7:00 am – 5:00 pm. Our office is closed on Fridays.

From: Miller, Shaun (INDOT) <smiller@indot.IN.gov>
Sent: Thursday, August 01, 2019 9:11 AM
To: Allison Daniels <Allison.Daniels@fcpotawatomi-nsn.gov>; 'dhunter@miamination.com' <dhunter@miamination.com>
Cc: Korzeniewski, Patricia J <PKorzeniewski@indot.IN.gov>; Bethany Natali <bethany@weintrautinc.com>; Michelle (FHWA) Allen <michelle.allen@dot.gov>; Kelly, Clint <CKelly1@indot.IN.gov>
Subject: FW: FHWA Project: Des. No. 1600294; SR 16 Road Rehabilitation Project, Town of Denver, Miami County, Indiana

Des. No.: 1600294
Project Description: SR 16 Road Rehabilitation Project
Location: Town of Denver, Miami County, Indiana

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with a road rehabilitation project along State Route (SR) 16 through the Town of Denver, Miami County, Indiana (Des. No.: 1600294). The Section 106 Early Coordination Letter and Historic Property Report for this project were originally distributed on December 4, 2018.

As part of Section 106 of the National Historic Preservation Act, an Archaeology Short Report has been prepared and is ready for review and comment by consulting parties (Tribes only).

Please review this documentation located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Tribal contacts may contact Shaun Miller at smiller@indot.in.gov or 317-233-6795 or Michelle Allen at FHWA at michelle.allen@dot.gov or 317-226-7344.

Thank you in advance for your input,

November 12, 2019

This letter was sent to the listed consulting parties

Re: INDOT Designation No.: 1600294
Description: State Road (SR) 16 Road Reconstruction Project
Location: SR 16 in the Town of Denver, Jefferson Township, Miami County, Indiana

Dear Consulting Party:

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with improvement of State Road (SR) 16 (Des. No.: 1600294). Burgess & Niple is under contract with INDOT to advance the environmental documentation for the referenced project; Weintraut & Associates (W&A) is under contract to prepare the Section 106 documentation for Burgess & Niple. A Section 106 early coordination letter was distributed on December 4, 2018.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals were invited to become consulting parties:

- Eastern Shawnee Tribe of Oklahoma
- Forest County Potawatomi Community
- Miami Tribe of Oklahoma
- Peoria Tribe of Indians on Oklahoma
- Pokagon Band of Indians of Oklahoma
- Miami County Historian
- Miami County Historical Society and Museum
- Miami County Board of Commissioners
- Miami County Planning Department
- Miami County Highway Department
- Indiana Landmarks – Northeast Field Office
- RMK Properties, LLC
- Richard and Barbara Jane Robins
- Michael and Rebecca Wright
- State Historic Preservation Officer (SHPO)

To date, the SHPO, Miami Tribe of Oklahoma, and the Forest County Potawatomi Community have joined in consultation.

Project Background:

On January 25, 2018, W&A conducted a field survey of the SR 16 project area to identify and evaluate aboveground properties in the APE. A Historic Property Report (HPR) was produced on October 15, 2018 that identified three properties that were eligible for listing on the National Register of Historic Places (NRHP): The House at 246 East Harrison Street (IHSSI No.: 103-507-21015), the Denver Hardware Building at 90 West Harrison Street (IHSSI No.: 103-507-21019), and the Beecher Garage at 76 West Harrison Street (WA-4). No properties were previously listed on the NRHP.

An Early Coordination Letter (ECL) and HPR were distributed on December 4, 2018. The HPR recommended the three previously discussed properties as eligible for listing on the NRHP. The State Historic Preservation Officer (SHPO) concurred with the results of the HPR in correspondence dated December 28, 2018 (DHPA No.: 23283).

In January, 2019, designers determined that an alternative connection to the Nickel Plate Trail would be needed during project construction to detour traffic away from the trail's intersection with SR 16. The proposed location for this new temporary trail connection was at West Washington Street, an area outside the original APE for the SR 16 Denver project. The addition of this new area changed the scope of the project, requiring additional work to identify and evaluate properties located adjacent to the proposed trail connection at Washington Street.

On April 3, 2019, W&A contacted INDOT Cultural Resources Office (CRO) regarding this change in scope, seeking guidance on how to proceed. INDOT-CRO responded on April 23, 2019 stating that W&A should produce an Additional Information (AI) Memorandum assessing the new trail connection area and a transmittal letter describing the change in scope and APE.

On May 31, 2019, W&A conducted a field survey of the area around the proposed trail connection. Designers provided a plan for the trail connection in June 2019. W&A prepared an Additional Information (AI) Memorandum, a set of annotated project plans for the original project area, and a plan sheet for the proposed trail connection. The AI identified no historic properties in the expanded project area. The AI and attachments were submitted to INDOT-CRO for review on August 7, 2019.

An Archaeology Short Report (Arnold, July 26, 2019) was distributed to consulting parties on August 1, 2019. W&A archaeologists located no archaeological sites within the project area and recommended that the project be allowed to proceed with no further work. The staff of the SHPO concurred with the recommendation of the ASR assessment in a letter dated August 27, 2019 (DHPA No.: 23283).

In that same correspondence (dated August 27, 2019), the staff of the SHPO requested "that plans showing where right-of-way will be acquired and where sidewalks, curb lines, curb ramps, storm sewers, and other structures will be built on or in close proximity to the three identified historic properties be provided to their office and other consulting parties before a finding is made." This letter, produced by Weintraut & Associates (W&A) for INDOT on October 28, 2019, provides plans for project activities in close proximity to the historic properties and discusses the likely effects to historic resources from the project.

W&A submitted its Additional Information Memorandum to INDOT CRO for review on August 7, 2019. The August 27, 2019 SHPO response letter to the Archaeology Short Report requested information relevant to the above-ground review. Since INDOT CRO's review-completion date for the Memorandum document was August 28, CRO requested on September 9 that W&A draft an Effects Letter in lieu of the Memorandum document. The Effects Letter would contain the plans and additional information requested by SHPO on August 27 as well as address potential project impacts.

Project Description:

The proposed project would be a road rehabilitation of SR 16 beginning 2.90 miles east of United States Highway (US) 31 and continuing to 3.62 miles east of US 31 (RP 72+86 to RP 73+58) for a distance of about 0.72 mile. The pavement replacement of SR 16 would begin 2.90 miles east of US 31 to 3.62 miles east of US 31 for a distance of 0.85 mile. The project would also replace the existing sidewalks, curbs, and gutters where they exist in the town. (See Appendix 1: Maps and Appendix 2: Annotated Proposed Plans for the SR 16 Road Improvement Project.) A new storm sewer system would be installed in the curb and gutter section. No work would occur within Weesau Creek on the west end of town and the

unnamed tributary (locally known as Robert S. Kline Ditch) on the east end of town. Americans with Disabilities Act (ADA)-compliant curb ramps would be installed as part of the sidewalk replacement. The existing 12-foot wide travel lanes and various shoulder widths, including parking areas on the shoulder, would be maintained. The open ditch drainage system on the east and west ends of the project would be maintained. Driveway culvert pipes would be installed in the open ditch area to obtain positive drainage.

Additional project activities would occur where the Nickel Plate Recreational Trail crosses SR 16 at the western end of the project. Safety improvements for bicycles and pedestrians crossing SR 16 at the trail would be included as part of this project. A small, temporary gravel connection is planned to link the Nickel Plate Trail to Washington Street during project construction. (See Appendix 3: Trail Connection Plan and Appendix 5: Photograph Location Map and Photographs of Additional Information APE.) This planned temporary connection is outside of the Area of Potential Effect (APE) identified in the original Historic Property Report (HPR) produced by W&A (Fivecoat, October 15, 2018).

Proposed Trail Connection—Identification and Evaluation of Aboveground Properties:

APE: The APE is the “geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties. The area of potential effects is influenced by the scale and nature of an undertaking...” (36 CFR 800.16(d)). The APE for this project was expanded to include properties located adjacent to, or with a view of, the planned temporary gravel connection between the Nickel Plate Trail and Washington Street. (See Appendix 1: Maps.)

Scope of Work: Burgess & Niple (B&N) charged W&A with identifying and evaluating aboveground resources within the expanded APE. Linda Weintraut, Ph.D., served as the Principal Investigator. Historians Douglas Fivecoat, M.A., and Bethany Natali, M.A., conducted a site survey of the expanded area of the APE on May 31, 2019, and Fivecoat prepared this Effects Letter. Personnel for W&A meet the Secretary of the Interior’s Professional Standards and Guidelines for Historic Preservation and are also listed on the Indiana Department of Natural Resources Qualified Professional Roster.

Literature Review/Previous Investigations: W&A reviewed the NRHP, Indiana Register of Historic Sites and Structures (State Register), Indiana Historic Sites and Structures Inventory (IHSSI), Indiana Historic Buildings, Bridges, and Cemeteries (IHBBC) Map, State Historic Architectural and Archaeological Research Database (SHAARD), and the HPR for the SR 16 Road Improvement Project (Fivecoat, October 15, 2018). (See Appendix 6: References Consulted for a list of sources.)

Survey and Evaluation Methods: Fivecoat and Natali surveyed the expanded APE at the proposed trail connection between the Nickel Plate Trail and Washington Street on May 31, 2019. Historians photographed and recorded geographical location information for all properties in the APE. (See Appendix 5: : Photograph Location Map and Photographs of Additional Information APE)

National Register Eligibility Evaluations & Recommendations: Historians evaluated properties using the NRHP evaluation criteria and criteria considerations. To be eligible for listing in the NRHP, a property must possess integrity and significance. A historic property is defined as one that is eligible for listing or listed in the NRHP. Eligible aboveground properties may be “districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- A. That are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. That are associated with the lives of persons significant in our past; or
- C. That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that present a significant and distinguishable entity whose components may lack individual distinction; or
- D. That have yielded, or may be likely to yield, information important in prehistory or history.” (Criterion D evaluation was based on surface evaluation, not archaeological testing.)

The historians did not find any property within the expanded portion of the APE where design changes are slated to occur that met the criteria for listing in the NRHP as a result of their identification and evaluation efforts.

Discussion of the APE: The original APE was detailed in W&A’s Historic Property Report (HPR) dated October 15, 2018. Design changes necessitated the expansion of the APE to include properties adjacent to a proposed temporary gravel connection between the Nickel Plate Trail and Washington Street. (See Appendix 3: Trail Connection Plan.)

The expanded APE is centered in a flat area traversed by the Nickel Plate Trail, a former railroad line that has been converted to a ten-foot wide, HMA multi-use pathway. The trail runs from the southeast to the northwest through the expanded APE and connects to SR 16 (Harrison Street) roughly 350 feet southeast of the planned trail connection. The trail passes through a short, tree-lined section northwest of the planned temporary connection to Washington Street before leaving Denver and being flanked by large agricultural fields. About thirty feet of grass lawn separates the Nickel Plate Trail from the western end of Washington Street.

Four properties lie within the expanded APE. These properties include three Non-contributing residences and a Contributing-rated Quonset building. (Photographs of all four properties may be found in the Appendix 4.) The residence at 271 W. Washington Street is located east of the trail and south of Washington Street. This Non-contributing house is a modern (c. 2013), one-story, side-gable structure clad in vinyl siding. Two Non-contributing residences sit east of the trail on the north side of Washington Street and date to the early twentieth century. The one-story, side-gable house (c. 1920) located immediately east of the trail (292 W. Washington Street) has been altered with siding, replacement windows, and by rear and side additions, each as large, or larger, than the original footprint of the house. The one-story, cross-gabled house (c. 1900) at 274 West Washington Street has been altered with non-period siding, a rear addition, replacement windows, and enclosed side porch. Miami County owns the property located within the expanded APE west of the Nickel Plate Trail and uses it as a garage complex for their Highway Department. The garage complex with its large Quonset building (c. 1952) was previously identified as a Contributing-rated resource (WA1) in the original HPR for this project. (See Appendix 1: Maps for a topographic map and aerial photograph of the project area.)

Conclusions. The expanded APE contains no properties listed in the NRHP. The expanded APE contains no properties that are recommended eligible for listing in the NRHP.

NRHP-Eligible Properties Effects Assessment

The House at 246 East Harrison Street – IHSSI No.: 103-507-21015 (HPR Pages 16-18)

Based upon current design plans, project activities would occur within the boundaries of the apparent existing right-of-way, reconstructing SR 16 and replacing the sidewalk and curb in front of the house without disturbing the retaining wall and house steps. The steps and retaining wall are marked “Do Not Disturb” on project plans and a commitment to that effect will be placed in the environmental documentation for this project. (See Appendix 2: pg. 14.) Therefore, project activities would have only a minor impact on the setting and view from the house and these minor changes would not adversely affect the historic property or negatively impact the characteristics that make it eligible for listing in the NRHP.

Denver Hardware Store – IHSSI No.: 103-507-21019 (HPR Pages 19-22)

Based upon current design plans, project activities would occur within the boundaries of the apparent existing right-of-way, reconstructing SR 16 and replacing the modern sidewalk and curb in front of the hardware store without disturbing the structure itself. The building is marked “Do Not Disturb” on project plans and a commitment to that effect will be placed in the environmental documentation for this project. (See Appendix 2: pg. 12.) Therefore, project activities would have only a minor impact on the setting and view from the hardware store and these minor changes would not adversely affect the historic property or negatively impact the characteristics that make it eligible for listing in the NRHP.

Beecher Garage – (WA-4) (HPR Pages 22-24)

Based upon current design plans, project activities would occur within the boundaries of the historic property, but will not impact contributing elements of the property. Planned construction activities include reconstructing SR 16 and replacing the modern sidewalk and curb in front of the garage. This would be done without disturbing the garage building, canopy roof, or its support posts. The garage building, front canopy, and canopy support posts are marked “Do Not Disturb” on project plans and a commitment to that effect will be placed in the environmental documentation for this project. (See Appendix 2: pg. 12.) Therefore, project activities would have only a minor impact on the setting and view from the

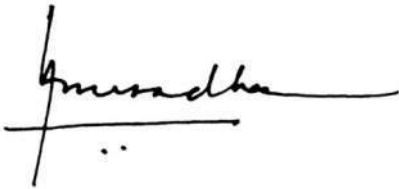
Beecher Garage and these minor changes would not adversely affect the historic property or negatively impact the characteristics that make it eligible for listing in the NRHP. (See Appendix 4 for photographs of these NRHP-eligible properties.)

All consulting parties participating in the Section 106 process are encouraged to provide comments on this supplemental information. To facilitate the continued development of this project, we request that all responses be provided within 30 days of receipt of this letter.

Please contact Linda Weintraut at (317) 733-9770 or by e-mail at Linda@weintrautinc.com if you have any additional questions or wish to discuss this further.

Tribal contacts may contact Shaun Miller at smiller@indot.in.gov or 317- 233-6795 or Michelle Allen at FHWA at Michelle.Allen@dot.gov or 317-226-7344.

Sincerely,



Anuradha V. Kumar, Manager
Cultural Resources Office
Environmental Services

**THE ATTACHMENTS HAVE BEEN REMOVED DUE TO DUPLICATION
WITHIN THIS DOCUMENT AND REDUCE THE SIZE OF THE APPENDICES**

Appendices:

1. Maps SEE PAGES D-21-D-23
2. Annotated Proposed Plans for SR 16 Road Improvement Project SEE APPENDIX B PAGES B-23 TO B-60
3. Proposed Trail Connection Plan SEE PAGES D-90 TO D-94
4. Photographs of NRHP-eligible Properties Identified in HPR SEE PAGES D-25 TO D-40
5. Photo Location Map and Photographs of Additional Information APE SEE PAGES D-36 TO D-40
6. References Consulted NOT INCLUDED

Distribution List:

Forest County Potawatomi Community
Miami Tribe of Oklahoma
RMK Properties, LLC (property owner)
Richard and Barbara Jane Robins (property owners)
Michael and Rebecca Wright (property owners)
State Historic Preservation Officer

FHWA Project: Des. No. 1600294: State Road 16 Town of Denver, Miami County, Indiana

1 message

Kelly, Clint <CKelly1@indot.in.gov>

Wed, Nov 13, 2019 at 3:30 PM

To: "dhunter@miamination.com" <dhunter@miamination.com>, "michael.laronge@fcpotawatomi-nsn.gov" <michael.laronge@fcpotawatomi-nsn.gov>

Cc: "Kumar, Anuradha" <akumar@indot.in.gov>, "Branigin, Susan" <SBranigin@indot.in.gov>, "Miller, Shaun (INDOT)" <smiller@indot.in.gov>, "Korzeniewski, Patricia J" <PKorzeniewski@indot.in.gov>, "Seculoff, Steven" <SSeculoff@indot.in.gov>, "michelle.allen@dot.gov" <michelle.allen@dot.gov>, Linda Weintraut <linda@weintrautinc.com>, Doug Fivecoat <dfivecoat@weintrautinc.com>

Des. No.: 1600294**Project Description: State Road 16 Town of Denver, Miami County, Indiana****Location: Town of Denver, Miami County, Indiana**

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with a road rehabilitation project along State Road (SR) 16 through the Town of Denver, Miami County, Indiana (Des. No.: 1600294). The Section 106 Early Coordination Letter for this project and Historic Property Report (HPR) were originally distributed on December 4, 2018. An Archaeology Report was distributed on August 1, 2019.

As part of Section 106 of the National Historic Preservation Act, an Effects Letter has been prepared and is ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

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Thank you in advance for your input,

Clint Kelly*Historian***Cultural Resources Office****Environmental Services**

100 N. Senate Ave., Rm. 642

Indianapolis, IN 46204

Office: (317) 232-1349**Email:** ckelly1@indot.in.gov

FHWA Project: Des. No. 1600294: State Road 16 Town of Denver, Miami County, Indiana

1 message

Linda Weintraut <linda@weintrautinc.com>

Wed, Nov 13, 2019 at 10:10 AM

To: "McCord, Beth K" <bmcord@dnr.in.gov>, "Carr, John" <jcarr@dnr.in.gov>

Cc: bethany w <bethany@weintrautinc.com>, "Kumar, Anuradha" <akumar@indot.in.gov>, "Branigin, Susan" <sbranigin@indot.in.gov>, "Miller, Shaun (INDOT)" <smiller@indot.in.gov>, "Mathias, Jason" <jason.mathias@burgessniple.com>, Doug Fivecoat <dfivecoat@weintrautinc.com>, "Slider, Chad" <CSlider@dnr.in.gov>

Des. No.: 1600294**Project Description: State Road 16 Town of Denver, Miami County, Indiana****Location: Town of Denver, Miami County, Indiana**

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with a road rehabilitation project along State Road (SR) 16 through the Town of Denver, Miami County, Indiana (Des. No.: 1600294). The Section 106 Early Coordination Letter for this project and Historic Property Report (HPR) were originally distributed on December 4, 2018. An Archaeology Report was distributed on August 1, 2019.

As part of Section 106 of the National Historic Preservation Act, an Effects Letter has been prepared and is ready for review and comment by consulting parties.

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Thank you in advance for your input,

--
Linda Weintraut, Ph.D.
Weintraut & Associates, Inc.
PO Box 5034
[4649 Northwestern Drive](http://www.weintrautinc.com)
[Zionsville, Indiana 46077](http://www.weintrautinc.com)
317.733.9770 ext. 310

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Indiana Department
of Natural Resources

Eric Holcomb, Governor
Cameron F. Clark, Director

Division of Historic Preservation & Archaeology · 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646 · Fax 317-232-0693 · dhpa@dnr.IN.gov · www.IN.gov/dnr/historic



December 12, 2019

Linda Weintraut, Ph.D.
Weintraut & Associates
P.O. Box 5034
Zionsville, IN 46077

Federal Agency: Indiana Department of Transportation ("INDOT"),
on behalf of Federal Highway Administration ("FHWA")

Re: Effects letter for the SR 16 Road Rehabilitation Project, from 2.90 miles east of US 31 to
3.62 miles east of US 31, extending through the Town of Denver, in Jefferson Township,
Miami County, Indiana (Des. No. 1600294; DHPA No. 23283)

Dear Dr. Weintraut:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the "Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana," the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO staff" or "INDNR-DHPA") has reviewed INDOT's November 12, 2019, effects letter, which we received on November 13.

We agree that the expansion of the area of potential effects did not include any additional, above-ground properties that would be eligible for inclusion in the National Register of Historic Places.

We think the discussion of the project's effects could benefit from some elaboration.

It appears that the public sidewalk at 246 East Harrison Street may be widened slightly by this project in front of the side-gabled bungalow, and a bumpout, or curb extension, varying from a few to several feet wide would be installed at the northwest corner of East Harrison and North Louis Street, near the corner of the front yard. The low, concrete retaining wall and front steps of the house are not proposed to be altered, given the notes on Sheet No. 14 of 136 directing the construction contractor not to disturb the existing wall and existing steps. It appears that West Harrison currently is wide enough to accommodate parking on the north side in front of 246 and that, except at the bumpout, parking would still be possible in front of 246 after the project is completed.

The bumpout at East Harrison and North Louis will change the setting of the bungalow at 246 slightly, but we do not think that the integrity of any of the characteristics of the bungalow or its setting that qualify it for inclusion in the National Register of Historic Places ("NRHP") will be diminished.

As we interpret Sheet No. 12 of 136, the two-step curb in front of the Denver Hardware Store at 90 West Harrison Street and in front of the western part of the Beecher Garage at 76 West Harrison apparently would be removed, and the curb line would be moved out slightly into the street, except at the northeast corner of the West Harrison-North Payson Street intersection, where a curb bumpout will be installed that apparently will extend several feet into West Harrison. It appears that parking that is currently allowed in front of the Denver Hardware Store would still be possible after completion of the project, except near the corner with North Payson. Sheet No. 12 includes notes directing that the two buildings not be disturbed and that the canopy and support posts at the front of 76 not be disturbed, although sidewalk and curb work will occur under the canopy and around the support posts. Sheet No. 12

Linda Weintraut, Ph.D.
December 12, 2019
Page 2

shows two long, rectangular areas being installed in front of the Denver Hardware Store and in front of part of the Beecher Garage, just north of where the two-step curb currently sits. The location of the arrows related to note F1 seem to indicate that the long, rectangular areas will not be part of the sidewalk, so we speculate that they might represent planters to be installed in the sidewalk that would sit nearer to the street than to the buildings.

The two-step curb in front of the Denver Hardware Store and the Beecher Garage is distinctive, but that feature does not appear to exist elsewhere in Denver's downtown. The bumpout that would be installed at the northeast corner of West Harrison and North Payson will add a feature to the streetscape not currently found. Other bumpouts also will be installed at that intersection and farther east. Given what we perceive statewide to be a general lack of concern about changes of these kinds to streetscapes near historic buildings and within historic districts, it may be that these changes would not diminish the integrity of any of the characteristics of the Denver Hardware Store or the Beecher Garage or their setting that qualify those properties for inclusion in the NRHP.

As stated in our August 27, 2019, letter, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the NRHP within the proposed project area. We agree with the conclusions in the archaeological report (Arnold, 7/26/2019) that no further archaeological investigations appear necessary within project area as it was proposed at that time. Furthermore, we do not think that laying down gravel on a grassy area for the 30-foot extension of West Washington Street for temporary access to the Nickel Plate Trail is likely to affect archaeological sites, if any exist in that area.

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to INDNR-DHPA within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. Part 800.

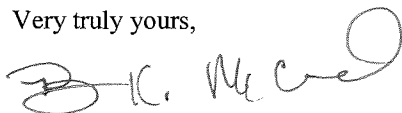
Unless another consulting party expresses to you concerns about possible adverse effects on historic properties, it might now be appropriate to ask INDOT for a finding of effect.

For the benefit of readers of this letter who may not be Section 106 consulting parties, information about this project, including the effects letter discussed here, can be found at IN SCOPE ([http://erms.indot.in.gov/Section 106Documents/](http://erms.indot.in.gov/Section106Documents/)) by searching under this project's designation number, 1600294.

The structures reviewer on the Indiana SHPO staff for this project is John Carr, and the archaeological reviewer is Beth McCord. However, if you have a question about our comments or about the review process, we ask that you initially direct your question to a staff member of the INDOT Cultural Resources Office who has been assigned to this project.

In all future correspondence regarding the SR 16 Road Rehabilitation Project through the Town of Denver in Liberty Township, Miami County (Des. No. 1600294), please continue to refer to DHPA No. 23283.

Very truly yours,



Beth K. McCord
Deputy State Historic Preservation Officer

BKM:JLC:bkm

cc: RMK Properties, LLC, property owner
Jeffery and Kimberly Robins, property owners
Michael and Rebecca Wright, property owners

Linda Weintraut, Ph.D.
December 12, 2019
Page 3

emc: Joyce Newland, FHWA
Anuradha Kumar, INDOT
Susan Branigin, INDOT
Shaun Miller, INDOT
Mary Kennedy, INDOT
Jason Mathias, P.E., Burgess & Niple
Linda Weintraut, Ph.D., Weintraut & Associates, Inc.
Forest County Potawatomi Community
Miami Tribe of Oklahoma
Denver Town Council, c/o Mary Raider, Clerk-Treasurer
Beth K. McCord, INDNR-DHPA
John Carr, INDNR-DHPA

Appendix F: Consulting Parties

Name	Company/Organization	Address	Phone	Email	Accepted Invitation	Notes
Kreig Adkins	Miami County Historian	PO Box 414	(765) 472-3987	kreigadkins@sbcglocal.net		
	Miami County Historical Society and Museum	51 N Broadway Peru, IN 46970	(765) 473-9183	mchs@miamicounty-museum.com		
Josh Francis	Miami County Board of Commissioners	25 N Broadway Peru, IN 46970	(765) 776-6090	jfrancis@miamicountyin.gov		
Alan Hunt	Miami County Board of Commissioners	25 N Broadway Peru, IN 46970	(765) 473-7771	ahunt@miamicountyin.gov		
Larry West	Miami County Board of Commissioners	25 N Broadway Peru, IN 46970	(765) 460-7962	lwest@miamicountyin.gov		
	Miami County Planning Department	25 N. Broadway Room 105 Peru, IN 46970	(765) 472-2485	tgamble@miamicountyin.gov		
Mike Sission, Superintendent	Miami County Highway Department	35 Germann Street Peru, IN 46970	(765) 473-7125	msission@miamicountyin.gov		
	Indiana Landmarks-Northeast Field Office	231 W. Canal Street Wabash, IN 46992	(260) 563-7094	northeast@indianalandmarks.org		
	RMK Properties, LLC	1155 E. 900 N Denver, Indiana 46926				Property Owner of Denver Hardware (Sent via U.S. Mail)

	Jeffery and Kimberly Robins (formerly Richard and Barbara Jane Robins)	Box 284 Denver Indiana 46926				Property Owner of Beecher Garage (Sent via U.S. Mail)
	Michael and Rebecca Wright	246 E. Harrison St, Denver In 46925				Property Owner of House at 246 E. Harrison (Sent via U.S. Mail)
Chad Slider	SHPO	Division of Historic Preservation & Archaeology 402 W. Washington St., W274 Indianapolis, IN 46204			Required	

Tribal List

Eastern Shawnee Tribe of Oklahoma	Consultation will be performed by INDOT	
Forest County Potawatomi Community	Consultation will be performed by INDOT	YES email (1/3/2019)
Miami Tribe of Oklahoma	Consultation will be performed by INDOT	YES email (12/19/2018)

Peoria Tribe of Indians of Oklahoma	Consultation will be performed by INDOT
Pokagon Band of Potawatomi Indians	Consultation will be performed by INDOT

February 20, 2020

This letter was sent to the listed parties.

RE: State Road 16 Road Improvement Project, Des. No.: 1600294 and DHPA No.: 23283

Dear Consulting Party,

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), proposes to proceed with improvement of State Road (SR) 16 (Des. No.: 1600294).

This letter is part of the Section 106 review process for this project. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic and archaeological properties. We are requesting comments from you regarding the possible effects of this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

A Section 106 early coordination letter was distributed on December 4, 2018 that notified consulting parties that a historic property report was available for review and comment. A letter distributed on August 1, 2019 notified Tribes and the Indiana SHPO that an archaeology report was available for review and comment. Finally, a letter distributed to consulting parties on November 12, 2019 discussed a project change for a temporary trail connection and described potential effects of the project to historic properties.

The proposed undertaking is located along SR 16 through Denver, Indiana. It is within Jefferson Township, Peru, Indiana USGS Topographic Quadrangle, in the Weesau Section and Sections 15 and 22 of Township 28 North, Range 4 East.

Purpose and Need: The project need is to address the deteriorated condition and end of the functional life of the existing pavement on SR 16. The purpose of the project is to maintain the local road network and provide desirable traffic operations and accessibility.

Proposed Project: The proposed project is a road rehabilitation of SR 16 beginning 2.90 miles east of United States Highway (US) 31 and continuing to 3.62 miles east of US 31 for a distance of about 0.72 mile. The project would also replace the existing sidewalks, curbs, and gutters where they exist in the town. A new storm sewer system will be installed in the curb and gutter section. No work will occur within Weesau Creek on the west end of town and the unnamed tributary (locally known as Robert S. Kline Ditch) on the east end of town. Americans with Disabilities Act (ADA)-compliant curb ramps will be installed as part of the sidewalk replacement. The existing 12-foot wide travel lanes and various shoulder widths, including parking areas on the shoulder, will be maintained. The open ditch drainage system on the east and west ends of the project will be maintained. Driveway culvert pipes will be installed in the open ditch area to obtain positive drainage.

Additional project activities will occur where the Nickel Plate Recreational Trail crosses SR 16 at the western end of the project. Safety improvements for bicycles and pedestrians crossing SR 16 at the trail will be included as part of this project. A small, temporary gravel connection is planned to link the Nickel Plate Trail to Washington Street during project construction.

Existing Conditions: The existing roadway consists of two 12-foot travel lanes throughout the project limits with sections that contain variable width paved shoulders, no shoulders, or shoulders with curb. A parking lane and curb are adjacent to the travel lane between First Street and Charles Street on the left and First Street and Yorick Street on the right. Nickel Plate Trail, which is a bicycle/pedestrian trail, is located just east of South Second Street and crosses SR 16. The existing pavement and curbs throughout the project limits are severely deteriorated and at the end of their functional life.

Right-of-Way: This project will require the reacquisition of portions of the SR 16 right of way (ROW). In addition, some permanent ROW and temporary ROW will be required for sidewalk, yard regrading, and drive construction. A total of 1.646 acres of permanent ROW and 0.591 acre of temporary ROW will be acquired in strip takes along SR 16. No residences or businesses will be acquired.

Burgess & Niple is under contract with INDOT to advance the environmental documentation for the referenced project. Weintraut & Associates, Inc. has been subcontracted to complete the Section 106 documentation for the project.

In accordance with 36 CFR 800.2 (c), you were invited to become a consulting party as part of the Section 106 process, or you are hereby invited to become a consulting party as part of the Section 106 process. Entities that have previously accepted consulting party status--as well as additional entities that are currently being invited to become consulting parties--are identified in the attached list.

The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, to assess the undertaking's effects and to seek ways to avoid, minimize, or mitigate any adverse effects on historic properties. For more information regarding the protection of historic resources, please see the Advisory Council on Historic Preservation's guide: *Protecting Historic Properties: A Citizen's Guide to Section 106 Review* available online at <https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf>.

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. The APE contains no resources listed in the National Register of Historic Places (NRHP).

A historian who meets the Secretary of the Interior's Professional Qualification Standards identified and evaluated above-ground resources within the APE for potential eligibility for the NRHP. As a result of the historic property identification and evaluation efforts, the house at 246 East Harrison Street (IHSSI No.: 103-507-21015), Denver Hardware Building (IHSSI No.: 103-507-21019), and Beecher Garage (WA-4) are recommended as eligible for listing in the NRHP.

With regard to archaeological resources, an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards identified no sites within the project area. As a result of these efforts, no further work is recommended.

The 800.11 Finding Document is available for review in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE). You are invited to review this document and to respond with comments on any historic resource

impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If you prefer a hard-copy of this material, please respond to this email with your request within seven (7) days.

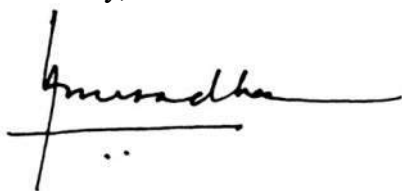
Please review the information and comment within thirty (30) calendar days of receipt.

For questions concerning specific project details, you may contact Dr. Linda Weintraut of Weintraut & Associates, Inc. at (317) 733-9770 or Linda@weintrautinc.com. All future responses regarding the proposed project should be forwarded to Weintraut & Associates, Inc. at the following address:

Dr. Linda Weintraut
Weintraut & Associates, Inc.
P.O. Box 5034
Zionsville, IN 46077
Linda@weintrautinc.com

Tribal contacts may contact Shaun Miller at smiller@indot.in.gov or 317-233-6795 or Michelle Allen at FHWA at michelle.allen@dot.gov or 317-226-7344.

Sincerely,

A handwritten signature in black ink, appearing to read "Anuradha", written over a horizontal line. There are two small dots below the line.

Anuradha V. Kumar, Manager
Cultural Resources Office
Environmental Services

Enclosures:

800.11 Finding Documentation

Distribution List:

Forest County Potawatomi Community
Miami Tribe of Oklahoma
RMK Properties, LLC (property owner)
Richard and Barbara Jane Robins (property owners)
Michael and Rebecca Wright (property owners)
State Historic Preservation Officer

AFFP
Notice of Public Hearing 2016

Affidavit of Publication

See attached

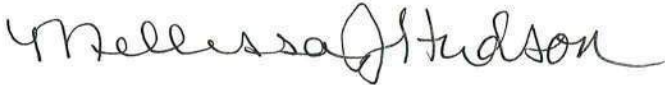
STATE OF IN COUNTY
OF MIAMI

Melissa Hudson, being duly sworn, says:
That she is A CUSTOMER SERVICE REP of the PERU
TRIBUNE, a Daily newspaper of general circulation,
printed and published in PERU, MIAMI County, IN; that
the publication, a copy of which is attached hereto, was
published in the said newspaper on the following dates:
2/25/2020

Publisher's Fee: \$ 523.98

That said newspaper was regularly issued and circulated
on those dates.

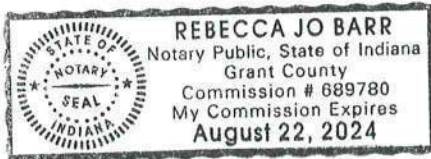
SIGNED:



Subscribed to and sworn to me this 6th day of March,
2020



Rebecca Barr, Notary Public 08/22/2024



80015679 61111621

LINDA WEINTRAUT
WEINTRAUT AND ASSOCIATES
PO BOX 5034
ZIONSVILLE, IN 46077

Public Notice

Des. No.: 1600294

The Indiana Department of Transportation (INDOT) is planning to undertake the State Road (SR) 16 Road Improvement Project (Des. No.: 1600294), funded in part by the Federal Highway Administration (FHWA). The project is located in the Town of Denver, Jefferson Township, Miami County, Indiana. Under the preferred alternative, the proposed project would involve the reconstruction of SR 16 roadway, replacement of existing sidewalks, curbs, and gutters in the town and install a new storm sewer system in the curb and gutter section. No work would occur within Weesau Creek on the west end of town or the unnamed tributary (locally known as Robert S. Kline Ditch) on the east end of town. Americans with Disabilities Act (ADA)-compliant curb ramps would be installed as part of the sidewalk replacement. The open ditch drainage system on the east and west ends of the project would be maintained. Driveway culvert pipes would be installed in the open ditch area to obtain positive drainage. Additional project activities would occur where the Nickel Plate Recreational Trail crosses SR 16 at the western end of the project. Safety improvements for bicycles and pedestrians crossing SR 16 at the trail would be included as part of this project. A small, temporary gravel connection is planned to link the Nickel Plate Trail to Washington Street during project construction. Properties listed in or eligible for the National Register of Historic Places (NRHP) located within the Area of Potential Effects (APE) include the House at 246 East Harrison Street (IHSSI No.: 103-507-21015), Denver Hardware Building (IHSSI No.: 103-507-21019), and Beecher Garage (WA-4). The proposed action impacts properties listed in or eligible for the NRHP. The Indiana Department of Transportation (INDOT), on behalf of the FHWA, has issued a "No Adverse Effect" finding for the project because the project will not diminish the integrity of the characteristics that qualify the historic properties within the APE for inclusion in the NRHP. In accordance with the National Historic Preservation Act, the views of the public are being sought regarding the effect of the proposed project on the historic elements as per 36 CFR 800.2(d), 800.3(e) and 800.6(a)(4). Pursuant to 36 CFR 800.4(d)(2), the documentation specified in 36 CFR 800.11(e) is available for inspection in the offices of Burgess & Niple at 251 N. Illinois Street, Suite 920, Indianapolis, IN 46204. Additionally, this documentation can be viewed electronically by accessing INDOT's Section 106 document posting website IN SCOPE at <http://erms.indot.in.gov/Section106Documents>. This documentation serves as the basis for the "No Adverse Effect" finding. The views of the public on this effect finding are being sought. Please reply with any comments to Dr. Linda Weintraut P.O. Box 5034 Zionsville, Indiana 46077, 317-733-9770 (317-733-9773 FAX), Linda@weintrautinc.com, no later than March 26, 2020. In accordance with the Americans with Disabilities Act, if you have a disability for which INDOT needs to provide accessibility to the document(s) such as interpreters or readers, please contact Rickie Clark at 317-232-6601 or rclark@indot.in.gov.
HSPAXLP.2/25/2020

Appendix E
Red Flag and Hazardous Materials



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

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

Michael R. Pence, Governor
Brandye Hendrickson, Commissioner

Date: Revised June 6, 2017

To: Hazardous Materials Unit
Environmental Services
Indiana Department of Transportation
100 N Senate Avenue, Room N642
Indianapolis, IN 46204

From: Rick Fitch
Environmental Planner
Burgess & Niple, Inc.
Indianapolis, IN
Rick.fitch@burgessniple.com

Re: RED FLAG INVESTIGATION
DES #1600294, State Project
Project description- Pavement Replacement on SR 16 through the town of Denver. Includes new curbs and gutters, underdrains, and reconstruction of sidewalks.
State Route 16 Reconstruction
Denver, Miami County, Indiana

NARRATIVE

The proposed project is the reconstruction of State Route (SR) 16 through the Town of Denver, Indiana. The proposed project includes total replacement of the SR 16 roadway, replace the curbs and gutters, and reconstruct the sidewalks. Temporary and permanent right of way (ROW) may be required to construct the project. No structures will be acquired as part of the project. The removal of the existing roadway and sidewalks will require shallow excavations while the installation of the curbs and gutters may require deeper excavations to replace stormwater pipes. The depth of the excavations will be less than 8' deep. Due to the many properties with only access from SR 16, local traffic will need to be maintained during construction. No work will occur in the Weesau Creek, the Eel River, or the Branch of the Weesau Creek. This is a state project managed by the Fort Wayne District.

SUMMARY

Infrastructure			
Indicate the number of items of concern found within 0.5 mile and an explanation why each item within the 0.5 mile search radius will/will not impact the project. If there are no items, please indicate N/A:			
Religious Facilities	1	Recreational Facilities	1
Airports	N/A	Pipelines	N/A
Cemeteries	1	Railroads	5
Hospitals	N/A	Trails	1

Schools	N/A	Managed Lands	N/A
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Explanation:

Religious Facilities*: Although not mapped on ArcMap, one (1) religious facility is located within the 0.5 mile search radius. The religious facility is located approximately 0.08 mile north of the project area. No impact is expected.

Cemeteries: One cemetery is located within the 0.5 mile search radius. The Westlawn Cemetery is located 0.12 miles south of the project area. No impact is expected.

Recreational Facilities: One recreational facility is located within the 0.5 mile search radius. Denver Town Park is located 0.12 miles south of the project area. No impact is expected.

Railroads: Five (5) railroad segments are located within the 0.5 mile search radius. One segment, owned by Norfolk and Western Railroad, crosses the project area; however, it appears as though this railroad has been abandoned and converted into a trail. No impact is expected.

Trails: One recreational trail is located within the 0.5 mile search radius. The Nickel Plate Trail runs northwest-southeast along the west side of the Town of Denver. The trail has a surface crossing on SR 16 within the project limits. This crossing will be impacted during the SR 16 reconstruction. Coordination with the Nickle Plate Trail, Inc. will occur.

Water Resources			
Indicate the number of items of concern found within 0.5 mile and an explanation why each item within the 0.5 mile search radius will/will not impact the project. If there are no items, please indicate N/A:			
NWI - Points	N/A	NWI - Wetlands	6
Karst Springs	N/A	IDEM 303d Listed Lakes	N/A
Canal Structures – Historic	N/A	Lakes	3
NWI - Lines	1	Floodplain - DFIRM	1
IDEM 303d Listed Rivers and Streams (Impaired)	4	Cave Entrance Density	N/A
Rivers and Streams	2	Sinkhole Areas	N/A
Canal Routes - Historic	N/A	Sinking-Stream Basins	N/A
Urbanized Area Boundary (UAB)	N/A		

Explanation:

NWI-Lines: One (1) NWI Line is located within the 0.5 mile radius of the project area. This NWI Line also represents the Weesau Creek. The creek passes beneath SR 16 just west of the project limits. The project begins just east of the bridge over the creek. No impact is expected.

IDEM 303d Listed Rivers and Streams (Impaired): Four (4) segments are located within the 0.5 mile radius of the project area. The Eel River is located 0.45 miles south of the project area and is listed as impaired with E. coli and mercury and PCBs in fish tissue. No impact is expected.

Rivers and Streams: Two (2) rivers and streams are located within the 0.5 mile search radius. The Weesau Creek is located at the western project limits and the Eel River is located 0.45 miles south of the project limits. No impact is expected.

NWI-Wetlands: Six (6) wetlands are located within the 0.5 mile search radius. The closest wetland is located along the Weesau Creek 0.01 miles south of the project limits. No impacts is expected.

Lakes: Three (3) lakes are located within the 0.5 mile search radius. The nearest lake is 0.07 mile south of the eastern termini. No impact is expected.

Floodplain-DFIRM: One (1) floodplain is located within the 0.5 mile search radius. This floodplain is associated with part of the Weesau Creek and the Eel River. The floodplain along the Weesau Creek is 0.20 miles south of the project limits and the Eel River floodplain is 0.4 miles from the project limits. No impact is expected.

Mining/Mineral Exploration			
Indicate the number of items of concern found within 0.5 mile and an explanation why each item within the 0.5 mile search radius will/will not impact the project. If there are no items, please indicate N/A:			
Petroleum Wells	1	Petroleum Fields	N/A
Mines – Surface	N/A	Mines – Underground	N/A

Explanation:

Petroleum Wells: One (1) petroleum well is located within the 0.5 mile search radius. The dry petroleum well is located 0.18 miles north of the project limits. No impact is expected.

Hazardous Material Concerns			
Indicate the number of items of concern found within 0.5 mile and an explanation why each item within the 0.5 mile search radius will/will not impact the project. If there are no items, please indicate N/A:			
Brownfield Sites	N/A	Restricted Waste Sites	N/A
Corrective Action Sites (RCRA)	N/A	Septage Waste Sites	N/A
Confined Feeding Operations	N/A	Solid Waste Landfills	N/A
Construction Demolition Waste	N/A	State Cleanup Sites	N/A
RCRA Generators	N/A	Tire Waste Sites	N/A
Infectious/Medical Waste Sites	N/A	Waste Transfer Stations	N/A
Lagoon/Surface Impoundments	N/A	RCRA Waste Treatment, Storage, and Disposal Sites (TSDs)	N/A
Leaking Underground Storage Tanks (LUSTs)	2	Underground Storage Tanks (USTs)	2
Manufactured Gas Plant Sites	N/A	Voluntary Remediation Program	N/A
NPDES Facilities	N/A	Superfund	N/A
NPDES Pipe Locations	N/A	Institutional Control Sites	N/A
Open Dump Sites	N/A		

Explanation:

Leaking Underground Storage Tanks (LUSTs): One (1) leaking UST site is located within the 0.5 mile search radius. The site is located at the Miami County Highway Denver Garage (FID #22820) adjacent to SR 16. Based on file information, the 2,000 gallon tank was permanently taken out of service December 1998. A No Further Action letter, dated July 24, 2009 was issued by IDEM granting unconditional closure. No impact is expected.

One site that was not listed on IndianaMap but listed on IDEM Virtual File Cabinet (VFC) was Beecher's Garage (FID #8481) located at 53 West Harrison Street. This site is a former auto repair and gas station site and adjacent to the construction limits. The IDEM issued a NFA Approval Determination Pursuant to Remediation Closure Guide letter, dated March 15, 2016 granting unconditional closure for soil, groundwater, and vapor. No impact is expected.

Underground Storage Tanks (USTs): Two (2) Registered UST sites are located within the 0.5 mile radius from the project limits. The nearest site is located at the corner of SR 16 and Yorick Street. This site is listed as Gerry Guinn, (FID#11417, AI ID# 43831), with no address given for the site. The tank is an orphan UST site associated with a former Standard Oil site.

IDEM has no records concerning closure of the tank in the Virtual File Cabinet (VFC) for this listing. A review of the properties at the corner of SR 16 and Yorick Street indicates that three of the properties are single family homes and the northwest corner is a former church building (vacant). No indication of USTs were identified at the four properties or of a former gas station. No impact is expected.

The second UST location is 0.02 miles south of SR 16 along Emmons Street is shown as the Denver Equipment Corporation. The IDEM records indicate that 4 of the 5 tanks were permanently removed in 1990. One 1,000 gallon diesel tank remains on site. No impact is expected.

Ecological Information

The Miami County listing of the Indiana Natural Heritage Data Center information on endangered, threatened, or rare (ETR) species and high quality natural communities is attached with ETR species highlighted. Due to the nature of project activities, this project will fall under the guidelines set forth under USFWS Interim Policy for the Review of Highway Transportation Projects in Indiana dated May 29, 2013. No further coordination is necessary.

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. Preparation of the Scoping Worksheet for the Range-Wide Programmatic Information Consultation for the Indiana Bat and Northern Long-Eared Bat will be required. If applicable, preparation of the Project Submittal Form for Range-Wide Programmatic Consultation for Indiana Bat and Northern Long-Eared Bat will be required. Lastly, an inquiry using the USFWS Information for Planning and Consultation (IPaC) website did not indicate the presence of the federally endangered species, the Rusty Patched Bumblebee, in or within 0.5 mile of the project area. No impact is expected.

Cultural Resources

Based on the scope, this project will likely fall under MPPA Category B-1. Coordination will occur with INDOT ES Cultural Resources.

RECOMMENDATIONS

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

INFRASTRUCTURE: The Nickel Plate Trail crosses SR 16 in the Town of Denver. Coordination with the Friends of the Nickel Plate Trail will occur.

WATER RESOURCES: N/A

MINING/MINERAL EXPLORATION: N/A

HAZMAT CONCERNS: N/A

ECOLOGICAL INFORMATION: Preparation of the Scoping Worksheet for the Range-Wide Programmatic Information Consultation for Indiana Bat and Northern Long-Eared Bat will be required. If applicable, preparation of the Project Submittal Form for Range-wide Programmatic Consultation for Indiana Bat and Northern Long-Eared Bat will be required.

CULTURAL RESOURCES: Due to the scope, this project will likely fall under MPPA Category B-1. Coordination will occur with INDOT Cultural Resources.

INDOT Environmental Services concurrence:

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

Graphics:

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

GENERAL SITE MAP SHOWING PROJECT AREA: YES

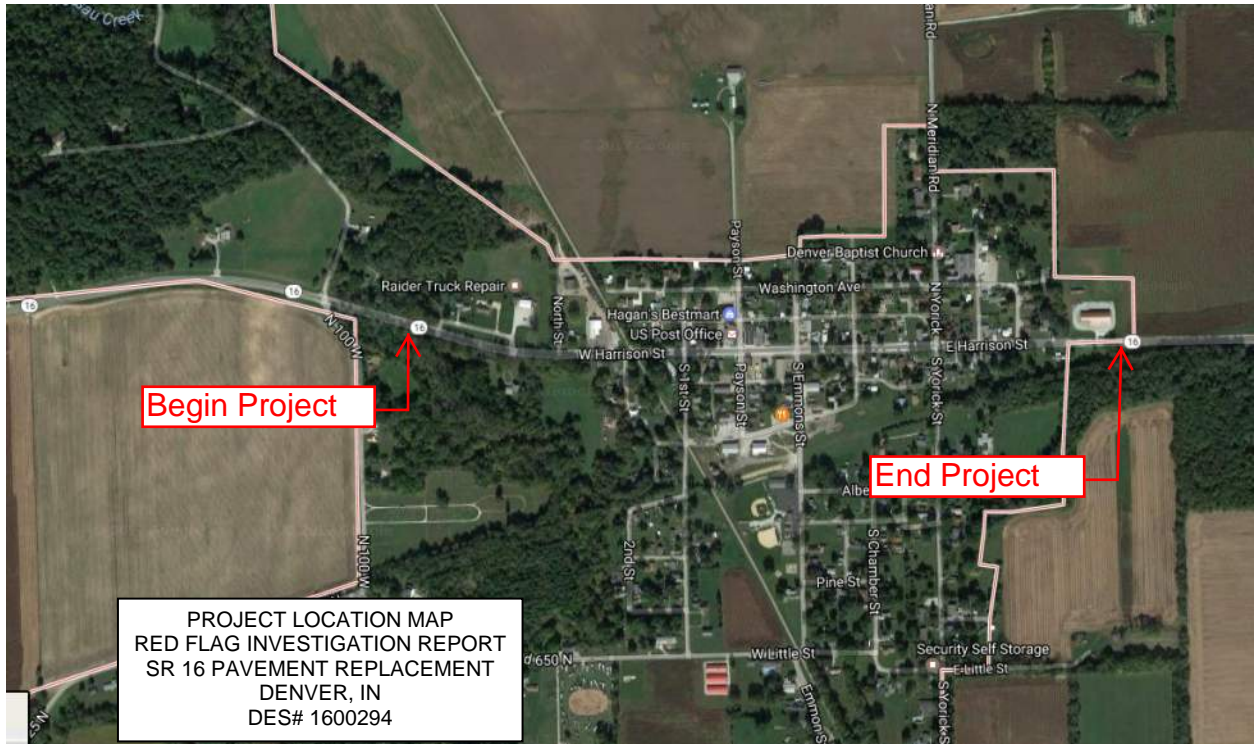
INFRASTRUCTURE: YES

WATER RESOURCES: YES

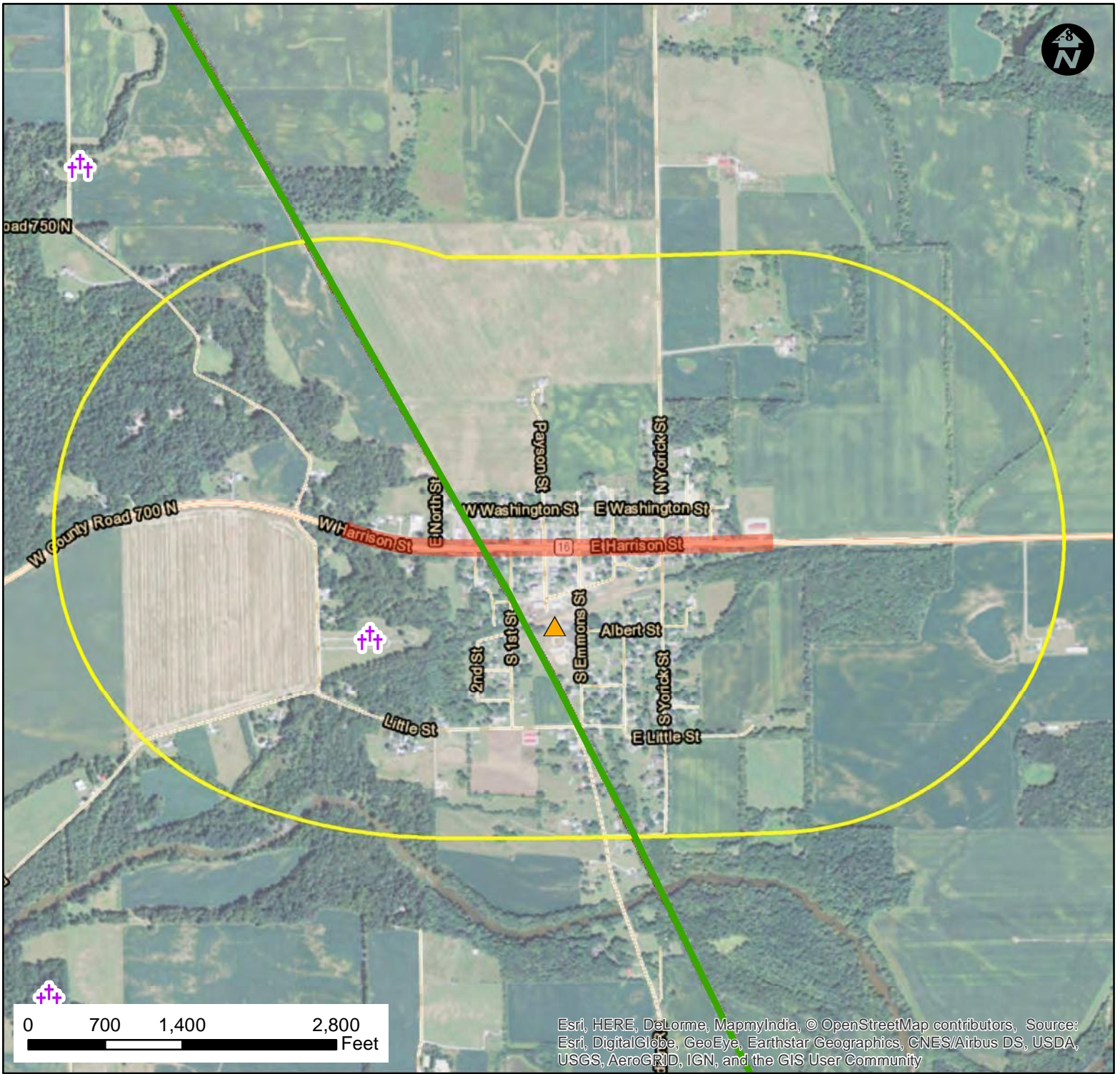
MINING/MINERAL EXPLORATION: YES

HAZMAT CONCERNS: YES

NATURAL HERITAGE DATA BASE LISTING: YES








SR 16 Repaving Town of Denver IN

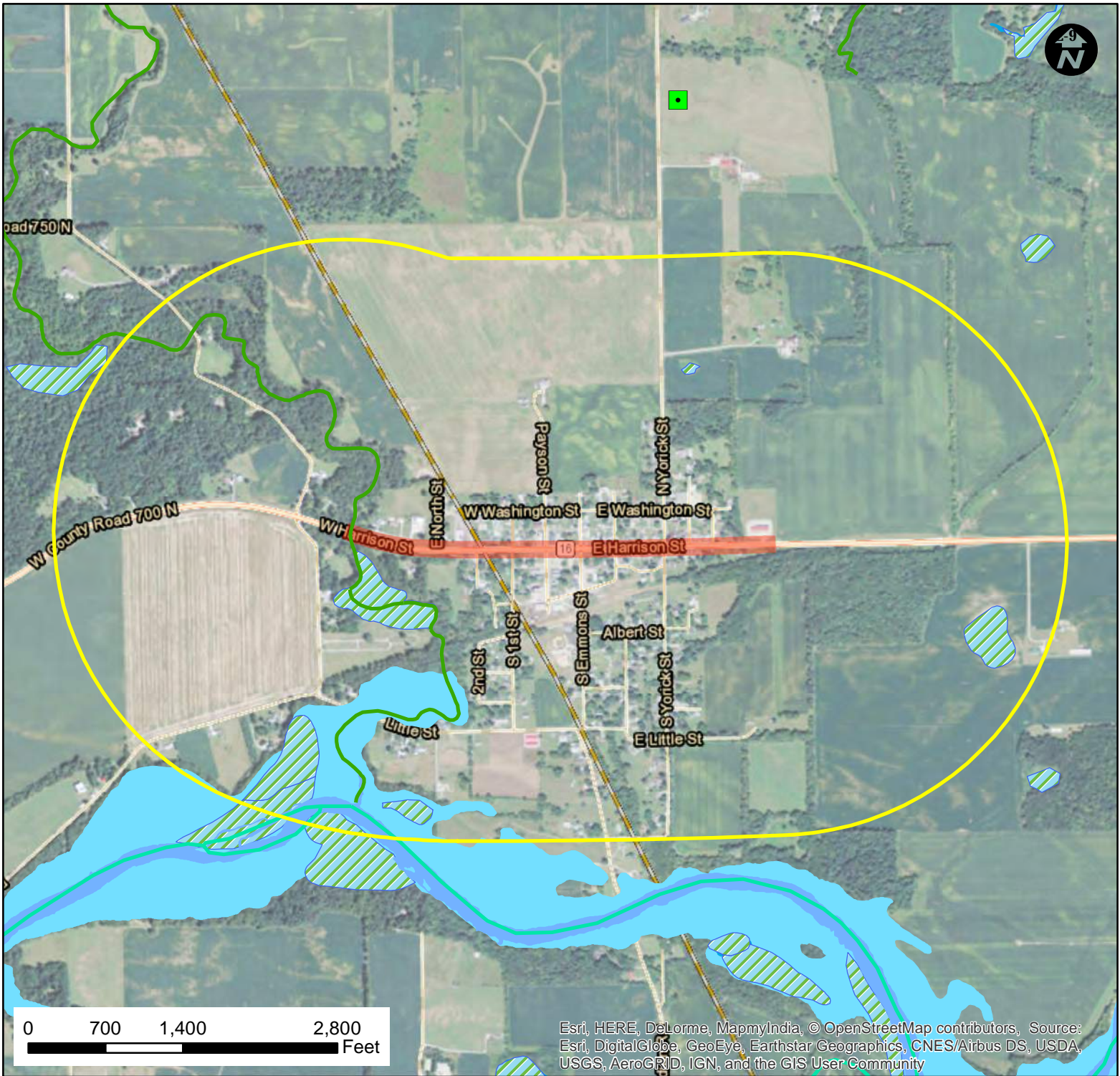


Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Legend

-  Recreational Facilities
-  Cemeteries
-  Open Trail
-  Study Corridor
-  Study Area - 1/2 mi Buffer

Infrastructure
 Red Flag Investigation Report
 SR 16 Pavement Replacement
 Denver, IN
 DES#1600294



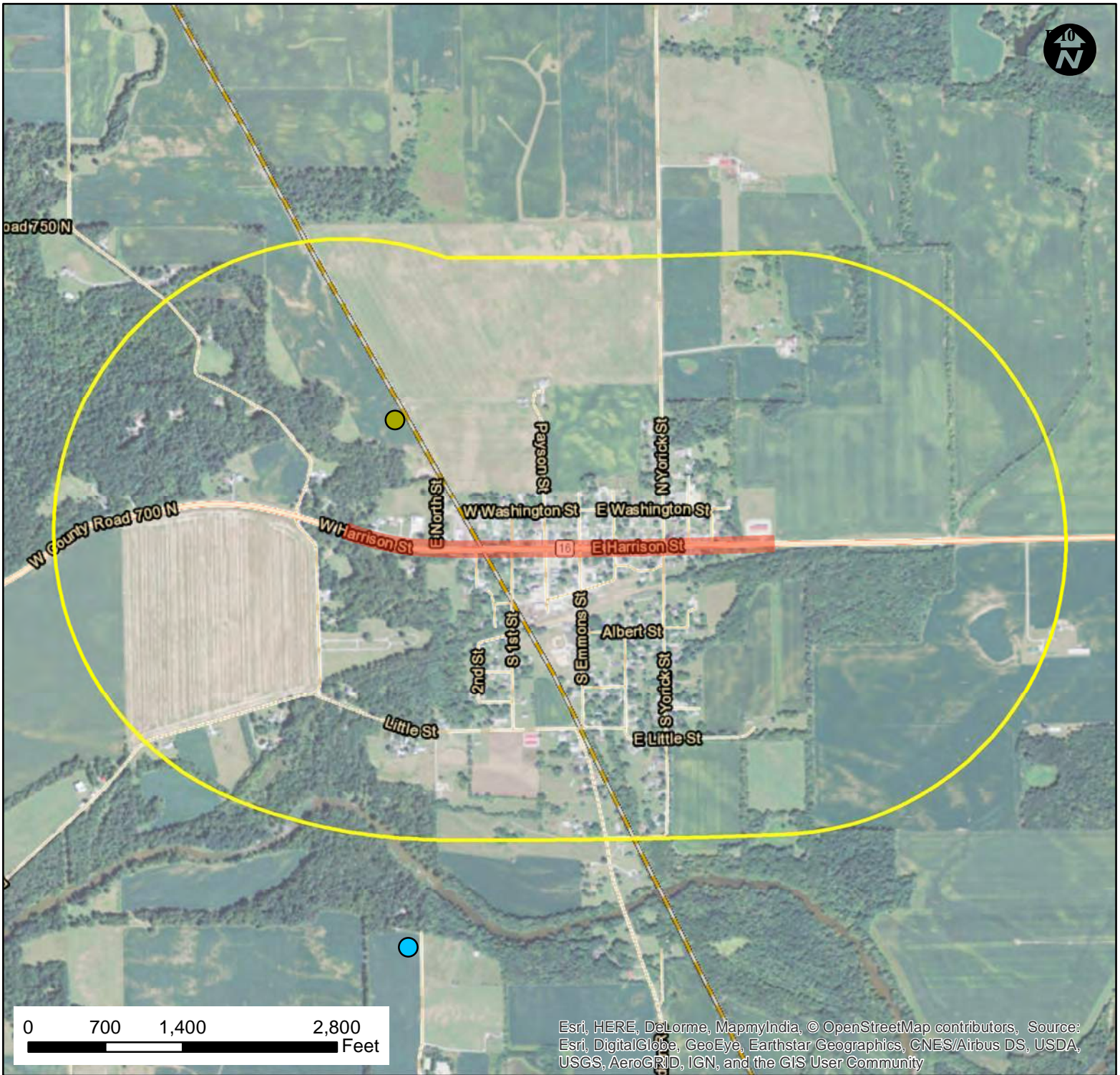
Legend

- NWI - Points
- NWI - Lines
- Impaired Streams
- River and Streams
- NWI - Wetlands
- Lakes/Pond

Floodplains - FIRM (June 2016)





- 1% Annual Chance Flood Hazard
- Study Corridor
- Study Area - 1/2 mi Buffer

Water Resources
 Red Flag Investigation Report
 SR 16 Pavement Replacement
 Denver, IN
 DES#1600294

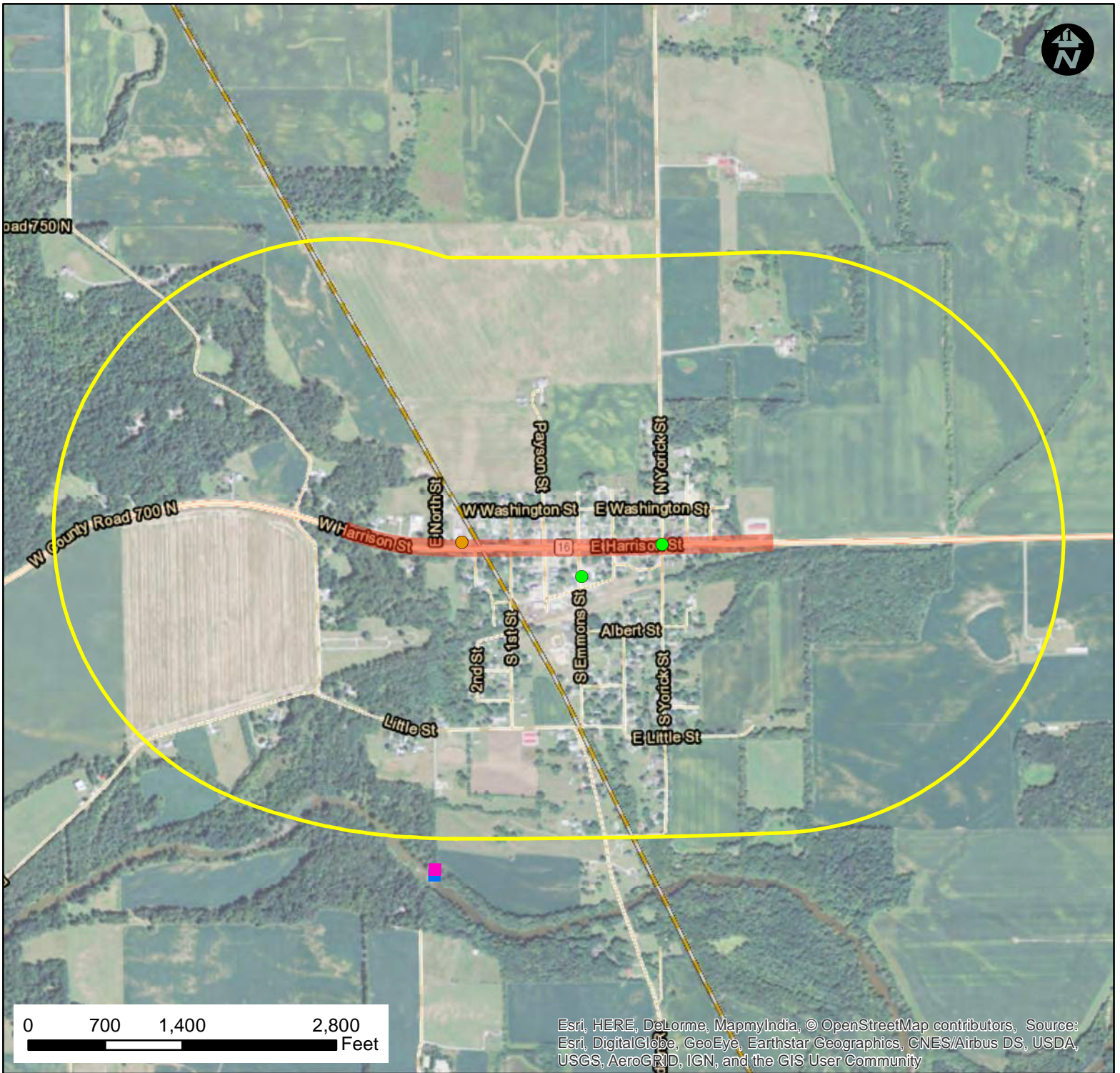


Legend

Petroleum Wells (IGS, 2015)

-  Dry Well
-  Stratigraphic Test Well
-  Study Corridor
-  Study Area - 1/2 mi Buffer

Mining/Mineral Exploration
 Red Flag Investigation Report
 SR 16 Pavement Replacement
 Denver, IN
 DES#1600294



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Legend

- NPDES Pipe Locations
- NPDES Facility
- Not leaking - UST
- Leaking - LUST
- Study Corridor
- Study Area - 1/2 mi Buffer

Hazardous Material Concerns
Red Flag Investigation Report
SR 16 Pavement Replacement
Denver, IN
DES#1600294

Indiana County Endangered, Threatened and Rare Species List

County: Miami

Species Name	Common Name	FED	STATE	GRANK	SRANK
Mollusk: Bivalvia (Mussels)					
<i>Epioblasma torulosa rangiana</i>	Northern Riffleshell	LE	SE	G2T2	SX
<i>Epioblasma triquetra</i>	Snuffbox	LE	SE	G3	S1
<i>Lampsilis fasciola</i>	Wavyrayed Lampmussel		SSC	G5	S3
<i>Ligumia recta</i>	Black Sandshell			G4G5	S2
<i>Obovaria subrotunda</i>	Round Hickorynut		SE	G4	S1
<i>Plethobasus cyphus</i>	Sheepnose	LE	SE	G3	S1
<i>Pleurobema clava</i>	Clubshell	LE	SE	G1G2	S1
<i>Ptychobranhus fasciolaris</i>	Kidneyshell		SSC	G4G5	S2
<i>Quadrula cylindrica cylindrica</i>	Rabbitsfoot	LT	SE	G3G4T3	S1
<i>Toxolasma lividus</i>	Purple Lilliput		SSC	G3Q	S2
<i>Venustaconcha ellipsiformis</i>	Ellipse		SSC	G4	S2
<i>Villosa fabalis</i>	Rayed Bean	LE	SE	G2	S1
Fish					
<i>Moxostoma valenciennesi</i>	Greater Redhorse		SE	G4	S2
Reptile					
<i>Emydoidea blandingii</i>	Blanding's Turtle		SE	G4	S2
<i>Thamnophis proximus proximus</i>	Western Ribbon Snake		SSC	G5T5	S3
Bird					
<i>Circus cyaneus</i>	Northern Harrier		SE	G5	S2
<i>Haliaeetus leucocephalus</i>	Bald Eagle		SSC	G5	S2
Mammal					
<i>Taxidea taxus</i>	American Badger		SSC	G5	S2
Vascular Plant					
<i>Crataegus succulenta</i>	Fleshy Hawthorn		SR	G5	S2
<i>Hypericum pyramidatum</i>	Great St. John's-wort		ST	G4	S1
<i>Napaea dioica</i>	Glade Mallow		SR	G4	S2
High Quality Natural Community					
Forest - upland dry-mesic	Dry-mesic Upland Forest		SG	G4	S4
Forest - upland mesic	Mesic Upland Forest		SG	G3?	S3
Other Significant Element					
Geomorphic - Nonglacial Erosional Feature - Water Fall and Cascade	Water Fall and Cascade			GNR	SNR

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

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

Richard Fitch

From: Foheybreting, Nicole K <NFoheyBreting@indot.IN.gov>
Sent: Wednesday, May 27, 2020 11:31 AM
To: Richard Fitch
Subject: RE: SR 16 DES 1600294

Greetings Rick –

Thank you for reaching out in regards to Des No. 1600294 and for double checking the GIS database layers. I agree, it does not appear as though any additional or new features that could impact the project area are present. As long as the project area and information in the narrative has not changed, the 2017 RFI should still be valid.

Thank you Rick,
 Sincerely,
 Nicole

Nicole Fohey-Breting

Site Assessment & Management (SAM) Specialist

100 North Senate Avenue RM N642

Indianapolis, Indiana 46204

Office: (317) 232-0626

Email: NFoheyBreting@indot.in.gov



The Site Assessment and Management (SAM) Manual can be found at <http://www.in.gov/indot/2523.htm>

Be sure to refer to the updated information in the SAM Manual for document preparation and submission.

From: Richard Fitch <Rick.Fitch@burgessniple.com>
Sent: Wednesday, May 27, 2020 10:49 AM
To: Foheybreting, Nicole K <NFoheyBreting@indot.IN.gov>
Subject: SR 16 DES 1600294

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

Morning Nicole- Hope all is going well.

On the above referenced project's CE review, the district and ES had a comment concerning the RFI. Due to the length of time since you approved the RFI, (June 6, 2017) we were asked to coordinate with SAM. We did a check of the GIS database today and nothing has changed on the RFI narrative and maps.

Is it OK to add that we communicated this information to you on this date and no changes to the RFI are warranted?

Thanks for the review.

Rick Fitch, AICP
Environmental Planner

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Appendix F
Water Resources

**WATERS REPORT
INDIANA DEPARTMENT OF TRANSPORTATION (INDOT)
SR 16 IN MIAMI COUNTY, INDIANA
PAVEMENT REPLACEMENT
DES NO. 1600294**

Prepared by:
Mathew Aldridge
Mathew.Aldridge@burgessniple.com
614-459-2050 ext. 1022
Burgess & Niple Inc.

Completed Date: 5/1/2019

Date of Field Reconnaissance: 10/16/2018

Location:

Sections 15, 16, 21, 22; Township 28N; Range 5E
Peru, IN Quadrangle
Denver, Indiana
40.865965, -86.077271

1.0 PROJECT DESCRIPTION

The proposed project is located on State Road (SR) 16 from 2.90 miles east of US 31 to 3.74 miles east of US 31 (Reference Post (RP) 72+86 to RP 73+73). The project site is located in the town of Denver in Miami County in the Fort Wayne District. Construction letting is planned for December 2020.

The primary need for the project is to address the deteriorated condition and end of the functional life of the existing pavement on SR 16. There are numerous transverse cracks that appear in the pavement surface. The existing sidewalk is severely deteriorated and the curb ramps are either non-existent or not Americans with Disabilities Act (ADA) compliant. The existing curb has minimal drainage capacity due to previous overlays and the existing storm sewer appears to be inadequate to collect and convey the design year storm. There are several areas within the project that currently experience ponding of storm water.

The proposed project consists of full depth pavement reconstruction with underdrains as well as removing and replacing the curb and gutter, storm drainage, sidewalk and curb ramps. Nickel Plate Trail crosses SR 16 on the west end of the project. Safety improvements for bicyclists and pedestrians crossing SR

16 will be included in this alternative. The designer shall consider ditch flow line elevations when designing the underdrain trench. Ditches should be regraded and shaped to reestablish positive drainage. From the west limits of the project to North Street, the ditches on the north and south side will require regrading and installing culverts under the drive approaches in order to drain storm water to Weesau Creek. There will be a pipe extension and riprap placement in the wooded area to the north of S.R. 16 on the west end of the project area. The work will be limited to upland areas and will not extend into the stream or streambank. Due to the inadequacy of the existing storm sewer, a new storm sewer system shall be constructed in the curb and gutter section.

Land use within the project area is primarily residential with a few commercial and agricultural areas, and some forested areas along the eastern and western ends of the project area adjacent to SR 16. There will be one area of tree removal on the western edge of the project area north of SR 16 in order to place a culvert and riprap at the outlet.

A project location map is included as **Attachment 1**.

2.0 DESKTOP RECONNAISSANCE

The literature review for this report included review of proposed project plans, U.S. Geological Survey (USGS) topographic maps, current aerial photography, National Wetlands Inventory (NWI) maps, soils maps and soil survey information, Federal Emergency Management Agency (FEMA) flood hazard mapping, and Indiana Department of Environmental Management (IDEM) water quality and use designation information, as applicable. Findings of the literature review are summarized below.

Supporting exhibits are included in **Attachments 2 through 7**.

2.1 USGS Topographic Mapping and Aerial Photography

The project location is depicted on the Peru, Indiana 7.5-Minute Series USGS topographic quadrangle. Aerial photography was evaluated from imagery obtained from Indiana Map (<https://maps.indiana.edu>).

The project area is approximately 0.87 miles in length located in a suburban setting along SR 16 within and adjacent to the town of Denver in Miami County, Indiana. An unnamed tributary (UNT) of Weesau Creek is depicted as a perennial stream at the eastern edge of the project area on the USGS topographic map. However, it is apparent from the aerial maps that

this stream has been previously relocated approximately 835 ft. east of its former location under SR 16. This relocation moved the stream outside of the project area. The elevation of the surrounding area is approximately 710 ft. above mean sea level (AMSL) which decreases to approximately 700 ft. AMSL on the western end of the project area.

A USGS map excerpt covering the project area is included as **Attachment 2**. An aerial project location map is included as **Attachment 3**. A National Hydrography Database (NHD) map is included as **Attachment 4**.

2.2 Soils

According to the Soil Survey Geographic (SSURGO) Database for Miami County, Indiana, the project area does contain soil areas with nationally listed hydric soils.

The principal soil unit mapped for the project area is Oshtemo sandy loam, 0 to 4 percent slopes (OtA). OtA is rated as a hydric soil containing up to 6% hydric inclusions. Other soil types mapped for the project area include Rensselaer loam, 0 to 1 percent slopes (Re) and Stonelick sandy loam (St). Re is rated a hydric soil with up to 88% containing hydric components. St is also rated as a hydric soil containing up to 3% hydric inclusions.

Review results for soil mapping and unit descriptions obtained from the NRCS Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov>) are summarized in **Table 1** below.

Soil mapping and soil unit descriptions are included in **Attachment 5**.

Table 1
Soil Survey

Soil Name	Map Abbreviation	Hydric Range
Oshtemo sandy loam, 0 to 4 percent slopes	OtA	1-32%
Rensselaer loam, 0 to 1 percent slopes	Re	66-99%
Stonelick sandy loam	St	1-32%

2.3 National Wetland Inventory (NWI) Information

There is one (1) riverine NWI feature mapped in the project area (Map ID 1). This stream runs from north to south through the project area before reaching a confluence with Weesau Creek off-site. No wetlands, ponds or other mapped NWI features are depicted in the project area.

The nearest NWI mapped feature is Weesau Creek (R2UBH) located approximately 0.01 mi. west of the project area (Map ID 2).

NWI map review results obtained from the U.S. Fish & Wildlife Service’s Wetlands Mapper application (<https://www.fws.gov/wetlands/Data/Mapper.html>), are summarized in **Table 2** below.

NWI mapping covering the project area and a 0.5-mile radius is included in **Attachment 6**.

Table 2
NWI Mapped Features

Map ID	Abbreviation	Classification	Description	Location
1	R5UBH	Riverine/Unknown Perennial/ Unconsolidated Bottom/Permanently Flooded	Stream	Within Project Area
2	R2UBH	Riverine/Lower Perennial/Unconsolidated Bottom/ Permanently Flooded	Stream	0.01 mi. W
3	PFO1C	Palustrine/Forested/Broad-Leaved Deciduous/ Seasonally Flooded	Forested Wetland	0.02 mi. S
4	PFO1C	Palustrine/Forested/Broad-Leaved Deciduous/ Seasonally Flooded	Forested Wetland	0.09 mi. S
5	PEM1A	Palustrine/Emergent/Persistent/Temporarily Flooded	Emergent Wetland	0.30 mi. N

2.4 Flood Hazard Mapping

The project area appears on Flood Insurance Rate Map (FIRM) panel 18103C0102D (effective 9/28/2012). It is shown located in Zone X, indicating that it is in an area of minimal flood hazard.

A FEMA flood hazard map excerpt covering the project area is included as **Attachment 7**.

2.5 Hydrologic Unit Code (HUC)

The project area falls within the 12-digit HUC Code 0512 0104 0602 (Little Weesau Creek-Weesau Creek).

3.0 FIELD RECONNAISSANCE

The project area was visited by Liz Neudeck of B&N on October 16, 2018 to observe and document existing conditions, and to identify and evaluate potentially jurisdictional “waters of the U.S.” (WOTUS) and other aquatic resources. Weather conditions were a high of 62°F and 0.02 inches of precipitation had been recorded in the previous 72 hours. Findings of the field investigation are summarized below.

Site photographs are included as **Attachment 8**.

3.1 Streams

There were no streams observed within the project area.

The stream observed in the NWI and topographic maps on the eastern edge of the project area was previously relocated further to the east, outside of the project area. This is discussed in detail in Section 4.0 of this report.

3.2 Wetlands

There were no wetlands observed within the project area.

3.3 Other Waters

No ponds, lakes, or other open water features were observed in the project area.

4.0 CONCLUSION

Based on the findings of this investigation, B&N concludes that there are no potentially jurisdictional features within the project area. On the east end of the project, the construction limits extend to approximately 730 ft. east from the Fire Station driveway to the culvert under SR 16 where the unnamed tributary (UNT) to Weesau Creek used to pass under SR 16. Nick Cooper (INDOT- Ecology and Waterway Permitting Office), was contacted to determine if the former UNT streambed would be classified as a jurisdictional waterway due to the past location of the stream. Since the stream was re-routed under SR 16 in a box culvert approximately 900 ft. east of the former location and the former streambed was reshaped to function as a roadside ditch, the ditch would no longer be jurisdictional unless it meets jurisdictional requirements in the current state. The roadside ditch that runs from the fire station drive to the existing culvert under SR

16 is now a grassy swale and does not show any signs of a bed, bank, or ordinary high-water mark (OHWM). The area is mowed by the County at least annually. The soil is Rensselaer loam, 0-1 percent slopes and has a hydric rating. No signs of hydrophytic vegetation or ponding of water that would indicate wetlands were observed. Based on these observations, the roadside ditch is not jurisdictional water of the U.S.

On the west end of the project, a similar ditch exists between SR 16 and the driveway access road on the north side of SR 16. Evaluation of the swale between SR 16 and the access road has no bed, bank, or OHWM that would indicate stream characteristics. The soil unit is Stonelick sandy loam (St) and has a low hydric rating. The vegetation within the area is maintained upland grasses on the east end of the ditch and overgrown shrubs and saplings on the west end and has no signs of hydrophytic vegetation. Based on these observations, the roadside ditch is not jurisdictional water of the U.S. The wooded area to the north of S.R. 16 near the west end of the project area where the pipe extension will take place was investigated for evidence of wetland criteria. It was determined that this is an upland area.

These are no waterways that are likely to be Waters of the U.S. Every effort should be taken to avoid and minimize impacts to the waterway and wetlands. If impacts are necessary, then mitigation may be required. The INDOT Environmental Services Division should be contacted immediately if impacts will occur. The final determination of jurisdictional waters is ultimately made by the U.S. Army Corps of Engineers. This report is our best judgement based on the guidelines set forth by the Corps.

5.0 ACKNOWLEDGEMENT

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

Respectfully,

Mathew Aldridge



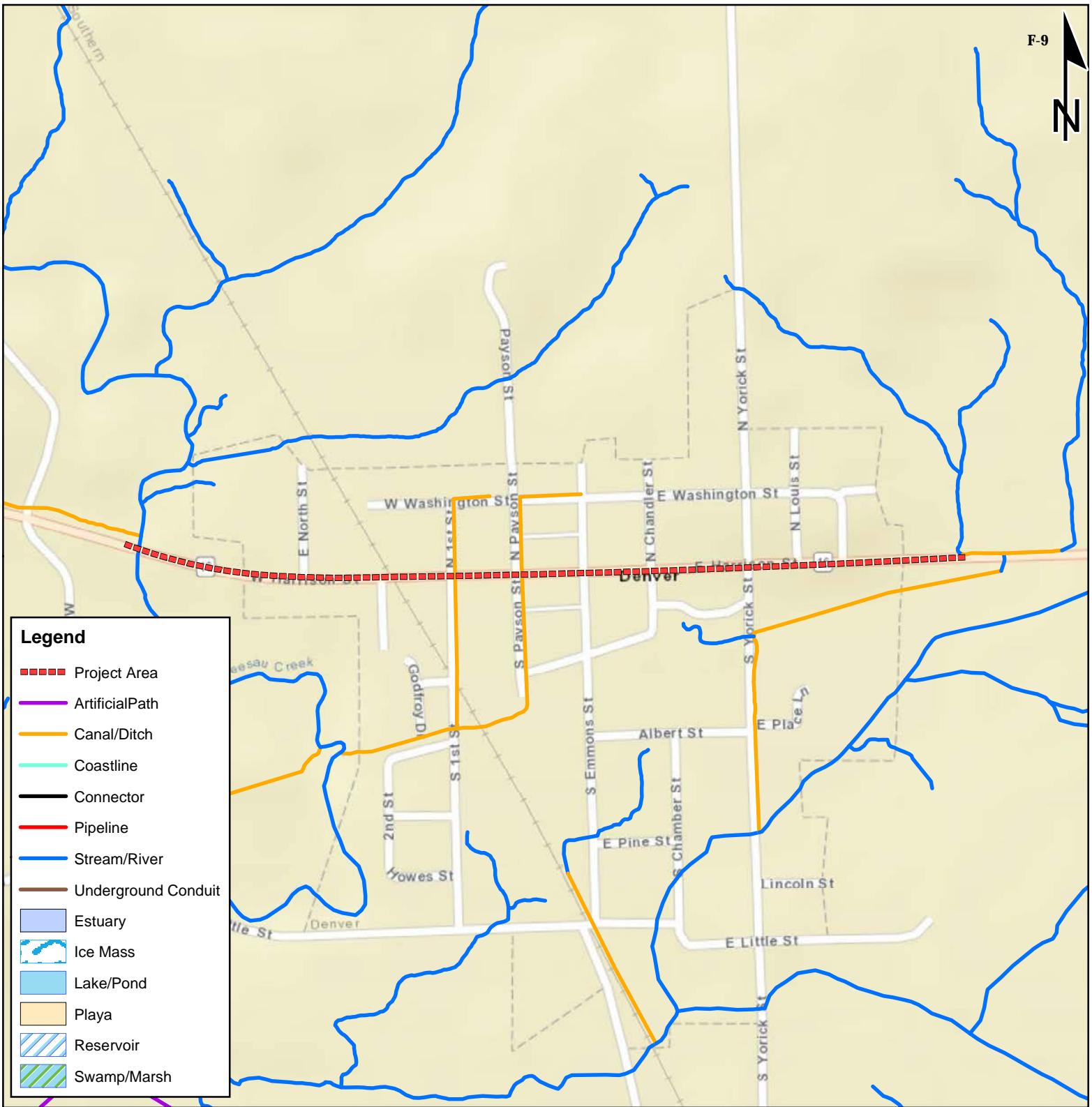
5/1/2019

Environmental Scientist
Burgess & Niple, Inc. / Fort Wayne District

ATTACHMENTS

- Attachment 1** Project Location Map
- Attachment 2** USGS Topographic Map
- Attachment 3** Aerial Map
- Attachment 4** NHD Map
- Attachment 5** Soil Map and Descriptions
- Attachment 6** NWI Features Map
- Attachment 7** FIRM Map
- Attachment 8** Site Photographs

Maps and site photos that are duplicates of information in other sections of the CE have been removed to reduce the document size.



0 325 650 1,300
 Feet

Attachment 4

Indiana Dept. of Transportation (INDOT)
 S.R. 16 Pavement Replacement
 DES NO.: 16000294
 Denver, Miami County

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

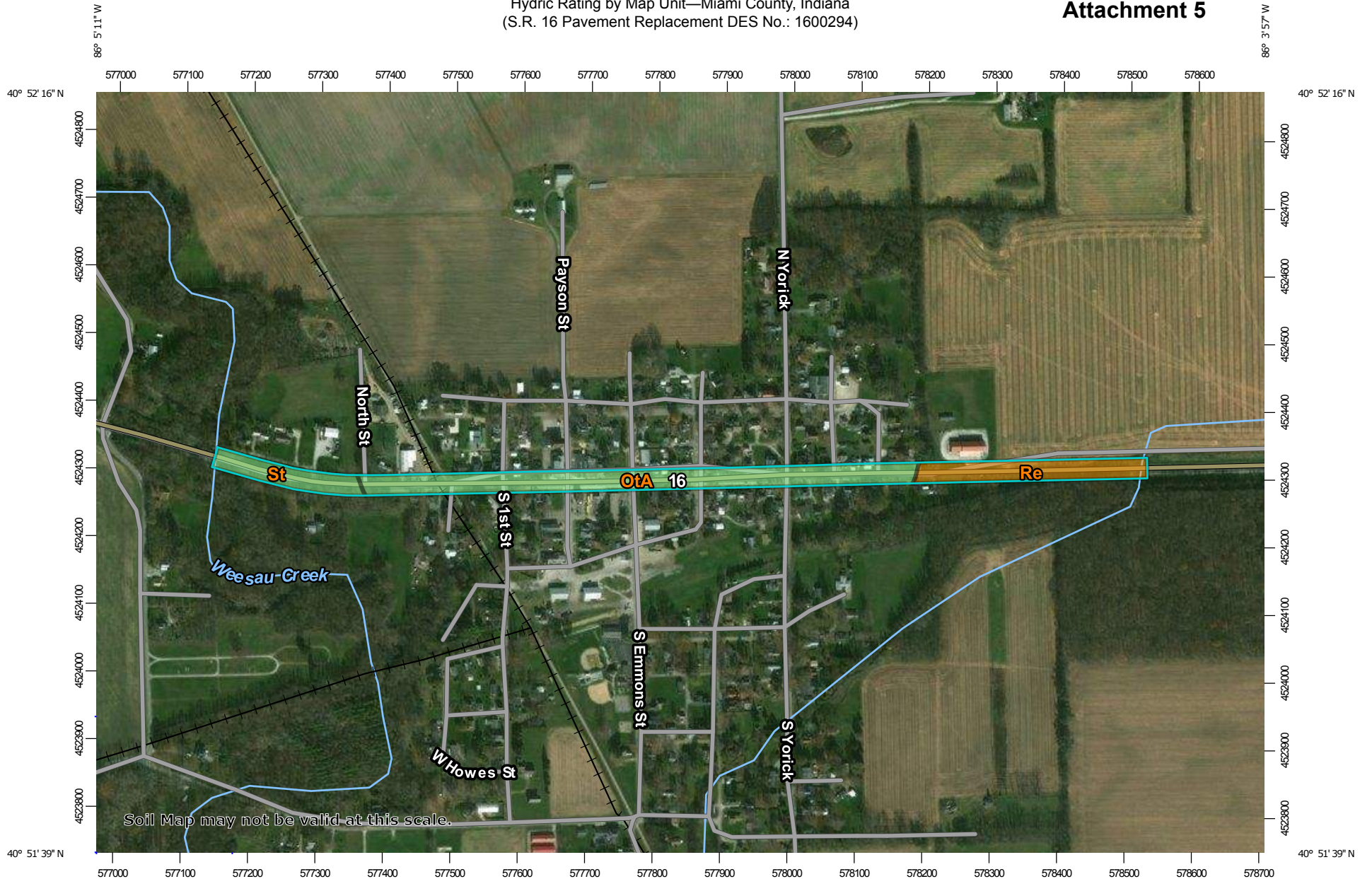
Prepared By: Burgess & Niple

NHD Map

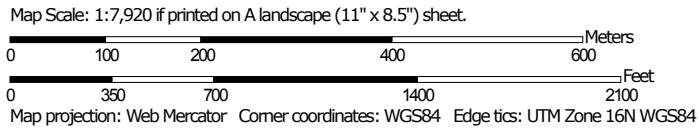
10/22/2018

Hydric Rating by Map Unit—Miami County, Indiana
(S.R. 16 Pavement Replacement DES No.: 1600294)

Attachment 5



Soil Map may not be valid at this scale.









MAP LEGEND

Area of Interest (AOI)







Area of Interest (AOI)

Soils







Soil Rating Polygons

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available


Soil Rating Lines

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available






Soil Rating Points

-  Hydric (100%)
-  Hydric (66 to 99%)
-  Hydric (33 to 65%)
-  Hydric (1 to 32%)
-  Not Hydric (0%)
-  Not rated or not available

Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Miami County, Indiana
Survey Area Data: Version 22, Sep 7, 2018

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 12, 2013—Feb 16, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
OtA	Oshtemo sandy loam, 0 to 4 percent slopes	6	6.2	59.2%
Re	Rensselaer loam, 0 to 1 percent slopes	88	2.6	24.8%
St	Stonelick sandy loam	3	1.7	16.1%
Totals for Area of Interest			10.4	100.0%

Rating Options

Aggregation Method: Percent Present

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

Miami County, Indiana

OtA—Oshtemo sandy loam, 0 to 4 percent slopes

Map Unit Setting

National map unit symbol: 5fk8
Elevation: 530 to 640 feet
Mean annual precipitation: 34 to 44 inches
Mean annual air temperature: 47 to 54 degrees F
Frost-free period: 165 to 190 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Oshtemo and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Oshtemo

Setting

Landform: Stream terraces, outwash plains
Landform position (two-dimensional): Shoulder, summit, backslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loamy outwash over sandy and gravelly outwash

Typical profile

Ap - 0 to 11 inches: sandy loam
Bt1,Bt2 - 11 to 40 inches: gravelly sandy loam
BC - 40 to 51 inches: gravelly sandy loam
2C - 51 to 60 inches: gravelly sand

Properties and qualities

Slope: 0 to 4 percent
Depth to restrictive feature: 40 to 70 inches to strongly contrasting textural stratification
Natural drainage class: Well drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 55 percent
Available water storage in profile: Moderate (about 7.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3s
Hydrologic Soil Group: A

Other vegetative classification: Trees/Timber (Woody Vegetation)
Hydric soil rating: No

Minor Components

Fox

Percent of map unit: 4 percent
Other vegetative classification: Trees/Timber (Woody Vegetation)
Hydric soil rating: No

Gilford

Percent of map unit: 3 percent
Landform: Depressions
Other vegetative classification: Mixed/Transitional (Mixed Native Vegetation)
Hydric soil rating: Yes

Sebewa

Percent of map unit: 3 percent
Landform: Depressions
Other vegetative classification: Mixed/Transitional (Mixed Native Vegetation)
Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Miami County, Indiana
Survey Area Data: Version 22, Sep 7, 2018

Miami County, Indiana

Re—Rensselaer loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 2wp2b

Elevation: 600 to 1,010 feet

Mean annual precipitation: 34 to 40 inches

Mean annual air temperature: 46 to 50 degrees F

Frost-free period: 150 to 185 days

Farmland classification: Prime farmland if drained

Map Unit Composition

Rensselaer and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Rensselaer

Setting

Landform: Depressions

Landform position (three-dimensional): Talf

Down-slope shape: Linear

Across-slope shape: Concave

Parent material: Loamy outwash

Typical profile

Ap - 0 to 15 inches: loam

Btg1 - 15 to 38 inches: clay loam

Btg2 - 38 to 42 inches: loam

Cg1 - 42 to 76 inches: stratified fine sand to silt loam

Cg2 - 76 to 79 inches: loam

Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Poorly drained

Runoff class: Negligible

Capacity of the most limiting layer to transmit water (Ksat):

Moderately low to moderately high (0.06 to 0.20 in/hr)

Depth to water table: About 0 to 6 inches

Frequency of flooding: None

Frequency of ponding: Frequent

Calcium carbonate, maximum in profile: 25 percent

Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Available water storage in profile: High (about 10.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 2w

Hydrologic Soil Group: B/D
Other vegetative classification: Mixed/Transitional (Mixed Native Vegetation)
Hydric soil rating: Yes

Minor Components

Whitaker

Percent of map unit: 7 percent
Landform: Outwash plains
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Other vegetative classification: Trees/Timber (Woody Vegetation)
Hydric soil rating: No

Crosier

Percent of map unit: 5 percent
Landform: Moraines
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Linear
Other vegetative classification: Trees/Timber (Woody Vegetation)
Hydric soil rating: No

Houghton, undrained

Percent of map unit: 3 percent
Landform: Depressions
Landform position (three-dimensional): Dip
Down-slope shape: Concave
Across-slope shape: Concave
Other vegetative classification: Mixed/Transitional (Mixed Native Vegetation)
Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Miami County, Indiana
Survey Area Data: Version 22, Sep 7, 2018

Miami County, Indiana

St—Stonelick sandy loam

Map Unit Setting

National map unit symbol: 5fkm
Elevation: 530 to 640 feet
Mean annual precipitation: 34 to 44 inches
Mean annual air temperature: 47 to 54 degrees F
Frost-free period: 165 to 190 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Stonelick and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Stonelick

Setting

Landform: Flood plains
Landform position (two-dimensional): Summit
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Loamy alluvium

Typical profile

Ap - 0 to 10 inches: sandy loam
C1,C2,C3 - 10 to 60 inches: stratified loam to sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): High
(2.00 to 6.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: Occasional
Frequency of ponding: None
Calcium carbonate, maximum in profile: 30 percent
Available water storage in profile: Low (about 6.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: A
Other vegetative classification: Trees/Timber (Woody Vegetation)
Hydric soil rating: No

Minor Components

Shoals

Percent of map unit: 7 percent

Other vegetative classification: Trees/Timber (Woody Vegetation)

Hydric soil rating: No

Sloan

Percent of map unit: 3 percent

Landform: Depressions

Other vegetative classification: Mixed/Transitional (Mixed Native
Vegetation)

Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Miami County, Indiana

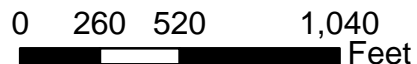
Survey Area Data: Version 22, Sep 7, 2018



Legend

- Project Area
- Wetlands**
- WETLANDS**
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

U.S. Fish and Wildlife Service, National Standards and Support Team,
 wetlands_team@fws.gov



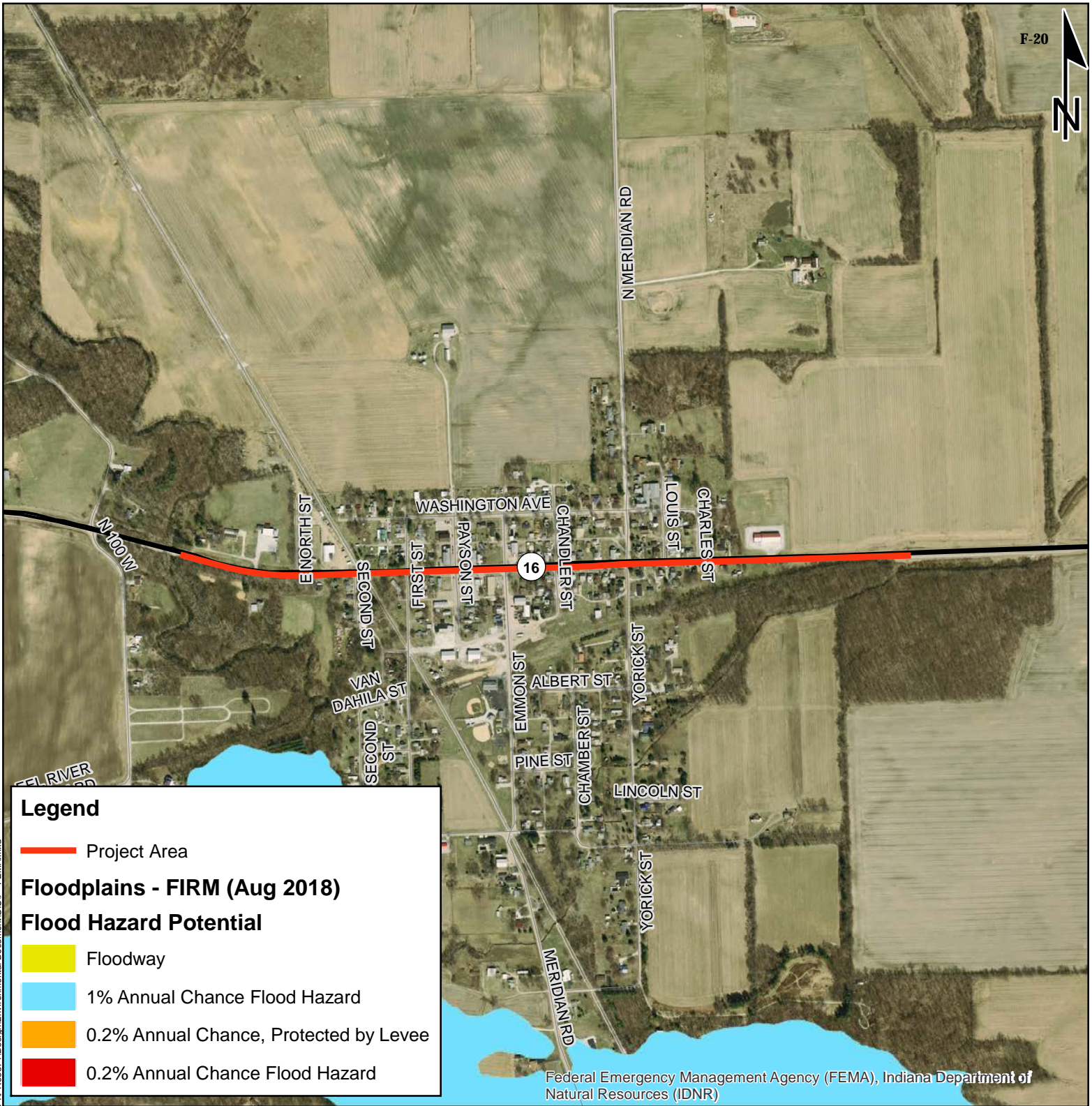
Attachment 6

Indiana Dept. of Transportation (INDOT)
 S.R. 16 Pavement Replacement
 DES NO. 1600294
 Denver, Miami County






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
 Prepared By: Burgess & Niple

NWI Map

10/22/2018



Legend

-  Project Area
- Floodplains - FIRM (Aug 2018)**
- Flood Hazard Potential**
-  Floodway
-  1% Annual Chance Flood Hazard
-  0.2% Annual Chance, Protected by Levee
-  0.2% Annual Chance Flood Hazard

Federal Emergency Management Agency (FEMA), Indiana Department of Natural Resources (IDNR)

0 345 690 1,380
Feet

Attachment 7

Indiana Dept. of Transportation (INDOT)
S.R. 16 Pavement Replacement
DES NO. 1600294
Denver, Miami County

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

Prepared By: Burgess & Niple



FEMA Flood Hazard Map

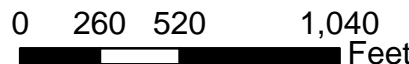
10/22/2018

P:\PR653741\Design\Environmental\Document\GIS7 - FEMA.mxd



Legend

-  Photo
-  StudyArea



Attachment 8

Indiana Dept. of Transportation (INDOT)
 S.R. 16 Pavement Replacement
 DES NO.: 1600294
 Denver, Miami County

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
 Prepared By: Burgess & Niple

Photo Orientation Map

P:\PR553741\Design\Environmental Document\GIS8 - Photo Orientation.mxd

Fitch, Richard

From: Mathias, Jason
Sent: Wednesday, June 05, 2019 9:22 AM
To: Fitch, Richard
Subject: FW: APPROVED: WOTUS Report, Des. 1600294, SR 16 Pvmnt. Rplcmnt. 2.90 miles E of US 31 to 3.71 miles E of US 31 (Denver Small Towns), Miami Co
Attachments: Permit Determination Questionnaire V 2_28_2019.docx; WOTUS Rprt Final 1600294 SR16 Miami Co 5-1-2019.pdf

Jason Mathias, PE
Burgess & Niple, Inc.
 317.237.2752 x4416
 cell 812.486.5993
 251 N Illinois St, Suite 920
 Indianapolis, IN 46204
burgessniple.com



From: Seculoff, Steven <SSeculoff@indot.IN.gov>
Sent: Thursday, May 16, 2019 10:49 AM
To: Mathias, Jason <jason.mathias@burgessniple.com>
Cc: Rominger, Greg <greg.rominger@burgessniple.com>
Subject: FW: APPROVED: WOTUS Report, Des. 1600294, SR 16 Pvmnt. Rplcmnt. 2.90 miles E of US 31 to 3.71 miles E of US 31 (Denver Small Towns), Miami Co

Hi Jason,

I hope all is well. Attached and in the email below is the approval of the WOTUS report for Des. 1600294. The permit questionnaire is attached as well to begin that process.

FYI – The change management to move 1600294 out to the 9/15/2021 letting to combine with the other Denver projects has been submitted. I will let you know the outcome once the CCB reviews this. For now keep moving along with the original Letting date though.

Let me know if you have any questions.

Thank you,

Steve Seculoff, PMP
Project Manager
 Indiana Department of Transportation
 5333 Hatfield Road
 Fort Wayne, IN 46808
Office: (260) 399-7337
 Email: sseculoff@indot.in.gov



From: Sperry, Steve

Sent: Thursday, May 16, 2019 10:35 AM

To: Aldridge, Mathew <Mathew.Aldridge@burgessniple.com>; Seculoff, Steven <SSeculoff@indot.IN.gov>

Cc: Rehder, Crystal <CREhder@indot.IN.gov>; Moser, Douglas <DMOSER@indot.IN.gov>; greg.rominger@burgessniple.com

Subject: APPROVED: WOTUS Report, Des. 1600294, SR 16 Pvmnt. Rplcmnt. 2.90 miles E of US 31 to 3.71 miles E of US 31 (Denver Small Towns), Miami Co

Mathew,

Thank you for submitting the waters report for the above referenced project.

Steven

The approved report is attached and can also be found on ProjectWise through this link: [WOTUS Rprt Final 1600294 SR16 Miami Co 5-1-2019.pdf](#) *It is the responsibility of the Project Manager to forward a copy of this report to the Project Designer.*

After having reviewed the information in this report it has been determined that there are no Federal or State jurisdictional waters within the area of investigation.

This email serves as notice that the Project Designer is to complete the standard Permit Determination Questionnaire (refer to attached) as soon as all required information is obtained. It will need to be submitted to Steve Sperry so that a permit determination can be made.

The Project Manager should notify the Ecology and Waterway Permitting Office if there is any change to the project footprint presented in this report. Such changes may require additional fieldwork and submittal of an updated waters report covering areas not previously investigated. *This report is only valid for a period of five years from the date of earliest fieldwork.* If the report expires prior to waterway permit application submittal, additional fieldwork and a revised waters report will be required.

Thanks

Steve

Stephen C. Sperry

Ecology and Permits Coordinator

Division of Environmental Services

IGCN Room 642

100 N. Senate Ave.

Indianapolis, IN 46204

Office: (317) 232-5206

Email: ssperry@indot.in.gov



Appendix G
Public Involvement

BURGESS & NIPLE

251 North Illinois Street | Capital Center Suite 920 | Indianapolis, IN 46204 | 317.237.2760

EXAMPLE OF NOTICE OF ENTRY LETTER

RE: Notice of Survey

S. R. 16 in Denver, IN

Des. No. 1600294

February 22, 2017

Michael & Gerri Mavrick

460 W. Harrison

Denver, IN 46926

Our company has been contracted by the Indiana Department of Transportation to perform a survey for this proposed highway project. Our employees will be doing a survey of the project area in the near future. It may be necessary for them to come onto your property to complete this work. This is allowed by IC 8-23-7-26. They will show you their identification, if you are available, before coming onto your property. If you have sold this property, or if it is occupied by someone else, please contact us at the name and number below with the new name and address of the new owner or current occupant so we can contact them about the survey.

At this stage, we generally do not know what effect, if any, this project may eventually have on your property. If it is determined at a later time that your property is involved, you will be contacted with additional information.

The survey work will include mapping the location of features such as trees, buildings, fences, drives and property boundary information, as well as obtaining ground elevations. The survey is required for the proper planning and design of the highway project. Please be assured of our sincere desire to cause you as little inconvenience as possible during this survey. If you have any questions, please contact me, Mark Teepe, Survey Manger at the phone number and/or address shown above and below.

Sincerely,

Mark W. Teepe PLS

Survey Manager, Burgess & Niple

Tel: 317-237-2760

Email: mark.teepe@burgessniple.com

OWNERS LIST FOR S.R. 16 DENVER, IN

Michael A. & Gerri Mavrick

460 W. Harrison Street

Denver, IN 46926

Fred A. & Mary A. Raider

440 W. Harrison Street

Denver, IN 46926

Thomas R. Fox

1984 W. S. R. 16

Denver, IN 46926

Miami County

25 N. Broadway

Peru, IN 46970

Nickel Plate Trail, Inc.

PO Box 875

Peru, IN 46970

Herbert Walter & Carolyn Sue Hunt

PO Box 222

Denver, IN 46926

Rhonda L. Rodriguez

429 W. Harrison Street

Denver, IN 46926

Randall L. Voorhees & Edward Rodriguez

343 W. Harrison Street

Denver, IN 46970

David R. Brinker

212 Main Street, Unit 305

Florence, KY 41042

David Jr. & Melissa Sailors

21 S. 2nd Street

Denver, IN 46926

Steven E. & Judy A. Burkhardt

18 S. First Street

Denver, IN 46926

Kevin E. & Hayley L. Hostetler

PO Box 26

Denver, IN 46926

Jason J. & Heather M. Kendall

214 W. Harrison Street

Denver, IN 46926

Wayne Cole

1574 E. 550 N.

Peru, IN 46970

Max A. & Diane H. Imhoof

PO Box 126

Denver, IN 46926

Johnny R. Joseph

1271 W. 750 N.

Denver, IN 46926

Maurice D. Sixbey

6421 N. S. R. 19

Denver, IN 46926

Aaron S. Vance

PO Box 299

Denver, IN 46926

Michelle L. Maple

151 W. Harrison Street

Denver, IN 46926

Town of Denver

PO Box 111

Denver, IN 46926

Glenn T. & Janet K. Stevens

10747 N. 100 E.

Macy, IN 46951

Richard & Barbara Jane Robins

PO Box 284

Denver, IN 46926

Christopher J. Trigg

PO Box 65

Denver, IN 46926

Jodi Grant

PO Box 117

Denver, IN 46926

United Telephone Co. of Indiana

PO Box 2599

Overland Park, KS 66063

James M. & Donna L. Whiteside

140 Highland Avenue

Smiths Grove KY, 42171

Stewart Fuller

32 E. Harrison Street

Denver, IN 46926

Durward L. & Carrie L. Fuller

PO Box 274

Denver, IN 46926

Bret A. Galbraith

56 E. Harrison Street

Denver, IN 46926

Phyllis A. Hart

90 E. Harrison Street

Denver, IN 46926

James A. Mull & Shirley A. Family

6418 N. 100 E.

Denver, IN 46926

Carl & Jane Bapp

29 E. Harrison Street

Denver, IN 46926

Brent E. Shoemaker

51 E. Harrison Street

Denver, IN 46926

Shirley & James Stone

63 E. Harrison Street

Denver, IN 46926

Donald G. & Jean A. Musselman

PO Box 125

Denver, IN 46926

Terry E. Wray

PO Box 74

Denver, IN 46926

Noble C. Truex

PO Box 3

Denver IN 46926

Wayne & Minnie L. Slusser

166 E. Harrison Street

Denver, IN 46926

Trustees of the Methodist Church Denver

6634 N. 150 W.

Denver, IN 46926

David W. & Sali C. See

109 E. Harrison Street

Denver, IN 46926

Richard A. & Bonnie J. Maple

PO Box 112

Denver, IN 46926

127 East Harrison Street Land Trust

5424 McFarland Road

Indianapolis, IN 46227

Jeremy B. & Lisa M. Juliot

165 E. Harrison Street

Denver, IN 46926

Fredrick Duane & Ramona Dawn Harden

12789 S. Private Road 1040 E.

Galveston, IN 46932

Thomas R. Fox & Judith A. Houlihan

1984 W. S. R. 16

Denver, IN 46926

David L. & Amy C. Holland

219 E. Harrison Street

Denver, IN 46926

Robert V. & Christy L. Engle

247 E. Harrison Street

Denver, IN 46926

Samuel L. Finnegan

261 E. Harrison Street

Denver, IN 46926

Tammy A. Mosley

367 E. Harrison Street

Denver, IN 46926

Wayne & Gladys V. Ashcraft

PO Box 73

Denver, IN 46926

Michael R. & Rebecca S. Wright

PO Box 85

Denver, IN 46926

Emerson L. Wood, Carlene L. Wood & Pamela L. Carpenter

PO Box 205

Denver, IN 46926

Larry H. & Rebecca S. Gray

PO Box 57

Denver, IN 46926

Jeff & Rhonda Robins

PO Box 11

Denver, IN 46926

Ceres Farms, LLC

1251 N. Eddy Street, Suite 200

South Bend, IN 46617

Stakeholder Meeting Agenda

INDOT – SR 16 Small Town Project, Miami County

Project: SR 16 Small Town Project Stakeholder Meeting **Date:** July 26, 2018
Des. No. 1600294
Subject: Agenda
Meeting Location : Denver Community Building

1. Meeting Attendees

<u>Name</u>	<u>Company</u>	<u>Phone</u>	<u>E-mail</u>
Tony Jones	INDOT	(317) 233-5282	twjones@indot.in.gov
Len Kreger	INDOT	(260) 969-8308	lkreger@indot.in.gov
Susan Doell	INDOT	(260) 969-8263	sdoell@indot.in.gov
Allen Hetzner	Town of Denver	(765) 985-2544	hetz63@hotmail.com
Mary Raider	Town of Denver	(765) 985-9242	ma.raider@hotmail.com
Brad McNair	INDOT	(260) 399-7348	bmcnair@indot.in.gov
Troy Prior	Town of Denver	(574) 780-4553	troyprior@comcast.net
Becky Wright	Town of Denver	(765) 985-3555	bwright58@hotmail.com
Nichole Thomas	INDOT	(260) 442-5520	nhachathomas@indot.in.gov
Jason Mathias	B&N	(317) 237-2760	jason.mathias@burgessniple.com
Lora Jones	B&N	(317) 237-2760	lora.jones@burgessniple.com

The following items were discussed at the stakeholder meeting:

2. Project Overview-

INDOT PM – Tony Jones
 Design PM: Jason Mathias, Burgess & Niple, Inc.

Project Schedule: 30% Design: July 2018
 Public Hearing: Summer 2019
 Project Letting: Fall 2020
 Begin Construction: Spring 2021

Project Limits: Begin Project: Weesau Creek Bridge
 End Project: Denver Fire Department
 Project length is 0.72 miles

Project Purpose: Address a long-term solution for the deteriorated condition of the SR 16 pavement, drainage, and sidewalks

3. Parking/ADA –

- On street parking lanes will be on both sides of SR 16 from 1st Street to Yorick Street. From Yorick Street to Charles Street will have a parking lane on the north side of SR 16.
- Handicap parking locations will be established for the parking lanes on SR 16
- Sidewalk will be replaced and ADA compliant
- Crosswalks will be located throughout the project

4. *Right-of-Way*

- Permanent right-of-way will be acquired
 - Roadway Construction
 - Sidewalk and Ramp Construction
- Temporary right-of-way will be acquired
 - Lawn Grading
 - Driveway Construction

5. *Maintenance of Traffic*

- SR 16 will be closed for the duration of construction
 - Access to homes and businesses will be maintained
- Official State Route Detour will be used
 - US 31, US 24, and SR 19 will be used as the detour route
- Burgess & Niple will refer to previous correspondence with Dana Plattner to determine if road signs will be reset or replaced
- Burgess & Niple will discuss with Dana Plattner if a speed study is needed
 - Some areas within Denver town limits have a speed limit of 55 mph

6. *Utilities*

- Burgess & Niple will be coordinating with utility companies
 - Burgess & Niple will determine if Comcast has utilities in the project limits
 - Utilities will be relocated along SR 16 where necessary
- Storm sewer will be replaced
 - Kline Ditch is currently used as an over flow for Weesau Creek
 - Burgess & Niple will determine an outlet location for the storm sewer
- A possibility of a sinkhole at the southeast corner of SR 16 and Yorick Street will be investigated
- Curb and Gutter will be added along with yard inlets to address existing drainage and flooding problems
- Burgess & Niple will review the red flag investigation
 - Burgess & Niple will investigate further if existing underground fuel tanks are not listed in the red flag investigation

Appendix H

Air Quality

Indiana Department of Transportation (INDOT)
State Preservation and Local Initiated Projects FY 2020 - 2024

SPONSOR	CONTRACT # / LEAD DES	STIP NAME	ROUTE	WORK TYPE	LOCATION	DISTRICT	MILES	FEDERAL CATEGORY	Estimated Cost left to Complete Project*	PROGRAM	PHASE	FEDERAL	MATCH	2020	2021	2022	2023	2024
Miami County																		
Miami County	1592923	Init.	VA VARI	Bridge Inspections	Countywide Bridge Inspection and Inventory Program for Cycle Years 2017-2020	Fort Wayne	0	Multiple		Local Funds	PE	\$0.00	\$4,264.97	\$4,264.97				
										Local Bridge Program	PE	\$17,059.87	\$0.00	\$17,059.87				
Indiana Department of Transportation	1600516	Init.	US 31	Other Intersection Improvement	US 31 at SR 218 N Jct	Fort Wayne	.38	NHPP		Safety Construction	CN	\$800,000.00	\$200,000.00				\$1,000,000.00	
										Safety ROW	RW	\$16,000.00	\$4,000.00	\$20,000.00				
Indiana Department of Transportation	1700086	Init.	US 31	Other Intersection Improvement	US 31 at SR 218 South Junction.	Fort Wayne	.37	NHPP		Safety Construction	CN	\$800,000.00	\$200,000.00				\$1,000,000.00	
Indiana Department of Transportation	1700090	Init.	US 31	Other Intersection Improvement	US 31 at CR 100 N, 0.42 Miles North of US 24	Fort Wayne	.5	NHPP		Safety Construction	CN	\$800,000.00	\$200,000.00				\$1,000,000.00	
Indiana Department of Transportation	1802090	Init.	US 31	New Interchange Construction	US 31 at SR 18	Fort Wayne	0	NHPP		Safety Construction	CN	\$14,000,000.00	\$3,500,000.00			\$500,000.00	\$17,000,000.00	
										Safety ROW	RW	\$400,000.00	\$100,000.00			\$500,000.00		
Indiana Department of Transportation	1802094	Init.	US 31	Intersection Improvement	US 31 at SR 16	Fort Wayne	.99	NHPP		Safety Construction	CN	\$800,000.00	\$200,000.00				\$1,000,000.00	
Indiana Department of Transportation	1802095	Init.	US 31	Intersection Improvement	At CR 850 South, 1.26 Miles South of SR 218, South Junction.	Fort Wayne	1.03	NHPP		Safety Construction	CN	\$800,000.00	\$200,000.00				\$1,000,000.00	
Indiana Department of Transportation	39808 / 1700254	Init.	US 31	Concrete Pavement Restoration (CPR)	From 0.50 miles S of US 24 to 0.60 miles N of US 24	Fort Wayne	1.13	NHPP		Bridge Construction	CN	\$620,522.40	\$155,130.60	\$775,653.00				
										Road Construction	CN	\$4,615,116.80	\$1,153,779.20	\$5,768,896.00				
Indiana Department of Transportation	39890 / 1600294	Init.	SR 16	Pavement Replacement	2.90 miles E of US 31 to 3.71 miles E of US 31 (Denver Small Towns)	Fort Wayne	.045	STPBG		Road Construction	CN	\$4,459,239.20	\$1,114,809.80		\$5,574,049.00			
Indiana Department of Transportation	40476 / 1601004	Init.	SR 16	HMA Overlay Minor Structural	From US 31 to SR 19 S Jct	Fort Wayne	5.881	STPBG		Bridge Construction	CN	\$1,992,633.60	\$498,158.40		\$16,000.00	\$2,474,792.00		
										Bridge ROW	RW	\$166,000.00	\$41,500.00	\$30,000.00	\$177,500.00			
										Road Construction	CN	\$1,476,751.20	\$369,187.80			\$1,845,939.00		
										Safety Construction	CN	\$815,172.80	\$203,793.20			\$1,018,966.00		
Indiana Department of Transportation	41062 / 1800942	Init.	VA VARI	Traffic Signals Modernization	Various Locations Within the Fort Wayne District.	Fort Wayne	.04	STPBG		Safety Construction	CN	\$1,503,031.20	\$375,757.80		\$1,878,789.00			
Indiana Department of Transportation	41121 / 1800552	Init.	SR 124	HMA Overlay, Preventive Maintenance	From 0.57 Miles East of SR 19 (Wallace St.) to 7.32 Miles East of SR 19	Fort Wayne	6.408	STPBG		Road Construction	CN	\$1,276,224.00	\$319,056.00		\$1,595,280.00			

*Estimated Costs left to Complete Project column is for costs that may extend beyond the four years of a STIP. This column is not fiscally constrained and is for information purposes.

SPONSOR	CONTR ACT # / LEAD DES	STIP NAME	ROUTE	WORK TYPE	LOCATION	DISTRICT	MILES	FEDERAL CATEGORY	Estimated Cost left to Complete Project*	PROGRAM	PHASE	FEDERAL	MATCH	2020	2021	2022	2023	2024	
Miami County																			
Indiana Department of Transportation	1600294	A 01	R 16	Pavement Replacement	2.90 miles E of US 31 to 3.71 miles E of US 31 (Denver Small Towns)	Fort Wayne	.045	STBG	\$4,361,891.00	Road ROW	RW	\$80,000.00	\$20,000.00	\$100,000.00					
											Road Construction	CN	\$2,946,272.80	\$736,568.20		\$3,682,841.00			
Comments:NO MPO. DES 1600294 adding ROW to FY 2020 into FY 2020 - 2024 STIP.																			
Miami County	41950 / 1802959	A 01	IR 1005	Replace Superstructure	Bridge #501 on Wayne Street over Wabash River	Fort Wayne	.14	STBG	\$3,687,500.00	Local Funds	CN	\$0.00	\$737,500.00		\$737,500.00				
											Local Bridge Program	CN	\$2,950,000.00	\$0.00		\$2,950,000.00			
Comments:Adding new project to TIP. No MPO																			
Indiana Department of Transportation	42364 / 1601006	A 01	R 19	HMA Overlay Minor Structural	From SR 18 to 1.39 Miles South of SR 124 (South Limit Peru, CR 150)	Fort Wayne	13.938	STPBG	\$7,907,641.00	Road Construction	CN	\$5,751,008.80	\$1,437,752.20					\$7,188,761.00	
											Road Consulting	PE	\$575,104.00	\$143,776.00	\$718,880.00				
Comments:NO MPO. DES 1601006 adding PE to FY 2020 and CN to FY 2024 into FY 2020 - 2024 STIP.																			
Indiana Department of Transportation	42367 / 1900079	A 01	US 24	Small Structure Replacement	2.53 Miles East of SR 19, Carries UNT of Schrock Creek	Fort Wayne	.2	NHPP	\$6,203,586.00	Bridge Construction	CN	\$4,156,868.80	\$1,039,217.20			\$70,000.00		\$5,126,086.00	
											Bridge Consulting	PE	\$706,000.00	\$176,500.00	\$882,500.00				
											Bridge ROW	RW	\$100,000.00	\$25,000.00			\$125,000.00		
Comments:NO MPO. DES 1900079, 1900087, 1900086, 1900234 adding PE to FY 2020, RW to FY 2022 and CN to FY 2022 into FY 2020 - 2024 STIP.																			
Indiana Department of Transportation	42368 / 1900078	A 01	US 24	Small Structure Replacement	2.83 Miles East of US 31, Carries UNT of Prairie Creek	Fort Wayne	.2	NHPP	\$3,090,794.00	Bridge Construction	CN	\$1,948,635.20	\$487,158.80			\$45,000.00		\$2,390,794.00	
											Bridge Consulting	PE	\$304,000.00	\$76,000.00	\$380,000.00				
											Bridge ROW	RW	\$64,000.00	\$16,000.00			\$80,000.00		
Comments:NO MPO. DES 1900077, 1900078, 1900230 adding PE to FY 2020, RW to FY 2022 and CN to FY 2022 into FY 2020 - 2024 STIP.																			
Indiana Department of Transportation	42369 / 1800016	A 01	R 16	Small Structure Replacement	Carries UNT of Eel River, 3.36 Miles East of SR 19, North Junction.	Fort Wayne	.1	STPBG	\$588,744.00	Bridge Construction	CN	\$318,995.20	\$79,748.80			\$20,000.00		\$378,744.00	
											Bridge Consulting	PE	\$128,000.00	\$32,000.00	\$160,000.00				
											Bridge ROW	RW	\$24,000.00	\$6,000.00			\$30,000.00		
Comments:NO MPO. DES 1800016 adding PE to FY 2020, RW to FY 2022 and CN to FY 2022 into FY 2020 - 2024 STIP.																			

Miami County Total
 Federal: \$20,052,884.80 Match: \$5,013,221.20 2020: \$2,241,380.00 2021: \$7,370,341.00 2022: \$370,000.00 2023: 2024: \$15,084,385.00

*Estimated Costs left to Complete Project column is for costs that may extend beyond the four years of a STIP. This column is not fiscally constrained and is for information purposes.

Appendix I
Additional Studies

Land and Water Conservation Fund (LWCF) County Property List for Indiana (Last Updated December 2019)

1800069	1800069B	Miami	Miami State Recreation Area
1800375	1800375D	Miami	Mississinewa Reservoir
1800413	1800413H	Miami	Miami State Recreation Area (Mississinewa)
1800449	1800449A	Miami	Miami State Recreation Area, Mississinewa Res
1800563	1800563	Miami	Mississinewa Reservoir - Miami SRA

Fitch, Richard

From: Bales, Ronald <rbales@indot.IN.gov>
Sent: Thursday, April 9, 2020 8:28 AM
To: Fitch, Richard
Cc: Mathias, Jason; Seculoff, Steven; Miller, Brandon
Subject: RE: SR 16 Denver Reconstruction CE EJ Analysis Review DES 1600294
Attachments: Miami County Census Data.pdf; EJScreen Report.pdf; State Route 16 DES 1600294 EJ.pdf

INDOT-Environmental Services Division (ESD) has reviewed the project information along with the Environmental Justice (EJ) Analysis for the above referenced project. The project would require minimal right-of-way, no relocations, would not disrupt community cohesion or create a physical barrier. With the information provided, INDOT-ESD would not consider the impacts associated with this project as causing a disproportionately high and adverse effect on minority and/or low incomes populations of EJ concern relative to non EJ populations in accordance with the provisions of Executive Order 12898 and FHWA Order 6640.23a. No further EJ Analysis is required.

Ron Bales

INDOT-Environmental Services Division
Office: (317) 234-4916
Email: rbales@indot.in.gov

From: Fitch, Richard <Rick.Fitch@burgessniple.com>
Sent: Wednesday, April 01, 2020 9:54 AM
To: Bales, Ronald <rbales@indot.IN.gov>
Cc: Mathias, Jason <jason.mathias@burgessniple.com>; Seculoff, Steven <SSeculoff@indot.IN.gov>
Subject: RE: SR 16 Denver Reconstruction CE EJ Analysis Review DES 1600294

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Ron- Attached are the data sheets we used for this project. The INDOT Guidance on EJ and the directions to the census information no longer is correct in obtaining the Census information. In lieu of the census information from the guidance we used the attached date from EJScreen and Miami County Census summary.

Rick Fitch, AICP*
Environmental Planner*

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From: Bales, Ronald <rbales@indot.IN.gov>
Sent: Wednesday, April 1, 2020 9:40 AM
To: Fitch, Richard <Rick.Fitch@burgessniple.com>
Cc: Mathias, Jason <jason.mathias@burgessniple.com>
Subject: RE: SR 16 Denver Reconstruction CE EJ Analysis Review DES 1600294

Can you please send the data sheets for this project. Thank you.

From: Fitch, Richard <Rick.Fitch@burgessniple.com>
Sent: Monday, March 30, 2020 4:03 PM
To: Bales, Ronald <rbales@indot.IN.gov>
Cc: Mathias, Jason <jason.mathias@burgessniple.com>
Subject: SR 16 Denver Reconstruction CE EJ Analysis Review DES 1600294

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Ron- I sent the attached email to you on March 17, 2020 concerning the EJ Analysis Review for the above referenced project. I was wondering if you would be able to let me know how long the review will take by ES? The PM in Fort Wayne is looking for a schedule to resubmit the CE.

Thank you for your assistance.

Rick Fitch, AICP*
Environmental Planner*

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**Environmental Justice (EJ) Analysis
State Route 16 Reconstruction, DES 1600294**

The SR 16 reconstruction project consists of full depth pavement reconstruction with underdrains as well as removing and replacing the curb and gutter, storm drainage, sidewalks and curb ramps. All sidewalks and curb ramps shall be ADA compliant. Several short sections of sidewalk will be constructed to fill missing links in the sidewalk through town.

EJ Analysis, EJ Populations

Under FHWA Order 6640.23A, FHWA and the project sponsor, as a recipient of funding from FHWA, are responsible to ensure that their programs, policies, and activities do not have a disproportionately high and adverse effect on minority or low-income populations. Per the current INDOT Categorical Exclusion Manual, an EJ Analysis is required for any project that has two or more relocations or 0.5 acre of additional permanent right-of-way. The project will require 1.672 acres of permanent and 0.591 acre of temporary ROW. There are no relocations. Therefore, an EJ Analysis is required.

Potential EJ impacts are detected by locating minority and low-income populations relative to a reference population to determine if populations of EJ concern exists and whether there could be disproportionately high and adverse impacts to them. The reference population may be a county, city or town and is called the community of comparison (COC). In this project, the COC is Miami County. The community that overlaps the project area is called the affected community (AC). In this project, the AC is Block Group 181039520004. An AC has a population of concern for EJ if the population is more than 50% minority or low-income or if the low-income or minority population is 125% of the COC. Data was obtained from the US Census Bureau Website <https://factfinder.census.gov/> on 11/15/2018 by B&N. The data is from the US Census Data as of July 1, 2017, collected for minority and low-income populations within the AC are summarized in the below table.

Table: Minority and Low-Income Data ¹		
	COC -Miami County	AC-1 - Block Group 181039520004
Percent Minority	8.5%	5%
125% of COC	10.6%	AC < 125% COC
EJ Population of Concern		No
Percent Low-Income	15.7%	33%
125% of COC	19.6%	AC > 125% COC
EJ Population of Concern		Yes

¹United States Census Bureau, July 1,2017 estimate for Miami County and the Block Group.

Minority Population-AC-1, Block Group 181039520004 has a 5% minority population which is below 50% and is below the 125% COC threshold. Therefore, AC-1 is not a minority population of EJ concern.

Low Income Population- AC-1, Block Group 181039520004 has a 33 percent low-income which is below 50% but is above the 125% COC threshold. Therefore, AC-1 has a low-income population of EJ concern.

All of the property to be acquired are narrow strips of land adjacent to the existing public right-of-way with no total parcel area to be acquired. There will be no relocations of residential homes or businesses due to the project. During the Stakeholder meeting that included the Town of Denver, no concerns with impacts to EJ populations were raised. The closure of SR 16 during construction will have the same impact on all users of SR 16 in Denver whether they are EJ and non EJ populations.

This project will not disproportionately impact any reviewed EJ populations. Additionally, this project will improve the community by improving roadway conditions, sidewalk and parking ADA compliance, and stormwater ponding.



EJSCREEN Report (Version 2018)



Blockgroup: 181039520004, INDIANA, EPA Region 5

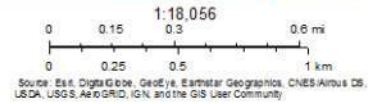
Approximate Population: 966

Input Area (sq. miles): 10.13



November 15, 2018

- Selected Blockgroup
- Buffer Area
- Digitized Line



QuickFacts
Miami County, Indiana

QuickFacts provides statistics for all states and counties, and for cities and towns with a **population of 5,000 or more**.

Table

All Topics	Miami County, Indiana
Population estimates, July 1, 2017, (V2017)	35,845
PEOPLE	
Population	
Population estimates, July 1, 2017, (V2017)	35,845
Population estimates base, April 1, 2010, (V2017)	36,908
Population, percent change - April 1, 2010 (estimates base) to July 1, 2017, (V2017)	-2.9%
Population, Census, April 1, 2010	36,903
Age and Sex	
Persons under 5 years, percent	▲ 5.3%
Persons under 18 years, percent	▲ 21.6%
Persons 65 years and over, percent	▲ 17.2%
Female persons, percent	▲ 46.3%
Race and Hispanic Origin	
White alone, percent (a)	▲ 91.5%
Black or African American alone, percent (a)	▲ 5.0%
American Indian and Alaska Native alone, percent (a)	▲ 0.9%
Asian alone, percent (a)	▲ 0.5%
Native Hawaiian and Other Pacific Islander alone, percent (a)	▲ Z
Two or More Races, percent	▲ 2.0%
Hispanic or Latino, percent (b)	▲ 3.2%
White alone, not Hispanic or Latino, percent	▲ 88.8%
Population Characteristics	
Veterans, 2012-2016	3,052
Foreign born persons, percent, 2012-2016	1.0%
Housing	
Housing units, July 1, 2017, (V2017)	15,413
Owner-occupied housing unit rate, 2012-2016	72.5%
Median value of owner-occupied housing units, 2012-2016	\$85,600
Median selected monthly owner costs -with a mortgage, 2012-2016	\$895
Median selected monthly owner costs -without a mortgage, 2012-2016	\$329
Median gross rent, 2012-2016	\$667
Building permits, 2017	20
Families & Living Arrangements	
Households, 2012-2016	13,268
Persons per household, 2012-2016	2.56
Living in same house 1 year ago, percent of persons age 1 year+, 2012-2016	85.2%
Language other than English spoken at home, percent of persons age 5 years+, 2012-2016	4.0%
Education	
High school graduate or higher, percent of persons age 25 years+, 2012-2016	85.1%
Bachelor's degree or higher, percent of persons age 25 years+, 2012-2016	11.9%
Health	
With a disability, under age 65 years, percent, 2012-2016	11.1%
Persons without health insurance, under age 65 years, percent	▲ 9.4%
Economy	
In civilian labor force, total, percent of population age 16 years+, 2012-2016	55.7%
In civilian labor force, female, percent of population age 16 years+, 2012-2016	54.6%
Total accommodation and food services sales, 2012 (\$1,000) (c)	31,197
Total health care and social assistance receipts/revenue, 2012 (\$1,000) (c)	98,692
Total manufacturers shipments, 2012 (\$1,000) (c)	D
Total merchant wholesaler sales, 2012 (\$1,000) (c)	D
Total retail sales, 2012 (\$1,000) (c)	226,197

Transportation

Mean travel time to work (minutes), workers age 16 years+, 2012-2016	23.5
--	------

Income & Poverty

Median household income (in 2016 dollars), 2012-2016	\$45,646
--	----------

Per capita income in past 12 months (in 2016 dollars), 2012-2016	\$21,940
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Persons in poverty, percent	▲ 15.7%
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**BUSINESSES****Businesses**

Total employer establishments, 2016	577
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Total employment, 2016	6,768
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Total annual payroll, 2016 (\$1,000)	229,499
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Total employment, percent change, 2015-2016	-2.9%
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Total nonemployer establishments, 2016	1,655
--	-------

All firms, 2012	2,358
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Men-owned firms, 2012	1,311
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Women-owned firms, 2012	600
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Minority-owned firms, 2012	77
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Nonminority-owned firms, 2012	2,200
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Veteran-owned firms, 2012	339
---------------------------	-----

Nonveteran-owned firms, 2012	1,901
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**GEOGRAPHY****Geography**

Population per square mile, 2010	98.7
----------------------------------	------

Land area in square miles, 2010	373.84
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FIPS Code	18103
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About datasets used in this table

Value Notes

▲ Estimates are not comparable to other geographic levels due to methodology differences that may exist between different data sources.

Some estimates presented here come from sample data, and thus have sampling errors that may render some apparent differences between geographies statistically indistinguishable. Click the Quick Info left of each row in TABLE view to learn about sampling error.

The vintage year (e.g., V2017) refers to the final year of the series (2010 thru 2017). *Different vintage years of estimates are not comparable.*

Fact Notes

- (a) Includes persons reporting only one race
- (b) Hispanics may be of any race, so also are included in applicable race categories
- (c) Economic Census - Puerto Rico data are not comparable to U.S. Economic Census data

Value Flags

- D** Suppressed to avoid disclosure of confidential information
- F** Fewer than 25 firms
- FN** Footnote on this item in place of data
- NA** Not available
- S** Suppressed; does not meet publication standards
- X** Not applicable
- Z** Value greater than zero but less than half unit of measure shown
- Either no or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in the lowest interval of an open ended distribution.

QuickFacts data are derived from: Population Estimates, American Community Survey, Census of Population and Housing, Current Population Survey, Small Area Health Insurance Estimates, Small Area Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits.

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