

FHWA-Indiana Environmental Document  
**CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM**  
**GENERAL PROJECT INFORMATION**


<b>Road No./County:</b>	State Road (SR) 58/Lawrence County
<b>Designation Number(s):</b>	1701050
<b>Project Description/Termini:</b>	Small Structure Replacement/SR 58, 9.23 miles east of Junction (Jct) SR 37

<b>X</b>	<b>Categorical Exclusion, Level 2</b> – Required Signatories: INDOT DE and/or INDOT ESD
	<b>Categorical Exclusion, Level 3</b> – Required Signatories: INDOT ESD
	<b>Categorical Exclusion, Level 4</b> – Required Signatories: INDOT ESD and FHWA
	<b>Environmental Assessment (EA)</b> – Required Signatories: INDOT ESD and FHWA
	<b>Additional Investigation (AI)</b> – The proposed action included a design change from the original approved environmental document. Required Signatories must include the appropriate environmental approval authority

**Approval**

_____	_____
INDOT DE Signature and Date	INDOT ESD Signature and Date
_____	
FHWA Signature and Date	

**Release for Public Involvement**

 _____	12/15/2022 _____
INDOT DE Initials and Date	INDOT ESD Initials and Date

**Certification of Public Involvement**

\_\_\_\_\_

INDOT Consultant Services Signature and Date

**INDOT DE/ESD Reviewer Signature and Date:**

\_\_\_\_\_

**Name and Organization of CE/EA Preparer:**

Payton Parke – Lochmueller Group

# Indiana Department of Transportation

County Lawrence Route SR 58 Des. No. 1701050

Note: Refer to the most current INDOT CE Manual, guidance language, and other ESD resources for further guidance regarding any section of this form.

## Part I – Public Involvement

Every Federal action requires some level of public involvement, providing for early and continuous opportunities throughout the project development process. **The level of public involvement should be commensurate with the proposed action.**

Does the project have a historic bridge processed under the Historic Bridges PA*?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If No, then: Opportunity for a Public Hearing Required?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

\*A public hearing is required for all historic bridges processed under the Historic Bridges Programmatic Agreement between INDOT, FHWA, SHPO, and the ACHP.

Discuss what public involvement activities (legal notices, letters to affected property owners and residents (i.e. notice of entry), meetings, special purpose meetings, newspaper articles, etc.) have occurred for this project.

Notice of Entry letters were not mailed to potentially affected property owners near the project area. Instead, Indiana Department of Transportation (INDOT) survey personnel met with the property owners at the project location in the latter part of December 2018 notifying them about the project and that individuals responsible for land surveying and field activities may be seen in the area. Exact dates for the meetings were not recorded.

The project will meet the minimum requirements described in the current *Indiana Department of Transportation (INDOT) Project Development Public Involvement Procedures Manual* which requires the project sponsor to offer the public an opportunity to submit comments and/or request a public hearing. Therefore, a legal notice will appear in a local publication contingent upon the release of this document for public involvement. This document will be revised after the public involvement requirements are fulfilled.

## **Public Controversy on Environmental Grounds**

Discuss public controversy concerning community and/or natural resource impacts, including what is being done during the project to minimize impacts.

At this time, there is no substantial public controversy concerning impacts to the community or to natural resources.

## Part II - General Project Identification, Description, and Design Information

Sponsor of the Project: INDOT INDOT District: Vincennes

Local Name of the Facility: SR 58

Funding Source (mark all that apply): Federal  State  Local  Other\*

\*If other is selected, please identify the funding source: \_\_\_\_\_

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## PURPOSE AND NEED:

*The need should describe the specific transportation problem or deficiency that the project will address. The purpose should describe the goal or objective of the project. The solution to the traffic problem should NOT be discussed in this section.*

Des. No. 1701050 is located on SR 58 in Lawrence County, Indiana, approximately 9.23 miles east of Jct SR 37. The need for this project results from the condition and deterioration of the existing culvert in the project area. According to the March 9, 2021 INDOT Culvert Inspection Report, CV 058-047-86.77 is exhibiting moderate rusting and deep pitting in the invert and haunches, moderate corrosion and pitting at the top bolts, moderate section loss of the northwest masonry wall, minor erosion of fill behind the south masonry headwall, and slight deflection on the west side of the pipe where the bolts are rusted. The current culvert rating is 6 (satisfactory condition). INDOT Bridge Inspection Application System (BIAS) ratings range from 0 to 9, with a rating of 0 applied to failed structures and a rating of 9 applied to structure in excellent condition.

The purpose of the project is to provide a structure with a BIAS rating of 7 (good condition) or better and increase the service life of the culvert up to and surpassing 50 years.

## PROJECT DESCRIPTION (PREFERRED ALTERNATIVE):

County: Lawrence

Municipality: N/A

Limits of Proposed Work: SR 58, 9.23 miles east of Jct SR 37

Total Work Length: 0.09 Mile(s)

Total Work Area: 1.11 Acre(s)

Is an Interstate Access Document (IAD)<sup>1</sup> required?

If yes, when did the FHWA provide a Determination of Engineering and Operational Acceptability?

Yes <sup>1</sup>	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date: _____	

<sup>1</sup>If an IAD is required; a copy of the approved CE/EA document must be submitted to the FHWA with a request for final approval of the IAD.

*Describe location of project including township, range, city, county, roads, etc. Existing conditions should include current conditions, current deficiencies, roadway description, surrounding features, etc. Preferred alternative should include the scope of work, anticipated impacts, and how the project will meet the Purpose and Need. Logical termini and independent utility also need discussed.*

The Federal Highway Administration (FHWA) and INDOT propose to proceed with a small structure replacement project on SR 58 in Lawrence County.

Des No. 1701050 is located on SR 58, 9.23 miles east of Jct SR 37 in Lawrence County. Specifically, the project is located in Section 34, Township 6 North, Range 1 East in Pleasant Run Township as depicted on the Bartlettsville U.S. Geological Survey 1:24,000 scale quadrangle (Appendix B, page 2).

Within the project area, SR 58 is functionally classified as a rural major collector. The typical cross section has two 11-foot travel lanes (one in each direction) with 0 to 2-foot paved shoulders on each side. No median is present. Existing guardrail is present on the south side of the roadway. The existing culvert (CV 058-047-86.77) is a 10.67-foot by 6.92-foot corrugated metal pipe arch (CMPA) culvert. This culvert carries unnamed tributary (UNT) 1 to Leatherwood Creek from northeast to southwest under SR 58. The existing structure is exhibiting moderate rusting and deep pitting in the invert and haunches, moderate corrosion and pitting at the top bolts, moderate section loss of the northwest masonry wall, minor erosion of fill behind the south masonry headwall, and slight deflection on the west side of the pipe where the bolts are rusted resulting in a reduced service life of the structure. The surrounding area is primarily rural and consists of agricultural fields, mature forests, and scattered residences.

The preferred alternative will replace the existing culvert with a 12-foot by 6-foot reinforced concrete box (RCB) culvert with wingwalls and headwalls and a 1-foot sump. Excavation will be required to replace the existing structure and will extend approximately 3 feet below the existing flowline for the 90-foot length of the proposed culvert. Excavation is anticipated to be up to 4 feet below the flowline for the proposed wingwall footings.

This is page 3 of 21 Project name: SR 58 Small Structure Project Date: December 7, 2022

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Approximately 1.40 acres of permanent right-of-way (ROW) will be required for this project. Impacts associated with this project include 0.18 acre of tree clearing and work below the ordinary high water mark (OHWM) of UNT1 to Leatherwood Creek, resulting in 129 linear feet of stream impacts to UNT1 to Leatherwood Creek. Avoidance and minimization measures (AMMs) will be required for the project and will include tree removal and hibernacula AMMs. Every effort to avoid, minimize, and/or mitigate project impacts will be made.

Please refer to Appendix B for maps depicting the project area (pages 1-4), photographs of the project area (pages 5-9), and preliminary design plans (pages 10-15).

The proposed maintenance of traffic (MOT) plan includes road closure with an official detour (Appendix B, page 14). Please refer to the Maintenance of Traffic (MOT) During Construction section of this document for details.

The project will meet the objectives of its purpose and need by improving culvert conditions and increasing the service life of the culvert.

The project is not dependent upon the completion of any other project to meet the objectives of its purpose and need; therefore, the project exhibits independent utility. The project termini are logical because they only encompass the section of SR 58 required to replace the culvert.

### OTHER ALTERNATIVES CONSIDERED:

*Provide a header for each alternative. Describe all discarded alternatives, including the No Build Alternative. Explain why each discarded alternative was not selected. Make sure to state how each alternative meets or does not meet the Purpose and Need and why.*

**No Build:**

This alternative would not have repaired or replaced the culvert. While this alternative would have eliminated cost and any environmental impacts, it would not have met the objectives of the purpose and need of the project. Therefore, this alternative was discarded from further consideration.

**128-inch x 83-inch Corrugated Metal Pipe Arch (CMPA):**

This alternative would have replaced the existing structure with a CMPA. While this alternative would have met the purpose and need of the project, it would not have provided adequate cover based on the current standard drawings. Therefore, it was discarded from further consideration.

**12-foot x 5-foot Reinforced Concrete Flat Top:**

This alternative would have replaced the existing structure with a reinforced concrete flat top structure. While this alternative would have met the purpose and need of the project, it would have required wider and deeper excavation and would have resulted in greater stream impacts than the preferred alternative. Therefore, it was discarded from further consideration.

**12-foot x 5-foot Reinforced Concrete Arch Top:**

This alternative would have replaced the existing structure with a reinforced concrete arch top structure. While this alternative would have met the purpose and need of the project, it would have required wider and deeper excavation and would have resulted in greater stream impacts than the preferred alternative. Therefore, it was discarded from further consideration.

**The No Build Alternative is not feasible, prudent or practicable because (Mark all that apply):**

It would not correct existing capacity deficiencies;

It would not correct existing safety hazards;

It would not correct the existing roadway geometric deficiencies;

It would not correct existing deteriorated conditions and maintenance problems; or

It would result in serious impacts to the motoring public and general welfare of the economy.

Other (Describe):

X

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### ROADWAY CHARACTER:

*If the proposed action includes multiple roadways, complete and duplicate for each roadway.*

Name of Roadway	<u>SR 58</u>			
Functional Classification:	<u>Rural Major Collector</u>			
Current ADT:	<u>649</u>	<u>VPD (2023)</u>	Design Year ADT:	<u>649</u> <u>VPD (2043)</u>
Design Hour Volume (DHV):	<u>85</u>	Truck Percentage (%)	<u>2.24</u>	
Designed Speed (mph):	<u>45</u>	Legal Speed (mph):	<u>45</u>	

	Existing		Proposed
Number of Lanes:	2		2
Type of Lanes:	Through Lanes		Through Lanes
Pavement Width:	11	ft.	11
Shoulder Width:	0-2	ft.	0-2
Median Width:	N/A	ft.	N/A
Sidewalk Width:	N/A	ft.	N/A

Setting:	<input type="checkbox"/>	Urban	<input type="checkbox"/>	Suburban	<input checked="" type="checkbox"/>	Rural
Topography:	<input checked="" type="checkbox"/>	Level	<input type="checkbox"/>	Rolling	<input type="checkbox"/>	Hilly

### BRIDGES AND/OR SMALL STRUCTURE(S):

*If the proposed action includes multiple structures, complete and duplicate for each bridge and/or small structure. Include both existing and proposed bridge(s) and/or small structure(s) in this section.*

Structure/NBI Number(s):	<u>CV 058-047-86.77</u>	Sufficiency Rating:	<u>N/A</u>
			(Rating, Source of Information)

	Existing		Proposed
Bridge/Structure Type:	10.67' x 6.92' CMPA culvert		12' x 6' RCB culvert
Number of Spans:	N/A		N/A
Weight Restrictions:	N/A	ton	N/A
Height Restrictions:	N/A	ft.	N/A
Curb to Curb Width:	N/A	ft.	N/A
Outside to Outside Width:	N/A	ft.	N/A
Shoulder Width:	N/A	ft.	N/A

*Describe impacts and work involving bridge(s), culvert(s), pipe(s), and small structure(s). Provide details for small structure(s): structure number, type, size (length and dia.), location and impacts to water. Use a table if the number of small structures becomes large. If the table exceeds a complete page, put it in the appendix and summarize the information below with a citation to the table.*

No bridges are located within the project area. Two small structures are present within the project area. The existing culvert (CV 058-047-86.77) is a 10.67-foot by 6.92-foot CMPA culvert that carries UNT1 to Leatherwood Creek beneath SR 58. This CMPA culvert will be replaced with a 12-foot by 6-foot RCB culvert. Approximately 129 linear feet of permanent impacts to UNT1 to Leatherwood Creek are anticipated as a result of the project.

An existing RCB culvert (CV 058-047-86.62) is located in the western portion of the project area (Appendix B, page 3). The culvert was determined to have no stream features that displayed a bed and bank with an OHWM from the culvert to Leatherwood Creek, though it drains runoff water from north to south under SR 58. No impacts are expected.



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*Describe both Permanent and Temporary right-of-way and describe their current use. Typical and Maximum right-of-way widths (existing and proposed) should also be discussed. Any advance acquisition, reacquisition or easements, either known or suspected, and their impacts on the environmental analysis should be discussed.*

The existing ROW in the project area is 11 feet north and 11 feet south of the SR 58 centerline and consists of the SR 58 pavement.

This project requires approximately 1.40 acres of permanent ROW consisting of forest, agricultural fields, and maintained roadside, which will be acquired from both the north and south sides of SR 58. Following acquisition, ROW will reach a maximum of approximately 65 feet north of the edge of pavement and 70 feet south of the edge of pavement. No temporary ROW will be required.

If the scope of work and permanent or temporary ROW amounts change, the INDOT Environmental Services Division (ESD) and the INDOT District Environmental Section will be contacted immediately.

### Part III – Identification and Evaluation of Impacts of the Proposed Action

#### **SECTION A - EARLY COORDINATION:**

*List the date(s) coordination was sent and all resource agencies that were contacted as a part of the development of this Environmental Study. Also, include the date of their response or indicate that no response was received.*

Early coordination letters were sent on July 8, 2022 (Appendix C, pages 1-4).

<u>Agency</u>	<u>Date Sent</u>	<u>Date Response Received</u>	<u>Appendix</u>
FHWA Indiana	July 8, 2022	N/A	
National Park Service (NPS)	July 8, 2022	N/A	
Indiana Geological and Water Survey (IGWS)	July 8, 2022	July 8, 2022	Appendix C, pages 36-38
Indiana Department of Natural Resource, Division of Fish and Wildlife (IDNR DFW)	July 8, 2022	August 4, 2022	Appendix C, pages 43-45
U.S. Housing and Urban Development (USHUD)	July 8, 2022	N/A	
INDOT Vincennes District	July 8, 2022	July 11 & 14, 2022	Appendix C, pages 39-40
U.S. Forest Service (USFS)	July 8, 2022	July 8, 2022	Appendix C, page 35
Natural Resource Conservation Service (NRCS)	July 8, 2022	July 12, 2022	Appendix C, pages 41-42
US Army Corps of Engineers (USACE)	July 8, 2022	N/A	
INDOT, Utilities and Railroad Division	July 8, 2022	N/A	
Lawrence County Highway Department	July 8, 2022	N/A	
Lawrence County Council	July 8, 2022	N/A	
Lawrence County Commissioners	July 8, 2022	N/A	
Lawrence County School Corporation	July 8, 2022	N/A	
Lawrence County Emergency Management Agency (EMA); Floodplain Administrator	July 8, 2022	N/A	
Lawrence County Sheriff's department	July 8, 2022	N/A	
Pleasant Run Volunteer Fire Department	July 8, 2022	N/A	

All applicable recommendations are included in the Environmental Commitments section of this CE document.

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**SECTION B – ECOLOGICAL RESOURCES:**

**Streams, Rivers, Watercourses & Other Jurisdictional Features**

- Federal Wild and Scenic Rivers
- State Natural, Scenic or Recreational Rivers
- Nationwide Rivers Inventory (NRI) listed
- Outstanding Rivers List for Indiana
- Navigable Waterways

Presence	Impacts	
	Yes	No
<b>X</b>	<b>X</b>	

Total stream(s) in project area: 754 Linear feet      Total impacted stream(s): 129 Linear feet

Stream Name	Classification	Total Size in Project Area (linear feet)	Impacted linear feet	Comments (i.e. location, flow direction, likely Water of the US, appendix reference)
Leatherwood Creek	Perennial	419	0	This stream flows from east to west south of SR 58 westbound lane and is likely subject to USACE jurisdiction under Section 404 of the Clean Water Act (Appendix B, page 3).
UNT 1 to Leatherwood Creek	Ephemeral	335	129	This stream flows northeast to southwest beneath SR 58 via CV 058-047-86.77 and is likely subject to USACE jurisdiction under Section 404 of the Clean Water Act (Appendix B, page 3).

*Describe all streams, rivers, watercourses and other jurisdictional features adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if the streams or rivers are listed on any federal or state lists for Indiana. Include if features are likely subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.*

Based on a desktop review, the aerial map of the project area (Appendix B, page 3), and the RFI report (Appendix E, page 8), there are 17 streams, rivers, watercourse or other jurisdictional features within the 0.5 mile search radius. That number could not be confirmed by the site visit on July 27, 2020 by Lochmueller Group, Inc. as the field work for the project did not encompass the entire 0.5 mile search radius. There are two streams within the project area.

A *Waters of the U.S. Determination / Wetland Delineation Report* was approved by INDOT Ecology and Waterway Permitting Office on December 15, 2021. Please refer to Appendix F, pages 2-19 for the *Waters of the U.S. Determination / Wetland Delineation Report*. It was determined that three jurisdictional streams, Leatherwood Creek, UNT1 to Leatherwood Creek, and UNT2 to Leatherwood Creek are located within the waters survey area, however; only two jurisdictional streams, Leatherwood Creek and UNT1 to Leatherwood Creek are located within the project area. The USACE makes all final determination regarding jurisdiction.

Leatherwood Creek is a perennial stream feature that flows east to west through the southern portion of the project area. Approximately 419 feet of the stream is within the project area. The OHWM of Leatherwood Creek within the project area is 15 feet wide and 0.42 feet deep. The drainage area for Leatherwood Creek was determined to be 8.46 square miles. This reach of Leatherwood Creek is considered to exhibit excellent quality based on perennial flow, cobble and gravel substrate, and riffle/run/pool habitat. According to the RFI report concurred by INDOT Site Assessment and Management (SAM) on October 18, 2022 (Appendix E, pages 2-3), Leatherwood Creek is listed as impaired for E. coli. Workers who are working in or near water with E. coli should take care to wear appropriate personal protective equipment (PPE), observe proper hygiene procedures, including regular handwashing, and limit personal exposure. This is included as a firm commitment in the Environmental Commitments section of this document. Leatherwood Creek is located entirely outside of the construction limits for the project. No impacts are expected.

UNT1 to Leatherwood Creek is an ephemeral stream feature that flows north to south under SR 58 through a 10.67-foot by 6.92-foot CMPA culvert. Approximately 335 feet of the stream is within the project area. The OHWM of UNT1 to Leatherwood Creek is 6.25



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feet wide and 0.5 feet deep. The drainage area of UNT1 to Leatherwood Creek was determined to be 0.36 square mile. This reach of UNT1 to Leatherwood Creek is considered to exhibit average quality based on cobble and gravel dominated substrate and bank full width. The project is anticipated to permanently impact approximately 129 linear feet of this stream as a result of the culvert replacement and placement of riprap for scour and slope protection. UNT1 to Leatherwood Creek is listed as impaired for E. coli. Workers who are working in or near water with E. coli should take care to wear appropriate PPE, observe proper hygiene procedures, including regular handwashing, and limit personal exposure. This is included as a firm commitment in the Environmental Commitments section of this document.

No Federal, Wild, and Scenic Rivers; State Natural, Scenic, and Recreational Rivers; Outstanding Rivers for Indiana; navigable waterways; or National Rivers Inventory waterways are present in the project area.

The IDNR DFW responded on August 4, 2022 with recommendations for maintaining fish passage through the structure; providing scour protection; to refrain from excavating in the low flow area except for placement of piers, foundations, and riprap, or removal of the old structure; to refrain from constructing any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds; and to use minimum average 6-inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids (Appendix C, pages 43-45). All applicable IDNR DFW recommendations are included in the Environmental Commitments section of this CE document.

Open Water Feature(s)	Presence	Impacts	
		Yes	No
Reservoirs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lakes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Farm Ponds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Retention/Detention Basin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Storm Water Management Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Describe all open water feature(s) identified adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if features are likely subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.*

Based on the desktop review, the aerial map of the project area (Appendix B, page 3), and the RFI report (Appendix E, page 8), there are six open water features within the 0.5 mile search radius. That number could not be confirmed by the site visit on July 27, 2020 by Lochmueller Group, Inc. as the field work for the project did not encompass the entire 0.5 mile search radius. There are no open water features within or adjacent to the project area; therefore, no impacts are expected.

A *Waters of the U.S. Determination / Wetland Delineation Report* was approved by INDOT Ecology and Waterway Permitting Office on December 15, 2021. Please refer to Appendix F, pages 2-19 for the *Waters of the U.S. Determination / Wetland Delineation Report*. It was determined that no open water features are present within the project area. The USACE makes all final determinations regarding jurisdiction.

Wetlands	Presence	Impacts	
		Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Total wetland area: 0.0 Acre(s) Total wetland area impacted: 0.0 Acre(s)

(If a determination has not been made for non-isolated/isolated wetlands, fill in the total wetland area impacted above.)

Wetland No.	Classification	Total Size (Acres)	Impacted Acres	Comments (i.e. location, likely Water of the US, appendix reference)

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**Wetlands** (Mark all that apply)

Wetland Determination  
 Wetland Delineation  
 USACE Isolated Waters Determination

Documentation


ESD Approval Dates


**Improvements that will not result in any wetland impacts are not practicable because such avoidance would result in** (Mark all that apply and explain):

Substantial adverse impacts to adjacent homes, business or other improved properties;  
 Substantially increased project costs;  
 Unique engineering, traffic, maintenance, or safety problems;  
 Substantial adverse social, economic, or environmental impacts, or  
 The project not meeting the identified needs.


*Describe all wetlands identified adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if features are likely subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.*

Based on the desktop review, the aerial map of the project area (Appendix B, page 3), and the RFI report (Appendix E, page 8), there are 21 wetlands within the 0.5 mile search radius. That number could not be confirmed by the site visit on July 27, 2020 by Lochmueller Group, Inc. as the field work for the project did not encompass the entire 0.5 mile search radius. There are no wetlands within or adjacent to the project area. Therefore, no impacts are expected.

A *Waters of the U.S. Determination / Wetland Delineation Report* was approved by INDOT Ecology and Waterway Permitting Office on December 15, 2021. Please refer to Appendix F, pages 2-19 for the *Waters of the U.S. Determination / Wetland Delineation Report*. It was determined that no wetlands are present within the project area. The USACE makes all final determinations regarding jurisdiction.

**Terrestrial Habitat**

Presence

X
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Impacts

Yes	NO
X	

Total terrestrial habitat in project area: 2.22 Acre(s) Total tree clearing: 0.18 Acre(s)

*Describe types of terrestrial habitat (i.e. forested, grassland, farmland, lawn, etc) adjacent or within the project area. Include whether or not impacts will occur to habitat identified. Include total terrestrial habitat impacted and total tree clearing that will occur. Discuss measure to avoid, minimize, and mitigate if impacts will occur.*

Based on a desktop review, a site visit on July 27, 2020 by Lochmueller Group, Inc., and the aerial map of the project area (Appendix B, page 3), there are maintained roadside and forested riparian habitat present. Dominant tree species within the forested riparian habitat consist of black walnut (*Juglans nigra*), sycamore (*Platanus occidentalis*), box elder (*Acer negundo*), black cherry (*Prunus serotina*), and American elm (*Ulmus americana*). The dominant herbaceous species within the maintained roadside habitat consist of reed canary grass (*Phalaris arundinacea*), deer tongue grass (*Dicanthelium clandestinum*), Japanese stilt grass (*Microstegium vinemeum*), tall false rye fescue (*Schedonorus arundinaceus*), red clover (*Trifolium pratense*), and purple top tridens (*Tridens flavus*). A total of 0.87 acre of terrestrial disturbance will occur including 0.69 acre of impacts to maintained roadside and 0.18 acre of impacts to forested riparian areas as a result of tree clearing. Avoidance alternatives would not be practical because they would not allow the project to meet its purpose of extending the service life of the culvert. The construction limits for the project have been minimized to the greatest extent possible. Mitigation is not anticipated.

The IDNR DFW responded on August 4, 2022 with recommendations to avoid or minimize impacts to fish, botanical, and wildlife resources (Appendix C, pages 43-45). IDNR DFW recommendations included mitigating impacts to non-wetland forest, implementing appropriately designed measures for controlling erosion and sediment, and seeding and protecting all disturbed areas. All applicable IDNR DFW recommendations are included in the Environmental Commitments section of this CE document.

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**Protected Species**

**Federally Listed Bats**

	Yes	No
Information for Planning and Consultation (IPaC) determination key completed	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Section 7 informal consultation completed (IPaC cannot be completed)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Section 7 formal consultation Biological Assessment (BA) required	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Determination Received for Listed Bats from USFWS: NE  NLAA  LAA

**Other Species not included in IPaC**

	Yes	No
Additional federal species found in project area (based on IPaC species list)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State species (not bird) found in project area (based upon consultation with IDNR)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Migratory Birds**

	Yes	No
Known usage or presence of birds (i.e. nests)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State bird species based upon coordination with IDNR	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*Discuss IDNR coordination and species identified. Describe USFWS Section 7 consultation and determination received for Indiana bat and northern long-eared bat impacts. Discuss if other federally listed species were identified. If so, include consultation that has occurred and the determination that was received. Discuss if migratory birds have been observed and any impacts.*

Based on a desktop review and the RFI report (Appendix E, page 4) completed by Lochmueller Group, Inc. on October 17, 2022, the IDNR Lawrence County Endangered, Threatened and Rare (ETR) Species List has been checked. According to the IDNR DFW early coordination response later dated August 4, 2022, the Natural Heritage Program's Database has been checked and 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 (Appendix C, pages 43-45). An INDOT 0.5-mile bat review occurred on April 25, 2022. The review did not indicate the presence of endangered bat species in or within 0.5 mile of the project area.

Project information was submitted through the USFWS's Information for Planning and Consultation (IPaC) portal, and an official species list was generated (Appendix C, pages 5-18). The project is within range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (NLEB) (*Myotis septentrionalis*). No additional species were identified in the IPaC species list other than the Indiana bat and northern long-eared bat.

The project qualifies for the *Range-wide Programmatic Informal Consultation for the Indiana bat and northern long-eared bat (NLEB)*, dated May 2016 (revised February 2018), between FHWA, Federal Railroad Association (FRA), Federal Transit Administration (FTA), and USFWS. A culvert inspection occurred on July 27, 2020 and no evidence of bats or birds using the structure was found (Appendix C, page 33). An effect determination key was completed on August 17, 2022, and based on the responses provided, it was found that the project "may affect, but is not likely to adversely affect (NLAA)" the Indiana bat and/or the NLEB (Appendix C, pages 19-33). INDOT reviewed and verified the effect finding on August 17, 2022 and requested USFWS's review of the finding (Appendix C, page 34). No response was received from USFWS within the 14-day period; therefore, it was concluded they concur with the finding. Avoidance and Minimization Measures (AMMs) required for the project include Hibernacula AMM 1, Tree Removal AMMs 1-4, and General AMM 1. AMMs are included as firm commitments in the Environmental Commitments section of this document.

A culvert inspection for CV 058-047-86.77 occurred on March 9, 2021 and no signs of bats using the structure were found (Appendix I, pages 22-23). USFWS Bridge/Structure Assessments are only valid for two years. If construction will begin after March 9, 2023, an inspection of the structure by a qualified individual must be performed. Inspection of the structure should check for presence of bats/bat indicators and/or presence of birds. The results of the inspection must indicate no signs of bats or birds. If signs of bats or birds are documented during this inspection, the INDOT District Environmental Manager must be contacted immediately. This firm commitment is included in the Environmental Commitments section of this document.

Structure CV 058-047-86.77 and the project's surrounding habitat are conducive for use (i.e. nests) by a bird species protected under the Migratory Bird Treaty Act (MBTA). Prior to the start of nesting season (May 1), the structures must be inspected for birds or signs of birds. If birds or signs of birds are found during the inspection, avoidance and minimization measures must be implemented prior to the start of and during the nesting season. Nests without eggs or young should be removed prior to construction during the non-nesting season (September 8 - April 30) and during the nesting season if no eggs or young are present. Nests with eggs or young cannot be removed or disturbed during the nesting season (May 1 - September 7). Nests with eggs or young should be screened or buffered from active construction. Details of the required procedures are outlined in the "Potential

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Migratory Bird on Structure" USP/RSP. This is included as a firm commitment in the Environmental Commitments section of this document.

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act, as amended. If new information on endangered species at the site becomes available, or if the project plans are changed, USFWS will be contacted for consultation.

**Geological and Mineral Resources**

- Project located within the Indiana Karst Region
- Karst features identified within or adjacent to the project area
- Oil/gas or exploration/abandoned wells identified in the project area

Yes	No
<b>X</b>	
	<b>X</b>
	<b>X</b>

Date Karst Evaluation reviewed by INDOT EWPO (if applicable): May 24, 2021

*Discuss if project is located in the Indiana Karst Region and if any karst features have been identified in the project area (from RFI). Discuss response received from IGWS coordination. Discuss if any mines, oil/gas, or exploration/abandoned wells were identified and if impacts will occur. Include discussion of karst study/report was completed and results. (Karst investigation must comply with the current Protection of Karst Features during Planning and Construction guidance and coordinated and reviewed by INDOT EWPO)*

Based on a desktop review and the Indiana Karst Region map, the project is located in the designated Indiana Karst Region as outlined in the most current *Protection of Karst Features during Project Development and Construction*. According to the topo map of the project area (Appendix B, page 2), the RFI report (Appendix E, page 8), and the karst report (Appendix I, pages 1-12), there are no karst features identified within or adjacent to the project area. In the early coordination response, the IGWS did not indicate that karst features exist in the project area. The response did indicate a high potential for encountering bedrock resources and the presence of petroleum exploration wells in the vicinity. The response from IGWS was communicated with the designer on August 23, 2022. No impacts are expected.

According to the karst report completed by Lochmueller Group and approved by INDOT EWPO on May 24, 2021, there are no known or identifiable karst features that will be impacted by the project. The potential for discovery of buried karst features during construction exists but is minimal. The following recommendation was proposed to address this potential: In the event that a bedrock void, karst flow path, or troglobitic species is encountered during construction, a karst qualified geologist should be contacted immediately to determine if additional karst investigations and/or coordination are needed relative to the Karst Memorandum of Understanding (MOU). This is included as a firm commitment in the Environmental Commitments section of this document.

**SECTION C – OTHER RESOURCES**

**Drinking Water Resources**

- Wellhead Protection Area(s)
- Source Water Protection Area(s)
- Water Well(s)
- Urbanized Area Boundary
- Public Water System(s)

	<u>Impacts</u>	
	Yes	No
<b>X</b>		<b>X</b>
<b>X</b>	<b>X</b>	

- Is the project located in the St. Joseph Sole Source Aquifer (SSA):
- If Yes, is the FHWA/EPA SSA MOU Applicable?
- If Yes, is a Groundwater Assessment Required?

Yes	No
	<b>X</b>

*Check the appropriate boxes and discuss each topic below. Provide details about impacts and summarize resource-specific coordination responses and any mitigation commitments. Reference responses in the Appendix.*

The project is located in Lawrence County, which is not located within the area of the St. Joseph Sole Source Aquifer, the only legally designated sole source aquifer in the state of Indiana. Therefore, the FHWA/Environmental Protection Agency (EPA)/INDOT

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Sole Source Aquifer Memorandum of Understanding (MOU) is not applicable to this project, a detailed groundwater assessment is not needed, and no impacts are expected.

IDEM's Wellhead Proximity Determinator website (<https://www.in.gov/idem/cleanwater/information-about/groundwater-monitoring-and-source-water-protection/wellhead-protection-program/source-water-proximity-determination-tool/>) was accessed on July 8, 2022 by Lochmueller Group, Inc. This project is not located within a Wellhead Protection Area but is located within a Source Water Area. In an email dated September 9, 2022, IDEM stated that the project is located within the Bedford City Utilities Source Water Assessment Area (Appendix C, page 46). A coordination email was sent to Bedford City Utilities on September 12, 2022. No response has been received to date; therefore, no impacts are expected.

The IDNR Water Well Record Database website (<https://www.in.gov/dnr/water/3595.htm>) was accessed on August 23, 2022 by Lochmueller Group, Inc. No wells are located near this project. Therefore, no impacts are expected.

Based on a desktop review of the INDOT MS4 website (<https://entapps.indot.in.gov/MS4/>) by Lochmueller Group, Inc. on August 26, 2022, this project is not located in an Urban Area Boundary. No impacts are expected.

Based on a desktop review, a site visit on July 27, 2020 by Lochmueller Group, Inc., the aerial map of the project (Appendix B, page 3), and coordination with the designer, this project is located where there is a public water system. East Lawrence Water Authority water lines run parallel to SR 58 on the south side of the roadway and will be affected by the project. Coordination with East Lawrence Water Authority is ongoing as part of the design process.

Floodplains	Presence	Impacts	
		Yes	No
Project located within a regulated floodplain	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Longitudinal encroachment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transverse encroachment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Homes located in floodplain within 1000' up/downstream from project	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If applicable, indicate the Floodplain Level?

Level 1  Level 2  Level 3  Level 4  Level 5

Use the IDNR Floodway Information Portal to help determine potential impacts. Include floodplain map in appendix. Discuss impacts according to the classification system. If encroachment on a flood plain will occur, coordinate with the Local Flood Plain Administrator during design to insure consistency with the local flood plain planning.

Based on a desktop review of the IDNR Indiana Floodway Information Portal website (<https://indnr.maps.arcgis.com/apps/webappviewer/index.html?id=05026dabc2e8461983e196d56a213c1e>) by Lochmueller Group, Inc. on August 29, 2022 and the RFI report (Appendix E, page 8), this project is located in a regulatory floodplain as determined from approved IDNR floodplain maps (Appendix F, page 1) and will cause a transverse impact. An early coordination letter was sent on July 8, 2022 to the local floodplain administrator. The floodplain administrator did not respond within the 30-day time frame. This project qualifies as a Category 4 per the INDOT CE Manual, which states that one home is located within the base floodplain within 1,000 feet upstream and no homes are located within the base floodplain within 1,000 feet downstream. The proposed structure will have an effective capacity such that backwater surface elevations are not expected to substantially increase. As a result, there will be no substantial adverse impacts on natural and beneficial floodplain values; there will be no substantial change in flood risks; and there will be no substantial increase in potential for interruption or termination of emergency service or emergency evacuation routes; therefore, it has been determined that this encroachment is not substantial.

Farmland	Presence	Impacts	
		Yes	No
Agricultural Lands	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Prime Farmland (per NRCS)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Total Points (from Section VII of CPA-106/AD-1006\*) 114

\*If 160 or greater, see CE Manual for guidance.

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*Discuss existing farmland resources in the project area, impacts that will occur to farmland, and mitigation and minimization measures considered.*

Based on a desktop review, a site visit on July 27, 2020 by Lochmueller Group, Inc., and the aerial map of the project area (Appendix B, page 3), the project will convert 1.40 acres of farmland as defined by the Farmland Protection Policy Act. The current use of the farmland to be converted is agricultural lands, maintained roadside and forest. An early coordination letter was sent to NRCS on July 8, 2022. Coordination with NRCS resulted in a score of 114 on the NRCS-CPA-106 Form (Appendix C, page 42). NRCS's threshold score for significant impacts to farmland that result in the consideration of alternatives is 160. Since this project score is less than the threshold, no significant loss of prime, unique, statewide, or local important farmland will result from this project. No alternatives other than those previously discussed in this document will be investigated without reevaluating impacts to farmland.

### SECTION D – CULTURAL RESOURCES

<b>Minor Projects PA</b>	<b>Category(ies) and Type(s)</b> <input type="text" value="B-9"/>	<b>INDOT Approval Date(s)</b> <input type="text" value="August 4, 2022"/>	<b>N/A</b> <input type="text"/>
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**Full 106 Effect Finding**

No Historic Properties Affected  No Adverse Effect  Adverse Effect

**Eligible and/or Listed Resources Present**

NRHP Building/Site/District(s)  Archaeology  NRHP Bridge(s)

**Documentation Prepared** (mark all that apply)

APE, Eligibility and Effect Determination  
800.11 Documentation  
Historic Properties Report or Short Report  
Archaeological Records Check and Assessment   
Archaeological Phase Ia Survey Report   
Archaeological Phase Ic Survey Report  
Other:


**ESD Approval Date(s)**


**SHPO Approval Date(s)**


Memorandum of Agreement (MOA)

**MOA Signature Dates** (List all signatories)

*If the project falls under the MPPA, describe the category(ies) that the project falls under and any approval dates. If the project requires full Section 106, use the headings provided. The completion of the Section 106 process requires that a Legal Notice be published in local newspapers. Please indicate the publication date, name of the paper(s) and the comment period deadline. Include any further Section 106 work which must be completed at a later date, such as mitigation from a MOA or avoidance commitments.*

On August 4, 2022 INDOT Cultural Resources Office (CRO) determined that this project falls within the guidelines of Category B, Type 9 under the Minor Projects Programmatic Agreement (Appendix D, pages 1-6). Category B, Type 9 covers installation, replacement, repair, lining, or extensions of culverts and other drainage structures. The project will include work in undisturbed soils; therefore, an archaeological survey was required. The Phase 1a Reconnaissance Survey Report did not identify any evidence of archaeological deposits. No further consultation is required. This completes the Section 106 process and the responsibilities of the FHWA under Section 106 have been completed.



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### SECTION F – Air Quality

**STIP/TIP and Conformity Status of the Project**

Is the project in the most current STIP/TIP?  Yes  No  
 Is the project located in an MPO Area?  Yes  No  
 Is the project in an air quality non-attainment or maintenance area?  Yes  No  
 If Yes, then:  
     Is the project in the most current MPO TIP?  Yes  No  
     Is the project exempt from conformity?  Yes  No  
 If No, then:  
     Is the project in the Transportation Plan (TP)?  Yes  No  
     Is a hot spot analysis required (CO/PM)?  Yes  No

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

Location in STIP: Page 213

Name of MPO (if applicable): N/A

Location in TIP (if applicable): N/A

Level of MSAT Analysis required?

Level 1a  Level 1b  Level 2  Level 3  Level 4  Level 5

*Describe if the project is listed in the STIP and if it is in a TIP. Describe the attainment status of the county(ies) where the project is located. Indicate whether the project is exempt from a conformity determination. If the project is not exempt, include information about the TP and TIP. Describe if a hot spot analysis is required and the MSAT Level.*

The Fiscal Year (FY) 2022-2026 Statewide Transportation Improvement Program (STIP) is listed based on the lead Des. No. in the contract. The lead Des. No. for this contract is 1593092. The FY 2022-2026 STIP included Des. No. 1701050 by reference with the contract number R-41469 (Appendix H, pages 1-2).

This project is located in Lawrence County, which is currently in attainment for all criteria pollutants according to the EPA Green Book website (<https://www.epa.gov/green-book>). Therefore, the conformity procedures of 40 CFR Part 93 do not apply.

This project is of a type qualifying as a categorical exclusion (Group 1) under 23 CFR 771.117(c) or exempt under the Clean Air Act conformity rule under 40 CFR 93.126, and as such, a Mobile Source Air Toxics analysis is not required.

### SECTION G - NOISE

**Noise** **Yes** **No**

Is a noise analysis required in accordance with FHWA regulations and INDOT's traffic noise policy?  Yes  No

Date Noise Analysis was approved/technically sufficient by INDOT ESD: \_\_\_\_\_

*Describe if the project is a Type I or Type III project. If it is a Type I project, describe the studies completed to date and if noise impacts were identified. If noise impacts were identified, describe if abatement is feasible and reasonable and include a statement of likelihood.*

This project is a Type III project. In accordance with 23 CFR 772 and the current Indiana Department of Transportation Traffic Noise Analysis Procedure, this action does not require a formal noise analysis.



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## SECTION H – COMMUNITY IMPACTS

**Regional, Community & Neighborhood Factors**

- Will the proposed action comply with the local/regional development patterns for the area?
- Will the proposed action result in substantial impacts to community cohesion?
- Will the proposed action result in substantial impacts to local tax base or property values?
- Will construction activities impact community events (festivals, fairs, etc.)?
- Does the community have an approved transition plan?
- If No, are steps being made to advance the community's transition plan?
- Does the project comply with the transition plan? (explain in the discussion below)

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Discuss how the project complies with the area's local/regional development patterns; whether the project will impact community cohesion; and impact community events. Discuss how the project conforms with the ADA Transition Plan.*

The project will ultimately be beneficial to local businesses and properties due to improvements to the deteriorating culvert condition. Overall, the negative impacts to property owners and local businesses within the project area will be minimal and will consist primarily of short-term construction impacts due to the road closure and resulting detour. No relocations are expected. Property owners will be provided access throughout the duration of the project to reduce impacts as much as possible. The project is not anticipated to result in substantial impacts to community cohesion because it will not change access to properties within the area. The proposed project is not expected to impact the surrounding community or cause economic impacts to the surrounding area. Therefore, this project will have minimal or no negative impacts to the community or local economy.

According to the Fairs and Festivals website (<https://www.fairsandfestivals.net/>), accessed on September 1, 2022 by Lochmueller Group, Inc., there are no fairs or festivals scheduled within 10 miles of the project. The MOT may pose delays and temporary inconveniences to traveling motorists (including school buses and emergency services); however, all inconveniences will cease upon project completion. The MOT for the project is not anticipated to impact access to community events.

Lawrence County has an approved Americans with Disabilities (ADA) transition plan. The project will comply with the published ADA transition plan and will not create any additional barriers for access.

**Public Facilities and Services**

*Discuss what public facilities and services are present in the project area and impacts (such as MOT) that will occur to them. Include how the impacts have been minimized and what coordination has occurred. Some examples of public facilities and services include health facilities, educational facilities, public and private utilities, emergency services, religious institutions, airports, transportation or public pedestrian and bicycle facilities.*

Based on a desktop review, the aerial map of the project area (Appendix B, page 3), and the RFI report (Appendix E, page 7), there is one abandoned railroad within the 0.5 mile search radius. No railroad was identified within the project area during the site visit on July 27, 2020. An early coordination letter was sent to INDOT Utilities and Railroad Division on July 8, 2022. No response was received. No impacts are expected.

Power lines and telephone lines also exist within the project area and will be impacted by the project. Utility coordination is ongoing as part of the design process.

It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access.

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**Environmental Justice (EJ)** (Presidential EO 12898)

During the development of the project were EJ issues identified?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Does the project require an EJ analysis?

If YES, then:

Are any EJ populations located within the project area?

<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Will the project result in adversely high and disproportionate impacts to EJ populations?

*Indicate if EJ issues were identified during project development. If an EJ analysis was not required, discuss why. If an EJ analysis was required, describe how the EJ population was identified. Include if the project has a disproportionately high or adverse effect on EJ populations and explain your reasoning. If yes, describe actions to avoid, minimize and mitigate these effects.*

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 Environmental Justice (EJ) analysis is required for any project that has two or more relocations or 0.5 acre of additional permanent ROW. The project will not result in any relocations; however, the project will require 1.40 acres of permanent ROW. 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 exist and whether there could be disproportionality 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 Lawrence County. The community that overlaps the project area is called the affected community (AC). In this project, the AC is Census Tracts 9504 (AC-1) and 9505 (AC-2). 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 from the 2020: American Community Survey 5-Year Estimates was obtained from the US Census Bureau website (<https://data.census.gov/cedsci/>) on August 15, 2022 by Lochmueller Group, Inc. The data collected for minority and low-income population within the AC are summarized in the below table.

Table: Minority and Low-Income Data (2020 American Community Survey 5-Year Estimates)			
	COC Lawrence County, Indiana	AC-1 Census Tract 9504 Lawrence County, Indiana	AC-2 Census Tract 9505 Lawrence County, Indiana
Percent Minority	4.96%	4.71%	3.47%
125% of COC	6.20%	AC<125% COC	AC<125% COC
EJ Population of Concern		No	No
Percent Low-Income	11.06%	6.02%	7.44%
125% of COC	13.82%	AC<125% COC	AC<125% COC
EJ Population of Concern		No	No

AC-1, Census Tract 9504, has a percent minority of 4.71% which is below 50% and is below the 125% COC threshold. AC-2, Census Tract 9505, has a percent minority of 3.47% which is below 50% and is below the 125% COC threshold. Therefore, neither AC contains a minority population of EJ concern.

AC-1, Census Tract 9504, has a percent low-income of 6.02% which is below 50% and is below the 125% COC threshold. AC-2, Census Tract 9505, has a percent low-income of 7.44% which is below 50% and is below the 125% threshold. Therefore, neither AC contains a low-income population of EJ concern.

The census data sheets, maps, and calculations can be found in Appendix I, pages 14-21. No EJ populations of concern were identified. No further environmental justice analysis is warranted.

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**Relocation of People, Businesses or Farms**

Will the proposed action result in the relocation of people, businesses or farms?  
Is a BIS or CSRS required?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Number of relocations: Residences: 0 Businesses: 0 Farms: 0 Other: 0

*Discuss any relocations that will occur due to the project. If a BIS or CSRS is required, discuss the results in the discussion below.*  
No relocations of people, businesses, or farms will take place as a result of this project.

**SECTION I – HAZARDOUS MATERIALS & REGULATED SUBSTANCES**

**Hazardous Materials & Regulated Substances** (Mark all that apply)

Documentation

- Red Flag Investigation (RFI)
- Phase I Environmental Site Assessment (Phase I ESA)
- Phase II Environmental Site Assessment (Phase II ESA)
- Design/Specifications for Remediation required?

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Date RFI concurrence by INDOT SAM (if applicable): October 18, 2022

*Include a summary of the potential hazardous material concerns found during review. Discuss in depth sites found within, directly adjacent to, or ones that could impact the project area. Refer to current INDOT SAM guidance. If additional documentation (special provisions, pay quantities, etc.) will be needed, include in discussion. Include applicable commitments.*

Based on a review of GIS and available public records, the initial RFI was submitted on May 10, 2022 and INDOT SAM provided their concurrence on October 18, 2022 (Appendix E, pages 1-9). No sites with hazardous material concerns (hazmat sites) or sites involved with regulated substances were identified in or within 0.5 mile of the project area. Further investigation for hazardous material concerns or regulated substances is not required at this time.

## Part IV – Permits and Commitments

**PERMITS CHECKLIST**

**Permits** (mark all that apply)

Likely Required

**Army Corps of Engineers (404/Section10 Permit)**

- Nationwide Permit (NWP)
- Regional General Permit (RGP)
- Individual Permit (IP)
- Other

**IN Department of Environmental Management (401/Rule 5)**

- Nationwide Permit (NWP)
- Regional General Permit (RGP)
- Individual Permit (IP)
- Isolated Wetlands

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**Permits** (mark all that apply)

**Likely Required**

Rule 5	<input type="checkbox"/>
Other (Construction Stormwater General Permit)	<input checked="" type="checkbox"/>
<b>IN Department of Natural Resources</b>	
Construction in a Floodway	<input type="checkbox"/>
Navigable Waterway Permit	<input type="checkbox"/>
Other	<input type="checkbox"/>
<b>Mitigation Required</b>	
<b>US Coast Guard Section 9 Bridge Permit</b>	<input type="checkbox"/>
<b>Others (Please discuss in the discussion below)</b>	<input type="checkbox"/>

*List the permits likely required for the project and summarize why the permits are needed, including permits designated as "Other."*

A total of 129 linear feet of permanent stream impacts to UNT1 to Leatherwood Creek are anticipated as a result of this project. Impacts will be limited to the portion of the stream within the construction limits of the project. A USACE Section 404 Nationwide Permit, and IDEM 401 Nationwide Permit will likely be required due to these stream impacts. Mitigation is not anticipated but will be determined during permitting.

The IDNR DFW early coordination response dated August 4, 2022 stated that the project may require their formal approval pursuant to the Flood Control Act (Appendix C, pages 43-45). A Construction in a Floodway (CIF) permit is not anticipated as all impacted streams have less than a 50 square mile drainage area and are more than 2 miles away from the nearest incorporated city, Bedford City.

The project is anticipated to disturb more than one acre of land; therefore, an IDEM Construction Stormwater General Permit may be necessary. The Construction Stormwater General Permit has replaced IDEM's Rule 5 permit.

Applicable recommendations provided by resource agencies are included in the Environmental Commitments section of this document. If permits are found to be necessary, the conditions of the permit will be requirements of the project and will supersede these recommendations.

It is the responsibility of the project sponsor to identify and obtain all required permits.

## ENVIRONMENTAL COMMITMENTS

*List all commitments and include the name of agency/organization requesting/requiring the commitment(s). Listed commitments should be numbered.*

**Firm:**

1. If the scope of work and permanent or temporary ROW amounts change, the INDOT Environmental Services Division (ESD) and the INDOT District Environmental Section will be contacted immediately. (INDOT ESD and INDOT Vincennes District)
2. It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access. (INDOT ESD)
3. Hibernacula AMM 1: For projects located within karst areas, on-site personnel will use best management practices, secondary containment measures, or other standard spill prevention and countermeasures to avoid impacts to possible hibernacula. Where practicable, a 300 foot buffer will be employed to separate fueling areas and other major containment risk activities from caves, sinkholes, losing streams, and springs in karst topography. (USFWS)
4. Tree Removal AMM 1: Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal. (USFWS)
5. Tree Removal AMM 2: Apply time of year restrictions (October 1 - March 31) 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. (USFWS and IDNR DFW)
6. 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

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- clearing to ensure contractors stay within clearing limits). (USFWS)
7. 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.
  8. 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.
  9. In the event that a bedrock void, karst flow path, or troglobitic species is encountered during construction, a karst qualified geologist should be contacted immediately to determine if additional karst investigations and/or coordination are needed relative to the Karst MOU. (INDOT EWPO)
  10. Leatherwood Creek and UNT1 to Leatherwood Creek are listed as impaired for E. coli. Workers who are working in or near water with E. coli should take care to wear appropriate personal protective equipment (PPE), observe proper hygiene procedures, including regular handwashing, and limit personal exposure. (INDOT SAM)
  11. A culvert inspection for CV 058-047-86.77 occurred on March 9, 2021 and no signs of bats using the structure were found. USFWS Bridge/Structure Assessments are only valid for two years. If construction will begin after March 9, 2023, an inspection of the structure by a qualified individual must be performed. Inspection of the structure should check for presence of bats/bat indicators and/or presence of birds. The results of the inspection must indicate no signs of bats or birds. If signs of bats or birds are documented during this inspection, the INDOT District Environmental Manager must be contacted immediately. (INDOT)
  12. Structure CV 058-047-86.77 and the project's surrounding habitat are conducive for use (i.e. nests) by a bird species protected under the Migratory Bird Treaty Act (MBTA). Prior to the start of nesting season (May 1), the structures must be inspected for birds or signs of birds. If birds or signs of birds are found during the inspection, avoidance and minimization measures must be implemented prior to the start of and during the nesting season. Nests without eggs or young should be removed prior to construction during the non-nesting season (September 8 - April 30) and during the nesting season if no eggs or young are present. Nests with eggs or young cannot be removed or disturbed during the nesting season (May 1 - September 7). Nests with eggs or young should be screened or buffered from active construction. Details of the required procedures are outlined in the "Potential Migratory Bird on Structure" USP/RSP. (INDOT)

### For Further Consideration:

13. For purposes of maintaining fish and wildlife passage through a crossing structure, the Environmental Unit recommends bridges rather than culverts and bottomless culverts rather than box or pipe culverts. Wide culverts are better than narrow culverts, and culverts with shorter through lengths are better than culverts with longer through lengths. If box or pipe culverts are used, the bottoms should be buried a minimum of 6" (or 20% of the culvert height/pipe diameter, whichever is greater up to a maximum of 2') below the stream bed elevation to allow a natural streambed to form within or under the crossing structure. Crossings should: span the entire channel width (a minimum of 1.2 times the OHWM width); maintain the natural stream substrate within the structure; and have stream depth, channel width, and water velocities during low-flow conditions that are approximate to those in the natural stream channel. (IDNR DFW)
14. Limit the use of riprap on the channel banks, if needed, to toe protection extending up to the ordinary high water mark (OHWM). Do not place riprap in the bed of the channel (unless sumped across the bed to avoid creating a fish passage obstruction) and use alternative erosion protection materials whenever possible. From the OHWM to the top of the banks, heavy duty erosion control blankets or turf reinforcement mats or a similar bioengineering method should be used and these materials should be seeded with native plants to allow a natural, vegetated stream bank to develop. (IDNR DFW)
15. Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to non-wetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, 1 inch to 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10" dbh or greater (5:1 mitigation based on the number of large trees) or by using the 1:1 replacement ratio based on area depending on the type of habitat impacted (individual canopy tree removal in an urban streetscape or park-like environment versus removal of habitat supporting a tree canopy, woody understory, and herbaceous layer). Impacts under 0.10 acre in an urban area may still involve the replacement of large diameter trees but typically do not require any additional mitigation or additional plantings beyond seeding and stabilizing disturbed areas. There are exceptions for high quality habitat sites however. (IDNR DFW)
16. Do not excavate in the low flow area except for the placement of piers, foundations, and riprap, or removal of the old structure. (IDNR DFW)
17. Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds. (IDNR DFW)
18. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids. (IDNR DFW)

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**Categorical Exclusion**

**Appendix A**

**INDOT Supporting Documentation**

### Categorical Exclusion Level Thresholds

	PCE	Level 1	Level 2	Level 3	Level 4 <sup>1</sup>
<b>Section 106</b>	Falls within guidelines of Minor Projects PA	“No Historic Properties Affected”	“No Adverse Effect”	-	“Adverse Effect” Or Historic Bridge involvement <sup>2</sup>
<b>Stream Impacts<sup>3</sup></b>	No construction in waterways or water bodies	< 300 linear feet of stream impacts	≥ 300 linear feet of stream impacts	-	USACE Individual 404 Permit <sup>4</sup>
<b>Wetland Impacts<sup>3</sup></b>	No adverse impacts to wetlands	< 0.1 acre	-	< 1.0 acre	≥ 1.0 acre
<b>Right-of-way<sup>5</sup></b>	Property acquisition for preservation only or none	< 0.5 acre	≥ 0.5 acre	-	-
<b>Relocations</b>	None	-	-	< 5	≥ 5
<b>Threatened/Endangered Species (Species Specific Programmatic for Indiana bat &amp; northern long eared bat)*</b>	“No Effect”, “Not likely to Adversely Affect” (With select AMMs <sup>6</sup> )	“Not likely to Adversely Affect” (With any AMMs or commitments)	-	“Likely to Adversely Affect”	Project does not fall under Species Specific Programmatic <sup>7</sup>
<b>Threatened/Endangered Species (Any other species)*</b>	Falls within guidelines of USFWS 2013 Interim Policy or “No Effect”	“Not likely to Adversely Affect”	-	-	“Likely to Adversely Affect”
<b>Environmental Justice</b>	No disproportionately high and adverse impacts	-	-	-	Potential <sup>8</sup>
<b>Sole Source Aquifer</b>	No Detailed Groundwater Assessment	-	-	-	Detailed Groundwater Assessment
<b>Floodplain</b>	No Substantial Impacts	-	-	-	Substantial Impacts
<b>Section 4(f) Impacts</b>	None	-	-	-	Any <sup>9</sup>
<b>Section 6(f) Impacts</b>	None	-	-	-	Any
<b>Permanent Traffic Alteration</b>	None	-	-	-	Any
<b>Noise Analysis Required</b>	No	-	-	-	Yes
<b>Air Quality Analysis Required</b>	No	-	-	-	Yes <sup>10</sup>
<b>Approval Level</b>	Concurrence by				
<ul style="list-style-type: none"> <li>• District Env. (DE)</li> <li>• Env. Serv. Div. (ESD)</li> <li>• FHWA</li> </ul>	DE or ESD	DE or ESD	DE or ESD	DE and/or ESD	DE and/or ESD; and FHWA

<sup>1</sup> Coordinate with INDOT Environmental Services Division. INDOT will then coordinate with the appropriate FHWA Environmental Specialist.

<sup>2</sup> Any involvement with a bridge processed under the Historic Bridge Programmatic Agreement.

<sup>3</sup> Total permanent impacts to streams (linear feet) and wetlands (acres).

<sup>4</sup> US Army Corps of Engineers Individual 404 Permit

<sup>5</sup> Total permanent and temporary right-of-way. This does not include reacquisition of existing apparent right-of-way.

<sup>6</sup> Avoidance and Mitigation Measures (AMMs) determined by the IPAC determination key to be required that are not tree AMMs, bridge AMMs, or structure AMMs.

<sup>7</sup> Projects that do not fall under a Species Specific Programmatic and results in a “Likely to Adversely Affect”. Other findings can be processed as a lower level CE.

<sup>8</sup> Potential for causing a disproportionately high and adverse impact.

<sup>9</sup> Section 4(f) use resulting in an Individual, Programmatic, or *de minimis* evaluation. The only exception is a *de minimis* evaluation for historic properties (Effective January 2, 2020). If a historic property *de minimis* and no other use, mark the *None* column.

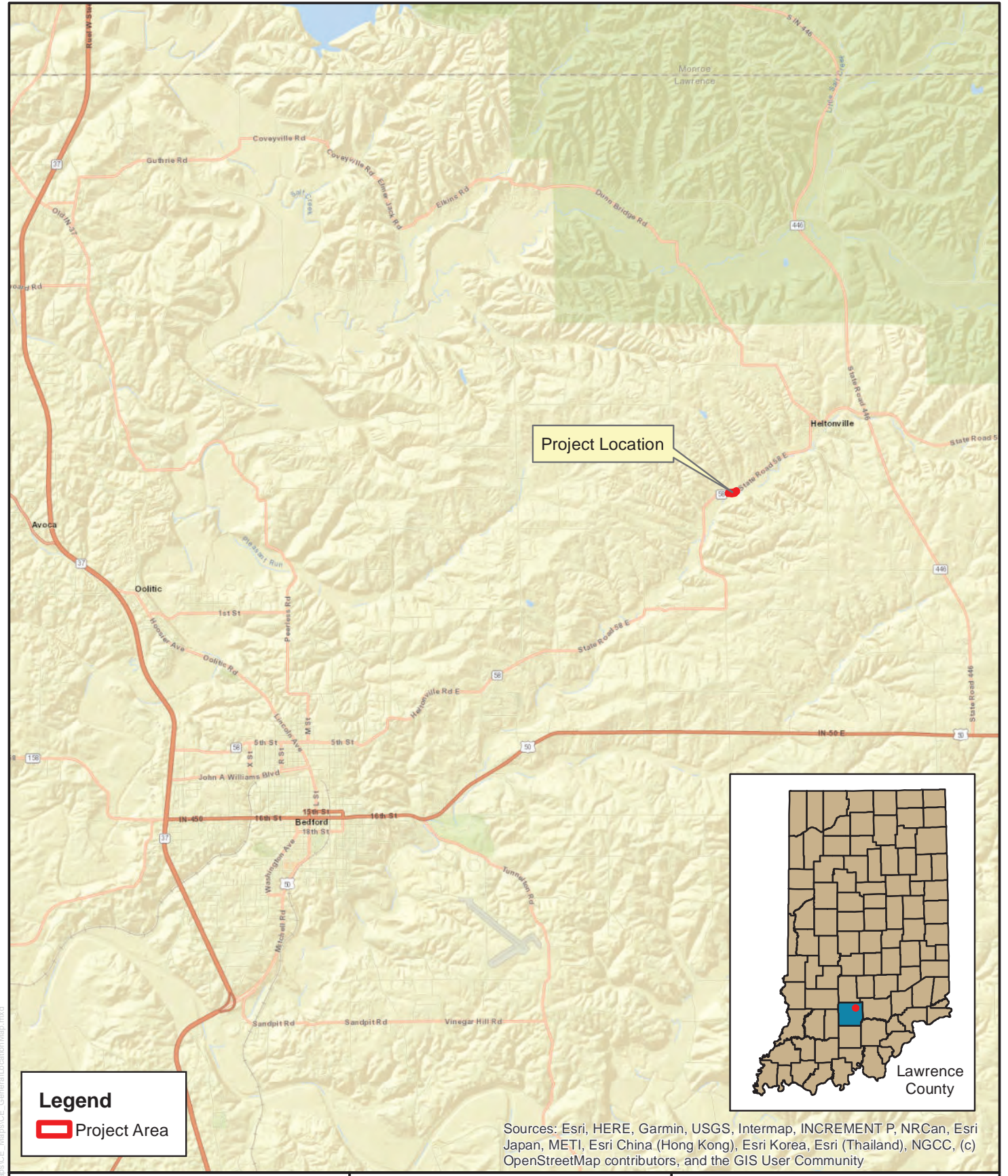
<sup>10</sup> Hot Spot Analysis and/or MSAT Quantitative Emission Analysis.

\* Includes the threatened/endangered species critical habitat


Note: Substantial public or agency controversy may require a higher-level NEPA document.



**Categorical Exclusion**  
**Appendix B**  
**Graphics**



S:\2018\118-00347ED\Enviro\Maps\CE\_Maps\CE\_GeneralLocationMap.mxd

**Legend**  
 Project Area

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



**LOCHMUELLER GROUP**  
 6200 Vogel Road  
 Evansville, IN 47715  
 Phone: (812) 479-6200  
 Fax: (812) 479-6262

**General Location Map**  
**Des No. 1701050**


0 0.75 1.5  
 Miles



County: Lawrence  
 Township: Pleasant Run

SR 58, 9.23 mi E of Jct SR 37  
 Small Structure Replacement Project  
 Created: 8/31/2022, H. Hume



**Legend**  
 Project Area

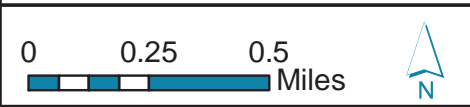
Bartlettsville  
 Quadrangle

Copyright: © 2013 National Geographic Society, i-cubed



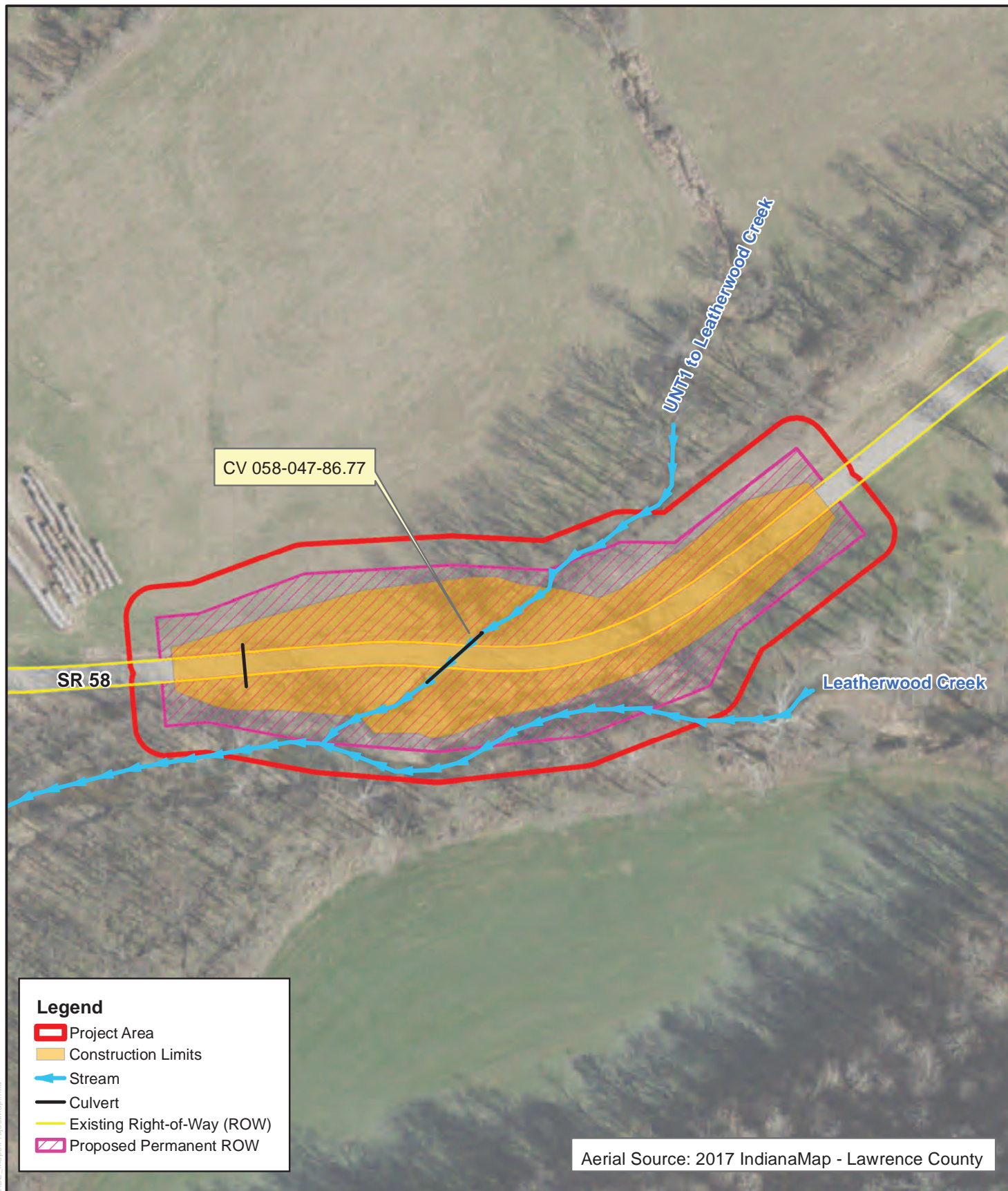
**LOCHMUELLER GROUP**  
 6200 Vogel Road  
 Evansville, IN 47715  
 Phone: (812) 479-6200  
 Fax: (812) 479-6262

**USGS Topographic Map**  
 Des. No. 1701050



County: Lawrence  
 Township: Pleasant Run

SR 58, 9.23 mi E of Jct SR 37  
 Small Structure Replacement Project  
 Created: 8/31/2022, H. Hume



**Legend**

- Project Area
- Construction Limits
- Stream
- Culvert
- Existing Right-of-Way (ROW)
- Proposed Permanent ROW

Aerial Source: 2017 IndianaMap - Lawrence County

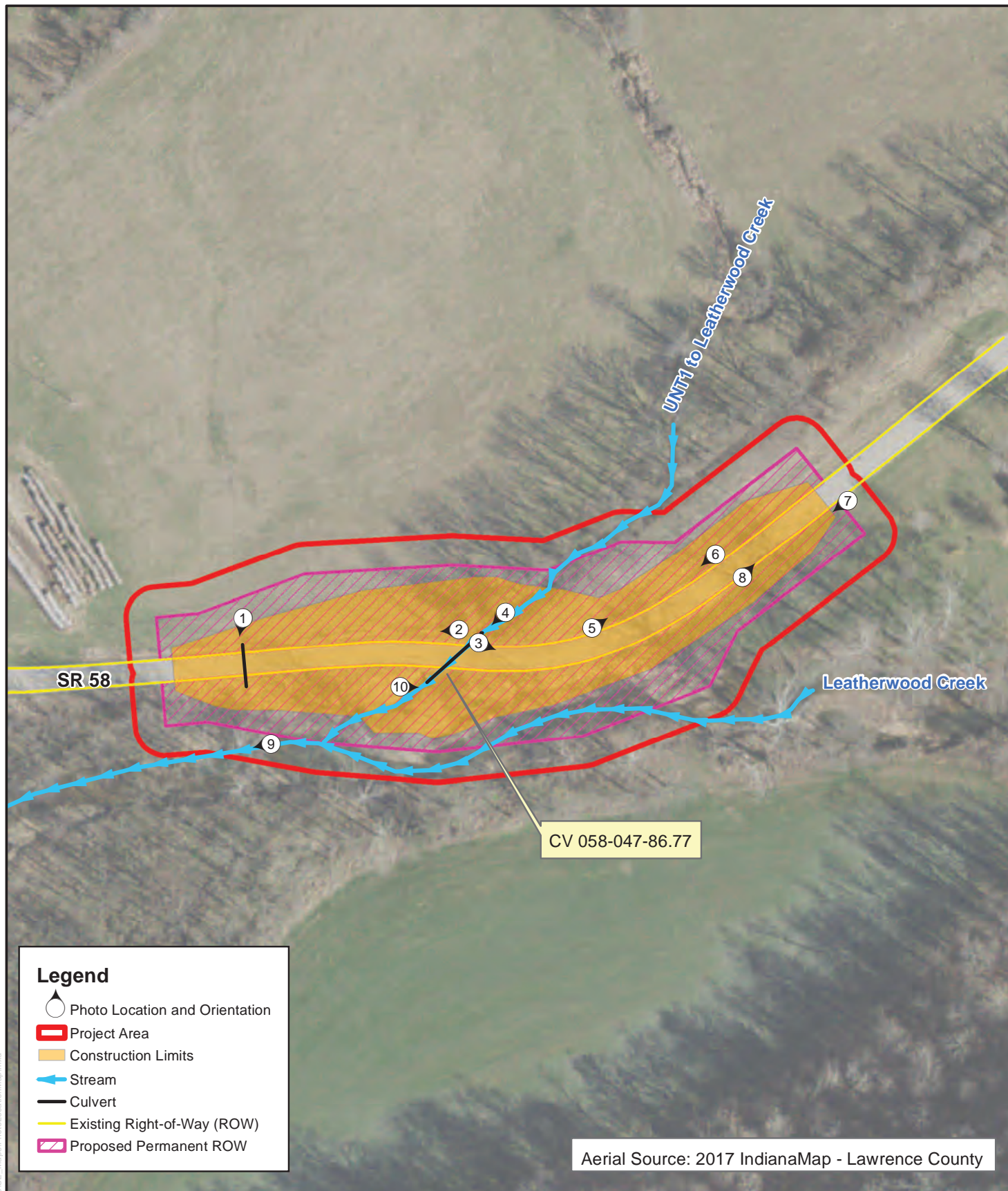
**LOCHMUELLER GROUP**  
 6200 Vogel Road  
 Evansville, IN 47715  
 Phone: (812) 479-6200  
 Fax: (812) 479-6262

**Project Map**  
 Des. No. 1701050








County: Lawrence  
 Township: Pleasant Run

0 50 100  
 Feet

SR 58, 9.23 mi E of Jct SR 37  
 Small Structure Replacement Project  
 Created: 10/11/2022, H. Hume



**Legend**

-  Photo Location and Orientation
-  Project Area
-  Construction Limits
-  Stream
-  Culvert
-  Existing Right-of-Way (ROW)
-  Proposed Permanent ROW

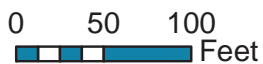
Aerial Source: 2017 IndianaMap - Lawrence County



6200 Vogel Road  
 Evansville, IN 47715  
 Phone: (812) 479-6200  
 Fax: (812) 479-6262

**Photo Location Map**

Des. No. 1701050



County: Lawrence  
 Township: Pleasant Run

SR 58, 9.23 mi E of Jct SR 37  
 Small Structure Replacement Project  
 Created: 10/11/2022, H. Hume



1. View of culvert inlet on north side of SR 58 facing south



2. View of SR 58, from top of culvert facing west



3. View of SR 58, top of culvert facing southeast



4. View of UNT 1 to Leatherwood Creek culvert inlet under SR 58 facing southwest



5. View of SR 58 facing northeast



6. View of SR 58 facing southwest





7. View of SR 58 facing southwest



8. View of SR 58 facing northeast



9. View of Leatherwood Creek facing west



10. View of culvert outlet under SR 58 facing east

PROJECT	DESIGNATION
1701050	1701050
CONTRACT	
R-41469	

# INDIANA DEPARTMENT OF TRANSPORTATION



CULVERT ASSETS		
DES. NO.	CULVERT ASSET ID	WORK TYPE
1701050	CV 058-047-86.77	Small Structure Replacement

TRAFFIC DATA	
A.A.D.T. (2023)	649 V.P.D.
A.A.D.T. (2043)	649 V.P.D.
D.H.V (2043)	85 V.P.H.
DIRECTIONAL DISTRIBUTION	49.46 %
TRUCKS	2.28 % A.A.D.T. 0.50 % D.H.V.

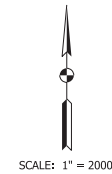
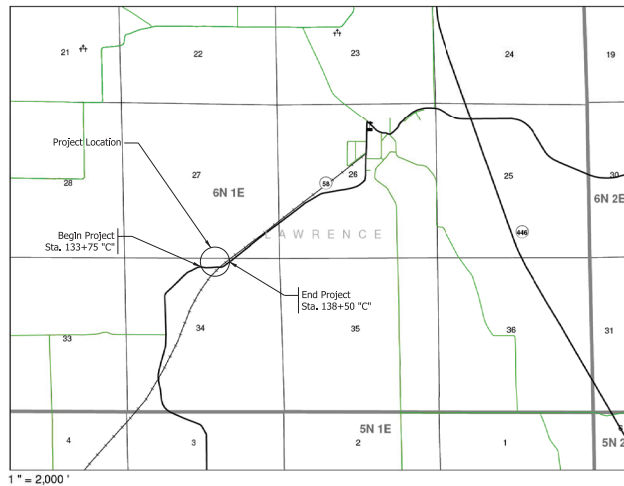
DESIGN DATA	
DESIGN SPEED	45 M.P.H.
PROJECT DESIGN CRITERIA	3R (NON-FREIGHTWAY)
FUNCTIONAL CLASSIFICATION	STATE COLLECTOR
RURAL/URBAN	RURAL
TERRAIN	LEVEL
ACCESS CONTROL	NONE

## ROAD PLANS

ROUTE: SR 58 FROM: RP 86+77 TO: RP 86+77  
 PROJECT NO. 170105000ST6 P.E.  
 170105000ST6 R/W  
 170105000ST6 CONST.

KIN PROJECT INFORMATION	
DESIGNATION	PROJECT DESCRIPTION
1593092	Small Structure Replacement (Lead Des.)
1701044	Small Structure Replacement
1701050	Small Structure Replacement

Small Structure Replacement on SR 58  
 Located 9.23 Miles E of SR 37  
 Section 34, T-6-N, R-1-E, Pleasant Run Township, Lawrence County, Indiana



LATITUDE: N 38°55'3"      LONGITUDE: W 86°23'35"

GROSS LENGTH: \_\_\_\_\_ .09 MI.  
 NET LENGTH: \_\_\_\_\_ .09 MI.  
 MAX. GRADE: \_\_\_\_\_ 1.11 %

INDIANA DEPARTMENT OF TRANSPORTATION  
 STANDARD SPECIFICATIONS DATED 2020  
 TO BE USED WITH THESE PLANS

Preliminary

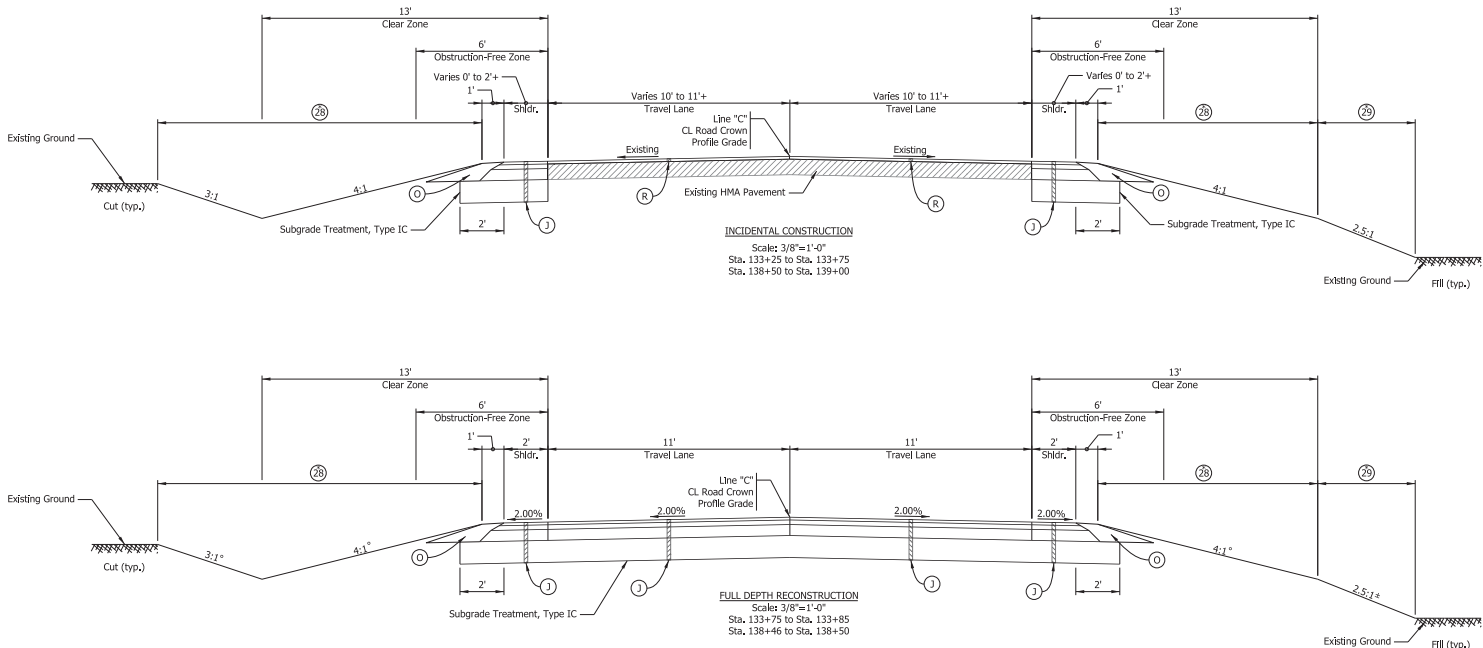
PLANS PREPARED BY: _____	PHONE NUMBER _____
CERTIFIED BY: _____	DATE _____
RECOMMENDED FOR LETTING: _____	DATE _____
INDIANA DEPARTMENT OF TRANSPORTATION	

DESIGNATION	
1701050	
SHEETS	
1	of 1 25
CONTRACT	
R-41469	
PROJECT	
1701050	

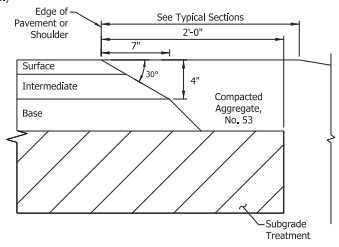
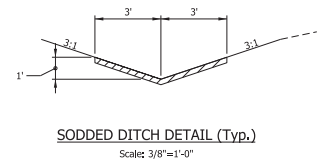
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- LEGEND**  
NOTE: Pavement design is assumed at this time
- ① 165 lbs/yd QC/QA-HMA, 3, 64, Surface, 9.5mm, on 275 lbs/yd2 QC/QA-HMA, 3, 64, Intermediate, 19mm, on 660 lbs/yd2 QC/QA-HMA, 3, 64, Base, 19mm, on Subgrade Treatment, Type IC
  - Ⓡ 1.5 in. Milling Asphalt 165 lbs/yd QC/QA-HMA, 3, 64, Surface, 9.5mm, on
  - Ⓞ Compacted Aggregate No. 53
  - Ⓢ Mulched Seeding R
  - Ⓣ R/trap, Uniform
- \* Unless otherwise shown on subsequent plan sheets  
+ See Paving Limits Table for varying paving widths



Preliminary

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: BOP	March 2021	DRAWN: BOP
CHECKED: AKB	April 2021	CHECKED: AKB

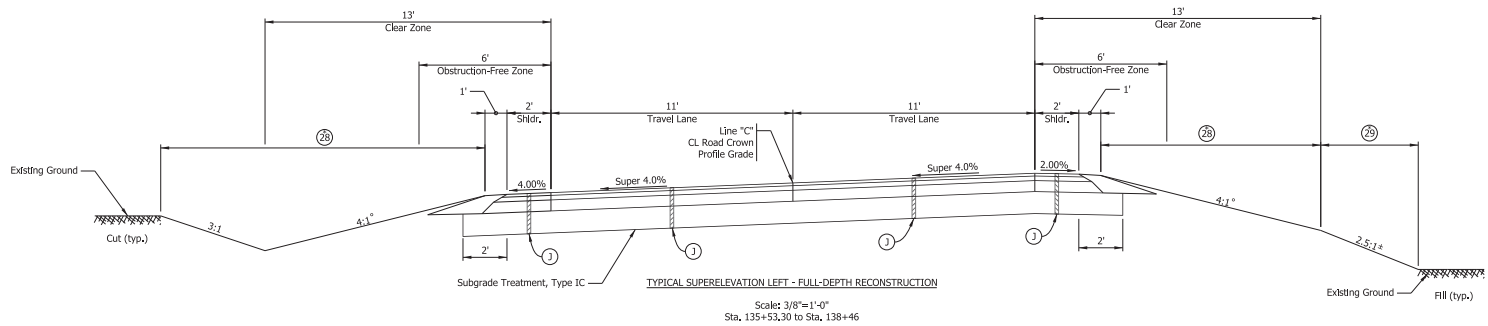
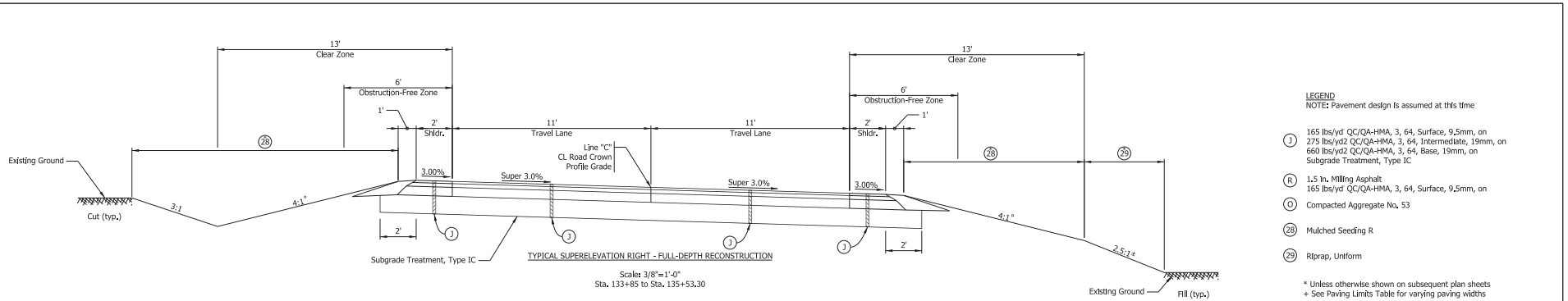
INDIANA  
DEPARTMENT OF TRANSPORTATION

TYPICAL SECTIONS

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As Noted	N/A
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	1701050
	SHEETS
	6 of 25
CONTRACT	PROJECT
R-1469	1701050

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- LEGEND**  
NOTE: Pavement design is assumed at this time
- ① 165 lbs/yd QC/QA-HMA, 3, 64, Surface, 9.5mm, on 275 lbs/yd QC/QA-HMA, 3, 64, Intermediate, 19mm, on 660 lbs/yd QC/QA-HMA, 3, 64, Base, 19mm, on Subgrade Treatment, Type IC
  - Ⓜ 1.5 In. Milling Asphalt  
165 lbs/yd QC/QA-HMA, 3, 64, Surface, 9.5mm, on
  - Ⓞ Compacted Aggregate No. 53
  - Ⓢ Mulched Seeding R
  - Ⓣ Riprap, Uniform
- \* Unless otherwise shown on subsequent plan sheets  
+ See Paving Limits Table for varying paving widths

° Clear Zone Foreslope Transition Table

Slope - Left				Slope - Right			
From Station	Slope	To Station	Slope	From Station	To Station	Slope	Slope
135+06.87	4:1	135+66.87	20:1	134+41.35	4:1	134+96.35	10:1
135+66.87	20:1	136+16.69	20:1	134+96.35	10:1	135+45.37	10:1
136+16.69	20:1	136+76.69	4:1	135+45.37	10:1	136+00.37	4:1

± Foreslope Beyond Clear Zone Transition Table

Slope - Left				Slope - Right			
From Station	Slope	To Station	Slope	From Station	To Station	Slope	Slope
135+36.87	3:1	135+66.87	3:6:1	134+41.35	3:1	134+96.35	2:18:1
135+66.87	3:6:1	136+16.69	2:6:1	134+96.35	2:18:1	135+45.37	3:05:1
136+16.69	2:6:1	136+51.69	3:1	135+45.37	3:05:1	136+00.37	2:5:1
				136+00.37	2:5:1	137+20.00	2:5:1

+ Paving Limits Table

Travel Lane - Left				Travel Lane - Right			
From Station	Width (ft)	To Station	Width (ft)	From Station	Width (ft)	To Station	Width (ft)
133+25.00	9.89 Exist.	133+75.00	11	133+25.00	9.47 Exist.	133+75.00	11
138+50.00	11	139+00.00	9.94 Exist.	138+50.00	11	139+00.00	9.97 Exist.

Paved Shoulder - Left				Paved Shoulder - Right			
From Station	Width (ft)	To Station	Width (ft)	From Station	Width (ft)	To Station	Width (ft)
133+25.00	0	133+75.00	3.92	133+25.00	0	133+75.00	3.41
138+50.00	3.67	139+00.00	0	138+50.00	3.27	139+00.00	0

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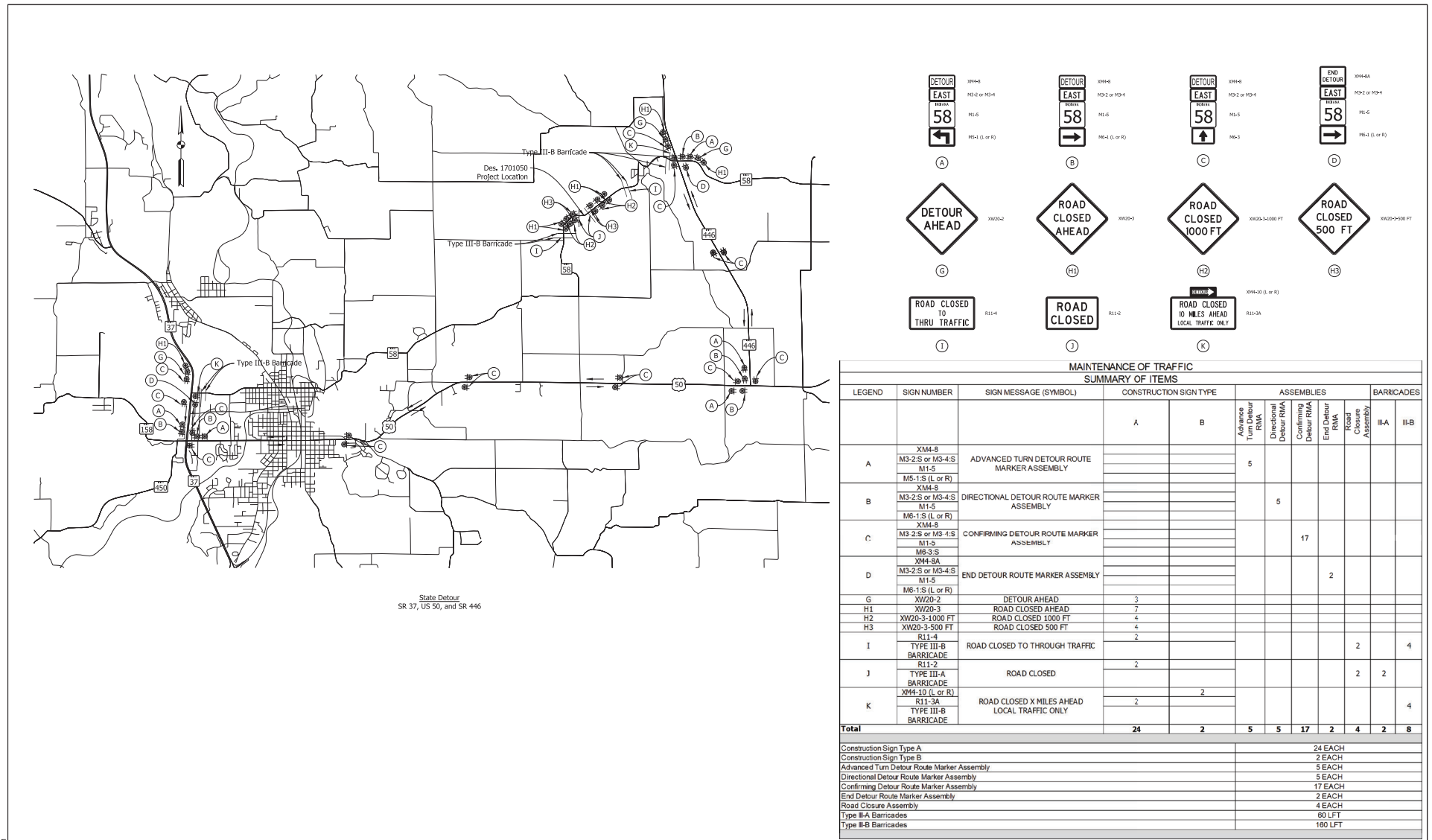
Preliminary

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DESIGNED: BOP	March 2021	DRAWN: BOP
CHECKED: AKB	April 2021	CHECKED: AKB

INDIANA DEPARTMENT OF TRANSPORTATION
TYPICAL SECTIONS

SCALE	BRIDGE FILE
As Noted	N/A
	DESIGNATION
	1701050
	SHEETS
	7 of 25
CONTRACT	PROJECT
R-1469	1701050

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Preliminary

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CHECKED: AKB	APRIL 2021	CHECKED: AKB

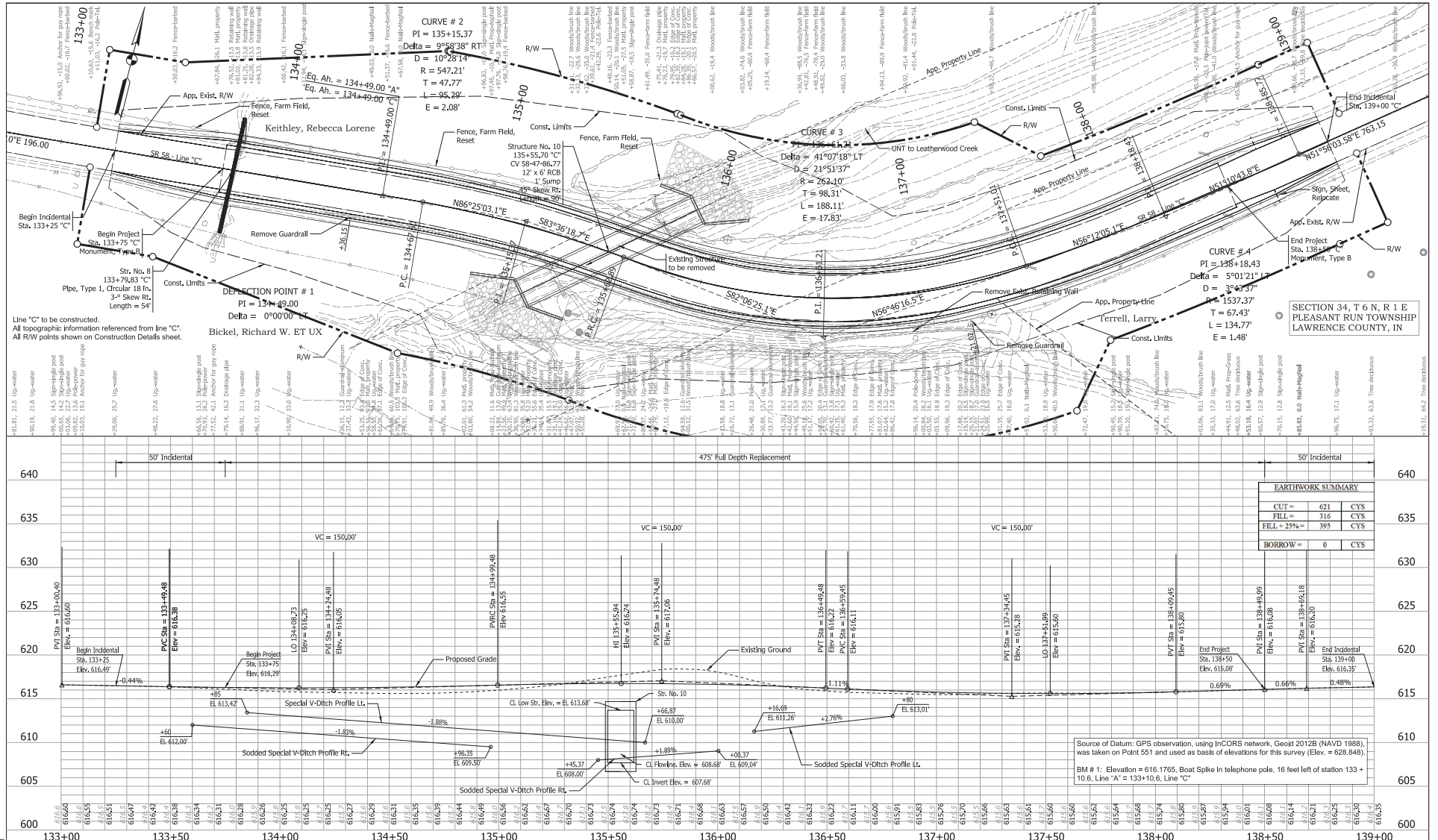
INDIANA  
DEPARTMENT OF TRANSPORTATION

MAINTENANCE OF TRAFFIC

SCALE	BRIDGE FILE
1" = 400'	N/A
	DESIGNATION
	1701050
	SHEETS
	6 of 25
CONTRACT	PROJECT
R-1469	1701050

FILE: 4/28/2021 10:20 AM

Files: pw1\indot-ow\kentley.com\indot-pw-411\Documents\Wincennes\1701050\Design\HS\SH M07 Mod\Maintenance of Traffic



Line "C" to be constructed.  
 All topographic information referenced from line "C".  
 All R/W points shown on Construction Details sheet.

SECTION 34, T 6 N, R 1 E  
 PLEASANT RUN TOWNSHIP  
 LAWRENCE COUNTY, IN

EARTHWORK SUMMARY		
CUT	=	621 CYS
FILL	=	316 CYS
FILL + 25%	=	395 CYS
BORROW = 0 CYS		

Source of Datum: GPS observation, using INCORS network, Geoid 2012B (NAVD 1988), was taken on Point 551 and used as basis of elevations for this survey (Elev. = 628.848).  
 BM # 1: Elevation = 616.1765, Boat Spike In telephone pole, 16 feet left of station 133 + 10.6, Line "A" = 133+10.6, Line "C"

NOTE: See LCRS for control point information.

Preliminary

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE	INDIANA DEPARTMENT OF TRANSPORTATION	SCALE	BRIDGE FILE	
DESIGNED: MRS	OCT 2020	DRAWN: RSP		APR 8 2021	Horiz. 1" = 20', Vert. 1" = 5'	NO
CHECKED: AKB	APRIL 2021	CHECKED: AKB		APRIL 2021	DESIGNATION 1701050	
PLAN AND PROFILE				SHEETS 9 of 25		
			CONTRACT R-1469			
			PROJECT 1701050			

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 Model: Default



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



July 8, 2022

«Name»

«Title»

«Address1»

«Address2»

«City», «State» «Zip»

Sample Early Coordination Letter

Re: Des. No. 1701050  
Small Structure Project  
State Project  
State Road (SR) 58, 9.23 miles east of Junction (Jct) SR 37  
Lawrence County, Indiana

Dear «Salu»,

The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT) propose to proceed with a small structure replacement project on SR 58, 9.23 miles east of Jct SR 37 in Lawrence County (Des. No. 1701050).

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

#### *Project Location and Existing Conditions*

The proposed project is located on SR 58, approximately 9.23 miles east of Jct SR 37 in Lawrence County. Specifically, the project is located in Section 34, Township 6 North, Range 1 East in Pleasant Run Township as depicted on the Bartlettsville U.S. Geological Survey 1:24,000 scale quadrangle. Adjacent land use is rural and consists primarily of agricultural fields, mature forests, and scattered residences.

Within the project area, SR 58 is functionally classified as a rural major collector. The typical cross section is two 11-foot travel lanes (one in each direction) with 0 to 2-foot paved shoulders on each side. No median is present. Existing guardrail is present on the south side of the roadway. The existing culvert (CV 058-047-86.77) is a 7-foot diameter corrugated metal pipe arch (CMPA) culvert. This culvert carries an unnamed tributary (UNT) to Leatherwood Creek from north to south under SR 58. Please see attachments for maps and photographs of the proposed project area.

#### *Draft Purpose and Need*

The need for the project is due to the condition and deterioration of the existing culvert in the project area. According to the March 9, 2021 INDOT Culvert Inspection Report, the existing structure is exhibiting moderate rusting and deep pitting in the invert and haunches, moderate corrosion and pitting at the top bolts, moderate section loss of the northwest masonry wall, minor erosion of fill behind the south masonry headwall, and slight deflection on the west side of the pipe where the bolts are rusted.

The current culvert rating is 6 (satisfactory condition). INDOT Bridge Inspection Application System (BIAS) ratings range from 0 to 9, with a rating of 0 applied to structures in failed structures and a rating of 9 applied to structures in excellent condition.

The purpose of the project is to provide a structure with a BIAS rating of 7 (good condition) or better and increase the service life of the culvert by a minimum of 50 years.

#### *Proposed Project*

The proposed work for Des. No. 1701050 will include removing the existing culvert and replacing it with a 12-foot by 6-foot reinforced concrete box (RCB) culvert with wingwalls and headwalls and a 1-foot sump. Excavation will be required to replace the existing structure and will extend approximately 3 feet below the existing flowline for the 90-foot length of the proposed culvert. Excavation is anticipated to be up to 4 feet below the flowline for the proposed wingwall footings. Approximately 0.18 acre of tree clearing will be required for this project.

Maintenance of traffic (MOT) will include a road closure and detour utilizing SR 37, US 50, and SR 446.

Construction is anticipated to begin in August 2023.

#### *Right-of-Way (ROW)*

This project is anticipated to require approximately 1.4 acres of permanent right-of-way (ROW). No temporary ROW is required for this project.

#### *Environmental Resources*

A Red Flag Investigation (RFI) was performed for a 0.5-mile radius of the project area and several “Red Flags” were identified within the 0.5-mile search radius; however, not all will impact the proposed project. An unknown, abandoned railroad segment crosses the project area. One NWI-Line segment, three stream segments (Leatherwood Creek and UNT to Leatherwood Creek stream segment), and one wetland are present within or adjacent to the project area. The project is located within a floodplain. Leatherwood Creek and UNT to Leatherwood Creek are listed as impaired for E. coli. This project is within the Indiana Karst Region as shown in INDOT’s *Protection of Karst Features During Project Development and Construction* dated July 15, 2021.

#### *Section 106*

The National Register of Historic Places (National Register) and the Indiana Register of Historic Sites and Structures (State Register) were reviewed using the State Historic Architectural and Archaeological Research Database (SHAARD) and SHAARD Geographic Information System (GIS) data published online. No above-ground historical resources on either list are within the project area. The 1992 *Lawrence County Interim Report: Indiana Historic Sites and Structures Inventory* (IHSSI) was also examined; several surveyed resources from this inventory were located within 500 feet of the project area. No potentially eligible National Register properties are located adjacent to the project area. The *Indiana Historic Bridge Inventory Volume 2: Listing of Historic and Non-Historic Bridges* by Mead & Hunt (2009) was reviewed. No bridges eligible for listing in the National Register are within the project area. No cemeteries were noted within the vicinity of the project area. The structure being replaced retains cut limestone blocks for header walls, but the current CMP has disturbed the original design of the limestone. This project is not anticipated to require full Section 106 and should qualify for the Minor Projects Programmatic Agreement (MPPA).

*Range-Wide Informal Programmatic Consultation*

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

Land use in the vicinity of the project is primarily of agricultural fields, mature forests, and scattered residences. Completion of the appropriate determination key through the USFWS Information for Planning and Consultation (IPaC) portal will occur. If a determination of “Not Likely to Adversely Affect,” or “Likely to Adversely Affect” is reached then additional consultation with the USFWS will occur through INDOT.

*Early Coordination*

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

If you have any questions regarding this project, please feel free to contact me at (812) 759-4119 or at [pparke@lochgroup.com](mailto:pparke@lochgroup.com). Additionally, should you want to contact the sponsor for this project, INDOT Vincennes District, please contact the Project Manager, Michael Thomas at (812) 362-7778 or [mthomas1@indot.in.gov](mailto:mthomas1@indot.in.gov).

Thank you in advance for your input.

Sincerely,



Payton Parke  
Environmental Specialist  
Lochmueller Group, Inc.

Attachments:

- General Location Map
- USGS Topographic Map
- Red Flag Investigation Map
- Photographs
- Preliminary Design Plans

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

Distribution List:

- FHWA – Indiana Division (electronic submission)
- IDEM Groundwater (online submission)

- National Park Service (electronic submission)
- Indiana Geological and Water Survey (online submission)
- IDNR, Division of Fish and Wildlife (electronic submission)
- U.S. Housing and Urban Development (electronic submission)
- INDOT, Vincennes District (electronic submission)
- U.S. Forest Service (electronic submission)
- Natural Resources Conservation Service (electronic submission)
- U.S. Army Corps of Engineers (electronic submission)
- INDOT, Utilities and Railroad Division (electronic submission)
- Lawrence County Highway Department
- Lawrence County Council
- Lawrence County Commissioners
- Lawrence County School Corporation
- Lawrence County Surveyor
- Lawrence County EMA; Floodplain Administrator
- Lawrence County Sheriff's Department
- Pleasant Run Volunteer Fire Department



# 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

In Reply Refer To:

August 15, 2022

Project Code: 2022-0074684

Project Name: Des 1701050; SR 58 Small Structure Project; Lawrence County, IN

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

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

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

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

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

determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process. For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

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

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

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

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

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

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

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

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment(s):

- Official Species List
- Migratory Birds
- Wetlands



# Official Species List

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

This species list is provided by:

**Indiana Ecological Services Field Office**

620 South Walker Street

Bloomington, IN 47403-2121

(812) 334-4261

## Project Summary

Project Code: 2022-0074684  
Project Name: Des 1701050; SR 58 Small Structure Project; Lawrence County, IN  
Project Type: Culvert Repair/Replacement/Maintenance  
Project Description: Des 1701050 is a small structure project located on State Road (SR) 58, 9.23 miles east of Junction (Jct) SR 37. The proposed project will upgrade the existing 12-foot by 7-foot elliptical corrugated metal pipe (CMP) culvert (CV 058-047-86.77) carrying an unnamed tributary (UNT) to Leatherwood Creek with a 12-foot by 6-foot reinforced concrete box culvert (RCB) with wingwalls and headwalls and a 1-foot sump. Removal of the existing culvert will require excavation up to 3 feet below the existing flowline for the 90-foot length of the proposed culvert. Excavation up to 4 feet below the flowline is also required for the proposed wingwall footings.

No other bridges or small structures are present in the project area. Adjacent land use consists of mature woodlands, farmland, and scattered residences. This is considered suitable summer habitat for the Indiana bat and northern long-eared bat. Approximately 0.18 acre of tree clearing is expected. All tree clearing will occur within 100 ft of the existing roadway. Tree removal will occur between October 1 and March 31 (during the inactive season). Dominant species to be removed include Black walnut (*Juglans nigra*), Sycamore (*Platanus occidentalis*), box elder (*Acer negundo*), and hackberry (*Celtis occidentalis*). A Bridge/Structure Assessment Form was completed on July 27, 2020 and stated that no evidence of bats was observed. The INDOT Culvert Inspection Report dated March 9, 2021 indicated that no bats were seen or heard in the structure. On April 25, 2022, INDOT Vincennes District environmental personnel stated, "A review of the USFWS database did not indicate the presence of endangered bat species in or within 0.5 mile of the project area". Work is anticipated to occur from Spring 2024 to Fall 2024. No temporary or permanent lighting will be required for the project. Mitigation is not anticipated.

### Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.91767845,-86.393221676184,14z>



Counties: Lawrence County, Indiana

## Endangered Species Act Species

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

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

## Mammals

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

## Insects

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

## Critical habitats

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

# Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

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

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

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

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

NAME	BREEDING SEASON
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

## Probability Of Presence Summary

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

### Probability of Presence (■)

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

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

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

### Breeding Season (■)

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

### Survey Effort (|)

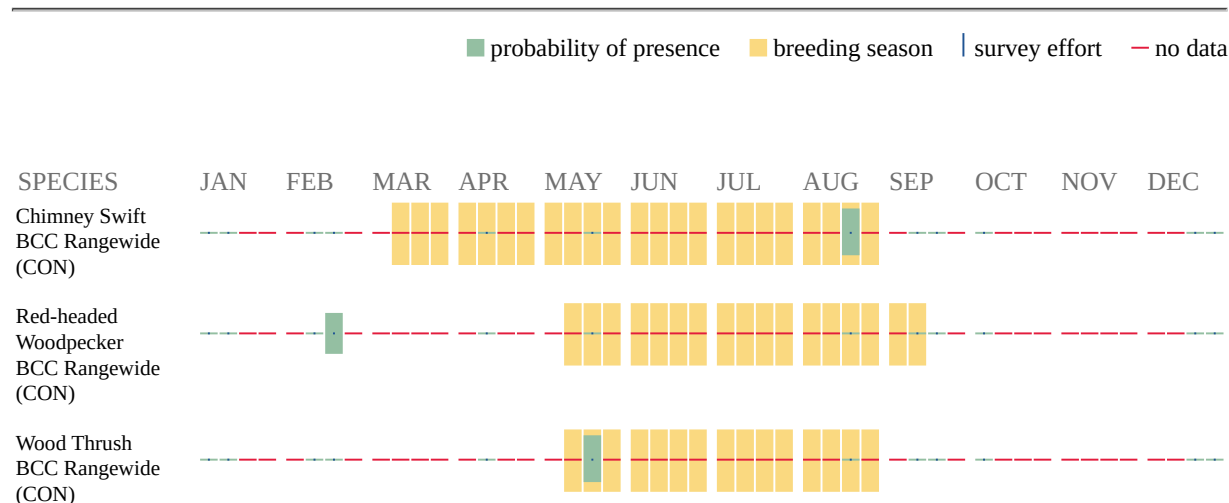
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

### No Data (—)

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

### Survey Timeframe

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



Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

## Migratory Birds FAQ

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

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

**What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

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

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

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

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

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

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

### **How do I know if a bird is breeding, wintering or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

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

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



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

### **Details about birds that are potentially affected by offshore projects**

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

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

### **What if I have eagles on my list?**

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

### **Proper Interpretation and Use of Your Migratory Bird Report**

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

# Wetlands

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

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

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

RIVERINE

- [Riverine](#)

## **IPaC User Contact Information**

Agency: Indiana Department of Transportation  
Name: Payton Parke  
Address: 6200 Vogel Rd  
City: Evansville  
State: IN  
Zip: 47715  
Email: pparke@lochgroup.com  
Phone: 8124796200

## **Lead Agency Contact Information**

Lead Agency: Federal Highway Administration



# 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

In Reply Refer To:

August 17, 2022

Project code: 2022-0074684

Project Name: Des 1701050; SR 58 Small Structure Project; Lawrence County, IN

Subject: Concurrence verification letter for the 'Des 1701050; SR 58 Small Structure Project; Lawrence County, IN' 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 August 17, 2022 to verify that the **Des 1701050; SR 58 Small Structure Project; Lawrence County, IN** (Proposed Action) may rely on the concurrence provided in the February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, and may affect, but is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*). Consultation with the Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) is required.

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

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

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

- Monarch Butterfly *Danaus plexippus* Candidate

## Project Description

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

### **Name**

Des 1701050; SR 58 Small Structure Project; Lawrence County, IN

### **Description**

Des 1701050 is a small structure project located on State Road (SR) 58, 9.23 miles east of Junction (Jct) SR 37. The proposed project will upgrade the existing 12-foot by 7-foot elliptical corrugated metal pipe (CMP) culvert (CV 058-047-86.77) carrying an unnamed tributary (UNT) to Leatherwood Creek with a 12-foot by 6-foot reinforced concrete box culvert (RCB) with wingwalls and headwalls and a 1-foot sump. Removal of the existing culvert will require excavation up to 3 feet below the existing flowline for the 90-foot length of the proposed culvert. Excavation up to 4 feet below the flowline is also required for the proposed wingwall footings.

No other bridges or small structures are present in the project area. Adjacent land use consists of mature woodlands, farmland, and scattered residences. This is considered suitable summer habitat for the Indiana bat and northern long-eared bat. Approximately 0.18 acre of tree clearing is expected. All tree clearing will occur within 100 ft of the existing roadway. Tree removal will occur between October 1 and March 31 (during the inactive season). Dominant species to be removed include Black walnut (*Juglans nigra*), Sycamore (*Platanus occidentalis*), box elder (*Acer negundo*), and hackberry (*Celtis occidentalis*). A Bridge/Structure Assessment Form was completed on July 27, 2020 and stated that no evidence of bats was observed. The INDOT Culvert Inspection Report dated March 9, 2021 indicated that no bats were seen or heard in the structure. On April 25, 2022, INDOT Vincennes District environmental personnel stated, "A review of the USFWS database did not indicate the presence of endangered bat species in or within 0.5 mile of the project area". Work is anticipated to occur from Spring 2024 to Fall 2024. No temporary or permanent lighting will be required for the project. Mitigation is not anticipated.

## Determination Key Result

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the threatened Northern long-eared bat, therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required. However, also based on your answers provided, this project may rely on the concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

## Qualification Interview

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

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

**Automatically answered**

Yes

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

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

**Automatically answered**

Yes

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

*A) Federal Highway Administration (FHWA)*

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

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

*No*

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

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

*No*

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

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

*No*

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

Yes

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

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

*No*

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

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

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the [User's Guide for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat](#).

*Yes*

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

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

*Yes*

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

*No*

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

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

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

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

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

*No*



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

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

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

*No*

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

*Yes*

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

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

*B) During the inactive season*

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

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

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

*No*

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

*Yes*

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

*B) During the inactive season*

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

*Yes*

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

*No*

21. Are *all* trees that are being removed clearly demarcated?  
Yes
22. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?  
No
23. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?  
No
24. Does the project include slash pile burning?  
No
25. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?  
Yes
26. Is there *any* suitable habitat<sup>[1]</sup> for Indiana bat or NLEB **within** 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

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

Yes

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

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

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

Yes

#### **SUBMITTED DOCUMENTS**

- *BIAS Report\_2021-03-09.pdf* <https://ipac.ecosphere.fws.gov/project/Q54A5BHKQ5DC3HKTCDRCRQSDBOU/projectDocuments/116033648>
- *Bridge Culvert Bat Assessment Form\_058-047-86.77\_2022-08-17.pdf* <https://ipac.ecosphere.fws.gov/project/Q54A5BHKQ5DC3HKTCDRCRQSDBOU/projectDocuments/116131570>

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

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

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

No

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

No

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

No

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

No

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

No

33. 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

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

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

Yes

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

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

Yes

36. Are *all* project activities that are **not associated with** habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives, limited to actions that DO NOT cause any additional stressors to the bat species?

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

Yes

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

No

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

**Automatically answered**

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

39. 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*

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

**Automatically answered**

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

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

**Automatically answered**

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

42. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

**Automatically answered**

*Yes, because the bridge has been assessed using the criteria documented in the BA and no signs of bats were detected*

43. **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

44. **Hibernacula AMM 1**

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

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

Yes

45. **Hibernacula AMM 1**

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

Yes

46. **Tree Removal AMM 1**

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

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

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

Yes

47. **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

48. **Tree Removal AMM 4**

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

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

[2] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry 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.)

Yes

## Project Questionnaire

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

No

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

No

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

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

0.18

4. Please describe the proposed bridge work:

*The proposed project will upgrade the existing 12-foot by 7-foot elliptical corrugated metal pipe (CMP) culvert (CV 058-047-86.77) carrying an unnamed tributary (UNT) to Leatherwood Creek with a 12-foot by 6-foot reinforced concrete box culvert (RCB) with wingwalls and headwalls and a 1-foot sump. Removal of the existing culvert will require excavation up to 3 feet below the existing flowline for the 90-foot length of the proposed culvert. Excavation up to 4 feet below the flowline is also required for the proposed wingwall footings.*

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

*Spring 2024 to Fall 2024*

6. Please enter the date of the bridge assessment:

*March 9, 2021*

## Avoidance And Minimization Measures (AMMs)

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

**HIBERNACULA AMM 1**

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

**TREE REMOVAL AMM 1**

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

**TREE REMOVAL AMM 2**

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

**TREE REMOVAL AMM 3**

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

**TREE REMOVAL AMM 4**

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

**GENERAL AMM 1**

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

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

This key was last updated in IPaC on April 28, 2022. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.










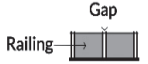
## **IPaC User Contact Information**

Agency: Indiana Department of Transportation  
Name: Ryan Falls  
Address: 3650 South U.S. Highway 41  
City: Vincennes  
State: IN  
Zip: 47591  
Email: rfalls@indot.in.gov  
Phone: 8125821387

## **Lead Agency Contact Information**

Lead Agency: Federal Highway Administration

## Bridge/Structure Bat Assessment Form

Date & Time of Assessment July 27, 2020	DOT Project Number 1701050	Route/Facility Carried SR 58	County Lawrence
Federal Structure ID CV 058-047-86.77	Structure Coordinates (latitude and longitude) 38.9175, -86.39330	Structure Height (approximate) 7 ft	Structure Length 70 ft
<b>Structure Type</b> (check one)		<b>Structure Material</b> (check all that apply)	
<b>Bridge Construction Style</b>		<b>Deck Material</b>	<b>Beam Material</b> / <b>End/Back Wall Material</b>
<input type="radio"/> Cast-in-place 	<input type="radio"/> Pre-stressed Girder 	<input type="checkbox"/> Metal	<input type="checkbox"/> None / Concrete
<input type="radio"/> Flat Slab/Box 	<input type="radio"/> Steel I-beam 	<input type="checkbox"/> Concrete	<input type="checkbox"/> Concrete / Timber
<input type="radio"/> Truss 	<input type="radio"/> Covered 	<input type="checkbox"/> Timber	<input type="checkbox"/> Steel / Stone/Masonry
<input type="radio"/> Parallel Box Beam 	<input type="radio"/> Other:	<input type="checkbox"/> Open grid	<input type="checkbox"/> Timber / Other:
<b>Culvert Type</b>		<b>Culvert Material</b>	
<input type="radio"/> Box	<input type="radio"/> Other Structure	<input checked="" type="checkbox"/> Metal	<input type="radio"/> Yes / <input type="radio"/> No
<input checked="" type="radio"/> Pipe/Round		<input type="checkbox"/> Concrete	<input type="radio"/> Unknown
<input type="radio"/> Other:		<input type="checkbox"/> Plastic	<b>Notes:</b>
		<input type="checkbox"/> Stone/Masonry	
		<input type="checkbox"/> Other:	
<b>Crossings Traversed</b> (check all that apply)		<b>Surrounding Habitat</b> (check all that apply)	
<input type="checkbox"/> Bare ground	<input type="checkbox"/> Open vegetation	<input checked="" type="checkbox"/> Agricultural	<input type="checkbox"/> Grassland
<input type="checkbox"/> Rip-rap	<input type="checkbox"/> Closed vegetation	<input type="checkbox"/> Commercial	<input type="checkbox"/> Ranching
<input type="checkbox"/> Flowing water	<input type="checkbox"/> Railroad	<input type="checkbox"/> Residential-urban	<input type="checkbox"/> Riparian/wetland
<input type="checkbox"/> Standing water	<input type="checkbox"/> Road/trail - Type:	<input checked="" type="checkbox"/> Residential-rural	<input type="checkbox"/> Mixed use
<input type="checkbox"/> Seasonal water	<input type="checkbox"/> Other:	<input checked="" type="checkbox"/> Woodland/forested	<input type="checkbox"/> Other:
<b>Areas Assessed</b> (check all that apply)			
Check all areas that apply. If an area is not present in the structure, check the "not present" box.			
Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.			
<b>Area</b> (check if assessed)	<b>Assessment Notes</b>	<b>Evidence of Bats</b> (include photos if present)	
<input checked="" type="checkbox"/> All crevices and cracks: <b>Bridges/culverts:</b> rough surfaces or imperfections in concrete <b>Other structures:</b> soffits, rafters, attic areas	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	dead # / Audible / Odor / Photos / Species
<input type="checkbox"/> Concrete surfaces (open roosting on concrete)	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	dead # / Audible / Odor / Photos / Species
<input type="checkbox"/> Spaces between concrete end walls and the bridge deck	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	dead # / Audible / Odor / Photos / Species
<input type="checkbox"/> Crack between concrete railings on top of the bridge deck 	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	dead # / Audible / Odor / Photos / Species
<input type="checkbox"/> Vertical surfaces on concrete I-beams	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	dead # / Audible / Odor / Photos / Species
<input type="checkbox"/> Spaces between walls, ceiling joists	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	dead # / Audible / Odor / Photos / Species
<input type="checkbox"/> Weep holes, scupper drains, and inlets/pipes	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	dead # / Audible / Odor / Photos / Species
<input type="checkbox"/> All guiderails	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	dead # / Audible / Odor / Photos / Species
<input type="checkbox"/> All expansion joints	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	dead # / Audible / Odor / Photos / Species
Name: Peter Putzier		Signature: Peter Putzier	

## Payton Parke

---

**From:** Falls, Ryan G <RFalls@indot.IN.gov>  
**Sent:** Wednesday, August 17, 2022 11:50 AM  
**To:** Payton Parke; Wright, Kristy  
**Cc:** Daniel Townsend; Holly Hume  
**Subject:** NLAA: Request for IPaC Finding Review - Des 1701050; SR 58 Small Structure Project; Lawrence County, IN

EXTERNAL

The document's finding of May Effect, NLAA-With AMMs for DES 1701050 has been deemed sufficient. It has been verified and submitted to USFWS. The Service has 14 days after the "Not Likely to Adversely Affect" determination letter is generated. They will review that information once it is received; if you do not receive a response within 14 days, they have no additional comments for the two bats covered under the programmatic. The NEPA document submittal may not occur until this review period has ended. The Official Species List and Concurrence Verification Letter are now immediately available for your use. It is suggested that these documents be downloaded at this time. This concludes the IPaC phase of coordination with the Vincennes environmental office.

### Ryan Falls

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

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

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

**Cell:** 812-582-1387



855-463-6848

---

**From:** Payton Parke <PParke@lochgroup.com>  
**Sent:** Wednesday, August 17, 2022 11:02 AM  
**To:** Falls, Ryan G <RFalls@indot.IN.gov>; Wright, Kristy <KWright@indot.IN.gov>  
**Cc:** Daniel Townsend <DTownsend@lochgroup.com>; Holly Hume <HHume@lochgroup.com>  
**Subject:** RE: 1st Comments: Request for IPaC Finding Review - Des 1701050; SR 58 Small Structure Project; Lawrence County, IN

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Mr. Falls,

Per your instruction, I have updated the IPaC for Des 1701050. A new species list was requested and the consistency letter has been regenerated (IPaC Record Locator: 057-116132110). The invalid consistency letter has been deleted from the project. Please feel free to contact me with any questions or further guidance.

Thank you,  
Payton

## Payton Parke

---

**From:** Amick, Kevin -FS <kevin.amick@usda.gov>  
**Sent:** Friday, July 8, 2022 12:00 PM  
**To:** Payton Parke  
**Subject:** RE: [External Email]Early Coordination Letter - Des 1701050, SR 58 Small Structure Project, Lawrence County

EXTERNAL

Payton,  
Because the project is not located on or adjacent to National Forest System lands, the Hoosier National Forest has no concerns regarding this project. Thank you for the opportunity to review this project.



**Kevin Amick**  
Environmental Coordinator  
Forest Service  
Hoosier National Forest

p: 812-276-4746

f: 812-279-3423

[kevin.amick@usda.gov](mailto:kevin.amick@usda.gov)

811 Constitution Ave.

Bedford, IN 47421

[www.fs.fed.us](http://www.fs.fed.us)



Caring for the land and serving people

---

**From:** Payton Parke <PParke@lochgroup.com>  
**Sent:** Friday, July 8, 2022 12:18 PM  
**To:** Amick, Kevin -FS <kevin.amick@usda.gov>  
**Cc:** Daniel Townsend <DTownsend@lochgroup.com>; Holly Hume <HHume@lochgroup.com>  
**Subject:** [External Email]Early Coordination Letter - Des 1701050, SR 58 Small Structure Project, Lawrence County

**[External Email]**

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;

Use caution before clicking links or opening attachments.

Please send any concerns or suspicious messages to: [Spam.Abuse@usda.gov](mailto:Spam.Abuse@usda.gov)

Dear Mr. Amick,

We are working on the environmental document for a small structure project on SR 58, 9.23 miles east of Junction (Jct) SR 37 in Lawrence County, IN (Des 1701050). Indiana Department of Transportation (INDOT) guidance suggests coordination with the United States Forest Service for projects in Lawrence County. Please find the early coordination package for your review and comment. Please let me know if you have any questions.

Thank you,  
Payton



INDIANA  
GEOLOGICAL SURVEY

## Organization and Project Information

**Project ID:** INDOT  
**Des. ID:** 1701050  
**Project Title:** SR 58 Small Structure Project, 9.23 miles east of Junction (Jct) SR 37  
**Name of Organization:** Lochmueller Group Inc.  
**Requested by:** Payton Parke

## Environmental Assessment Report

### 1. Geological Hazards:

- 1% Annual Chance Flood Hazard

### 2. Mineral Resources:

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

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

- Petroleum Exploration Wells

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

## DISCLAIMER:

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

This information was furnished by Indiana Geological Survey

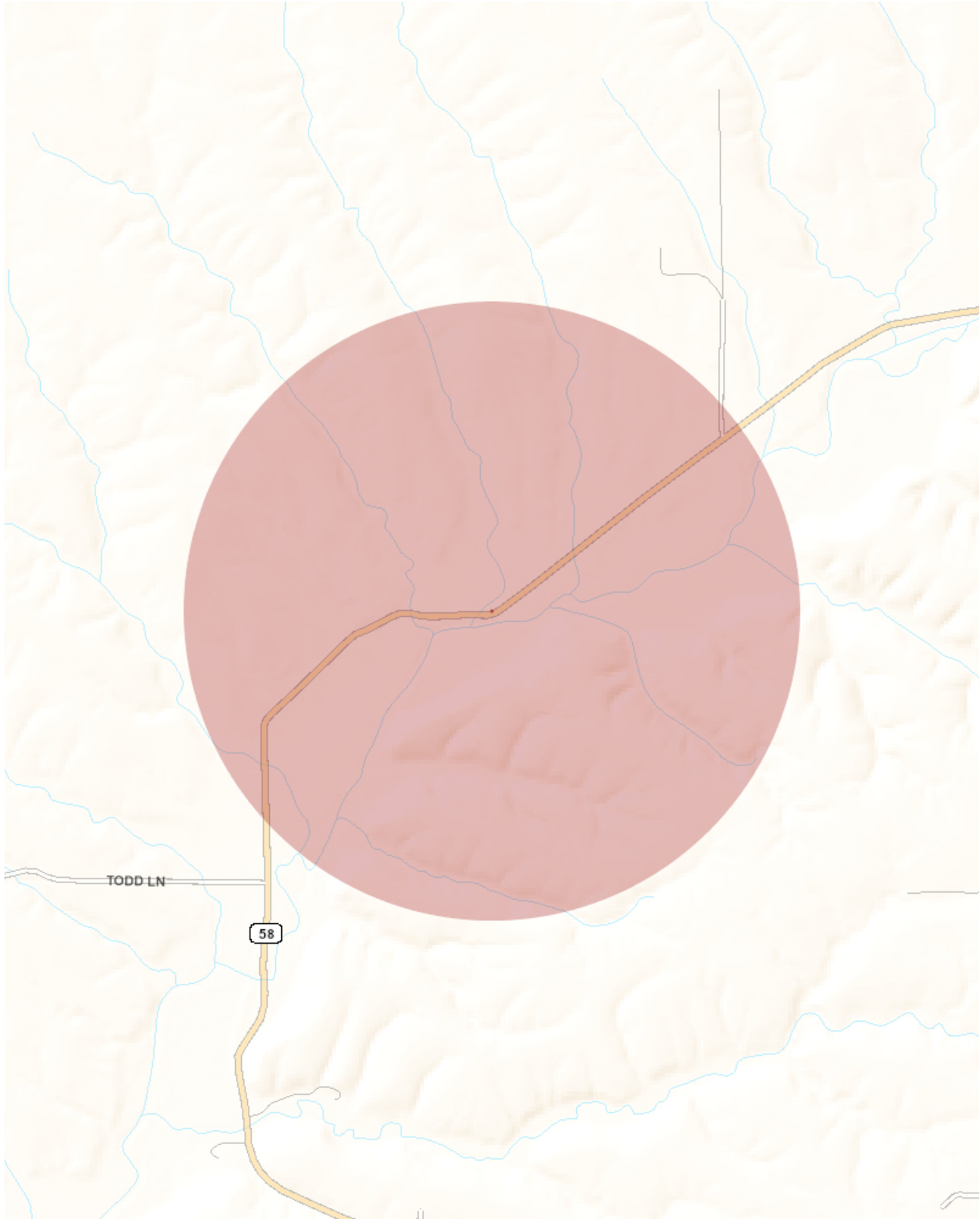
Address: 420 N. Walnut St., Bloomington, IN 47404

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

Phone: 812 855-7428

Date: July 08, 2022





## Metadata:

- [https://maps.indiana.edu/metadata/Geology/Petroleum\\_Wells.html](https://maps.indiana.edu/metadata/Geology/Petroleum_Wells.html)
- [https://maps.indiana.edu/metadata/Hydrology/Floodplains\\_FIRM.html](https://maps.indiana.edu/metadata/Hydrology/Floodplains_FIRM.html)
- [https://maps.indiana.edu/metadata/Geology/Bedrock\\_Geology.html](https://maps.indiana.edu/metadata/Geology/Bedrock_Geology.html)

## Payton Parke

---

**From:** Falls, Ryan G <RFalls@indot.IN.gov>  
**Sent:** Thursday, July 14, 2022 10:23 AM  
**To:** Payton Parke  
**Cc:** Daniel Townsend; Holly Hume  
**Subject:** RE: Early Coordination Letter - Des 1701050, SR 58 Small Structure Project, Lawrence County

EXTERNAL

Concur. Thank you for following up.

### Ryan Falls

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

Indiana Department of Transportation

3650 South US Highway 41

Vincennes, IN 47591

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

**Cell:** 812-582-1387



855-463-6848

---

**From:** Payton Parke <PParke@lochgroup.com>  
**Sent:** Thursday, July 14, 2022 10:48 AM  
**To:** Falls, Ryan G <RFalls@indot.IN.gov>  
**Cc:** Daniel Townsend <DTownsend@lochgroup.com>; Holly Hume <HHume@lochgroup.com>  
**Subject:** RE: Early Coordination Letter - Des 1701050, SR 58 Small Structure Project, Lawrence County


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Mr. Falls,

Lochmueller is not considering the 1.4 acres of permanent ROW to be on new terrain. The proposed permanent ROW extends a maximum of 63 feet from the edge of pavement and continues along SR 58 for 588 feet. Please let me know if you have any additional questions or further guidance.

Thanks,  
Payton



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

### Payton Parke

Envir Specialist I




**Lochmueller Group**

6200 Vogel Road, Evansville, IN 47715





 **Email:** PParke@lochgroup.com

 **Direct:** 812.759.4119  
**Mobile:** 270.844.2326

This e-mail message is for the sole use of the intended recipient(s), and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient(s), please contact the sender by reply e-mail and destroy all copies of the original message. Thank you!

---

**From:** Falls, Ryan G <[RFalls@indot.IN.gov](mailto:RFalls@indot.IN.gov)>  
**Sent:** Monday, July 11, 2022 11:19 AM  
**To:** Payton Parke <[PParke@lochgroup.com](mailto:PParke@lochgroup.com)>  
**Cc:** Daniel Townsend <[DTownsend@lochgroup.com](mailto:DTownsend@lochgroup.com)>; Holly Hume <[HHume@lochgroup.com](mailto:HHume@lochgroup.com)>  
**Subject:** RE: Early Coordination Letter - Des 1701050, SR 58 Small Structure Project, Lawrence County

EXTERNAL

Payton Parke,

Is Lochmueller considering the 1.4 acres of permanent ROW on new terrain? If not, please disregard. If so, please coordinate with IDEM, Wetlands and Stormwater Programs.

Thank you for the opportunity to respond to early coordination.

**Ryan Falls**

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

Indiana Department of Transportation

3650 South US Highway 41

Vincennes, IN 47591

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

**Cell:** 812-582-1387



855-463-6848

---

**From:** Payton Parke <[PParke@lochgroup.com](mailto:PParke@lochgroup.com)>  
**Sent:** Friday, July 8, 2022 12:24 PM  
**To:** Falls, Ryan G <[RFalls@indot.IN.gov](mailto:RFalls@indot.IN.gov)>  
**Cc:** Daniel Townsend <[DTownsend@lochgroup.com](mailto:DTownsend@lochgroup.com)>; Holly Hume <[HHume@lochgroup.com](mailto:HHume@lochgroup.com)>  
**Subject:** Early Coordination Letter - Des 1701050, SR 58 Small Structure Project, Lawrence County

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Dear Mr. Falls,

We are working on the environmental document for a small structure project on SR 58, 9.23 miles east of Junction (Jct) SR 37 in Lawrence County, IN (Des 1701050). Please find the early coordination package for your review and comment. Please let me know if you have any questions.

Thank you,  
Payton

July 12, 2022

Payton Parke  
Lochmueller Group  
6200 Vogel Road  
Evansville, Indiana 47715

Dear Mr. Parke:

The proposed small structure project in Lawrence County, Indiana, (Des. No. 1701050) as referred to in your letter received July 8, 2022, will cause a conversion of prime farmland.

The attached packet of information is for your use completing 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 or [john.allen@usda.gov](mailto:john.allen@usda.gov).

Sincerely,

**JOHN ALLEN**

Digitally signed by JOHN ALLEN  
Date: 2022.07.12 15:37:30 -04'00'

JOHN ALLEN  
State Soil Scientist

Enclosures

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

<b>PART I (To be completed by Federal Agency)</b>		3. Date of Land Evaluation Request <b>7/8/22</b>	4. Sheet 1 of <b>1</b>
1. Name of Project <b>Des 1701050</b>		5. Federal Agency Involved <b>FHWA</b>	
2. Type of Project <b>Small Structure Project</b>		6. County and State <b>Lawrence County, IN</b>	
<b>PART II (To be completed by NRCS)</b>		1. Date Request Received by NRCS	2. Person Completing Form <b>JRA</b>
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 <b>175 ac</b>	
5. Major Crop(s) <b>Corn</b>	6. Farmable Land in Government Jurisdiction Acres: <b>200607</b> % <b>69</b>	7. Amount of Farmland As Defined in FPPA Acres: <b>74044</b> % <b>26</b>	
8. Name Of Land Evaluation System Used <b>LESA</b>	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS <b>7/12/22</b>	

<b>PART III (To be completed by Federal Agency)</b>	<b>Alternative Corridor For Segment</b>			
	Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly	<b>1.40</b>			
B. Total Acres To Be Converted Indirectly, Or To Receive Services	<b>0</b>			
C. Total Acres In Corridor	<b>2.51</b>			

<b>PART IV (To be completed by NRCS) Land Evaluation Information</b>	
A. Total Acres Prime And Unique Farmland	<b>0.40</b>
B. Total Acres Statewide And Local Important Farmland	<b>0.00</b>
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	<b>&lt;0.001</b>
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	<b>88</b>

<b>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)</b>	
	<b>58</b>

<b>PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))</b>	Maximum Points				
1. Area in Nonurban Use	15	<b>15</b>			
2. Perimeter in Nonurban Use	10	<b>10</b>			
3. Percent Of Corridor Being Farmed	20	<b>1</b>			
4. Protection Provided By State And Local Government	20	<b>20</b>			
5. Size of Present Farm Unit Compared To Average	10	<b>0</b>			
6. Creation Of Nonfarmable Farmland	25	<b>0</b>			
7. Availability Of Farm Support Services	5	<b>5</b>			
8. On-Farm Investments	20	<b>5</b>			
9. Effects Of Conversion On Farm Support Services	25	<b>0</b>			
10. Compatibility With Existing Agricultural Use	10	<b>0</b>			
<b>TOTAL CORRIDOR ASSESSMENT POINTS</b>	<b>160</b>	<b>56</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>PART VII (To be completed by Federal Agency)</b>					
Relative Value Of Farmland (From Part V)	100	<b>58</b>	<b>0</b>	<b>0</b>	<b>0</b>
Total Corridor Assessment (From Part VI above or a local site assessment)	160	<b>56</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL POINTS (Total of above 2 lines)</b>	<b>260</b>	<b>114</b>	<b>0</b>	<b>0</b>	<b>0</b>

1. Corridor Selected: <b>Corridor A</b>	2. Total Acres of Farmlands to be Converted by Project: <b>1.40</b>	3. Date Of Selection: <b>8/15/22</b>	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
--	--	---	---

5. Reason For Selection:  
**This alternative has an impact rating score of less than 160 and will have minimal impacts to prime farmland.**

Signature of Person Completing this Part:  DATE **8/15/22**

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

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

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**DNR #:** ER-24847

**Request Received:** July 8, 2022

**Requestor:** Lochmueller Group Inc  
Payton Parke  
6200 Vogel Road  
Evansville, IN 47715

**Project:** SR 58 small structure replacement over UNT Leatherwood Creek, 9.23 miles east of Junction SR 37; Des #1701050

**County/Site info:** Lawrence

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

1) Crossing Structure:

Maintaining or improving wildlife movement under roads is a priority concern for the Division of Fish & Wildlife for the ecological health of wildlife populations in terms of movement and dispersal, habitat connectivity, and to avoid unnecessary wildlife mortality on roads. Facilitating wildlife passage ability under roads means less wildlife crossing traffic lanes and consequently reduced driving hazards. We encourage improving fish and wildlife passage conditions, when possible.

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

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

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2) Scour Protection:

Limit the use of riprap on the channel banks, if needed, to toe protection extending up to the ordinary high water mark (OHWM). Do not place riprap in the bed of the channel (unless sumped across the bed to avoid creating a fish passage obstruction) and use alternative erosion protection materials whenever possible. From the OHWM to the top of the banks, heavy duty erosion control blankets or turf reinforcement mats or a similar bioengineering method should be used and these materials should be seeded with native plants to allow a natural, vegetated stream bank to develop.

Information about bioengineering techniques can be found at <http://www.in.gov/legislative/iac/20120404-IR-312120154NRA.xml.pdf>. Also, the following is a USDA/NRCS document that outlines many different bioengineering techniques for streambank stabilization: <http://directives.sc.gov.usda.gov/17553.wba>.

3) Riparian Habitat:

We recommend a mitigation plan be developed (and submitted with the permit application, if required) for any unavoidable habitat impacts that will occur. The DNR's Habitat Mitigation Guidelines (and plant lists) can be found online at: <http://iac.iga.in.gov/iac/20200527-IR-312200284NRA.xml.pdf>.

Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to non-wetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, 1 inch to 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10" dbh or greater (5:1 mitigation based on the number of large trees) or by using the 1:1 replacement ratio based on area depending on the type of habitat impacted (individual canopy tree removal in an urban streetscape or park-like environment versus removal of habitat supporting a tree canopy, woody understory, and herbaceous layer). Impacts under 0.10 acre in an urban area may still involve the replacement of large diameter trees but typically do not require any additional mitigation or additional plantings beyond seeding and stabilizing disturbed areas. There are exceptions for high quality habitat sites however.

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

1. Revegetate all bare and disturbed areas with a mixture of native grasses, sedges, wildflowers, and also native hardwood trees and shrubs if any woody plants are disturbed during construction as soon as possible upon completion. Do not use any varieties of Tall Fescue or other non-native plants, including prohibited invasive species (see 312 IAC 18-3-25).
2. Minimize and contain within the project limits inchannel disturbance and the clearing of trees and brush.
3. Do not work in the waterway from April 1 through June 30 without the prior written approval of the Division of Fish and Wildlife.
4. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
5. Do not excavate in the low flow area except for the placement of piers, foundations, and riprap, or removal of the old structure.
6. Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds.
7. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids.
8. Do not deposit or allow construction/demolition materials or debris to fall or otherwise enter the waterway. Any incidental fallen material or debris in the waterway must be

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Division of Fish and Wildlife  
Early Coordination/Environmental Assessment**

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removed within 24 hours using best management practices, particularly lifting material out of the waterway and not dragging it across the streambed whenever possible.

9. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the waterbody or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.

10. Seed and protect all disturbed streambanks and slopes not protected by other methods that are 3:1 or steeper with erosion control blankets that are heavy-duty, biodegradable, and net free or that use loose-woven / Leno-woven netting to minimize the entrapment and snaring of small-bodied wildlife such as snakes and turtles (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.

**Contact Staff:**

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife

Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.

*Christie L. Stanifer*

---

**Date:** August 4, 2022

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

## Payton Parke

---

**From:** Turnbow, Alisha <ATurnbow@idem.IN.gov>  
**Sent:** Friday, September 9, 2022 4:46 PM  
**To:** Holly Hume; Payton Parke  
**Cc:** Daniel Townsend  
**Subject:** RE: Des 1701050 Located in Source Water Area

EXTERNAL

Hi Holly and Payton,

Des No 1701050 is located in Bedford City Utilities Source Water Assessment Area. The contact for Bedford City Utilities is John Eric Flinn and they can be reached at [eflinn@bedford.in.us](mailto:eflinn@bedford.in.us) and 812-275-7173. Let me know what questions you have.

Sincerely,



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

(317) 233-9158 • [aturnbow@idem.IN.gov](mailto:aturnbow@idem.IN.gov)

Indiana Department of Environmental Management



**IDEM values your feedback.**

Please take two minutes and complete this brief survey.



---

**From:** Holly Hume <HHume@lochgroup.com>  
**Sent:** Thursday, September 08, 2022 11:20 AM  
**To:** Payton Parke <PParke@lochgroup.com>; Turnbow, Alisha <ATurnbow@idem.IN.gov>  
**Cc:** Daniel Townsend <DTownsend@lochgroup.com>  
**Subject:** RE: Des 1701050 Located in Source Water Area

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Hi Alisha,

Payton is out in the field the rest of the week and we wanted to follow up on the below email. Do you agree that this project is located within a Source Water Area? If so, do you have any recommendations that should be incorporated into the environmental document?

Thank you!

Holly



**Holly Hume**  
Environmental Specialist II

**Categorical Exclusion**

# **Appendix D**

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



## Minor Projects PA Project Submittal and Assessment Form

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### SECTION 1

*Submittal of this form is only required for projects where Category B applies. Projects qualifying under Category A do not require submittal of this form. SECTION 2 (for Conditions of Category B.1 for curb/sidewalk) or SECTION 3 (for Conditions of Category B.9 for drainage structures) may be required as determined by INDOT-Cultural Resources Office (INDOT-CRO) review. INDOT-CRO will notify applicant if the Minor Projects PA does not apply.*

#### **Part 1: Project Information-Completed by Applicant (Consultant/PM/Project Sponsor/INDOT District Staff)\***

*\*A qualified professional historian (QP) is not required to complete Part I INDOT-Cultural Resources Office (INDOT-CRO) staff will be responsible for completion of Part II.*

---

**Original Submission Date:** July 12, 2022

**Amended Submission Date\*:**

*\*Consult with INDOT-CRO to determine whether an amendment is required. For revisions/updates to original form, please detail in applicable sections below. Please use red font to distinguish the revisions/updates.*

**Submitted By (Provide Name and Firm/Organization):** Hannah Blad, Lochmueller Group

**Project Designation Number:** 1701050

**Route Number:** State Road (SR) 58

**Feature crossed (if applicable):** Unnamed Tributary (UNT) to Leatherwood Creek

**City/Township:** Pleasant Run Township

**County:** Lawrence County

**Project Description:** SR 58 Small Structure Replacement Project, 9.23-mile E of Jct SR-37

The need for the project is due to the condition and deterioration of the existing culvert in the project area. According to the March 9, 2021, INDOT Culvert Inspection Report, the existing structure is exhibiting moderate rusting and deep pitting in the invert and haunches, moderate corrosion and pitting at the top bolts, moderate section loss of the northwest masonry wall, minor erosion of fill behind the south masonry headwall, and slight deflection on the west side of the pipe where the bolts are rusted.

The current culvert rating is 6 (satisfactory condition). INDOT Bridge Inspection Application System (BIAS) ratings range from 0 to 9, with a rating of 0 applied to structures in failed structures and a rating of 9 applied to structures in excellent condition.

The purpose of the project is to provide a structure with a BIAS rating of 7 (good condition) or better and increase the service life of the culvert by a minimum of 50 years.

Within the project area, SR 58 is functionally classified as a rural major collector. The typical cross section is two 11-foot travel lanes (one in each direction) with 0 to 2-foot paved shoulders on each side. No median is present. Existing guardrail is present on the south side of the roadway. The existing culvert (CV 058-047-86.77) is a 7-foot diameter corrugated metal pipe arch (CMPA) culvert. This culvert carries an unnamed tributary (UNT) to Leatherwood Creek from north to south under SR 58.

The proposed work for Des. No. 1701050 will include removing the existing culvert and replacing it with a 12-foot by 6-foot reinforced concrete box (RCB) culvert with wingwalls and headwalls and a 1-foot sump. Excavation will be required to replace the existing structure and will extend approximately 3 feet below the existing flowline for the 90-foot length of the proposed culvert. Excavation is anticipated to be up to 4 feet below the flowline for the proposed wingwall footings. Revetment riprap will be placed for scour and slope protection. Road work will include full depth replacement and removal of guardrail and resurfacing with shoulder construction.

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Approximately 0.18 acre of tree clearing will be required for this project. This project is anticipated to require approximately 1.4 acres of permanent right-of-way (ROW). No temporary ROW is required for this project. Maintenance of traffic (MOT) will include a road closure and detour utilizing SR 37, US 50, and SR 446. Construction is anticipated to begin in August 2023.

**If the project includes any curb, curb ramp, or sidewalk work, please specify the location(s) of such work:**

No curb ramp or sidewalk work anticipated.

**For bridge or small structure projects, please list feature crossed, structure number, NBI number, and structure type:**

Feature Crossed: UNT to Leatherwood Creek

Structure Number: CV 058-047-86.77

Structure Type: corrugated metal pipe

**For bridge projects, is the bridge included in INDOT's Historic Bridge Inventory (<https://www.in.gov/indot/2531.htm>)?**

Yes       No

**If yes, did the inventory determine the bridge eligible for or listed in the National Register of Historic Places? Please provide page # of entry in Historic Bridge Inventory.**

Yes       No

Inventory Page # \_\_\_\_\_

**Will there be right-of-way acquisition as part of this project?**

Yes       No

**If yes was checked above, please check all that apply:**

Permanent       Temporary       Reacquisition

**If applicable, identify right-of-way acquisition locations in text below and in attached mapping. Please specify how much (both temporary and permanent) and indicate what activities are included in the proposed right-of-way:**

1.4 acres of permanent right-of-way encompassing both sides of SR 58. Activities within the right-of-way include excavation, grading, private property fence removal/resetting, and riprap placement.

**Is there any potential for additional temporary right-of-way to be needed later for purposes such as access, staging, etc.?**

Yes       No

**Archaeology (check one):**

- All proposed activities are presumed to occur in previously disturbed soils\*  
*\*INDOT-CRO will notify you if project area includes undisturbed soils and requires an archaeological reconnaissance.*
- Project takes place in undisturbed soils and the archaeology report is included in submission or will be forthcoming\*  
*\* If an archaeology report is required, the Minor Projects PA Form will not be finalized until the report is reviewed and approved by INDOT-CRO. For INDOT-sponsored projects, INDOT-CRO*

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may be able to complete the archaeological investigation. If you would like to request that INDOT-CRO complete an archaeological investigation, please contact the INDOT-CRO archaeology team lead. See CRM Pt. 1 Ch. 3 for current contact information.

**Please specify all applicable categories and condition(s) (highlight applicable conditions in yellow)\*:**

*\*Include full category text, including any conditions. INDOT-CRO will finalize categories upon their review.*

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

### **Condition A (Archaeological Resources)**

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

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

### **Condition B (Above-Ground Resources)**

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

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

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- b. The subject structure exhibits one of the characteristics described below (*Condition 1, Condition 2 or Condition 3 must be satisfied*).
1. The structure exhibits no wood, stone, or brick structures or parts therein; *OR*
  2. The structure exhibits only modern wood, stone, or brick structures or parts therein; *OR*
  3. The structure exhibits non-modern wood, stone, or brick structures or parts therein but lacks sufficient integrity and/or a context that suggests it might have engineering or historical significance. Under this condition, a qualified professional (meeting the Secretary of Interior's Professional Qualification standards [48 Federal Register (FR) 44716]) must prepare an analysis and justification that the structure lacks sufficient integrity and/or a context that suggests it might have engineering or historical significance. This documentation must be reviewed and approved by INDOT Cultural Resources Office.

Check  if SECTION 2: Minor Projects PA Category B-1, Condition B-ii Submission is included

Check  if SECTION 3: Minor Projects PA Category B-9, Condition B-i-c-2 or B-ii-b-3 Submission is included

### Part II: Completed by INDOT-CRO

*Amendments will be shown in red font.*

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

General project location map  USGS map  Aerial photograph  Soil survey data

General project area photos  Archaeology Reports  Historic Property Reports

Indiana Historic Buildings, Bridges, and Cemeteries Map/Interim Report

Bridge inspection information/BIAS  Historic Bridge Inventory Database

SHAARD  SHAARD GIS  Street view Imagery  County GIS Data/Property Cards

**Other (please specify):** Lawrence County GIS website (accessed via <https://lawrencein.elevatemaps.io>)

Stevenson, Christopher and Karen N. Garrard

2022 Phase Ia Archaeological Survey for the SR 58 over the Unnamed Tributary to Leatherwood Creek Small Structure (CV-058- 047-86.77) Replacement Project (INDOT Des. No. 1701050), 9.23 Miles East of SR 37, Pleasant Run Township, Lawrence County, Indiana. Report on file, Indiana Department of Transportation, Cultural Resources Office, Indianapolis, In.

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

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

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### Additional Comments:

#### Above-ground Resources

An INDOT Cultural Resources historian who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61 performed a desktop review, checking the Indiana Register of Historic Sites and Structures (State Register) and National Register of Historic Places (National Register) lists for Lawrence County. No listed resources are located immediately adjacent to the project area, a distance that serves as an adequate area of potential effects given the project scope and terrain.

The Indiana Historic Sites and Structures Inventory (IHSSI) and National Register information for Lawrence County is available in the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) and the Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBCM). The *Lawrence County Interim Report* (1992; Pleasant Run Township) was also referenced. All sites were reviewed through the IHBBCM, which contains the most recently updated SHAARD information. No IHSSI documented properties are located immediately adjacent to the project area.

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

The INDOT-CRO historian reviewed structures adjacent to the project area utilizing online aerial, street-view photography, and the Lawrence County GIS website. The project area is located in a rural setting with pastureland and rolling hills. The culvert itself is located on a curve with a thick tree line on both sides of the structure. The adjacent building stock ranges from early twentieth to early twenty-first century residential and farm buildings. None of the resources adjacent to the project area appear to exhibit the integrity or significance necessary to be considered National Register-eligible.

The most recent inspection report (J. Hefferman; 03/09/2021) from the Bridge Inspection Application System (BIAS) was referenced to review the culvert. The subject structure (CV 058-047-86.77) carries SR 58 over an UNT to Leatherwood Creek and is a 70-foot-long, 7-foot diameter CMP culvert with stone headwalls. The date of construction is unknown. Both ends of the structure exhibit cut limestone forming headwalls. The masonry of the headwalls shows significant deterioration and poorly executed mortar patching at several locations. The BIAS report states that 50 percent of the mortar is missing. Some of the stone shows deterioration. While the culvert is likely 50 years old or older, as evidenced by the stone building materials, the culvert lacks integrity due to the deteriorated stone and mortar. The structure also exhibits no discernable structural or engineering significance. Additionally, a previous INDOT project (Des. No. 1600734) involving a CMP culvert with stone headwalls was determined not individually eligible to the National Register due to the lack of surrounding context, unusual characteristics, or engineering significance by the SHPO. Therefore, CV 058-047-86.77 is not recommended individually eligible for the National Register

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

## Minor Projects PA Project Submittal and Assessment Form

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### Archaeological Resources

An INDOT Cultural Resources Office (CRO) archaeologist, who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61, reviewed the archaeology report submitted by Metric Environmental, LLC on behalf of Lochmuller Group on June 22, 2022.

An archaeological records check and Phase Ia reconnaissance survey were conducted by Metric Environmental, LLC (Stevenson & Garrard 2022). The records check found that the project area had not been previously examined for archaeological resources. No archaeological sites have been previously recorded within or adjacent to the survey area. A 2.5-acre survey area was examined through the excavation of shovel probes and visual inspection of disturbed areas. No evidence for archaeological deposits was identified by the field reconnaissance. The report was reviewed by INDOT Cultural Resources personnel who meet the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61. It is our opinion that the report is acceptable, and we concur with the evaluations and recommendations made by Metric Environmental, LLC (Stevenson & Garrard 2022). Therefore, there are no archaeological concerns.

**Accidental Discovery:** If any archaeological artifacts or human remains are uncovered during construction, demolition, or earth moving activities, construction within 100 feet of the discovery will be stopped, and INDOT-CRO and the Division of Natural Resources-Division of Historic Preservation and Archaeology (DNR-DHPA) will be notified immediately.

**INDOT-CRO staff reviewer(s):** Clint Kelly & Patty Jo Korzeniewski

INDOT Approval Date: **NOTE: Approval date was not included on form but was notified by CRO by email on August 4, 2022.**

Amendment Approval Date (if applicable):

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