

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

Road No./County:	State Road (SR) 15/ Elkhart
Designation Number(s):	2000024
Project Description/Termini:	Intersection Improvement / Intersection of SR 15 and County Road (CR) 146, Along SR 15 from approximately 0.25 mile south and north of the intersection and along CR 146 for approximately 0.03 mile west to approximately 0.0003 mile east of the intersection.

X	Categorical Exclusion, Level 2 – Required Signatories: INDOT DE and/or INDOT ESD
	Categorical Exclusion, Level 3 – Required Signatories: INDOT ESD
	Categorical Exclusion, Level 4 – Required Signatories: INDOT ESD and FHWA
	Environmental Assessment (EA) – Required Signatories: INDOT ESD and FHWA
	Additional Investigation (AI) – 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

_____	_____
INDOT DE Initials and Date	INDOT ESD Initials and Date

AG 9/21/2023

Certification of Public Involvement

INDOT Consultant Services Signature and Date

INDOT DE/ESD Reviewer Signature and Date:

_____ *Jessica Poiry* 9/21/2023

Name and Organization of CE/EA Preparer:

_____ Mackenzie Knotts, HNTB

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

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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	No
	<input type="checkbox"/>	<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 Survey (NOS) letters were mailed to potentially affected property owners near the project area on October 29, 2021, notifying them about the project and that individuals responsible for land surveying and field activities may be seen in the area. A sample copy of the NOS letter is included in Appendix G, page 1.

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.

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

 Sponsor of the Project: Indiana Department of Transportation (INDOT) INDOT District: Fort Wayne

 Local Name of the Facility: SR 15

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

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

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.

Need: The need is due to the above average number of crashes at the SR 15 and CR 146 intersection. Per RoadHAT 3.0 analysis (traffic engineering safety modeling software) of 2016-2018 crash data, the most recent data available at the time of this analysis, the Index of Crash Frequency (ICF) is 3.43 (well above average) and the Index of Crash Cost (ICC) is 2.07 (well above average) (Appendix I, page 13). The ICC and ICF values indicate with more than 95 percent confidence that there is a crash frequency and severity issue at the intersection, which should be addressed. These indices compare the crash cost and crash frequency for this intersection to intersection with similar volumes, roadway classifications, and control type throughout Indiana. An ICF and ICC of 0 indicates that a roadway is performing as expected. Per the table below, the most common crashes involving right angles and left/right turns.

Crash Data			
Crash Data for SR 15 and CR 146 (2016-2018)			
Severity		Type	
Crash with no Injury/Property Damage Only (PDO)	17	Right Angle	9
Non-Incapacitating Injury	0	Side swipe (opposite and same direction)	4
Fatal and Incapacitating Injury	4	Rear end	3
		Other	5
TOTALS	21	TOTALS	21

Purpose: The purpose is to reduce the total crashes by a crash reduction factor of at least 27 percent for each direction, northbound and southbound.

PROJECT DESCRIPTION (PREFERRED ALTERNATIVE):

 County: Elkhart

 Municipality: New Paris

 Limits of Proposed Work: Along SR 15 from approximately 0.25 mile south and north of the intersection and along CR 146 for approximately 0.03 mile west to approximately 0.0003 mile east of the intersection

 Total Work Length: 0.50 Mile(s)

 Total Work Area: 4.46 Acre(s)

Is an Interstate Access Document (IAD)¹ required?
 If yes, when did the FHWA provide a Determination of Engineering and Operational Acceptability?

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

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

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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 the INDOT intend to proceed with a project involving the intersection of SR 15 and CR 146.

Location:

This project is located at the intersection of SR 15 and CR 146 in New Paris in Elkhart County. More specifically, this project is located in Sections 9 and 16, Township 35 North, Range 6 East, Milford Quadrangle, in Jackson Township, Indiana (Appendix B, pages 1-3).

Existing Conditions:

The intersection of SR 15 and CR 146 is a two-way stop-controlled intersection. The existing intersection experiences a higher-than-average number of crashes when compared to intersections with similar volumes, roadway classifications, and control type throughout Indiana.

Throughout the project area SR 15 is a two-lane free flow, principal arterial running north-south with 12-foot travel lanes and 13-foot paved shoulders. The posted speed limit along SR 15 is 55 miles per hour (mph). CR 146 is a two lane, local roadway running east and west with 10-foot travel lanes and 3-foot gravel shoulders (Appendix I, pages 9-15). The posted speed limit along CR 146 is 45 mph. Surrounding land use is agricultural, commercial, and a utility substation (Appendix B, page 2).

Preferred Alternative:

The project will construct a northbound and southbound left turn lane and a southbound right turn lane along SR 15. Each turn lane will have 50 feet of storage, and 480 feet of a deceleration lane for a total length of 530 feet. The drive located on the west side of SR 15, approximately 45 feet north of the southern project boundary, will be reconstructed as a residential drive and guardrail within the project area will be replaced as needed. Additionally, SR 15 will be milled and resurfaced within the construction limits as part of this project.

Project construction plans are located in Appendix B, pages 15-27.

This project will impact approximately 5.25 acres of terrestrial habitat, which is primarily maintained roadside. No tree trimming or clearing will occur. Impacts have been minimized as much as feasible through environmental analysis and design. Impacts are unavoidable in order for the proposed work to meet the Purpose and Need of the project.

Maintenance of Traffic (MOT):

Traffic will be maintained in phases and will utilize lane closures and lane shifts along SR 15. The MOT will require CR 146 to be closed to through traffic and will utilize a detour. Additional information can be found in the MOT During Construction section of this document.

Purpose and Need Evaluation:

The preferred alternative of the intersection improvement addresses the purpose and need of the project by creating a safer intersection and therefore reducing the crash frequency by a crash reduction factor of at least 27 percent for each direction, northbound and southbound.

Logical Termini/Independent Utility:

The logical termini are approximately 0.25 mile south and north of the existing intersection along SR 15 and approximately 0.03 mile west to approximately 0.0003 mile east of the intersection along CR 146 (Appendix B, pages 15-27). The termini are considered logical as they provide a sufficient area for the intersection improvement project and construction access and are of sufficient length to address environmental matters on a broad scope. The project has independent utility because it will provide a fully functional intersection without any additional transportation improvements beyond the project limits.

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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 Alternative

This alternative would not involve any improvements to the existing intersection. The intersection would continue to have a higher-than-average crash rate. This alternative would not involve any costs, nor would it result in environmental issues. The No Build Alternative would not meet the purpose and need of this project and was therefore 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

ROADWAY CHARACTER:

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

Name of Roadway	<u>State Road 15 (SR 15)</u>			
Functional Classification:	<u>Principal Arterial</u>			
Current ADT:	<u>12,190</u>	VPD (2024)	Design Year ADT:	<u>14,159</u>
			VPD (2044)	
Design Hour Volume (DHV):	<u>1,317</u>	Truck Percentage (%)	<u>6.21%</u>	
Designed Speed (mph):	<u>55</u>	Legal Speed (mph):	<u>55</u>	

	Existing		Proposed	
Number of Lanes:	2		3-4	
Type of Lanes:	Through		Through and turn lanes	
Pavement Width:	24	ft.	24	ft.
Shoulder Width:	13	ft.	13	ft.
Median Width:	0	ft.	0	ft.
Sidewalk Width:	0	ft.	0	ft.

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

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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): N/A Sufficiency Rating: N/A
 (Rating, Source of Information)

	Existing	Proposed
Bridge/Structure Type:	N/A	N/A
Number of Spans:	N/A	N/A
Weight Restrictions:	N/A	N/A
Height Restrictions:	N/A	N/A
Curb to Curb Width:	N/A	N/A
Outside to Outside Width:	N/A	N/A
Shoulder Width:	N/A	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.

There are no existing structures within the project area (Appendix B, pages 15-27).

MAINTENANCE OF TRAFFIC (MOT) DURING CONSTRUCTION:

- Is a temporary bridge proposed?
- Is a temporary roadway proposed?
- Will the project involve the use of a detour or require a ramp closure? (describe below)
- Provisions will be made for access by local traffic and so posted.
- Provisions will be made for through-traffic dependent businesses.
- Provisions will be made to accommodate any local special events or festivals.
- Will the proposed MOT substantially change the environmental consequences of the action?
- Is there substantial controversy associated with the proposed method for MOT?
- Will the project require a sidewalk, curb ramp, and/or bicycle lane closure? (describe below)
- Provisions will be made for access by pedestrians and/or bicyclist and so posted (describe below).

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

Discuss closures, detours, and/or facilities (if any) that will be provided for maintenance of traffic. Any known impacts from these temporary measures should be quantified to the extent possible, particularly with respect to properties such as Section 4(f) resources and wetlands. Discuss any pedestrian/bicycle closures. Any local concerns about access and traffic flow should be detailed as well.

Traffic will be maintained in three phases (Appendix B, pages 16-22). The first phase will require a lane closure of the northbound travel lane of SR 15 and traffic will be shifted to the west. CR 146 east of SR 15 will be closed to through traffic and will require a detour. The detour will utilize CR 23 and US 6 and is approximately 3.20 miles. The detour is anticipated to be in place for the 10-month construction season (Appendix B, pages 18-23).

The second phase will construct the southbound turn lane and the west leg of CR 146. The southbound travel lanes will be closed, and traffic will be shifted to the east. CR 146 west of SR 15 will be closed to through traffic and will require a detour. The detour will utilize CR 146, CR 21, and CR 46 and is approximately 2.33 miles. The detour is anticipated to be in place for the 10-month construction season (Appendix B, pages 18-23)

The third phase will utilize a flagger during non-peak times for SR 15 to be milled and resurfaced (Appendix B, page 18).

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Access will be maintained to all local properties during construction. The lane and roadway closures will pose a temporary inconvenience to traveling motorists (including school buses and emergency services); however, no significant delays are anticipated, and all inconveniences and delay will cease upon project completion.

ESTIMATED PROJECT COST AND SCHEDULE:

Engineering: \$ 213,000 (2022) Right-of-Way: \$ 1,623,120.86 (2024) Construction: \$ 1,304,839 (2025)

Anticipated Start Date of Construction: November 14, 2024

RIGHT OF WAY:

Land Use Impacts	Amount (acres)	
	Permanent	Temporary
Residential	0.87	0.01
Commercial	0	0
Agricultural	0.81	0
Forest	0	0
Wetlands	0	0
Other: Maintained roadside	0.72	0
Other: Reacquisition	2.85	0
TOTAL	5.25	0.01

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 approximate existing right-of-way ranges from the edge of pavement to 35 feet east and west of the centerline of SR 15 and edge of pavement north and south of the centerline of CR 146. The existing right-of-way consists of maintained roadside vegetation. The project will require approximately 0.01 acre of temporary right-of-way of residential property on the west side of SR 15 approximately 1,060 feet south of CR 146. The project will require 0.87 acre of permanent right-of-way from residential properties along SR 15, 0.81 acre from agricultural land north of CR 146, and 3.57 acre of maintained roadside along the east and west side of SR 15, of which 2.85 acre is reacquisition. (Appendix B, pages 24-27)

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

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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 January 4, 2022, April 17, 2023, and May 2, 2023 (Appendix C, pages 1-3).

Agency	Date Sent	Date Response Received	Appendix
FHWA	January 4, 2022	No response received	N/A
US Fish and Wildlife Service (USFWS)	January 4, 2022	January 5, 2022	Appendix C, page 9
US Army Corps of Engineers (USACE), Detroit District	January 4, 2022	January 28, 2022	Appendix C, pages 10-11
Natural Resource Conservation Service	January 4, 2022	January 28, 2022	Appendix C, page 8
Indiana Department of Natural Resources Division of Fish and Wildlife (IDNR-DFW)	January 4, 2022	February 3, 2022	Appendix C, page 4
INDOT, Environmental Services Division (ESD)	January 4, 2022	No response received	N/A
INDOT-Fort Wayne District	January 4, 2022	No response received	N/A
Indiana Geological and Water Survey (IGWS), via Webform	April 17, 2023	April 17, 2023	Appendix C, pages 12-13
Michiana Area Council of Governments (MACOG)	January 4, 2022	No response received	N/A
Elkhart County Planning and Development	January 4, 2022	No response received	N/A
Elkhart County Soil and Water Conservation District	January 4, 2022	No response received	N/A
Elkhart County Municipal Separate Storm Sewer Systems (MS4)	January 4, 2022	No response received	N/A
Fairfield Community Schools	January 4, 2022	No response received	N/A
Elkhart County Emergency Management	January 4, 2022	No response received	N/A
Elkhart County Commissioners	January 4, 2022	No response received	N/A
Elkhart County Highway Department	January 4, 2022	No response received	N/A
Elkhart County Sheriff	January 4, 2022	No response received	N/A
Elkhart County Snowmobile Club	January 4, 2022	July 25, 2022	Appendix C, pages 5-7
Elkhart County Surveyor	January 4, 2022	No response received	N/A
INDOT Office of Aviation	May 2, 2023	May 3, 2023	Appendix C, page 14
New Paris Chamber of Commerce	August 30, 2023	September 1, 2023	Appendix C, page 44

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

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

Presence

Impacts

Yes	No

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Navigable Waterways

Total stream(s) in project area: 0 Linear feet Total impacted stream(s): 0 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)

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 the desktop review, the aerial map of the project area (Appendix B, page 2), and the Red Flag Investigation (RFI) report (Appendix E, pages 1- 10) there are eight streams, rivers, watercourse, or other jurisdictional features within the 0.5-mile search radius. There is one stream, river, watercourse, or other jurisdictional feature adjacent to the project area. That number was confirmed by the site visit on June 1, 2022, by HNTB.

A *Waters of the U.S. Determination/Wetland Delineation Report* was approved by INDOT Ecology and Waterway Permitting office on August 18, 2022. Please refer to Appendix F, pages 1-13 for the *Waters of the U.S. Determination/Wetland Delineation Report*. It was determined that there were no jurisdictional features within the project area. The USACE makes all final determinations regarding jurisdiction.

One roadside ditch, RSD 1, is located south of CR 146 on the west side of SR 15 draining south to Whitehead Ditch. The channel was fully vegetated and did not have a defined bed and bank. Therefore, it was determined this feature is likely non-jurisdictional.

Whitehead Ditch is adjacent to the project area to the south and will not be disturbed by construction activities. Therefore, no impacts are expected.

The IDNR-DFW responded on February 3, 2022, stating that if no work will take place on the structure over Unnamed Tributary (UNT) to Turkey Creek (Whitehead Ditch) measures should be taken to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources including: appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized (Appendix C, page 4). All applicable recommendations are included in the Environmental Commitments section of this CE document.

Open Water Feature(s)	<u>Presence</u>	<u>Impacts</u>	
		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 2), and the RFI report (Appendix E, page 1-10) there are six open water features within the 0.5-mile search radius. There are no open water features within or adjacent to the project

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area. That number was confirmed by the site visit on June 1, 2022, by HNTB. 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 August 18, 2022. Please refer to Appendix F, pages 1-13 for the *Waters of the U.S. Determination/Wetland Delineation Report*. It was determined that there were no jurisdictional features within the project area. The USACE makes all final determinations regarding jurisdiction.

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

Total wetland area: 0 Acre(s) Total wetland area impacted: 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)

	Documentation	ESD Approval Dates
Wetlands (Mark all that apply)		
Wetland Determination	<input checked="" type="checkbox"/>	August 18, 2022
Wetland Delineation	<input checked="" type="checkbox"/>	August 18, 2022
USACE Isolated Waters Determination	<input type="checkbox"/>	<input type="checkbox"/>

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 2), and the RFI report (Appendix E, page 1-10) there are 13 NWI-wetlands within the 0.5-mile search radius. There are no NWI-wetlands within or adjacent to the project area, which was confirmed by the site visit on June 1, 2022, by HNTB. 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 August 18, 2022. Please refer to Appendix F, pages 1-13 for the *Waters of the U.S. Determination/Wetland Delineation Report*. It was determined that there were no jurisdictional features within the project area. The USACE makes all final determinations regarding jurisdiction.

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Terrestrial Habitat

Presence

Impacts

Yes

No

Total terrestrial habitat in project area: 5.25 Acre(s) Total tree clearing: 0 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 desktop review, a site visit on June 1, 2022, by HNTB, and the aerial map of the project area (Appendix B, page 2), there are two types of terrestrial habitat within the project area: mowed grass present and agricultural land. The dominant vegetation within the project area is tall fescue (*Festuca arundinacea*). Tree clearing was originally anticipated as part of the project and reported to occur in the informal programmatic consultation with USFWS; however, as project design progressed it was determined that no tree clearing is required for this project. Approximately 1.60 acres of terrestrial habitat disturbance will occur for the added turn lanes. The 5.25 acre of terrestrial impacts is inclusive of all ground disturbing activities. Impacts to terrestrial habitat have been minimized by limiting the disturbed area to only that which is necessary to allow for construction access and project and through restoration of all disturbed area after completion. Avoidance of habitat disturbance is not practicable due to the location of the intersection that requires improvement. Mitigation for habitat disturbance is not anticipated.

The IDNR-DFW responded on February 3, 2022, with recommendations to avoid or minimize impacts to terrestrial habitat (Appendix C, page 4). These recommendations included post-construction revegetation measures. All applicable recommendations are included in the Environmental Commitments section of this CE document.

Protected Species

Federally Listed Bats

Information for Planning and Consultation (IPaC) determination key completed
 Section 7 informal consultation completed (IPaC cannot be completed)
 Section 7 formal consultation Biological Assessment (BA) required

Yes

No

Determination Received for Listed Bats from USFWS: NE NLAA LAA

Other Species not included in IPaC

Additional federal species found in project area (based on IPaC species list)
 State species (not bird) found in project area (based upon consultation with IDNR)

Yes

No

Migratory Birds

Known usage or presence of birds (i.e., nests)
 State bird species based upon coordination with IDNR

Yes

No

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, pages 1-10), completed by HNTB on May 12, 2022, the IDNR Elkhart County Endangered, Threatened and Rare (ETR) Species List has been checked. According to the IDNR-DFW early coordination response dated February 3, 2022 (Appendix C, page 4), 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 the project vicinity." An INDOT 0.5-mile bat review occurred on December 6, 2021, and no endangered bat species were found 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 15-31). The project is within range of the federally endangered Indiana

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bat (*Myotis sodalis*) and northern long-eared bat (*Myotis septentrionalis*). Other species were generated in the IPaC species list along with the Indiana bat and northern long-eared bat. Refer to the paragraph below.

The official species list generated from IPaC indicated the tricolored bat (*Perimyotis subflavus*), proposed endangered; whooping crane (*Grus americana*), experimental population, non-essential; and monarch butterfly (*Danaus plexippus*), candidate, are present within the project area. As the species are not yet listed, they were not considered as part of this project. The USFWS Interim Policy is not applicable because there no federally protected species identified within the project area. No further coordination is need with USFWS.

The project qualifies for the Rangewide Programmatic Informal Consultation for the Indiana bat and northern long-eared bat (NLEB), dated May 2016 (revised February 2018), between FHWA, Federal Railroad Administration (FRA), and Federal Transit Administration (FTA), and USFWS. An effect determination key was completed on March 31, 2022, and based on the responses provided, the project was found to “May Affect, but not likely to adversely affect” the Indiana bat and/or the NLEB (Appendix C, pages 32-43). INDOT reviewed and concurred with the effect finding on April 11, 2022, and requested USFWS’s review of the finding. No response was received from USFWS within the 14-day review period; therefore, it was concluded they concur with the finding. Avoidance and Minimization Measures (AMMs) (Lighting AMM 1, Tree Removal AMM 1, Tree Removal AMM 2, Tree Removal AMM 3, Tree Removal AMM 4, and General AMM 1) and/or commitments are included as firm commitments in the environmental Commitments section of this document.

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

Date Karst Evaluation reviewed by INDOT EWPO (if applicable): _____

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 outside 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 3), the RFI report (Appendix E, page 1-10), and a site visit on June 1, 2022 there are no karst features identified within or adjacent to the project area. In the early coordination response April 17, 2023, the IGWS did not indicate that karst features exist in the project area (Appendix C, pages 12-13). The IGWS response indicated that there is a moderate liquefaction potential, a floodway, a moderate potential bedrock resource, a high potential of sand and gravel resources, and no active or abandoned mineral resources extraction sites located within 0.5-mile of the project area (Appendix C, pages 12-13). The response from IGWS was communicated with the designer on April 17, 2023. No impacts are expected.

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

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

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 Environmental Protection Agency's Sole Source Aquifer website (<https://www.epa.gov/dwssa>) was accessed on April 17, 2023, by HNTB. The project is located in Elkhart County, which is located within the area of the St. Joseph Sole Source Aquifer, the only legally designated sole source aquifer in the state of Indiana. The FHWA/EPA/INDOT Sole Source Aquifer Memorandum of Understanding (MOU) is applicable to this project. The feature will not be affected because excavation will not exceed 6 feet, no chemicals in the National Primary Drinking Water Regulations (40 C.F.R. Part 141) will be used, and the project will not create a hazard to public health. All applicable recommendations are included in the Environmental Commitments section of this CE document.

The IDEM's Wellhead Proximity Determinator website (<http://www.in.gov/idem/cleanwater/pages/wellhead/>) was accessed on May 2, 2023, by HNTB. This project is not located within a Wellhead Area or Source Water Area. No impacts are expected.

The Indiana Department of Natural Resources Water Well Record Database website (<https://www.in.gov/dnr/water/3595.htm>) was accessed on April 17, 2023, by HNTB. There are wells located near the project. The nearest well is located approximately 0.06 mile east of the project area. The construction limits do not extend to the surrounding wells. Therefore, no impacts are expected. Should it be determined during the right-of-way phase that these wells will be affected, a cost to cure will likely be included in the appraisal to restore the wells.

Based on a desktop review of IDEM's MS4 Boundaries Map for Indiana, <https://www.in.gov/idem/cleanwater/ms4s-boundaries-map-for-indiana/>, by HNTB on April 17, 2023, this project is located in an Urban Area Boundary (UAB). An early coordination letter was sent on January 4, 2022, to the Elkhart County MS4 Stormwater Coordinator. The MS4 coordinator did not respond within the 30-day time frame. This project will comply with the stormwater management plan by implementing construction site stormwater management and post construction storm water run-off control.

Based on a desktop review, a site visit on June 1, 2022, by HNTB, and the aerial map of the project area (Appendix B, page 2) no public water systems were identified. Therefore, no impacts are expected.

Floodplains

Project located within a regulated floodplain
 Longitudinal encroachment
 Transverse encroachment
 Homes located in floodplain within 1000' up/downstream from project

Presence

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

Impacts

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

The Indiana Department of Natural Resources Indiana Floodway Information Portal website (<http://dnrmmaps.dnr.in.gov/appsphp/fdms/>) was accessed on August 18, 2022, by HNTB. This project is not located in a regulatory floodplain as determined from approved IDNR floodplain maps (Appendix F, page 7). Therefore, it does not fall within in the guidelines for the implementation of 23 CFR 650, 23 CFR 771, and 44 CFR. No impacts are expected.

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

Total Points (from Section VII of CPA-106/AD-1006*) _____
 *If 160 or greater, see CE Manual for guidance.

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 June 1, 2022, by HNTB, and the aerial map of the project area (Appendix B, page 2), there is land that meets the definition of farmland under the Farmland Protection Policy Act (FPPA) adjacent to the project area. This project will not convert any prime farmland. In the January 28, 2022, response the NRCS confirmed that no prime farmland will be converted (Appendix C, page 8). No alternatives other than those previously discussed in this document will be investigated without reevaluating impacts to prime farmland.

SECTION D – CULTURAL RESOURCES

Minor Projects PA	Category(ies) and Type(s) <u>A-4, A-6, B-3</u>	INDOT Approval Date(s) <u>May 16, 2023</u>	N/A <input type="checkbox"/>
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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)	ESD Approval Date(s)	SHPO Approval Date(s)
APE, Eligibility and Effect Determination		
800.11 Documentation		
Historic Properties Report or Short Report		
Archaeological Records Check and Assessment		
Archaeological Phase Ia Survey Report	<input checked="" type="checkbox"/>	
Archaeological Phase Ic Survey Report	<input type="checkbox"/>	
Other:		

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 May 16, 2023, the INDOT Cultural Resource Office (CRO) determined that this project falls within the guidelines of Category A, Type 4, Category A, Type 6, and Category B, Type 3 under the Minor Projects Programmatic Agreement (Appendix D, pages 1-8).

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MPPA Category A-4 projects include “Roadway work associated with surface replacement, reconstruction, rehabilitation, or resurfacing projects, including overlays, shoulder treatments, pavement repair, seal coating, pavement grinding, and pavement marking within previously disturbed soils where replacement, repair, or installation of curbs, curb ramps or sidewalks will not be required.”

MPPA Category A-6 projects include “Repair, replacement, or upgrade of existing safety appurtenances such as guardrails, barriers, glare screens, and crash attenuators in previously disturbed soils.”

MPPA Category B-3 projects include “Construction of added travel, turning, auxiliary lanes (e.g., bicycle, truck climbing, acceleration and deceleration lanes) and shoulder widening”. This project meets Condition A(ii): work occurs in undisturbed soils and an archaeological investigation was conducted and reviewed by INDOT Cultural Resources Office. INDOT CRO determined that no National Register-listed or potentially National Register-eligible archaeological resources are present within the project area. The project meets Condition B: work does not occur adjacent to or within a National Register-eligible district or individual above-ground resources.

A Phase Ia Archaeological Reconnaissance was completed by Cultural Resources Analyst and a Phase Ia Survey Report was approved on May 16, 2023, by INDOT CRO. A 5.42-acre survey area was examined through a combination of systematic shovel probing, pedestrian survey, and visual inspection of disturbed areas. No archaeological sites were documented as a result of the survey and no further investigation is recommended (Lawhorn 2023). Therefore, there are no archaeological concerns as long as the project scope and footprint does not change (Appendix D, pages 1-8).

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 will be notified immediately.

No further consultation is required. This completes the Section 106 process and the responsibilities of the FHWA under Section 106 have been fulfilled.

SECTION E – SECTION 4(f) RESOURCES/ SECTION 6(f) RESOURCES

	<u>Presence</u>	<u>Use</u>	
		<u>Yes</u>	<u>No</u>
Parks and Other Recreational Land			
Publicly owned park			
Publicly owned recreation area			
Other (school, state/national forest, bikeway, etc.)			
Wildlife and Waterfowl Refuges			
National Wildlife Refuge			
National Natural Landmark			
State Wildlife Area			
State Nature Preserve			
Historic Properties			
Site eligible and/or listed on the NRHP			

Evaluations
Prepared

Programmatic Section 4(f)	
“De minimis” Impact	
Individual Section 4(f)	
Any exception included in 23 CFR 774.13	

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Discuss Programmatic Section 4(f) and "de minimis" Section 4(f) impacts in the discussion below. Individual Section 4(f) documentation must be included in the appendix and summarized below. Discuss proposed alternatives that satisfy the requirements of Section 4(f). FHWA has identified various exceptions to the requirement for Section 4(f) approval. Refer to 23 CFR § 774.13 - Exceptions.

Section 4(f) of the U.S. Department of Transportation Act of 1966 prohibits the use of certain public and historic lands for federally funded transportation facilities unless there is no feasible and prudent alternative. The law applies to significant publicly owned parks, recreational areas, wildlife / waterfowl refuges, and NRHP eligible or listed historic properties regardless of ownership. Lands subject to this law are considered Section 4(f) resources.

Based on a desktop review, the aerial map of the project area (Appendix B, page 2), and the RFI report (Appendix E, pages 1-10) there are two potential 4(f) resources located within the 0.5-mile search radius. According to the site visit on June 1, 2022, by HNTB, there are no Section 4(f) resources within or adjacent to the project area. Therefore, no use is expected.

Section 6(f) Involvement

Presence

Use

Section 6(f) Property

Yes

No

Discuss Section 6(f) resources present or not present. Discuss if any conversion would occur as a result of this project. If conversion will occur, discuss the conversion approval.

The U.S. Land and Water Conservation Fund Act of 1965 established the Land and Water Conservation Fund (LWCF), which was created to preserve, develop, and assure accessibility to outdoor recreation resources. Section 6(f) of this Act prohibits conversion of lands purchased with LWCF monies to a non-recreation use.

A review of the 6(f) properties on the INDOT ESD website revealed a total of 19 properties in Elkhart County (Appendix I, page 1). None of these properties are located within or adjacent to the project area. Therefore, there will be no impacts to 6(f) resources.

SECTION F – Air Quality

STIP/TIP and Conformity Status of the Project

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

Yes

No

<input checked="" 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 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"/>

Location in STIP:

Name of MPO (if applicable):

Location in TIP (if applicable):

Level of MSAT Analysis required?

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

Fiscal Year (FY) 2022-2026, Modification 17
and FY 2024-2028, Initial

Michiana Area Council of Governments
FY 2022-2026, Initial page 4 and FY 2024-2028
MACOG, Initial page 2

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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.

This project is included based on the lead DES number in the Fiscal Year (FY) 2022-2026 Michiana Area Council of Governments (MACOG) Metropolitan Planning and Organization (MPO) Transportation Improvement Plan (TIP) (Appendix H, page 6). This project is part of the 2022-2026 MACOG TIP which has been directly incorporated into the FY 2022-2026 STIP. The lead DES number for this contract is 2001821. The FY 2022-2026 STIP includes DES 2000024 by reference with the contract number R-43314 (Appendix H, page 5).

This project is located in Elkhart County, which is currently a maintenance area for Ozone, under the 1997 8-hour Ozone, which was revoked in 2015 but is being evaluated for conformity due to the February 16, 2018, South Coast Air Quality Management District V. Environmental Protection Agency, Et. Al. Decision (https://www.in.gov/idem/sips/files/nonattainment_county_list.pdf). The project's design concept and scope are accurately reflected in both the MACOG TIP and the STIP, and both conform to the State Implementation Plan (SIP). Therefore, the conformity requirements of 40 CFR 93 have been met.

The 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?

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.

SECTION H – COMMUNITY IMPACTS

Regional, Community & Neighborhood Factors

Yes

No

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)

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.

This project is consistent with local and regional land use and transportation plans. Because the project involves an intersection

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improvement with no changes to access it will not result in substantial impacts to community cohesion. No significant economic or community impacts are expected to develop as a result of this project. This project is necessary to address safety at this intersection. Therefore, this project will positively impact motorists using this facility, and should have minimal impacts to community cohesion, the local tax base, or property values. Impacts from the MOT will be minimized by maintaining traffic during the duration of the project.

Per the Indiana Festival Guide website (<https://festivalguidesandreviews.com/indiana-festivals/>), accessed on April 26, 2023, there are four regularly scheduled festivals and events in Elkhart County, Indiana. Access will be maintained throughout the duration of construction activities; therefore, the project is not expected to cause significant delays or inconveniences to those traveling to these events. The selected contractor will implement the MOT plan in accordance with the current INDOT Design Standards and current INDOT Standard Specifications. No changes in land use or development are anticipated by this intersection improvement. Therefore, this project is not likely to cause substantial community impacts.

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 2), and the RFI report (Appendix E, pages 1-10) there are four public use facilities within the 0.5-mile search radius. There are no public facilities within or adjacent to the project area, which was confirmed by the site visit on June 1, 2022, by HNTB. Therefore, no impacts are expected. Access to all properties will be maintained during construction.

Although not located within the 0.5 mile search radius, one public-use airport, Goshen Municipal Airport, is located 2.32 miles northeast of the project area. An early coordination letter was sent to INDOT Aviation on May 2, 2023. A response was received on May 5, 2023 (Appendix C, page 14). The response stated, "no tall structure permit is required for the project if all equipment being used is under 130 feet in height" and is included as commitment in the commitments section of this CE document.

The project's scope of work will require utility relocation. Utility coordination is ongoing with New Paris Telephone, Northern Indiana Public Service Company (NIPSCO) Electric (Goshen), NIPSCO gas (Goshen), and Napoleon Comm Rural Water.

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.

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 right-of-way. The project will require acquisition of 5.25 acres additional permanent of right-of-way and no relocations. Therefore, an EJ Analysis is required.

Potential EJ impacts are detected by locating minority and low-income populations relative to a reference population to determine if populations of EJ concern exists and whether there could be disproportionately high and adverse impacts to them. The reference

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population may be a county, city or town and is called the community of comparison (COC). In this project, the COC is Elkhart County. The community that overlaps the project area is called the affected community (AC). In this project, the AC is Jackson Township, Elkhart County, Indiana. 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 was observed from the US Census Bureau Website <https://data.census.gov> on May 11, 2023, by HNTB. The data collected for minority and low-income populations within the AC are summarized in the table below.

	COC	AC 1
SR 15 at CR 146- Intersection Improvement (Des. No. 2000024)	Elkhart County, Indiana	Jackson Township, Elkhart County, Indiana
LOW-INCOME		
Percent low-income	11.7%	6.0%
125 percent of COC	14.6%	
Potential Low-income EJ Impact?		No
MINORITY		
Percent Non-White/Minority	25.7%	12.2%
125 percent of COC	32.1%	
Potential Minority EJ Impact?		No

AC-1, Jackson Township, Elkhart County has a percent minority of 6.0% which is below 50% and is below the 125% COC threshold. Therefore, AC-1 does not contain minority populations of EJ concern.

AC-1, Jackson Township, Elkhart County has a percent low-income of 12.2% which is below 50% and is below the 125% COC threshold. Therefore, AC-1 does not contain low-income populations of EJ concern.

The census data sheets, map, and calculations can be found in Appendix I, pages, 2-8. The AC, Jackson Township does not contain minority populations or low-income populations of concern No further environmental justice analysis is warranted.

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: _____ Businesses: _____ Farms: _____ Other: _____

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.

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SECTION I – HAZARDOUS MATERIALS & REGULATED SUBSTANCES

Hazardous Materials & Regulated Substances (Mark all that apply)

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?

Documentation

X

Date RFI concurrence by INDOT SAM (if applicable): 5-12-2022

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 Geographic Information System (GIS) and available public records, the RFI was completed on May 12, 2022, by HNTB and INDOT SAM provided their concurrence on May 12, 2022 (Appendix E, pages 1-10). Three underground storage tank (UST) sites, two leaking underground storage tank (LUST) sites, one confined feeding operation (CFO) site, two brownfield sites, two institutional control sites, and three national pollutant discharge elimination system (NPDES) facilities are located within 0.5-mile of the project area. None of the hazmat sites identified will impact the project. Further investigation for hazardous material concerns is not required at this time.

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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
- Rule 5 (Construction Stormwater General Permit)
- Other

IN Department of Natural Resources

- Construction in a Floodway
- Navigable Waterway Permit
- Other

Mitigation Required

US Coast Guard Section 9 Bridge Permit

Others (Please discuss in the discussion below)

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

The project meets the threshold for a Construction Stormwater General Permit (CSGP).

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

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4. Lighting AMM 1: Direct temporary lighting away from suitable habitat during the active season. (USFWS)
5. Tree Removal AMM 1: Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal. (USFWS)
6. 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. (USFWS)
7. 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). (USFWS)
8. 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. (USFWS)
9. After review, no tall structure permit is required for the project if all equipment being used is under 130 feet in height. If equipment being used exceeds 130 feet, coordination with INDOT Aviation will occur. (INDOT Aviation)

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APPENDIX A: INDOT SUPPORTING DOCUMENTATION

Categorical Exclusion Level Thresholds

	PCE	Level 1	Level 2	Level 3	Level 4 ¹
Section 106	Falls within guidelines of Minor Projects PA	“No Historic Properties Affected”	“No Adverse Effect”	-	“Adverse Effect” Or Historic Bridge involvement ²
Stream Impacts³	No construction in waterways or water bodies	< 300 linear feet of stream impacts	≥ 300 linear feet of stream impacts	-	USACE Individual 404 Permit ⁴
Wetland Impacts³	No adverse impacts to wetlands	< 0.1 acre	-	< 1.0 acre	≥ 1.0 acre
Right-of-way⁵	Property acquisition for preservation only or none	< 0.5 acre	≥ 0.5 acre	-	-
Relocations⁶	None	-	-	< 5	≥ 5
Threatened/Endangered Species (Species Specific Programmatic for Indiana bat & northern long eared bat)*	“No Effect”, “Not likely to Adversely Affect” (With select AMMs ⁷)	“Not likely to Adversely Affect” (With any AMMs or commitments)	-	“Likely to Adversely Affect”	Project does not fall under Species Specific Programmatic ⁸
Threatened/Endangered Species (Any other species)*	Falls within guidelines of USFWS 2013 Interim Policy or “No Effect”	“Not likely to Adversely Affect”	-	-	“Likely to Adversely Affect”
Environmental Justice	No disproportionately high and adverse impacts	-	-	-	Potential ⁹
Sole Source Aquifer	No Detailed Groundwater Assessment	-	-	-	Detailed Groundwater Assessment
Floodplain	No Substantial Impacts	-	-	-	Substantial Impacts
Section 4(f) Impacts	None	-	-	-	Any ¹⁰
Section 6(f) Impacts	None	-	-	-	Any
Permanent Traffic Alteration	None	-	-	-	Any
Noise Analysis Required	No	-	-	-	Yes
Air Quality Analysis Required	No	-	-	-	Yes ¹¹
Approval Level	Concurrence by DE or ESD	DE or ESD	DE or ESD	DE and/or ESD	DE and/or ESD; and FHWA

¹ Coordinate with INDOT Environmental Services Division. INDOT will then coordinate with the appropriate FHWA Environmental Specialist.

² Any involvement with a bridge processed under the Historic Bridge Programmatic Agreement.

³ Total permanent impacts to streams (linear feet) and wetlands (acres).

⁴ US Army Corps of Engineers Individual 404 Permit

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

⁶ If any relocations are within an area with a known or suspected Environmental Justice (EJ) or disadvantaged population, or has greater than 5 relocations, a conversation with FHWA, through INDOT ESD, is needed to confirm NEPA classification and outreach plan for the project.

⁷ Avoidance and Mitigation Measures (AMMs) determined by the IPAC determination key to be required that are not tree AMMs, bridge AMMs, or structure AMMs.

⁸ 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.

⁹ Potential for causing a disproportionately high and adverse impact.

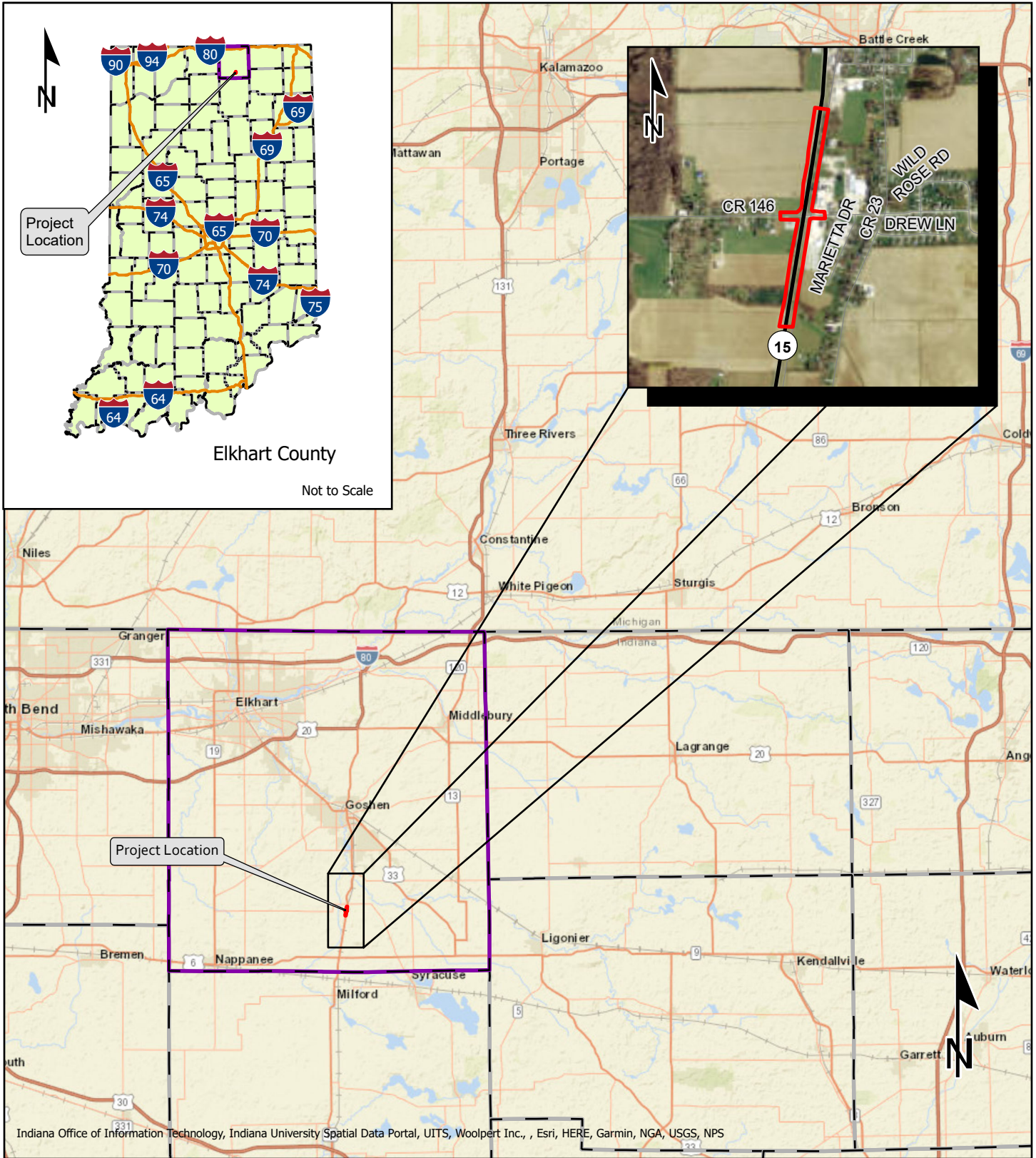
¹⁰ Section 4(f) use resulting in an Individual, Programmatic, or *de minimis* evaluation. The only exception is a *de minimis* evaluation for historic properties (Effective January 2, 2020). If a historic property *de minimis* and no other use, mark the *None* column.

¹¹ 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.

APPENDIX B: GRAPHICS



Project Location

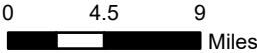
Elkhart County

Not to Scale

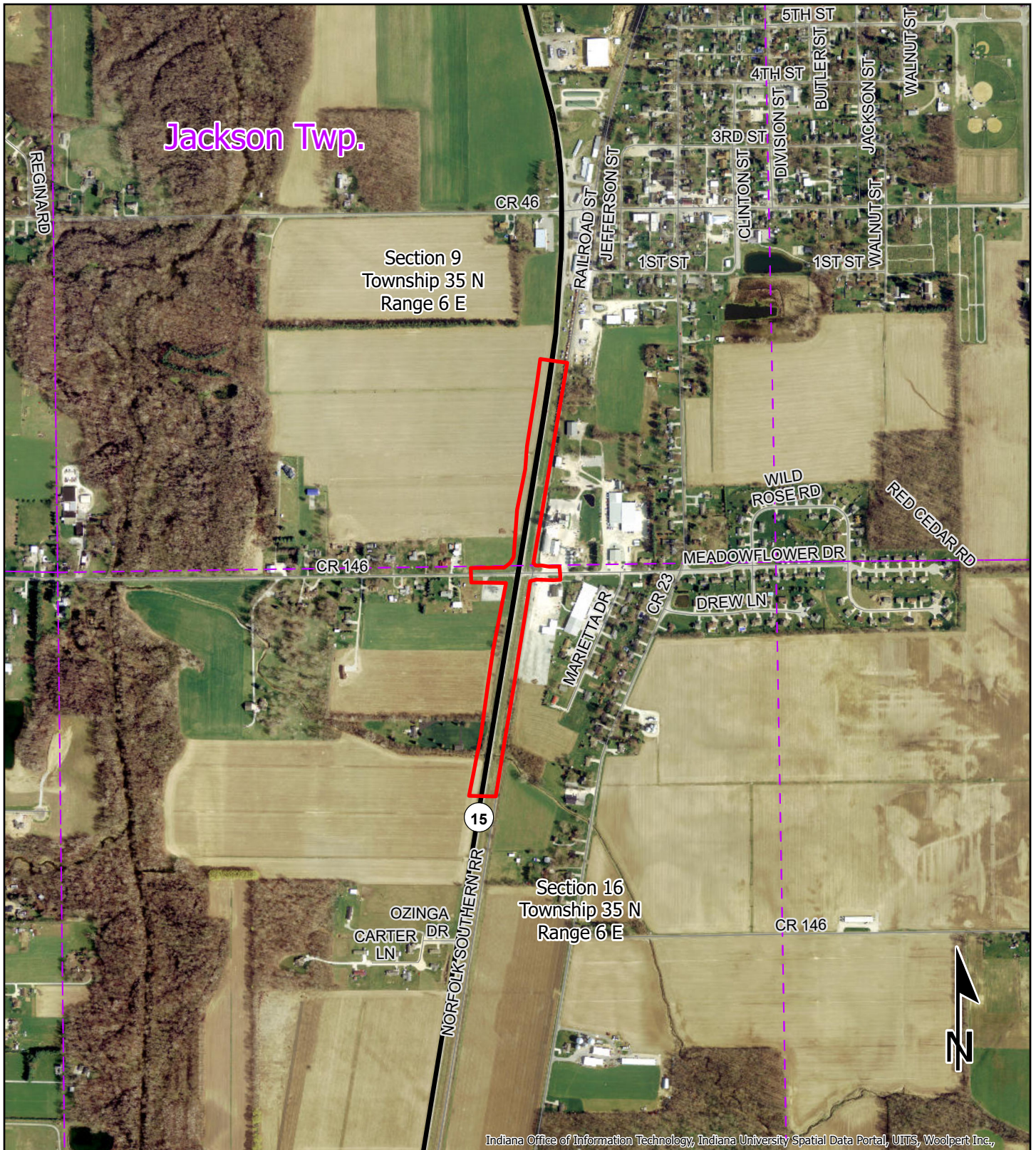
Project Location

Indiana Office of Information Technology, Indiana University Spatial Data Portal, UITS, Woolpert Inc., Esri, HERE, Garmin, NGA, USGS, NPS

- Project Area
- Elkhart County
- County Boundaries

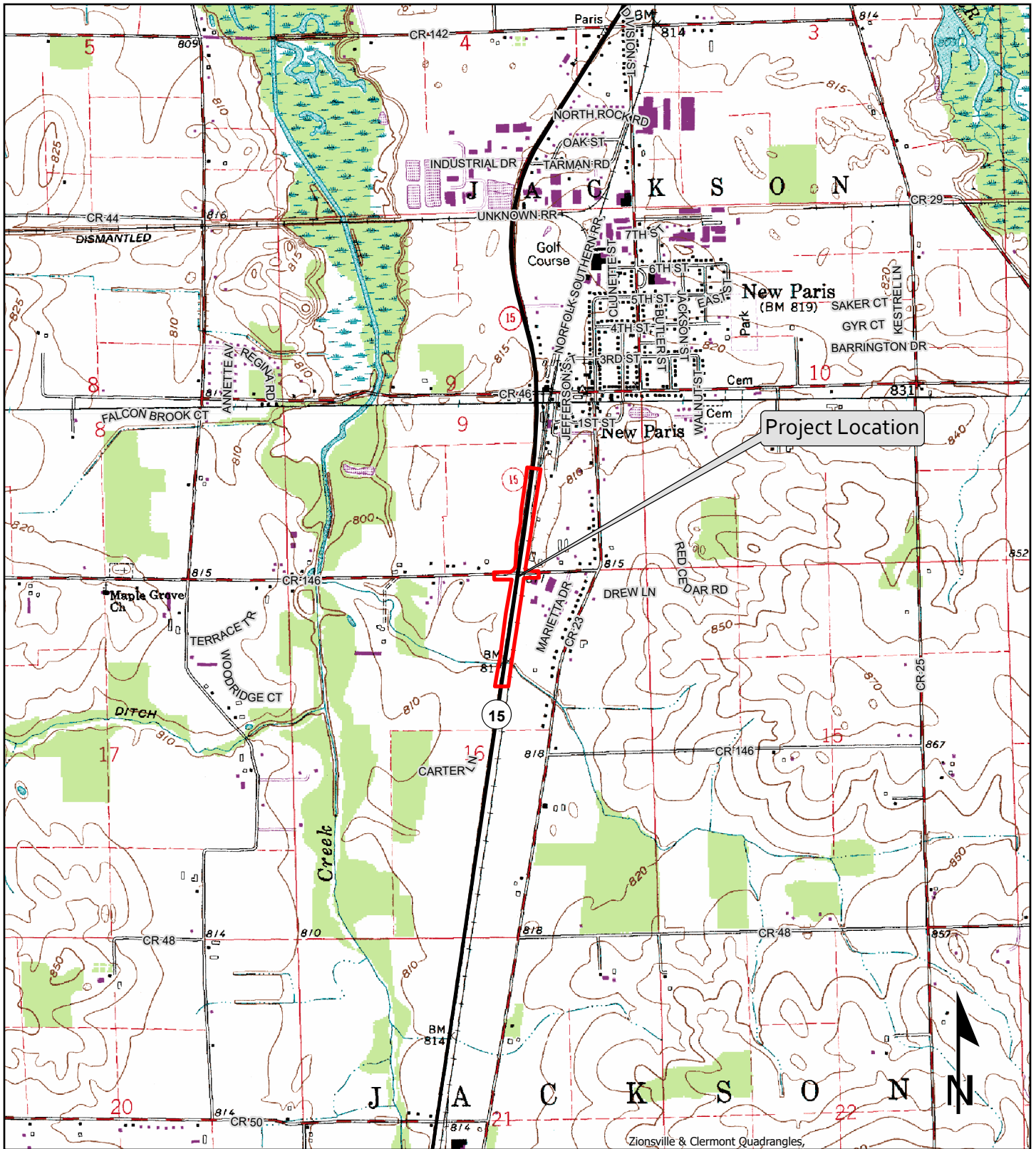


<p>Project Location Map SR 15 at CR 146, 3.1 miles north of US 6 Intersection Improvement Project Elkhart County, Indiana</p>	
<p>Des. No. 2000024</p>	<p>Graphics created by HNTB Corporation (2021)</p>
<p>1 inch = 9 miles</p>	



Indiana Office of Information Technology, Indiana University Spatial Data Portal, UITS, Woolpert Inc.,

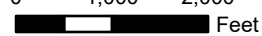
Project Area	<h3>Project Aerial Map</h3> <p>SR 15 at CR 146, 3.1 miles north of US 6 Intersection Improvement Project Elkhart County, Indiana</p>	
PLSS Sections		
	1 inch = 1,000 ft	Graphics created by HNTB Corporation (2021)



 Project Area

USGS (1:24,000 scale) Topographic Map

SR 15 at CR 146, 3.1 miles north of US 6
 Intersection Improvement Project
 Elkhart County, Indiana

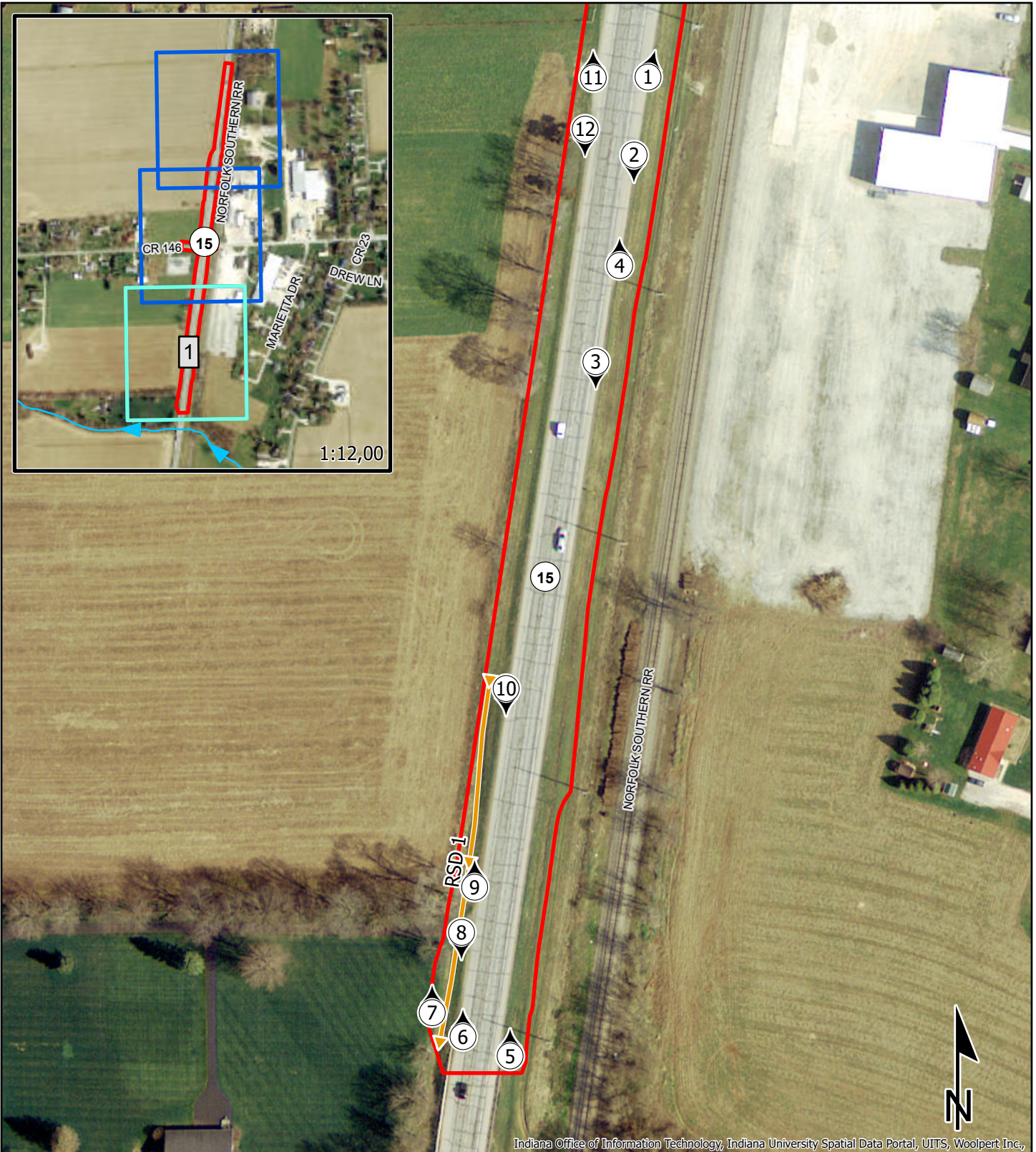
0 1,000 2,000
 Feet

Des. No. 2000024

1 inch = 2,000 ft

HNTB

Graphics created by HNTB Corporation (2021)



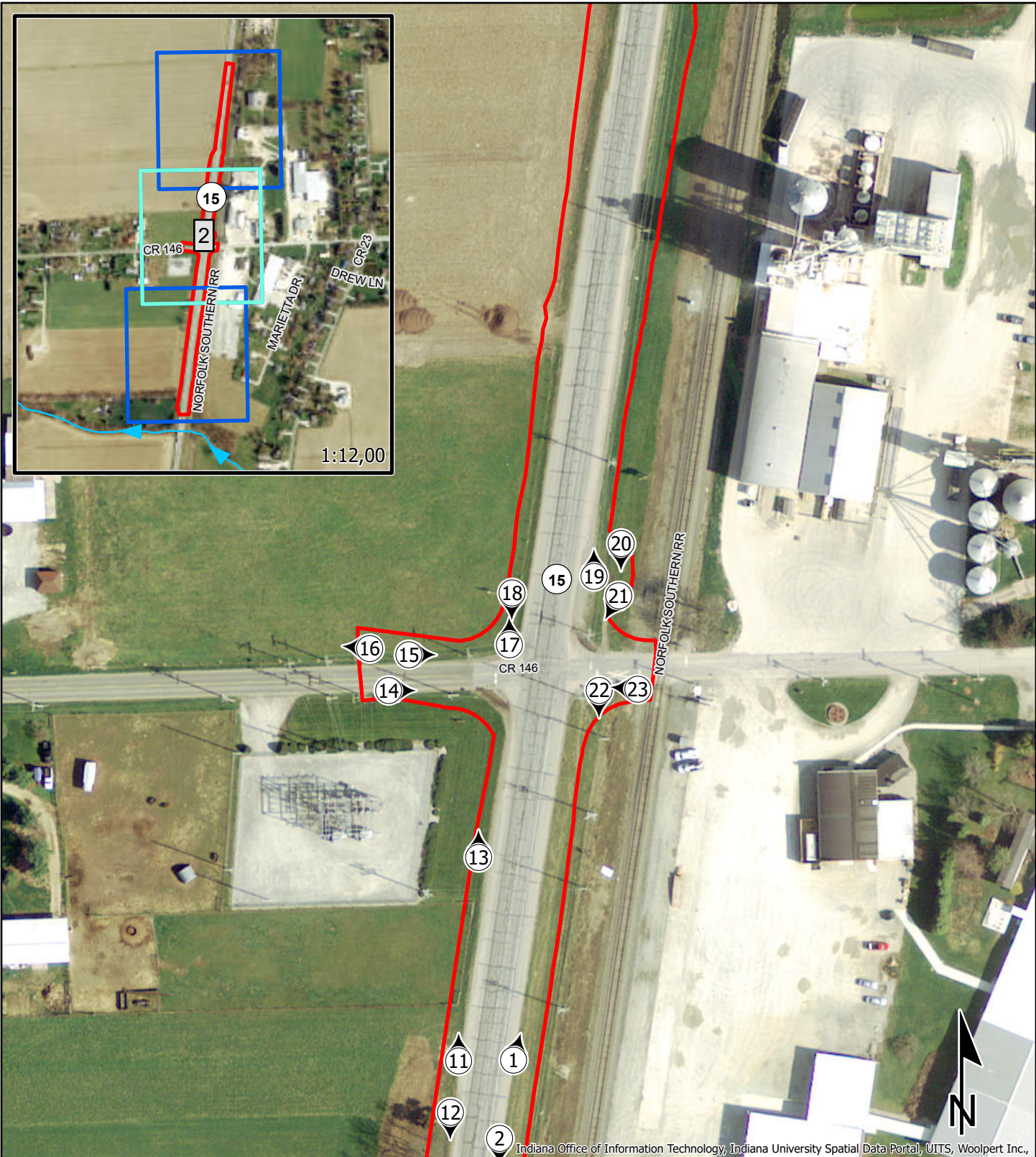
Indiana Office of Information Technology, Indiana University Spatial Data Portal, UIITS, Woolpert Inc.,

Investigated Area	Map Page
Photo Location	Current Extent
Roadside Ditch	

0 50 100
 Feet

Map 1 of 3

Photo Location Map SR 15 at CR 146, 3.1 Miles North of US 6 Intersection Improvement Project Elkhart County, Indiana	
Des. No. 2000024	
1 inch = 120 ft	
 Graphics created by HNTB Corporation (2022)	



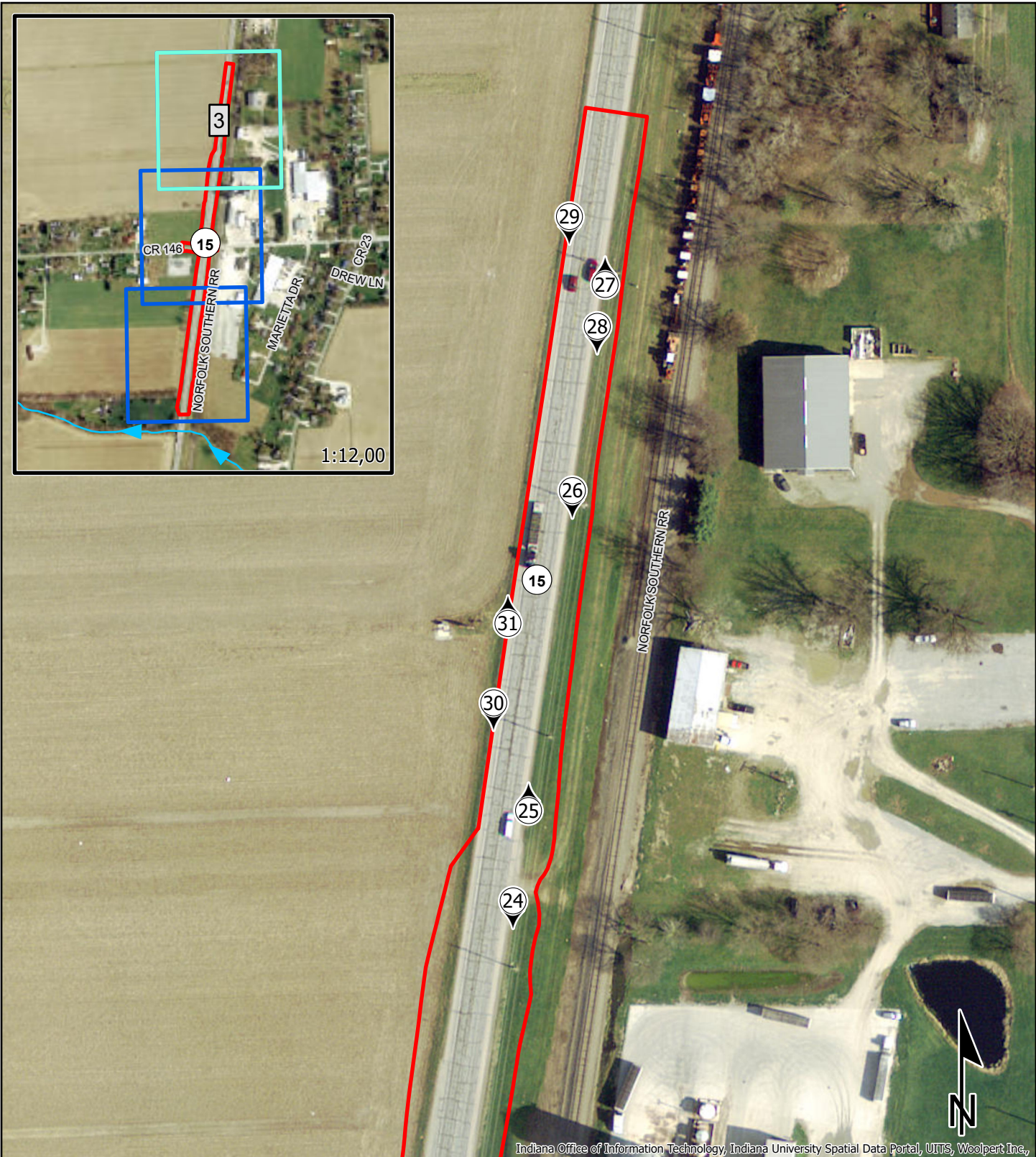
Indiana Office of Information Technology, Indiana University Spatial Data Portal, UIITS, Woolpert Inc.,

Investigated Area	Map Page
Photo Location	Current Extent
Roadside Ditch	

0 50 100
 Feet

Map 2 of 3

Photo Location Map SR 15 at CR 146, 3.1 Miles North of US 6 Intersection Improvement Project Elkhart County, Indiana	
Des. No. 2000024	 Graphics created by HNTB Corporation (2022)
1 inch = 120 ft	



Indiana Office of Information Technology, Indiana University Spatial Data Portal, UITS, Woolpert Inc.,

Investigated Area	Map Page
Photo Location	Current Extent
Roadside Ditch	

0 50 100
 Feet

Map 3 of 3

Photo Location Map SR 15 at CR 146, 3.1 Miles North of US 6 Intersection Improvement Project Elkhart County, Indiana	
Des. No. 2000024	
1 inch = 120 ft	
 Graphics created by HNTB Corporation (2022)	



1. Looking north along the east side of SR 15



2. Looking south along the east side of SR 15



3. Looking south along the east side of SR 15



4. Looking north along the east side of SR 15



5. Looking north along the east side of SR 15 in the southern most portion of the investigated area



6. Looking north along the west side of SR 15, note RSD 1



7. Looking north along RSD-1 along the west side of SR 15

Photos Taken: June 1, 2022



8. Looking south along the west side of SR 15, note RSD 1



9. Looking north along RSD 1 on west side of SR 15



10. Looking south along the west side of SR 15 and RSD 1



11. Looking north along the west side of SR 15



12. Looking south along the west side of SR 15



13. Looking north along the west side of SR 15 towards CR 146



14. Looking east along the south side of CR 146 towards the intersection with SR 15



15. Looking east along the north side of CR 146 towards the intersection with SR 15



16. Looking west along the north side of CR 146



17. Looking north along the west side of SR 15



18. Looking south within the northwest quadrant of the SR 15 / CR 146 intersection



19. Looking north along the east side of SR 15



20. Looking south within the northeast quadrant of SR 15 / CR 146 intersection



21. Looking southwest within the northeast quadrant of SR 15 / CR 146 intersection



22. Looking south along the east side of SR 15 and south of CR 146



23. Looking west within the southeast quadrant of SR 15 / CR 146 intersection



24. Looking south along the east side of SR 15



25. Looking north along the east side of SR 15



26. Looking south along the east side of SR 15



27. Looking north along the east side of SR 15



28. Looking south along the east side of SR 15



29. Looking south along the west side of SR 15



30. Looking south along the west side of SR 15



31. Looking north along the west side of SR 15