

- o IC 14-29-1 Navigable Waterways Act 312 IAC 6
- o IC 14-29-3 Sand and Gravel Permits Act 312 IAC 6
- o IC 14-29-4 Construction of Channels Act No related code

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

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

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

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

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

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

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

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

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

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

## AIR QUALITY

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

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

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

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

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

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

The U.S. EPA further recommends that all homes (and apartments within three stories of ground level) be tested for radon. If in-home radon levels are determined to be 4 pCi/L, or higher, EPA recommends a follow-up test. If the second test confirms that radon levels are 4 pCi/L, or higher, EPA recommends the installation of radon-reduction measures. (For a list of qualified radon testers and radon mitigation (or reduction) specialists visit: [http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon\\_testers\\_mitigators\\_list.pdf](http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf) ([http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon\\_testers\\_mitigators\\_list.pdf](http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf).) It also is recommended that radon reduction measures be built into all new homes, particularly in areas like Indiana that have moderate to high predicted radon levels.

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

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

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

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

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

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

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

For more information about IDEM policy regarding asbestos removal and disposal, visit:

<http://www.in.gov/idem/4983.htm> (<http://www.in.gov/idem/4983.htm>).

4. With respect to lead-based paint removal: IDEM encourages all efforts to minimize human exposure to lead-based paint chips and dust. IDEM is particularly concerned that young children exposed to lead can suffer from learning disabilities. Although lead-based paint abatement efforts are not mandatory, any abatement that is conducted within housing built before January 1, 1978, or a child-occupied facility is required to comply with all lead-based paint work practice standards, licensing and notification requirements. For more information about lead-based paint removal visit: <http://www.in.gov/isdh/19131.htm> (<http://www.in.gov/isdh/19131.htm>).

5. Ensure that asphalt paving plants are permitted and operate properly. The use of cutback asphalt, or asphalt emulsion containing more than seven percent (7%) oil distillate, is prohibited during the months April through October. See 326 IAC 8-5-2 , Asphalt Paving Rule (<http://www.ai.org/legislative/iac/T03260/A00080.PDF> (<http://www.ai.org/legislative/iac/T03260/A00080.PDF>)).
6. If your project involves the construction of a new source of air emissions or the modification of an existing source of air emissions or air pollution control equipment, it will need to be reviewed by the IDEM Office of Air Quality (OAQ). A registration or permit may be required under 326 IAC 2 (View at: [www.ai.org/legislative/iac/t03260/a00020.pdf](http://www.ai.org/legislative/iac/t03260/a00020.pdf) (<http://www.ai.org/legislative/iac/t03260/a00020.pdf>)). New sources that use or emit hazardous air pollutants may be subject to Section 112 of the Clean Air Act and corresponding state air regulations governing hazardous air pollutants.
7. For more information on air permits visit: <http://www.in.gov/idem/4223.htm> (<http://www.in.gov/idem/4223.htm>), or to initiate the IDEM air permitting process, please contact the Office of Air Quality Permit Reviewer of the Day at (317) 233-0178 or OAMPROD atdem.state.in.us.

## LAND QUALITY

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

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

## FINAL REMARKS

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



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

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

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## Signature(s) of the Applicant

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

### Project Description

The INDOT Greenfield District and the FHWA propose to proceed with a road project in Henry County, Indiana (Lead Des. Number 1593230). The project is located on SR 3, from approximately 3.14 miles north of I-70 to SR 38 in Henry County, Indiana. The current proposed project would include a full depth hot mix asphalt pavement reconstruction, raised median construction, two-way left turn lane median reconstruction, curb and gutters installation, and sidewalk construction along SR 3. Up to approximately 0.1 acre of right-of-way would be needed. The maintenance of traffic would involve two phases to allow for continued vehicular traffic on SR 3. Three streams (Elliott Run, Cemetery Run, and Mound Run) and seven wetlands (Wetlands A to G) were observed within or adjacent to the project area.

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

Date: 3/3/2021

Signature of the INDOT Project Engineer or Other Responsible Agent  (Nathan Riggs)

Date: March 2, 2021

Signature of the For Hire Consultant 

Stephanie Verhoff

## Stephanie Verhoff

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**From:** Turnbow, Alisha <ATurnbow@idem.IN.gov>  
**Sent:** Friday, February 5, 2021 6:11 PM  
**To:** Stephanie Verhoff  
**Subject:** [EXT] RE: Wellhead Protection Area SR 3 Road Project in New Castle, IN (Des. 1593230 and 1902175)

**\*\*\*\* Please use caution this is an externally originating email. \*\*\*\***

**Do not click on links or open attachments unless you recognize the sender and know the contents is safe.**

Hi Stephanie,

The project Des No 1593230 and 1902175 are located in New Castle Utilities' Wellhead Protection Area. The contact for New Castle Utilities is Gregory Phipps and they can be reached at 765-521-6841. The Groundwater section of IDEM doesn't have special requirements but INDOT request the coordination with the public water supply. Let me know what questions you have.

Sincerely,

### COVID-19 Resources:

- **Indiana State Dept. of Health (ISDH) COVID-19 Call Center:** Call 877-826-0011 (available 8:00 am-5:00 pm daily).
- **Anthem NurseLine:** Call 800-337-4770 or visit the [Anthem NurseLine](#) online for a FREE symptom screening. Available to anyone with an Anthem health plan (this includes State of IN employees)
- **Anthem Employee Assistance Program (EAP):** Available to full-time state employees and their household members regardless of health plan participation. Call 800-223-7723 or visit [anthemeap.com](#) (enter State of Indiana) for crisis counseling, help finding child/elder care, legal/financial consultation and much more.



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.



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**From:** Stephanie Verhoff <[sverhoff@rqaw.com](mailto:sverhoff@rqaw.com)>  
**Sent:** Tuesday, January 12, 2021 1:25 PM  
**To:** Turnbow, Alisha <ATurnbow@idem.IN.gov>  
**Subject:** Wellhead Protection Area SR 3 Road Project in New Castle, IN (Des. 1593230 and 1902175)

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

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Good afternoon, Alisha-

I wanted to send you the information we have for the above referenced project, which is located within a Wellhead Protection Area. Attached, please find a print-out of the project area and two printouts from the Source Water Proximity tool. The project is located on SR 3, from approximately 3.14 miles north of I-70 to SR 38 in Henry County, Indiana. The project is within Henry Township, Sections 15, 21, 22, and 27 of Township 17 North, and Range 10 East of the New Castle West U.S. Geological Survey (USGS) Quadrangle.

Would you be able to provide me with proper contact information for this project? Any guidance is appreciated.

Thanks in advance,  
Stephanie



**Stephanie Verhoff**

NEPA Specialist

8770 North St., Ste. 110

Fishers, IN 46038

O: 317.588.1765

[www.rqaw.com](http://www.rqaw.com)



*Best Places to Work in Indiana, 2018-2020*

*IndyStar's Top Workplaces, 2019*

## Organization and Project Information

**Project ID:**  
**Des. ID:** Des. 1593230  
**Project Title:** SR 3 New Castle Pavement Replacement  
**Name of Organization:** RQAW  
**Requested by:** Stephanie Verhoff

## Environmental Assessment Report

1. Geological Hazards:
  - Moderate liquefaction potential
  - Floodway
2. Mineral Resources:
  - Bedrock Resource: High Potential
  - Sand and Gravel Resource: High Potential
3. Active or abandoned mineral resources extraction sites:
  - Petroleum Exploration Wells

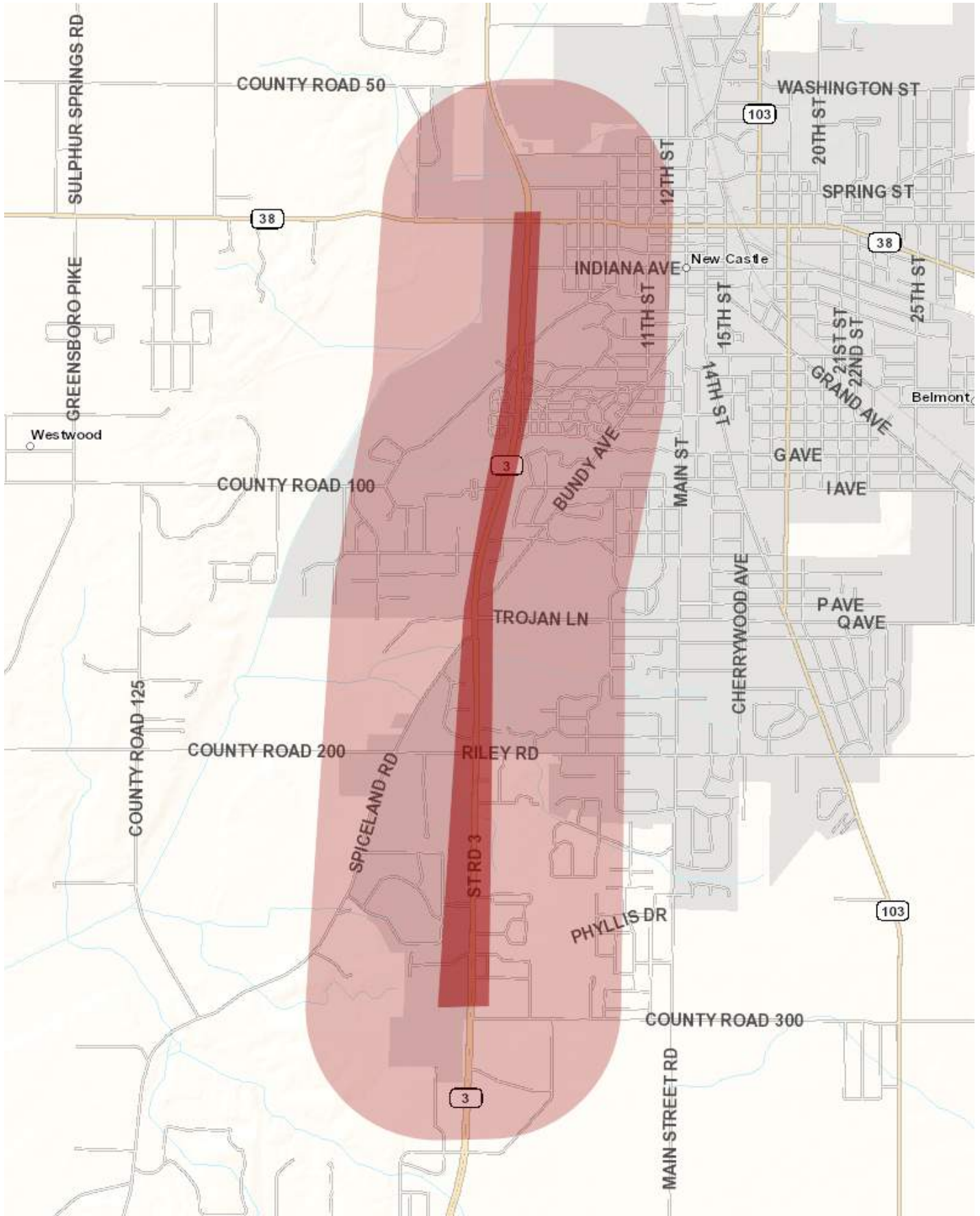
\*All map layers from Indiana Map ([maps.indiana.edu](http://maps.indiana.edu))

### **DISCLAIMER:**

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

This information was furnished by Indiana Geological Survey  
Address: 420 N. Walnut St., Bloomington, IN 47404  
Email: IGSEnvir@indiana.edu  
Phone: 812 855-7428

Date: March 02, 2021



# Metadata:

- [https://maps.indiana.edu/metadata/Geology/Petroleum\\_Wells.html](https://maps.indiana.edu/metadata/Geology/Petroleum_Wells.html)
- [https://maps.indiana.edu/metadata/Geology/Seismic\\_Earthquake\\_Liquefaction\\_Potential.html](https://maps.indiana.edu/metadata/Geology/Seismic_Earthquake_Liquefaction_Potential.html)
- [https://maps.indiana.edu/metadata/Geology/Industrial\\_Minerals\\_Sand\\_Gravel\\_Resources.html](https://maps.indiana.edu/metadata/Geology/Industrial_Minerals_Sand_Gravel_Resources.html)
- [https://maps.indiana.edu/metadata/Hydrology/Floodplains\\_FIRM.html](https://maps.indiana.edu/metadata/Hydrology/Floodplains_FIRM.html)
- [https://maps.indiana.edu/metadata/Geology/Bedrock\\_Geology.html](https://maps.indiana.edu/metadata/Geology/Bedrock_Geology.html)

## Stephanie Verhoff

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**From:** Courtade, Julian <JCourtade@indot.IN.gov>  
**Sent:** Wednesday, March 3, 2021 8:06 AM  
**To:** Stephanie Verhoff  
**Subject:** [EXT] RE: Agency Early Coordination Letter: SR 3 New Castle Road Project (Des. 1593230)

**\*\*\*\* Please use caution this is an externally originating email. \*\*\*\***

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Stephanie –

After reviewing the Early Coordination Letter, I have determined that if any object, obstruction, or equipment will exceed 145 ft. in height, further coordination will be required with our office and the FAA. This is due to the close proximity of New Castle-Henry County Airport and the need for any obstructions within 5 miles to meet a 100:1 glideslope to the nearest runway according to 14 CFR Part 77 standards. You can find these standards and information on filing at the website below:

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

Please let me know if you have any questions!

Best,

**Julian L. Courtade**

**Chief Airport Inspector**

100 North Senate Ave, N758-MM

Indianapolis, IN 46204

**Cell:** (317) 954-7385

**Email:** [jcourtade@indot.in.gov](mailto:jcourtade@indot.in.gov)



**From:** [Dave Barker](#)  
**To:** [Stephanie Verhoff](#)  
**Cc:** [Kendra Kennedy](#)  
**Subject:** [EXT] City of New Castle Trail Information  
**Date:** Tuesday, March 2, 2021 9:57:31 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image005.png](#)  
[image014.png](#)  
[image016.png](#)  
[image018.png](#)  
[image004.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)

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**\*\*\*\* Please use caution this is an externally originating email. \*\*\*\***  
**Do not click on links or open attachments unless you recognize the sender and know the contents is safe.**

Good morning Stephanie,

My name is Dave Barker,  
My title is the Director of Public Works for the City of New Castle.

I am writing in response to your questions on trails within the City.

- Do you know if there is any funding currently in place for these trails?  
*We do not have any funding in place for these trails*
- Are any of these trails expected to be funded within the next few years?  
*I have no knowledge of funding for these trails in the near future.*
- Do you know if there are any design plans currently being developed, or if any design plans have been completed for any of these trails?  
*Again, not to my knowledge.*
- Would you happen to know if any of these trails are currently under construction, and/or if construction is scheduled within the next few years?  
*None of these trails are under construction, nor am I aware of a timeline.*

If any information arises about any of these trails, I will let you know as soon as I hear anything.

Hope this helps.

Thanks,



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

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**DNR #:** ER-23508

**Request Received:** March 2, 2021

**Requestor:** RQAW Corporation  
Stephanie Verhoff  
8770 North Street, Suite 110  
Fishers, IN 46038

**Project:** SR 3 roadway improvements from about 3.14 miles north of I-70 to SR 38, New Castle;  
Des #1593230

**County/Site info:** Henry

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(s) 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 a stream or other flowing waterbody which has a drainage area greater than one square mile, unless it qualifies for a bridge exemption (see enclosure) or qualifies under the INDOT and IDNR Memorandum of Understanding for Maintenance Activity Exemption, dated March 1997. Please include a copy of this letter with the permit application(s), if 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 Structures:

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; have a minimum openness ratio (height x width / length) of 0.25; and have stream depth, channel width, and water velocities during low-flow conditions that are approximate to those in the natural stream channel. Banklines should be restored within box and pipe structures to allow for wildlife passage above the ordinary highwater mark.

The new, replacement, or rehabbed structure, and any bank stabilization under the structure, should not create conditions that are less favorable for wildlife passage under the structure compared to the current conditions. When determining an appropriate

**Attachments:** A - Bridge Exemption Criteria

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

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bridge or culvert size, consider whether or not wildlife/vehicle collisions are a concern at the crossing site. If feasible, a larger bridge or culvert opening can allow for the movement of wildlife under the roadway in order to minimize wildlife/vehicle collisions.

**2) Bank Stabilization:**

Establishing vegetation along the banks is critical for stabilization and erosion control. In addition to vegetation, some other form of bank stabilization may be needed. While hard armoring alone (e.g. riprap or glacial stone) may be needed in certain instances, soft armoring and bioengineering techniques should be considered first. In many instances, one or more methods are necessary to increase the likelihood of vegetation establishment. Combining vegetation with most bank stabilization methods can provide additional bank protection and help reduce impacts upon fish and wildlife. Information about bioengineering techniques can be found at

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

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

**3) Riparian Habitat:**

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

**4) Wetland Habitat:**

Due to the presence or potential presence of wetland habitat on site, we recommend contacting and coordinating with the Indiana Department of Environmental Management (IDEM) 401 program and also the US Army Corps of Engineers (USACE) 404 program. Impacts to wetland habitat should be mitigated at the appropriate ratio according to the 1991 INDOT/IDNR/USFWS Memorandum of Understanding.

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

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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 that will not be mowed and maintained with a mixture of grasses, sedges, and wildflowers native to Eastern Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion; turf-type grasses (including low-endophyte, friendly endophyte, and endophyte free tall fescue but excluding all other varieties of tall fescue) may be used in regularly mowed areas only.
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. Operate equipment used to replace the bridge from the existing roadway.
8. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids.
9. Do not use broken concrete as riprap.
10. Underlay the riprap with a bedding layer of well graded aggregate or a geotextile to prevent piping of soil underneath the riprap.
11. Minimize the movement of resuspended bottom sediment from the immediate project area.
12. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
13. Seed and protect all disturbed streambanks and slopes not protected by other methods that are 3:1 or steeper with erosion control blankets that are heavy-duty, biodegradable, and net free or that use loose-woven / Leno-woven netting to minimize the entrapment and snaring of small-bodied wildlife such as snakes and turtles (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.
14. Do not excavate or place fill in any riparian wetland.

**Contact Staff:**

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

*Christie L. Stanifer*

**Date:** April 1, 2021

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

April 5, 2021

Stephanie Verhoff  
RQAW Corporation  
8770 North Street, Suite 110  
Fishers, Indiana 46038

Dear Ms. Verhoff:

The proposed project to proceed with a road project in the City of New Castle, Henry County, Indiana (Des No. 1593230), as referred to in your letter received on March 2, 2021, will not cause a conversion of prime farmland.

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

Sincerely,

**RICHARD** Digitally signed by  
RICHARD NEILSON  
**NEILSON** Date: 2021.04.05  
14:44:58 -04'00'

RICK NEILSON  
State Soil Scientist

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Helping People Help the Land.



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## Cameron Fraser

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**From:** Darrah, Taylor N <TDarrah@indot.IN.gov>  
**Sent:** Tuesday, July 21, 2020 8:26 AM  
**To:** Kylie Rothschild  
**Cc:** Cameron Fraser  
**Subject:** RE: Indiana and Northern Long-eared Bat Check for the Road Reconstruction Project located in Henry County (DES 1593230 and 1902175)

Kylie,

A review of the USFWS GIS database for Indiana bat and Northern long-eared bat roosting, hibernacula and capture sites was conducted for Des No's 1593230 and 1902175 on July 21, 2020. There are no documented sites within a half mile the project area. The USFWS Information for Planning and Conservation (IPaC) website must be consulted and a new project created to obtain an official species list and complete the questionnaire for the project to determine the applicability of the programmatic consultation. If needed, the IPaC generated documents must be forwarded to the USFWS for verification.

Thank you,

### Taylor Darrah

#### *Environmental Section Manager*

Indiana Department of Transportation

32 South Broadway

Greenfield, IN 46140

**Office:** (317) 467-3915

**Cell:** (317) 526-6080 – Please temporarily direct all calls to my cell phone

**Email:** [TDarrah@indot.in.gov](mailto:TDarrah@indot.in.gov)



 Go Green, There is no Planet B

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**From:** Kylie Rothschild <krothschild@rqaw.com>  
**Sent:** Tuesday, July 14, 2020 1:59 PM  
**To:** Darrah, Taylor N <TDarrah@indot.IN.gov>  
**Cc:** Cameron Fraser <cfraser@rqaw.com>  
**Subject:** Indiana and Northern Long-eared Bat Check for the Road Reconstruction Project located in Henry County (DES 1593230 and 1902175)

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

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Good Afternoon Taylor,

Attached, please find the Red Flag Investigation topographic and aerial maps showing the project location for a Road Reconstruction project on SR 3, 3.14 miles north of I-70 to SR 38 in Henry County, Indiana (DES 1593230 and 1902175). We appreciate INDOT's review of the GIS layers for the Indiana and Northern Long-eared bat. Please let me know if you need additional information.

Thank you!

Bridge/Structure Bat Assessment Form								
No.	Structure Number	Location	Waterbody	Inspection Date	Evidence of Bats?	Existing Structure	Length (ft.)	Work Type
1	Unnamed Structure	391+35	N/A	10/12/2020	No	24-in CMP	54.9	Replacement with 115-ft long, 36-in CMP
2	CV 003-033-112.57	403+19	Cemetery Run	10/12/2020	No	5-ft X 5-ft RCB	172	Replacement, 7-ft smooth circular pipe
3	CV 003-033-113.21	437+00	Elliott Run	10/12/2020	No	13-foot CMP	240	No work
4	CV 003-033-113.27	440+00	N/A	10/12/2020	No	12-in CMP	Unknown	No work
5	CV 003-033-113.96	476+00	Mound Run	10/12/2020	No	8-ft X 8-ft RCB	600	No work



## 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:  
Project Code: 2024-0040301  
Project Name: SR 3 Pavement Replacement (Des. Number 1593230)

January 24, 2024

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 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 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:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.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/program/migratory-bird-permit/what-we-do>.

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/library/collections/threats-birds>.

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/partner/council-conservation-migratory-birds>.

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
- Bald & Golden Eagles
- 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: 2024-0040301  
Project Name: SR 3 Pavement Replacement (Des. Number 1593230)  
Project Type: Road/Hwy - Maintenance/Modification  
Project Description: The project is located SR 3 (known locally as South Memorial Drive), from approximately 3.14 miles north of I-70 north to SR 38 (known locally as Broad Street) in Henry County, Indiana (Des. Number 1593230). The current proposed project would extend approximately 2.69 miles in length.

The current proposed project would include a full depth hot mix asphalt (HMA) pavement reconstruction, raised median construction, two-way left turn lane median reconstruction, curb and gutters installation, and sidewalk construction along SR 3. New drainage inlets and/or castings would be installed along SR 3, with the new installations connecting to the existing manholes and storm sewer trunkline.

An existing 54.9-foot long, 24-inch diameter corrugated metal pipe (CMP) (no assigned structure number) would be replaced with a 115-foot long, 36-inch diameter CMP. An existing 172-foot long, 5-foot by 5-foot reinforced concrete box culvert (RCB) (Structure Number CV 003-033-112.57) would be replaced with a 7-foot diameter smooth circular pipe. This RCB conveys Cemetery Run. An existing 240-foot long, 13-foot diameter CMP (CV 003-033-113.21) is located approximately 190-feet south of Spiceland Road and conveys Elliott Run. It will not be replaced. An existing 12-inch CMP (CV 003-033-113.27) is located approximately 50-feet north of Spiceland Road. It will not be replaced. An existing 600-foot long 8-foot by 8-foot RCB (CV 003-033-113.96) is located approximately 0.3 mile south of Cherry Street and conveys Mound Run. It will not be replaced.

Riprap would be placed at the outlet of both structure replacements. There are approximately 5 other small structures within the project area ranging in size from 24 to 156 inches in diameter; however, they would not be impacted by the project. No work to the seven signalized intersections would occur. Up to approximately 0.1 acre of permanent right-of-way would be needed.

Per a field visit conducted on October 12, 2020 by RQAW, suitable summer habitat is present adjacent to the project area. Tree removal or trimming will be needed at various locations throughout the project area. The dominant tree species throughout the project area consist of sugar maple (*Acer saccharum*), silver maple (*Acer saccharinum*), and red oak (*Quercus rubra*). Tree removal or trimming will not exceed 1 acre and

would occur during the bat inactive season (October 1 through March 31). Tree removal or trimming would occur within 100 feet of existing roadway. A review of the USFWS Database by the INDOT Greenfield District on July 21, 2020, and January 23, 2024, did not indicate the presence of endangered bat species, in or within 0.50 mile of the project area. Per a field visit conducted on October 12, 2020 by RQAW, bats, or evidence of bats, were not seen or heard. Construction is anticipated to begin in the spring of 2025. Temporary lighting may be utilized during construction. The project will involve the use of permanent lighting. No new street lighting will be installed; however, some of the existing light poles may need to be moved and/or new conduit and wiring installed.

**Project Location:**

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@39.91147545,-85.38524291573387,14z>



Counties: Henry County, Indiana

## ENDANGERED SPECIES ACT SPECIES

There is a total of 5 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.

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.

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. Your location does not overlap the critical habitat. 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. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a>	Proposed Endangered

## BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/758">https://ecos.fws.gov/ecp/species/758</a>	Experimental Population, Non- Essential

## 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.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

## BALD & GOLDEN EAGLES

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

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats<sup>3</sup>, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

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

### There are bald and/or golden eagles in your project area.

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

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Oct 15 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 "[Supplemental](#)

[Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

**Probability of Presence (■)**

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

**Breeding Season (■)**

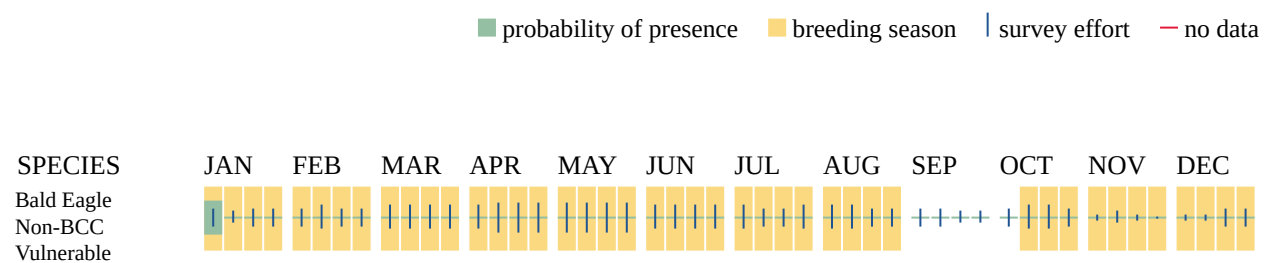
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

**Survey Effort (|)**

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

**No Data (-)**

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



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- 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>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

## 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<sup>3</sup> should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

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)

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

NAME	BREEDING SEASON
<b>Bald Eagle <i>Haliaeetus leucocephalus</i></b> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Oct 15 to Aug 31
<b>Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9399">https://ecos.fws.gov/ecp/species/9399</a>	Breeds May 15 to Oct 10
<b>Chimney Swift <i>Chaetura pelagica</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9406">https://ecos.fws.gov/ecp/species/9406</a>	Breeds Mar 15 to Aug 25
<b>Kentucky Warbler <i>Oporornis formosus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9443">https://ecos.fws.gov/ecp/species/9443</a>	Breeds Apr 20 to Aug 20
<b>Lesser Yellowlegs <i>Tringa flavipes</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a>	Breeds elsewhere
<b>Pectoral Sandpiper <i>Calidris melanotos</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9561">https://ecos.fws.gov/ecp/species/9561</a>	Breeds elsewhere

NAME	BREEDING SEASON
<b>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9398">https://ecos.fws.gov/ecp/species/9398</a>	Breeds May 10 to Sep 10
<b>Rusty Blackbird <i>Euphagus carolinus</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9478">https://ecos.fws.gov/ecp/species/9478</a>	Breeds elsewhere
<b>Wood Thrush <i>Hylocichla mustelina</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9431">https://ecos.fws.gov/ecp/species/9431</a>	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 "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

### Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

### Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

### No Data (—)

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

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

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





Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- 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>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

## WETLANDS

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

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

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

RIVERINE

- R4SBC

## **IPAC USER CONTACT INFORMATION**

Agency: RQAW

Name: Harlan Ford

Address: 8770 North St., Suite 110

City: Fishers

State: IN

Zip: 46038

Email: hford@rqaw.com

Phone: 4234585979



## United States Department of the Interior



### FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

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

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

In Reply Refer To:

March 17, 2021

Consultation code: 03E12000-2021-I-0962

Event Code: 03E12000-2021-E-04565

Project Name: SR 3 Pavement Replacement (Des. Number 1593230)

Subject: Concurrence verification letter for the 'SR 3 Pavement Replacement (Des. Number 1593230)' project under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request to verify that the **SR 3 Pavement Replacement (Des. Number 1593230)** (Proposed Action) may rely on the concurrence provided in the February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 *et seq.*).

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

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

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

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

## **Project Description**

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

### ***Name***

SR 3 Pavement Replacement (Des. Number 1593230)

### ***Description***

The project is located SR 3 (known locally as South Memorial Drive), from approximately 3.14 miles north of I-70 north to SR 38 (known locally as Broad Street) in Henry County, Indiana (Des. Number 1593230). The current proposed project would extend approximately 2.69 miles in length.

The current proposed project would include a full depth hot mix asphalt (HMA) pavement reconstruction, raised median construction, two-way left turn lane median reconstruction, curb and gutters installation, and sidewalk construction along SR 3. New drainage inlets and/or castings would be installed along SR 3, with the new installations connecting to the existing manholes and storm sewer trunkline.

An existing 54.9-foot long, 24-inch diameter corrugated metal pipe (CMP) (no assigned structure number) would be replaced with a 115-foot long, 36-inch diameter CMP. An existing 172-foot long, 5-foot by 5-foot reinforced concrete box culvert (RCB) (Structure Number CV 003-033-112.57) would be replaced with a 7-foot diameter smooth circular pipe. This RCB conveys Cemetery Run. An existing 240-foot long, 13-foot diameter CMP (CV 003-033-113.21) is located approximately 190-feet south of Spiceland Road and conveys Elliott Run. It will not be replaced. An existing 12-inch CMP (CV 003-033-113.27) is located approximately 50-feet north of Spiceland Road. It will not be replaced. An existing 600-foot long 8-foot by 8-foot RCB (CV 003-033-113.96) is located approximately 0.3 mile south of Cherry Street and conveys Mound Run. It will not be replaced.

Riprap would be placed at the outlet of both structure replacements. There are approximately 5 other small structures within the project area ranging in size from 24 to 156 inches in diameter; however, they would not be impacted by the project. No work to the seven signalized intersections would occur. Up to approximately 0.1 acre of permanent right-of-way would be needed.

Per a field visit conducted on October 12, 2020 by RQAW, suitable summer habitat is present adjacent to the project area. Tree removal or trimming will be needed at various locations throughout the project area. The dominant tree species throughout the project area consist of sugar maple (*Acer saccharum*), silver maple (*Acer saccharinum*), and red oak (*Quercus rubra*). Tree removal or trimming will not exceed 1 acre and would occur during the bat inactive season (October 1 through March 31). Tree removal or trimming would occur within 100 feet of existing roadway. A review of the USFWS Database by the INDOT Greenfield District on July 21, 2020 did not indicate the presence of endangered bat species, in or within 0.50 mile of the project area. Per a field visit conducted on October 12, 2020 by RQAW, bats, or evidence of bats, were not seen or heard. Construction is anticipated to begin in the spring of 2023. Temporary lighting may be utilized during construction. The project will involve the use of permanent lighting. No new street lighting will be installed; however, some of the existing light poles may need to be moved and/or new conduit and wiring installed.

## 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?

No



8. 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 [national consultation FAQs](#).

*Yes*

9. 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*

10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?  
*No*

11. Have presence/probable absence (P/A) summer surveys<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*

12. 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*

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

*Yes*

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

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

*B) During the inactive season*

15. Does the project include activities **within documented NLEB habitat**<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*

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

*Yes*

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

*B) During the inactive season*

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

*Yes*

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

*No*

20. Are *all* trees that are being removed clearly demarcated?  
Yes
21. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?  
No
22. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?  
No
23. Does the project include slash pile burning?  
No
24. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?  
Yes
25. Is there *any* suitable habitat<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

26. 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**

- StructuresAssessment\_SR 3 New Castle.pdf <https://ecos.fws.gov/ipac/project/EW6Z2XXRI5FLLHKA5KLETHZSWA/projectDocuments/100256294>

27. 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*

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

*No*

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

*No*

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

*Yes*

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

*Yes*

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

*Yes*

33. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **permanent** lighting will be installed or replaced?

*Yes*

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

*No*

35. 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*

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

*No*

37. Are the project activities that are not associated with habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives consistent with a No Effect determination in this key?

**Automatically answered**

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

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

**Automatically answered**

*Yes, because the tree removal/trimming that occurs outside of the 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.*

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

**Automatically answered**

*Yes, because the tree removal/trimming that occurs outside of the 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.*

40. 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*

41. **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*

42. **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

43. **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

44. **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

45. **Lighting AMM 1**

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

Yes

46. **Lighting AMM 2**

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

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

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

Yes

47. **Lighting AMM 2**

Will the **permanent** lighting be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?

Yes

## Project Questionnaire

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

N/A

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

N/A

3. 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.

1

4. Please describe the proposed bridge work:

*An existing 54.9-foot long, 24-inch diameter corrugated metal pipe (CMP) (no assigned structure number) would be replaced with a 115-foot long, 36-inch diameter CMP. An existing 172-foot long, 5-foot by 5-foot reinforced concrete box culvert (RCB) (Structure Number CV 003-033-112.57) would be replaced with a 7-foot diameter smooth circular pipe.*

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

*Spring 2023*

6. Please enter the date of the bridge assessment:

*October 12, 2020*

## Avoidance And Minimization Measures (AMMs)

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

### TREE REMOVAL AMM 1

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

### LIGHTING AMM 1

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

### TREE REMOVAL AMM 2

Apply time of year restrictions for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/

rail surface and **outside of documented** roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed.

#### LIGHTING AMM 2

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

#### TREE REMOVAL AMM 3

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

#### TREE REMOVAL AMM 4

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

#### GENERAL AMM 1

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



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

This key was last updated in IPaC on December 29, 2020. Keys are subject to periodic revision.

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

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

After the effect determination key was completed and concurred, it was determined that temporary right-of-way would be needed at five areas (commercial entrances) for traffic light signal improvements. Because the effect finding was not anticipated to change, the effect determination key was not updated.

**Additionally, please note that the updated species list generated on January 24, 2024, included two additional species: the tricolored bat (*Perimyotis subflavus*) and the whooping crane (*Grus americana*). As mentioned above, these species do not require additional coordination as they are not given any statutory protection under the Endangered Species Act. Based on this information and the scope of the project remaining relatively unaltered, the *May Affect, Not Likely to Adversely Affect* finding made on March 17, 2021, remains valid.**

## Jaime Byerly

---

**From:** Darrah, Taylor N <TDarrah@indot.IN.gov>  
**Sent:** Tuesday, October 26, 2021 10:25 AM  
**To:** Jaime Byerly  
**Cc:** Aaron Lawson; Kyle J. Boot  
**Subject:** [EXT] RE: Slight Design Change: SR 3 Roadway Project in New Castle (Des. Numbers 1593230 and 1902175)

\*\*\*\* Please use caution this is an externally originating email. \*\*\*\*

**Do not click on links or open attachments unless you recognize the sender and know the contents is safe.**

Hi Jaime,

Please see concurrence below in [green](#).

Thank you,

### Taylor Darrah

#### *Environmental Section Manager*

Indiana Department of Transportation

32 South Broadway

Greenfield, IN 46140

**Office:** (317) 467-3915

**Cell:** (317) 526-6080

**Email:** [TDarrah@indot.in.gov](mailto:TDarrah@indot.in.gov)



 Go Green, There is no Planet B

---

**From:** Jaime Byerly <jbyerly@RQAW.com>  
**Sent:** Tuesday, October 26, 2021 10:16 AM  
**To:** Darrah, Taylor N <TDarrah@indot.IN.gov>  
**Cc:** Aaron Lawson <alawson@rqaw.com>; Kyle J. Boot <KBoot@RQAW.com>  
**Subject:** Slight Design Change: SR 3 Roadway Project in New Castle (Des. Numbers 1593230 and 1902175)

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

Good morning,

We are working on the CE-1 for the above referenced project. The early coordination letter (mailed on March 2, 2021) stated up to 0.10 acre of permanent right-of-way would be needed and seven wetlands are within/adjacent to the project area. Since the PFC meeting was held virtually on June 28, 2021, it's been confirmed that temporary right-of-way will also be needed. This temporary right-of-way will be required at five areas (commercial entrances) for traffic light

signal improvements and will be well below the 0.5 acre threshold. The land use within and adjacent to the temporary right-of-way areas consist of concrete and/or maintained lawn in an urban setting (i.e. disturbed areas).

Streams, historic features, recreational facilities, or trees are not located within the temporary right-of-way areas. One wetland (Wetland G, 0.03 acre) is located in the northwest quadrant of the SR 3/Indiana Avenue Intersection. Currently, it is not known if the temporary right-of-way will impact this wetland, but if impacts to Wetland G occur, it is anticipated to be nominal. Please see attached maps and plans showing the locations where temporary right-of-way will now be needed.

FYI, we are also coordinating with INDOT CRO regarding archaeology clearance.

1. Because there are no additional resources located within the proposed temporary right-of-way areas, can you confirm re-coordination with resource agencies will not be needed? **Concur. No re-coordination needed.**
2. Because the effect finding is not anticipated to change, can you confirm IPaC will not need to be updated? **Concur. No updates/revisions to IPaC needed.**

Thank you!



**RQAW**  
ENVIRONMENTAL

**Jaime Byerly**  
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O: 317/588.1764  
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*Best Places to Work in Indiana*  
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**Categorical Exclusion**

# **Appendix D**

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

## Minor Projects PA Project Assessment Form

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**Date:** 1/28/2021      **\*\*UPDATE** 8/6/2021

**Project Designation Number:** 1593230 and 1902175

**Route Number:** SR 3

**Project Description:** Road Reconstruction from 3.14 miles north of I-70 to SR 38 and Access Control from Sherry Lane to SR 38

The proposed project involves concrete pavement replacement on SR 3 from 3.14 miles north of I-70 to SR 38 in the City of New Castle, Henry County for a length of 2.78 miles. The proposed project will involve a full depth hot mix asphalt (HMA) pavement reconstruction, raised median construction, two-way left turn lane median construction, curb and gutters installation, and sidewalk construction along SR 3.

The existing roadway has six lanes consisting of two 12-foot-wide southbound lanes, a 16-foot wide two-way-left-turn lane (TWLTL), and three 12-foot wide northbound lanes. The outside lanes are bordered with integral concrete curb throughout the project limits.

The HMA reconstruction work will occur along the entire length of the project area. The roadway will be replaced with two 12-foot wide travel lanes in each direction with a raised median and turn lanes or a two-way left turn lane median, curb and gutters, and 6-foot wide sidewalks adjacent to the back of the curb.

The raised median, with various turn lanes throughout, will be constructed within the northern portion of the project area, from the northern project area terminus to Parkside Drive/Trojan Lane. Instead of a raised median, a two-way left turn lane median will be constructed within the southern portion of the project area, from the Parkside Drive/Trojan Lane to the southern project area terminus (Sherry Lynn Drive). Curbs will be constructed along the east and west side of SR 3 the length of the project area. From SR 38 to Parkside Drive/Trojan Lane, sidewalks will be constructed adjacent to the back of curb on both sides of SR 3. From Parkside Drive/Trojan Lane to Sherry Lynn Drive, sidewalks will be constructed adjacent to the back of curb on the east side of SR 3 only.

New drainage inlets and/or castings will be installed along SR 3, with the new installations connecting to the existing manholes and storm sewer trunkline. The existing 24-inch diameter corrugated metal drainage structure (no identification number), located approximately 380 feet north of Pleasantview Drive, will be replaced. The existing small structure (CV 003-033-112.57) located approximately 310 feet south of Lynn View Lane will be replaced. Riprap may be placed at both ends of the structure replacements. The west end of the existing culvert (CV 003-033-112.57) and paved side ditch at the outlet are located beyond the existing right-of-way. Therefore, replacement will require approximately 0.03 acres of permanent right-of-way on the west side of SR 3.

Traffic signal equipment will be reused as much as possible. The signal detection, conduit, and wiring will be replaced as needed. The signal heads will be relocated as needed and new pedestrian signals with push buttons will be added for new sidewalks.

**\*\*On 7/9/2021** INDOT-CRO was informed that the scope of work had been expanded to include the replacement of a 30-inch corrugated metal pipe (CMP) located approximately 260 feet south of Indiana Avenue and that right-of-way may be needed from the southwest quadrant of the intersection of SR 3 and Trojan Lane to replace the existing traffic signal equipment. This additional scope of work does not change the initial determination; Categories A-9, B-1, B-2, and B-9 of the Minor Projects PA still apply, and there is no Section 4(f) impact on historic resources.

**Feature crossed (if applicable):** N/A

## Minor Projects PA Project Assessment Form

City/Township: New Castle/Henry Township

County: Henry County

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

- General project location map     USGS map     Aerial photograph     Interim Report  
 Written description of project area     General project area photos     Soil survey data  
 Previously completed historic property reports     Previously completed archaeology reports  
 Bridge Inspection Information     SHAARD     SHAARD GIS     Streetview Imagery

**Other (please specify):** Indiana Historic Building, Bridges, and Cemeteries Map (IHBBCM); County GIS data (accessed via <https://beacon.schneidercorp.com/>); Bridge Inspection Application System (BIAS); project information provided by RQAW dated 12/29/2020 and 7/9/2021 on file at INDOT-CRO.

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

A-9. Installation, repair, or replacement of erosion control measures along roadways, waterways and bridge piers within previously disturbed soils.

B-1. Replacement, repair, or installation of curbs, curb ramps, or sidewalks, including when such projects are associated with roadway work such as surface replacement, reconstruction, rehabilitation, or resurfacing projects, including overlays, shoulder treatments, pavement repair, seal coating, pavement grinding, and pavement marking, under the following conditions **[BOTH Condition A, which pertains to Archaeological Resources, and Condition B, which pertains to Above-Ground Resources, must be satisfied]**:

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

One of the two conditions listed below must be satisfied (*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 Division of Historic Preservation and Archaeology (DHPA) and any archaeological site form information will be entered directly into the State Historic Architectural and Archaeological Database (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 two conditions listed below must be satisfied (*EITHER Condition in or Condition ii must be satisfied*):

- i. **Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource;** OR
- ii. Work occurs adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource under one of the two additional conditions listed below (*EITHER Condition a OR Condition b must be met and field work and documentation must be completed as described below*):
  - a. No unusual features, including but not limited to historic brick or stone sidewalks, curbs or curb ramps, stepped or elevated sidewalks and historic brick or stone retaining walls are present in the project area adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource; OR

## Minor Projects PA Project Assessment Form

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- b. Unusual features, including but not limited to historic brick or stone sidewalks, curbs or curb ramps, stepped or elevated sidewalks and historic brick or stone retaining walls are present in the project area adjacent to or within a National Register-listed or National Register-eligible individual above-ground resource or district and ANY ONE of the conditions (1, 2, or 3) listed below must be fulfilled:
1. Unusual features described above will not be impacted by the project. Firm commitments regarding the avoidance of these features must be listed in the MPPA determination form and the NEPA document and must be entered into the INDOT Project Commitments Database. These projects will also be flagged for quality assurance reviews by INDOT Cultural Resources Office during/after project construction.
  2. Unusual features described above have been determined not to contribute to the significance of the historic resource by INDOT Cultural Resources Office in consultation with the SHPO based on an analysis and justification prepared by their staff or review of such information from other qualified professional historians.
  3. Impacts to unusual features described above have been determined by INDOT Cultural Resources Office to be so minimal that they do not diminish any of the characteristics that contribute to the significance of the historic resource, based on an analysis and justification prepared by their staff or review of such information from other qualified professional historians.

- B-2. Installation of new lighting, signals, signage and other traffic control devices under the following conditions ***[BOTH Condition A, which pertains to Archaeological Resources, and Condition B, which pertains to Above-Ground Resources, must be satisfied]***:

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

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

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

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

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

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

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

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

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



## Minor Projects PA Project Assessment Form

information will be entered directly into the SHAARD by the applicant. The archaeological reports will also be available for viewing (by Tribes only) on INSCOPE.

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

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

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

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

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

**Additional Comments:**

### **Above-ground Resources**

An INDOT-Cultural Resources Office (CRO) historian who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61 first 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 Henry County. No listed resources are present near the project area.



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The *Henry County Interim Report* (1993; Henry Township; New Castle Scattered Sites) of the Indiana Historic Sites and Structures Inventory (IHSSI) was also consulted. The National Register & IHSSI information is available in the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) and the Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBCM). The SHAARD information was checked against the Interim Report hard copy maps. The following IHSSI site is recorded adjacent to the project: IHSSI #065-452-35053 (Elliott Cemetery; SR 3; 1833-present; “contributing”)

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. Historic districts identified in the IHSSI are usually considered eligible for the National Register.

An INDOT-CRO historian performed a desktop review of the project area. The project is located along a six-lane road going through an urban city, passing through a commercial area in the north half of the project area before becoming more residential in the southern half of the project area. Due to the scope of work being limited to the current roadbed and the sidewalks, curbs, and curb ramps, only those properties that immediately border the project area have any potential for impacts.

This project falls under Condition B-i of Category B-1 of the MPPA due to the scope of work being limited to the existing road bed, sidewalk, curb, and curb ramp construction outside and not adjacent to a National Register listed or eligible bridge, property, or historic district. Properties adjacent to these intersections consist of primarily mid-twentieth century residential houses and late twentieth century and twenty-first century commercial properties. Based on a review of aerial imagery and online street-view photography, there is no evidence to suggest that any of these resources possess the significance and integrity necessary to be considered potentially eligible for the National Register, and no unusual features are evident. No further review is required.

The subject structure (CV 003-033-112.57) is a reinforced concrete box culvert widened at both ends with 4.5-foot corrugated metal pipes. The other subject structure to be replaced is a 24-inch diameter corrugated metal drainage structure (no identification number), located approximately 380 feet north of Pleasantview Drive. Given its small diameter (less than four feet), the structure is functionally classified as a pipe and is not present in the Bridge Inspection Application System (BIAS). Based on an examination of photos provided from RQAW, the structures exhibit no wood, stone, or brick structures or parts therein. In addition, there is no evidence to suggest that they possess historical or engineering significance.

**\*\*UPDATE**—the 30-inch diameter CMP to be replaced approximately 260 feet south of Indiana Avenue is functionally classified as a pipe due to its small diameter of less than four feet; it is not present in BIAS. Based on an examination of photos provided from RQAW, the structure exhibits no wood, stone, or brick structures or parts therein. In addition, there is no evidence to suggest that it possesses historical or engineering significance.

Based on the available information, as summarized above, no above-ground concerns exist as long as the project scope does not change.

### **Archaeological Resources**

An INDOT Cultural Resources Office (CRO) archaeologist, who meets the Secretary of the Interior’s Professional Qualification Standards as per 36 CFR Part 61, reviewed the proposed project and determined that it has no little to no potential to effect archaeological resources. The proposed project is limited to installing sidewalks and ADA-compliant curb ramps within the limits of the project area. All work will occur in disturbed soils consisting of city streets, curbs, storm sewers, drainage inlets and swales, and utility easements. The northern half of the project area has been significantly disturbed by commercial and industrial development. The

## Minor Projects PA Project Assessment Form

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installation of a raised median and turn lanes will occur in soils previously disturbed by construction of the existing SR 3 highway corridor and will remain within its existing footprint. The minor amount of r/w needed on the west side of culvert CV 003-033-112.57 consist of sloped and eroded soils disturbed by the installation of the structure. The replacement of corrugated metal pipe will occur within the disturbed r/w of SR 3 while the r/w proposed in the southwest quadrant of the SR 3 and Trojan Lane intersection has been previously disturbed by grading and the installation utility and signal poles and storm sewars. According to SHAARD GIS, there are no archaeological sites recorded in or adjacent to the project area. Since work is limited to excavation work in previously disturbed soils, there are no archaeological concerns.

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

**INDOT Cultural Resources staff reviewer(s):** Shaun Miller and Kelyn Alexander

*\*\*\*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.*

June 10, 2021

**P H O N E   L O G**

Project: Des. Numbers 1593230 and 1902175  
SR 3 Road Reconstruction  
New Castle, Henry County, Indiana

RE: Cemetery Development Plans

Participants: Shaun Miller, Archaeology Unit Team Lead, INDOT Cultural Resources Office (INDOT-CRO)  
Kyle Boot, Architectural Historian, RQAW

- Discussed when Cemetery Development Plans (CDP) are needed and when they are not needed.
  - The need for a CDP is primarily dependent on impacts. If acquiring right-of-way, then a CDP is needed.
  - Cemetery boundary definition is important in considering impacts:
    - Well defined boundaries include clearly discernable right-of-way, fence rows, tree lines, etc.
    - Clearly discernable previously disturbed soils can help define cemetery boundaries, such as ditch slopes or utilities.
- In regard to the SR 3 project through New Castle, a CDP would not be needed because the boundaries to the cemeteries are clearly defined at the existing right-of-way and the project does not need right-of-way from the Elliot Cemetery or the South Mound Cemetery. Additionally, the work outside of the existing pavement is occurring in previously disturbed soils, as was previously determined by INDOT-CRO in the Minor Projects Determination Form. Therefore, the project will not impact the cemeteries and/or need to purchase right-of-way from either cemetery.
- Additional notes regarding CDPs
  - CDPs can be environmental commitments to be completed prior to construction.
  - INDOT does follow up on CDP commitments during the Environmental Consultation Form (ECF) coordination.
  - One of the main reasons for CDPs is because INDOT wants to know if they'll end up owning a cemetery, or portion of a cemetery.

Kyle Boot  
RQAW Corporation

**Categorical Exclusion**

# **Appendix E**

**Red Flag and Hazardous Materials**



# INDIANA DEPARTMENT OF TRANSPORTATION

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

PHONE: (317) 694-8284  
FAX: (317) 233-4929

**Eric Holcomb, Governor**  
**Joe McGuinness, Commissioner**

Date: May 25, 2021

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

From: Cameron Fraser  
RQAW Corporation  
8770 North Street; Suite 110  
Fishers, Indiana 46038  
cfraser@rqaw.com

Re: RED FLAG INVESTIGATION  
DES 1593230 and 1902175, State Project  
Pavement Reconstruction  
SR 3, 3.14 Miles North of I-70 to SR 38  
Henry County, Indiana

## PROJECT DESCRIPTION

Brief Description of Project: The Federal Highway Administration (FHWA) and Indiana Department of Transportation (INDOT), Greenfield District propose to proceed with a pavement reconstruction project on SR 3, from approximately 3.14 miles north of I-70 to SR 38 in Henry County, Indiana. The proposed project will involve a full depth hot mix asphalt (HMA) pavement reconstruction, raised median construction, two-way left turn lane median construction, curb and gutters installation, and sidewalk construction along SR 3.

The HMA reconstruction work will occur along the entire length of the project area. The raised median, with various turn lanes throughout, will primarily be constructed within the northern portion of the project area, from the northern project area terminus to Parkside Drive/Trojan Lane. The two-way left turn lane median will primarily be constructed within the southern portion of the project area, from the Parkside Drive/Trojan Lane to the southern project area terminus (Sherry Lynn Drive). Curbs will be constructed along the east and west side of SR 3. From SR 38 to Parkside Drive/Trojan Lane, sidewalks will be constructed adjacent to the back of curb on both sides of SR 3. From Parkside Drive/Trojan Lane to Sherry Lynn Drive, sidewalks will be constructed adjacent to the back of curb on the east side of SR 3 only. New drainage inlets and/or castings will be installed along SR 3, with the new installations connecting to the existing manholes and storm sewer trunkline. The existing 24-inch diameter corrugated metal drainage structure (no identification number), located approximately 0.07 mile north of Pleasantview Drive, will be replaced. The existing 30-inch diameter corrugated metal drainage structure (no identification number), located approximately 0.05 mile south of

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An Equal Opportunity Employer*

Indiana Avenue, will be replaced. The existing small structure (CV 003-033-112.57), located 0.06 mile south of Lynn View Lane will be replaced. Riprap will be placed at the end of the new structures.

Bridge and/or Culvert Work Included in Project: Yes  No  Structure #(s) CV 003-033-112.57 & unlisted culvert  
 If this is a bridge project, is the bridge Historical? Yes  No  , Select  Non-Select

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

Proposed right of way: Temporary  # Acres \_\_\_\_ Permanent  # Acres 0.03, Not Applicable

Type of excavation: The maximum depth of excavation required for the replacement of culverts will be approximately 17 to 20 feet below ground surface (bgs). The storm sewer work will require approximately 9 to 15 feet of excavation bgs. Excavation for curb and sidewalk work is not anticipated to exceed approximately 3 feet bgs.

Maintenance of traffic (MOT): The MOT plan will include two phases to allow for continued vehicular traffic northbound and southbound on SR 3. Phase 1 will divert traffic onto the 3 existing northbound lanes, while the southbound side of SR 3 is being constructed. Phase 2 will divert traffic onto the 3 new southbound/two-way left turn lane median travel lanes, while the northbound side of SR 3 is being constructed.

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

State Project:  LPA:

Any other factors influencing recommendations: Due to the presence of the drainage structures, coordination with INDOT ESD Ecology and Waterway Permitting will occur.

## **INFRASTRUCTURE TABLE AND SUMMARY**

<b>Infrastructure</b>			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
Religious Facilities	<b>11*</b>	Recreational Facilities	<b>8*</b>
Airports <sup>1</sup>	<b>1</b>	Pipelines	<b>6</b>
Cemeteries	<b>5</b>	Railroads	<b>1</b>
Hospitals	<b>N/A</b>	Trails	<b>9</b>
Schools	<b>3*</b>	Managed Lands	<b>N/A</b>

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

Explanation:

**Religious Facilities:** \*Eleven (11) religious facilities, one (1) mapped and ten (10) unmapped, are located within the 0.5 mile search radius. The nearest religious facilities, the First Assembly of God (unmapped) and the South Memorial Drive Church of God (unmapped), are located adjacent to the east of the southern portion of the project area. Coordination with the First Assembly of God and the South Memorial Drive Church of God will occur.

Although not adjacent to the project area, the only access roads to the religious facility, the Kingdom Hall of Jehovah’s Witness (unmapped), are located off SR 3 to the east, within the southern portion of the project area. Coordination with the Kingdom Hall of Jehovah’s Witness will occur.

**Airports:** Although not located within the 0.5 mile search radius, one (1) public-use airport, New Castle-Henry County Municipal, is located within 3.8 miles (20,000 feet) of the project area. The public-use airport is located approximately 2.9 mile southeast of the project area; therefore, early coordination with INDOT Aviation will occur.

**Cemeteries:** Five (5) cemeteries are located within the 0.5 mile search radius. Two (2) cemeteries are located adjacent to the project area. South Mound Cemetery is located adjacent to the east and west of the central portion of the project area. Elliot Cemetery is located adjacent to the west of the southern portion of the project area. A Cemetery Development Plan may be required since this project is within 100 feet of both cemeteries. Coordination with INDOT Cultural Resources will occur.

**Schools:** \*Three (3) schools, one (1) unmapped and two (2) mapped, are located within the 0.5 mile search radius. The nearest school, New Castle Special Education (unmapped), is located approximately 0.07 mile east of the northern portion of the project area. No impact is expected.

**Recreational Facilities:** \*Eight (8) recreational facilities, one (1) unmapped and seven (7) mapped are located within the 0.5 mile search radius. The nearest recreational facility, Your Park, is located adjacent to the east of the northern portion of the project area. Coordination with the New Castle Parks Department will occur.

**Pipelines:** Six (6) pipeline segments are located within the 0.5 mile search radius. Two (2) pipeline segments, associated with the Indiana Gas Company Incorporated, are located within the project area; One (1) pipeline segment is located within the central portion of the project area and one (1) pipeline segment is located within the southern portion of the project area. Coordination with INDOT Utilities and Railroads should occur.

**Railroads:** One (1) railroad segment is located within the 0.5 mile search radius. The railroad segment, associated with Conrail Railroad, is located approximately 0.11 mile north of the project area. No impact is expected.

**Trails:** Nine (9) trail segments are located within the 0.5 mile search radius. Three (3) trail segments, New Castle Share Use Paths (all potential trails), are located within the project area; One (1) trail segment is located in the northern portion of the project area, one (1) trail segment located in the central portion of the project area, and one (1) trail segment is located within all three (3) portions of the project area. Coordination with the City of New Castle will occur.

**WATER RESOURCES TABLE AND SUMMARY**

<b>Water Resources</b>			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
NWI - Points	<b>2</b>	Canal Routes - Historic	<b>N/A</b>
Karst Springs	<b>N/A</b>	NWI - Wetlands	<b>34</b>
Canal Structures – Historic	<b>N/A</b>	Lakes	<b>3</b>
NPS NRI Listed	<b>N/A</b>	Floodplain - DFIRM	<b>13</b>
NWI-Lines	<b>11</b>	Cave Entrance Density	<b>N/A</b>
IDEM 303d Listed Streams and Lakes (Impaired)	<b>4</b>	Sinkhole Areas	<b>N/A</b>
Rivers and Streams	<b>18</b>	Sinking-Stream Basins	<b>N/A</b>

Explanation:

**National Wetland Inventory (NWI) – Points:** Two (2) NWI-points are located within the 0.5 mile search radius. The nearest NWI-point is located approximately 0.29 mile south of the project area. No impact is expected.



**NWI-Lines:** Eleven (11) NWI-line segments are located within the 0.5 mile search radius. The nearest NWI-line segment is located approximately 0.15 mile west of the northern portion of the project area. No impact is expected.

**IDEM 303d Listed Streams and Lakes (Impaired):** Four (4) impaired stream segments are located within the 0.5 mile search radius. The nearest impaired stream segment, Castle Run, is located approximately 0.14 mile north of the project area. No impact is expected.

**Rivers and Streams:** Eighteen (18) river and stream segments are located within the 0.5 mile search radius. Three (3) stream segments intersect the project area; Two (2) stream segments, Mound Run and Elliott Run, intersect the central portion of the project area and one (1) stream segment, Elliott Cemetery Run, intersects the southern portion of the project area. A Waters of the US Report will be prepared and coordination with INDOT ESD Ecology and Waterway Permitting will occur.

**NWI – Wetlands:** Thirty-four (34) NWI-wetland polygons are located within the 0.5 mile search radius. Four (4) NWI-wetland polygons are located within, or adjacent to, the project area. Two (2) NWI-wetland polygons are located in the central portion of the project area, one (1) NWI-wetland polygon is located in the southern portion of the project area, and one (1) NWI-wetland polygon is located adjacent to the south of the project area. A Waters of the US Report will be prepared and coordination with INDOT ESD Ecology and Waterway Permitting will occur.

**Lakes:** Three (3) lake polygons are located within the 0.5 mile search radius. The nearest lake polygon is located approximately 0.24 mile west of the central portion of the project area. No impact is expected.

**Floodplain – Digital Flood Insurance Rate Map (DFIRM):** Thirteen (13) floodplain-DFIRM polygons are located within the 0.5 mile search radius. Two (2) floodplain-DFIRM polygons are located within the project area; One (1) floodplain-DFIRM polygon is located within the northern portion of the project area and one (1) floodplain-DFIRM polygon is located within the central portion of the project area. Coordination with INDOT ESD Ecology and Waterway Permitting will occur.

**MINING AND MINERAL EXPLORATION TABLE AND SUMMARY**

<b>Mining/Mineral Exploration</b>			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
Petroleum Wells	<b>8</b>	Mineral Resources	<b>N/A</b>
Mines – Surface	<b>N/A</b>	Mines – Underground	<b>N/A</b>

Explanation:

**Petroleum Wells:** Eight (8) petroleum wells are located within the 0.5 mile search radius. The nearest petroleum well is located approximately 0.07 mile east of the northern portion of the project area. No impact is expected.



## HAZARDOUS MATERIAL CONCERNS TABLE AND SUMMARY

<b>Hazardous Material Concerns</b>			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
Superfund	N/A	Manufactured Gas Plant Sites	N/A
RCRA Generator/ TSD	3	Open Dump Waste Sites	N/A
RCRA Corrective Action Sites	N/A	Restricted Waste Sites	1*
State Cleanup Sites	1	Waste Transfer Stations	N/A
Septage Waste Sites	N/A	Tire Waste Sites	1
Underground Storage Tank (UST) Sites	13	Confined Feeding Operations (CFO)	N/A
Voluntary Remediation Program	1	Brownfields	2
Construction Demolition Waste	N/A	Institutional Controls	4
Solid Waste Landfill	1	NPDES Facilities	8
Infectious/Medical Waste Sites	N/A	NPDES Pipe Locations	7
Leaking Underground Storage Tank (LUST) Sites	16	Notice of Contamination Sites	N/A

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

Explanation:

**Resource Conservation and Recovery Act (RCRA) Generator/ Treatment, Storage, and Disposal (TSD):** Three (3) RCRA sites are located within the 0.5 mile search radius. Two (2) of the three (3) RCRA sites are located in the vicinity of the project area.

Big O Tires Incorporated, 601 South Memorial Drive (AI ID 40958), is incorrectly mapped approximately 0.50 mile northwest of the project area. The RCRA site is actually located adjacent to the west of the northern portion of the project area, approximately 0.35 mile south of the SR 3 and SR 38 intersection. According to a letter issued by IDEM on November 27, 2002, this facility no longer generates hazardous waste. No impact is expected.

Smiley Body Shop Incorporated, 421 New York Avenue (AI ID 40439), is located approximately 0.22 mile northeast of the project area, near the SR 3 and New York Avenue intersection. According to the 2016 Hazardous Waste Handler ID Form, the facility is a conditionally exempt small quantity generator. No impact is expected.

**State Cleanup Sites:** One (1) state cleanup site is located within the 0.5 mile search radius. The icon for Doug Furbee, 715 South Memorial Drive (AI ID 45512), is incorrectly mapped adjacent to the west of the central portion of the project area, approximately 0.12 mile south of the SR 3 and Cherry Street intersection. The site is actually located adjacent to the west of the northern portion of the project area, approximately 0.10 mile north of the SR 3 and Cherry Street intersection. The site was also programmed under the Voluntary Remediation Program (VRP), with remediation efforts being completed under the VRP. The site received a Certification of Completion, issued by IDEM on November 18, 2002, and a Covenant Not to Sue, issued by IDEM on June 25, 2003. Low levels of petroleum contamination in the groundwater and soil remain on the site, and groundwater flow is to the northwest. If excavation occurs in this area, proper handling, removal, and disposal of soil and/or groundwater may be necessary. Before proper removal and disposal of soil and/or groundwater,

analysis for lead will be necessary. A deed notice was recorded on the site on December 18, 2002. Coordination with Lynette Schrowe ([lschrowe1@idem.in.gov](mailto:lschrowe1@idem.in.gov)), IDEM Institutional Controls, should occur before RFP.

**UST Sites:** Thirteen (13) UST sites are located within the 0.5 mile search radius. Six (6) of the thirteen (13) UST sites are located within the vicinity of the project area.

Amoco (Goodwin Brothers), 250 Broad Street (AI ID 42912), is incorrectly mapped adjacent to the east of the northern portion of the project area. The UST site is actually located adjacent to the west of the northern portion of the project area, in the southwest quadrant of the SR 3 and SR 38 intersection. This site is no longer an active UST site. Please refer to the LUST section of this RFI report for more details.

Meek Florist Incorporated, 490 Indiana Avenue (AI ID 44565), was formerly the site of a gas station. The UST site is located approximately 0.10 mile east of the northern portion of the project area. The USTs were permanently taken out of service in May of 1991. Soil samples collected after the UST removal indicated that no contamination was present. No impact is expected.

New Castle Waste Water Treatment Plant (WWTP), 10 Midway Drive (AI ID 42624), is incorrectly mapped approximately 0.04 mile west of the central portion of the project area, at the SR 3 and Midway Drive intersection. The UST site is actually located outside of the 0.5 mile search radius, to the west. No impact is expected.

Q Lube, 1464 South Memorial Drive (AI ID 40660), is incorrectly mapped within the central portion of the project area, at the SR 3 and Parkside Drive intersection. The UST site is actually located adjacent to the east of the central portion of the project area, approximately 0.36 mile north of the SR 3 and Parkview Drive intersection. The site is currently operating as an automotive oil change facility. Documentation regarding the current status of the bulk oil and spent oil USTs was not found. A Phase II Environmental Site Assessment is recommended. Prior to any investigation activities, a scope of work plan will be prepared and submitted to INDOT SAM for review and approval.

New Castle Shell, 2200 South Memorial Drive (AI ID 41721), is the site of an active gas station. The UST symbol is incorrectly placed 0.69 mile south of the actual site on the west side of SR 3. The UST site is located adjacent to the east of the central portion of the project area, at the southeast corner of the SR 3 and Parkside Drive (Trojan Lane) intersection. IDEM conducted a UST inspection on February 27, 2018, and the facility was found to be out of compliance with equipment, operating, and maintenance requirements set forth in Indiana's UST Rule 329 IAC 9; however, documentation reviewed does not indicate that a release occurred. No impact is expected.

Casey's General Store #3091, 3100 South Memorial Drive (AI ID 109715), is the site of an active gas station. The UST site is located adjacent to the east of the southern portion of the project area, in the southeast quadrant of the SR 3 and Riley Road intersection. IDEM conducted a UST inspection on February 27, 2018, and the facility was found to be in compliance with equipment, operating, and maintenance requirements set forth in Indiana's UST Rule 329 IAC 9. No impact is expected.

**Voluntary Remediation Program (VRP):** One (1) VRP site is located within the 0.5 mile search radius. Doug Furbee, 715 South Memorial Drive (AI ID 45512), is located adjacent to the west of the northern portion of the project area, approximately 0.10 mile north of the SR 3 and Cherry Street intersection. Refer to the State Cleanup Section of the this RFI report for more information.

**Solid Waste Landfill:** One (1) solid waste landfill polygon is located within the 0.5 mile search radius. The Ingersoll Johnson Exclusion Site is located approximately 0.38 mile west of the northern portion of the project area. No documentation for the site was located. No impact is expected.

**LUST Sites:** Sixteen (16) LUST sites are located within the 0.5 mile search radius. Eleven (11) of the sixteen (16) LUST sites are located in the vicinity of the project area.

Red Barn #68 (Walgreens), 100 North Memorial Drive (AI ID 40212), was formerly the site of a gas station. The LUST site is located adjacent to the east of the northern portion of the project area, in the northeast quadrant of the SR 3 and SR 38 intersection. According to the No Further Action (NFA) Approval Pursuant to Remediation Closure Guide, issued by IDEM on December 19, 2018, contamination remains on the site at the southwest corner, near the project area. However, up to approximately 5 feet of soil bgs has been remediated in this area and is clean site wide. An Environmental Restrictive Covenant (ERC) for the site was recorded with Henry County on November 28, 2018. The ERC specifically prohibits the use of groundwater, but not soil. Groundwater appears to fluctuate between approximately 5 feet bgs and 10 feet bgs at the site, in the vicinity of the project area. If excavation occurs in this area, it is likely that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. Coordination with Lynette Schrowe ([lschrowe1@idem.in.gov](mailto:lschrowe1@idem.in.gov)), IDEM Institutional Controls, should occur before RFP.

Amoco (Goodwin Brothers), 250 Broad Street (AI ID 42912), was formerly the site of a gas station. The site operated as a gas station pre-1980. The LUST site is located adjacent to the west of the northern portion of the project area, in the southwest quadrant of the SR 3 and SR 38 intersection. According to the NFA Approval Pursuant to 1994 UST Branch Guidance, Issued by IDEM on January 7, 2008, soil and groundwater contamination remains on the site, and near the project area. Groundwater flow is to the southwest. If excavation occurs in this area, it is possible that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. Before proper removal and disposal of soil and/or groundwater, analysis for lead will be necessary.

Bob Morris Chevrolet (CVS), 200 South Memorial Drive (AI ID 40267), is incorrectly mapped adjacent to the west of the northern portion of the project area. The LUST site is actually located adjacent to the east of the northern portion of the project area, in the northeast quadrant of the SR 3 and Indiana Avenue intersection. Two (2) USTs were removed from the site, with remediation efforts following the removal in 1990. A letter from IDEM, dated October 7, 1991, states that low levels of contamination remain on site after remediation efforts took place. If excavation occurs in this area, it is likely that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. Before proper removal and disposal of soil and/or groundwater, analysis for lead will be necessary.

Kroger J-920, 120 South Memorial Drive (AI ID 47143), is the site of an active gas station. The site is located adjacent to the east of the northern portion of the project area, approximately 0.05 mile north of the SR 3 and Indiana Avenue intersection. The IDEM VFC did not contain any documentation indicating the presence of a LUST or that a release occurred at the site. It appears that the site is mapped incorrectly as a LUST site. IDEM conducted a UST Inspection on April 23, 2019, and the facility was found to be in compliance with equipment, operating, and maintenance requirements set forth in Indiana's UST Rule 329 IAC 9. No impact is expected.

Fast Max Sunoco (Fast Shop N Go) (BP Fueling Station), 310 South Memorial Drive (AI ID 10926), is the site of an active gas station. The site is located adjacent to the east of the northern portion of the project area, in the southeast quadrant of the SR 3 and Indiana Avenue intersection. According to the Initial Site Characterization Report, dated October 28, 2019, the extent of the petroleum contamination within the soil and groundwater is not fully delineated. Contamination appears to be present at the western portion of the site, adjacent to the project area. If excavation occurs in this area, it is likely that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. Coordination with Stephen Onochie ([sonochie@idem.in.gov](mailto:sonochie@idem.in.gov)) should occur before RFP. If groundwater monitoring wells are encountered in the project area, they should be maintained in place. If they cannot be maintained, then the contractor must contact the INDOT Project Manager who will notify the INDOT Permits Group. The INDOT Permits Group will notify the permit holder that the well must be removed prior to construction. The permit holder is responsible for coordination with IDEM and the INDOT Permits Group for replacement or relocation of the well. If a property owner cannot be found in connection with the

monitoring well, then well abandonment will be included in the project contract. All well abandonment activities must be completed by an Indiana Licensed Well Driller in accordance with IAC 312- 13-10. Regardless of whether the well is abandoned by the contractor or the property owner, a record of well abandonment, including the well driller's license number, must be provided to the INDOT Project Manager once the well has been abandoned.

Former Speedway (Emro Marketing Wake Up) #6034, 315 South Memorial Drive (AI ID 40776), was formerly the site of a gas station. The LUST site is located adjacent to the west of the northern portion of the project area, approximately 0.03 mile south of the SR 3 and Indiana Avenue intersection. According to the NFA Approval Determination Pursuant to Remediation Closure Guide, Issued by IDEM on July 25, 2018, contamination remains in the groundwater, in the vicinity of the former UST basin. An ERC for the site was recorded with Henry county on June 28, 2018. The ERC specifically prohibits the use of groundwater, but not soil. The groundwater at the site appears to fluctuate between approximately 8 feet bgs and 11 feet bgs. If excavation occurs in this area, it is likely that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. Coordination with Lynette Schrowe ([lschrowe1@idem.in.gov](mailto:lschrowe1@idem.in.gov)), IDEM Institutional Controls, should occur before RFP.

Swift Station # 175 (Marathon Star Light Food Mart), 1909 South Memorial Drive (AI ID 10989) is the site of an active gas station, established pre-1980. The icon for the LUST site is incorrectly mapped adjacent to the west side of the southern portion of the project area, approximately 0.09 mile north of the SR 3 and CR 200 (Riley Road) intersection. The LUST site is actually located adjacent to the west of the central portion of the project area, at the SR 3 and Midway Drive intersection. According to the NFA Approval Determination Pursuant to Risk Integrated System of Closure, issued by IDEM on August 10, 2011, all soil samples collected were below the Risk Integrated System of Closure (RISC). Contamination remains on the site at depths nearing approximately 20 feet bgs. An ERC for the site was recorded with Henry County on November 4, 2010. The ERC specifically prohibits the use of groundwater and restricts soil disturbance activities. If excavation occurs in this area, it is likely that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. Coordination with Lynette Schrowe ([lschrowe1@idem.in.gov](mailto:lschrowe1@idem.in.gov)), IDEM Institutional Controls, should occur before RFP.

Wake-Up #6232, 1902 South Memorial Drive (AI ID 40730), was formerly the site of a gas station pre-1980. The icon for the LUST site is incorrectly mapped adjacent to the west side of the southern portion of the project area, approximately 0.09 mile north of the SR 3 and CR 200 intersection. The LUST site is actually located adjacent to the east of the central portion of the project area, on the southeast corner the SR 3 and Parkview Drive intersection. According to the NFA Approval, issued by IDEM on September 17, 2003, the registered UST system was closed and permanently removed in October 1998. Petroleum impacted soil was over excavated and removed from the site. Soil samples collected after the excavation/removal activities indicated that no contamination was present above 20 parts per million (ppm) for total petroleum hydrocarbons (TPH), and groundwater monitoring indicated that BTEX was less than the MCL and MTBE was less than the closure level of 45 ppb. No impact is expected.

Speedway #8613, 1816 South Memorial Drive (AI ID 10941), is the site of an active gas station. The icon for the LUST site is incorrectly mapped adjacent to the west side of the southern portion of the project area. The LUST site is actually located adjacent to the east of the central portion of the project area, at the SR 3 and Parkview Drive intersection. According to the NFA Approval Pursuant to Remediation Closure Guide, issued by IDEM on April 24, 2013, the site received an unconditional closure for soil, groundwater, and vapor intrusion. No impact is expected.

Kmart #9053, 1711 South Memorial Drive (AI ID 41909). The icon for the LUST site is incorrectly mapped adjacent to the west side of the southern portion of the project area. The LUST site is actually located approximately 0.05 mile west of the central portion of the project area, approximately 0.04 mile north of the SR 3 and Parkview Drive intersection. According to the NFA, issued by IDEM on June 15, 1999, and the October 15, 1998 LUST Site Investigation Report, contamination remaining on the site is below the IDEM action levels. Groundwater is believed to flow west, away from the project area. No impact is expected.

**Restricted Waste Sites:** \*One (1) restricted waste site is located within the 0.5 mile search radius. Although the icon associated with the site, Allegheny Ludlum, 516 West SR 38 (AI ID 11941), is mapped outside of the 0.5 mile search radius, the site is actually located approximately 0.45 mile west of the northern portion of the project area. IDEM conducted an Industrial/Hazardous Waste Inspection on May 2, 2016, and the facility was found to be permanently shut down with the final hazardous waste report submitted on March 13, 2015. Inspection of the facility confirmed the property is vacant and no evidence of abandoned waste, improper disposal of waste, or a release to the environment was observed. No impact is expected.

**Tire Waste Sites:** One (1) tire waste site is located within the 0.5 mile search radius. Raintree Programs Incorporated, 403 Spring Street (AI ID 45091), is located approximately 0.05 mile north of the project area, at the SR 3 and Spring street intersection. This facility received a waste tire processing registration number on January 30, 1995. Documentation indicating evidence of abandoned waste, improper disposal of waste or a release to the environment was not found. No impact is expected.

**Brownfields:** Two (2) brownfield sites are located within the 0.5 mile search radius. The nearest brownfields site, Hayworth Property, 1101 Broad Street (AI ID 116477), is located approximately 0.43 mile east of the northern portion of the project area. No impact is expected.

**Institutional Controls:** Four (4) institutional control sites are located within the 0.5 mile search radius.

Red Barn #68 (Walgreens), 100 North Memorial Drive (AI ID 40212), was formerly the site of a gas station. The institutional controls site (unmapped) is located adjacent to the east of the northern portion of the project area, at the northeast quadrant of the SR 3 and SR 38 intersection. Please refer to the LUST Section above for additional information.

Former Speedway (Emro Marketing Wake Up) #6034, 315 South Memorial Drive (AI ID 40776), was formerly the site of a gas station. The institutional controls site (unmapped) is located adjacent to the west of the northern portion of the project area, approximately 0.03 mile south of the SR 3 and Indiana Avenue intersection. Please refer to the LUST Section above for additional information.

Doug Furbee, 715 South Memorial Drive (AI ID 45512), is located adjacent to the west of the northern portion of the project area, approximately 0.10 mile north of the SR 3 and Cherry Street intersection. Please refer to the State Cleanup Section above for additional information.

Star Light Food Mart (Swift Station # 175), 1909 South Memorial Drive (AI ID 10989) was formerly the site of a gas station pre-1980. The institutional controls site is located adjacent to the west of the central portion of the project area, at the SR 3 and Midway Drive intersection. Please refer to the LUST Section above for additional information.

**National Pollutant Discharge Elimination System (NPDES) Facilities:** Eight (8) NPDES facilities are located within the 0.5 mile search radius. Two (2) NPDES facilities are mapped adjacent to the project area. According to the IDEM stormwater permitting website (<https://stormwater.idem.in.gov/nsite>), two (2) NPDES facilities are in the vicinity of the project area and have permits in effect.

Storage Prime New Castle (unmapped), 1501 South Memorial Drive (AI ID 126539), INRA05189, is located adjacent to the west of the central portion of the project area, approximately 0.31 mile north of the SR 3 and Parkview Drive intersection. The permit for this facility expires on January 8, 2025. Coordination with Storage Prime New Castle will occur.

South Industrial Park Interceptor Project, Spiceland Road and Memorial Drive (AI ID 120375), is located adjacent to the west of the southern portion of the project area, at the SR 3 and Spiceland Road intersection. The permit for this facility expires on March 4, 2023. Coordination with the City of New Castle will occur.



**NPDES Pipe Locations:** Seven (7) NPDES pipes are located within the 0.5 mile search radius. The nearest NPDES pipe is located adjacent to the west of the central portion of the project area, at the SR 3 and Spiceland Road intersection. Coordination with the New Castle WWTP will occur.

## **ECOLOGICAL INFORMATION SUMMARY**

The Henry County listing of the Indiana Natural Heritage Data Center information on endangered, threatened, or rare (ETR) species and high quality natural communities are provided at [https://www.in.gov/dnr/naturepreserve/files/np\\_henry.pdf](https://www.in.gov/dnr/naturepreserve/files/np_henry.pdf). A preliminary review of the Indiana Natural Heritage Database by INDOT Environmental Services did not indicate the presence of ETR species within the 0.5 mile search radius. Coordination with the United States Fish and Wildlife Service (USFWS) and Indiana Department of Natural Resources (IDNR) will occur.

A review of the USFWS database did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. The project area is located in an urban area surrounded by industrial properties and residential properties. The August 26, 2020, inspection report for Culvert CV 003-033-112.57 states that no evidence of bats was seen or heard in the culvert. The existing 24-inch diameter corrugated metal drainage structure, located approximately 0.07 mile north of Pleasantview Drive, will require additional investigation to confirm the presence or absence of bats in the culvert. The range-wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation for INDOT Projects".

## **RECOMMENDATIONS SECTION**

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

Due to the presence of the drainage structures, coordination with INDOT ESD Ecology and Waterway Permitting will occur.

### **INFRASTRUCTURE:**

**Religious Facilities:** Two (2) religious facilities, the First Assembly of God (unmapped) and the South Memorial Drive Church of God (unmapped), are located adjacent to the east of the southern portion of the project area. The only access roads to the religious facility, the Kingdom Hall of Jehovah's Witness (unmapped), are located off SR 3 to the east, within the southern portion project area. Coordination with the First Assembly of God, the South Memorial Drive Church of God, and the Kingdom Hall of Jehovah's Witness will occur.

**Airports:** One (1) public-use airport, New Castle-Henry County Municipal, is located within 3.8 miles (20,000 feet) of the project area. The public-use airport is located approximately 2.9 mile southeast of the project area; therefore, early coordination with INDOT Aviation will occur.

**Cemeteries:** Two (2) cemeteries are located adjacent to the project area. South Mound Cemetery is located adjacent to the east and west of the central portion of the project area. Elliot Cemetery is located adjacent to the west of the southern portion of the project area. A Cemetery Development Plan may be required since this project is within 100 feet of both cemeteries. Coordination with INDOT Cultural Resources will occur.

**Recreational Facilities:** One (1) recreational facility, Your Park, is located adjacent to the east of the northern portion project area. Coordination with the New Castle Parks Department will occur.

**Pipelines:** Two (2) pipeline segments, associated with the Indiana Gas Company Incorporated, are located within the project area. One (1) pipeline segment is located within the central portion of the project area and one (1) pipeline

segment is located within the southern portion of the project area. Coordination with INDOT Utilities and Railroads should occur.

**Trails:** Three (3) trail segments, New Castle Share Use Paths (all potential trails), are located within the project area; one (1) trail segment is located in the northern portion of the project area, one (1) trail segment located in the central portion of the project area, and one (1) trail segment within all three (3) portions of the project area. Coordination with the City of New Castle will occur.

**WATER RESOURCES:** The presence of the following water resources will require the preparation of a Waters of the US Report and coordination with INDOT ESD Ecology and Waterway Permitting:

- **Rivers and Streams:** Three (3) stream segments intersect the project area; Two (2) stream segments, Mound Run and Elliott Run, intersect the central portion of the project area and one (1) stream segment, Elliott Cemetery Run, intersects the southern portion of the project area.
- **NWI – Wetlands:** Four (4) NWI-wetland polygons are located within, or adjacent to, the project area. Two (2) NWI-wetland polygons are located in the central portion of the project area, one (1) NWI-wetland polygon is located in the southern portion of the project area, and one (1) NWI-wetland polygon is located adjacent to the south of the project area
- **Floodplain – DFIRM:** Two (2) floodplain-DFIRM polygons are located within the project area; One (1) floodplain-DFIRM polygon is located within the northern portion of the project area and one (1) floodplain-DFIRM polygon is located within the central portion of the project area (coordination only).

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS:

**State Cleanup/VRP/Institutional Control Sites:**

Doug Furbee, 715 South Memorial Drive (AI ID 45512), is incorrectly mapped adjacent to the west of the central portion of the project area, approximately 0.12 mile south of the SR 3 and Cherry Street intersection. The site is actually located adjacent to the west of the northern portion of the project area, approximately 0.10 mile north of the SR 3 and Cherry Street intersection. The site was also programmed under the Voluntary Remediation Program (VRP), with remediation efforts being completed under the VRP. The site received a Certification of Completion, issued by IDEM on November 18, 2002, and a Covenant Not to Sue, issued by IDEM on June 25, 2003. Low levels of petroleum contamination in the groundwater and soil remain on the site, and groundwater flow is to the northwest. If excavation occurs in this area, proper handling, removal, and disposal of soil and/or groundwater may be necessary. Before proper removal and disposal of soil and/or groundwater, analysis for lead will be necessary. A deed notice was recorded on the site on December 18, 2002. Coordination with Lynette Schrowe ([lschrowe1@idem.in.gov](mailto:lschrowe1@idem.in.gov)), IDEM Institutional Controls, should occur before RFP.

**UST Sites:**

Q Lube, 1464 South Memorial Drive (AI ID 40660), is incorrectly mapped within the central portion of the project area, at the SR 3 and Parkside Drive intersection. The UST site is actually located adjacent to the east of the central portion of the project area, approximately 0.36 mile north of the SR 3 and Parkview Drive intersection. The site is currently operating as an automotive oil change facility. Documentation regarding the current status of the bulk oil and spent oil USTs was not found. A Phase II Environmental Site Assessment is recommended. Prior to any investigation activities, a scope of work plan will be prepared and submitted to INDOT SAM for review and approval.

**UST/LUST Sites:** Amoco (Goodwin Brothers), 250 Broad Street (AI ID 42912), was formerly the site of a gas station. The site operated as a gas station pre-1980. The LUST site is located adjacent to the west of the northern portion of

the project area, in the southwest quadrant of the SR 3 and SR 38 intersection. According to the NFA Approval Pursuant to 1994 UST Branch Guidance, Issued by IDEM on January 7, 2008, soil and groundwater contamination remains on the site, and near the project area. Groundwater flow is to the southwest. If excavation occurs in this area, it is possible that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. Before proper removal and disposal of soil and/or groundwater, analysis for lead will be necessary.

#### **LUST Sites:**

Bob Morris Chevrolet (CVS), 200 South Memorial Drive (AI ID 40267), is incorrectly mapped adjacent to the west of the northern portion of the project area. The LUST site is actually located adjacent to the east of the northern portion of the project area, in the northeast quadrant of the SR 3 and Indiana Avenue intersection. Two (2) USTs were removed from the site, with remediation efforts following the removal in 1990. A letter from IDEM, dated October 7, 1991, states that low levels of contamination remain on site after remediation efforts took place. If excavation occurs in this area, it is likely that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. Before proper removal and disposal of soil and/or groundwater, analysis for lead will be necessary.

Fast Max Sunoco (Fast Shop N Go) (BP Fueling Station), 310 South Memorial Drive (AI ID 10926), is the site of an active gas station. The site is located adjacent to the east of the northern portion of the project area, in the southeast quadrant of the SR 3 and Indiana Avenue intersection. According to the Initial Site Characterization Report, dated October 28, 2019, the extent of the petroleum contamination within the soil and groundwater is not fully delineated. Contamination appears to be present at the western portion of the site, adjacent to the project area. If excavation occurs in this area, it is likely that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. Coordination with Stephen Onochie ([sonochie@idem.in.gov](mailto:sonochie@idem.in.gov)) should occur before RFP. If groundwater monitoring wells are encountered in the project area, they should be maintained in place. If they cannot be maintained, then the contractor must contact the INDOT Project Manager who will notify the INDOT Permits Group. The INDOT Permits Group will notify the permit holder that the well must be removed prior to construction. The permit holder is responsible for coordination with IDEM and the INDOT Permits Group for replacement or relocation of the well. If a property owner cannot be found in connection with the monitoring well, then well abandonment will be included in the project contract. All well abandonment activities must be completed by an Indiana Licensed Well Driller in accordance with IAC 312-13-10. Regardless of whether the well is abandoned by the contractor or the property owner, a record of well abandonment, including the well driller's license number, must be provided to the INDOT Project Manager once the well has been abandoned.

#### **LUST/Institutional Control Sites:**

Red Barn #68 (Walgreens), 100 North Memorial Drive (AI ID 40212), was formerly the site of a gas station. The LUST site is located adjacent to the east of the northern portion of the project area, in the northeast quadrant of the SR 3 and SR 38 intersection. According to the No Further Action (NFA) Approval Pursuant to Remediation Closure Guide, issued by IDEM on December 19, 2018, contamination remains on the site at the southwest corner, near the project area. However, up to approximately 5 feet of soil bgs has been remediated in this area and is clean site wide. An Environmental Restrictive Covenant (ERC) for the site was recorded with Henry County on November 28, 2018. The ERC specifically prohibits the use of groundwater, but not soil. Groundwater appears to fluctuate between approximately 5 feet bgs and 10 feet bgs at the site, in the vicinity of the project area. If excavation occurs in this area, it is likely that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. Coordination with Lynette Schrowe ([lschrowe1@idem.in.gov](mailto:lschrowe1@idem.in.gov)), IDEM Institutional Controls, should occur before RFP.

Former Speedway (Emro Marketing Wake Up) #6034, 315 South Memorial Drive (AI ID 40776), was formerly the site of a gas station. The LUST site is located adjacent to the west of the northern portion of the project area, approximately 0.03 mile south of the SR 3 and Indiana Avenue intersection. According to the NFA Approval Determination Pursuant to Remediation Closure Guide, Issued by IDEM on July 25, 2018, contamination remains in the groundwater, in the vicinity of the former UST basin. An ERC for the site was recorded with Henry county on June 28, 2018. The ERC



specifically prohibits the use of groundwater, but not soil. The groundwater at the site appears to fluctuate between approximately 8 feet bgs and 11 feet bgs. If excavation occurs in this area, it is likely that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. Coordination with Lynette Schrowe (lschrowe1@idem.in.gov), IDEM Institutional Controls, should occur before RFP.

Swift Station # 175 (Marathon Star Light Food Mart), 1909 South Memorial Drive (AI ID 10989) is the site of an active gas station, established pre-1980. The icon for the LUST site is incorrectly mapped adjacent to the west side of the southern portion of the project area, approximately 0.09 mile north of the SR 3 and CR 200 (Riley Road) intersection. The LUST site is actually located adjacent to the west of the central portion of the project area, at the SR 3 and Midway Drive intersection. According to the NFA Approval Determination Pursuant to Risk Integrated System of Closure, issued by IDEM on August 10, 2011, all soil samples collected were below the Risk Integrated System of Closure (RISC). Contamination remains on the site at depths nearing approximately 20 feet bgs. An ERC for the site was recorded with Henry County on November 4, 2010. The ERC specifically prohibits the use of groundwater and restricts the soil disturbance activities. If excavation occurs in this area, it is likely that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. Coordination with Lynette Schrowe (lschrowe1@idem.in.gov) should occur before RFP.

**NPDES Facilities:**

Storage Prime New Castle (unmapped), 1501 South Memorial Drive (AI ID 126539), INRA05189, is located adjacent to the west of the central portion of the project area, approximately 0.31 mile north of the SR 3 and Parkview Drive intersection. The permit for this facility expires on January 8, 2025. Coordination with Storage Prime New Castle will occur.

South Industrial Park Interceptor Project, Spiceland Road and Memorial Drive (AI ID 120375), is located adjacent to the west of the southern portion of the project area, at the SR 3 and Spiceland Road intersection. The permit for this facility expires on March 4, 2023. Coordination with the City of New Castle will occur.

**NPDES Pipe Locations:**

The nearest NPDES pipe is located adjacent to the west of the central portion of the project area, at the SR 3 and Spiceland Road intersection. Coordination with the New Castle WWTP will occur.

ECOLOGICAL INFORMATION: Coordination with USFWS and IDNR will occur. The existing 24-inch diameter corrugated metal drainage structure, located approximately 0.07 mile north of Pleasantview Drive, will require additional investigation to confirm the presence or absence of bats in the culvert. The range-wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation for INDOT Projects".

INDOT Environmental Services concurrence: Marlene Mathas Digitally signed by Marlene Mathas  
Date: 2021.05.26 13:12:39 -04'00' (Signature)

Prepared by:

Cameron Fraser  
NEPA Specialist  
RQAW Corporation

**Graphics:**

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

SITE LOCATION: YES

INFRASTRUCTURE: YES

WATER RESOURCES: YES

MINING/MINERAL EXPLORATION: YES

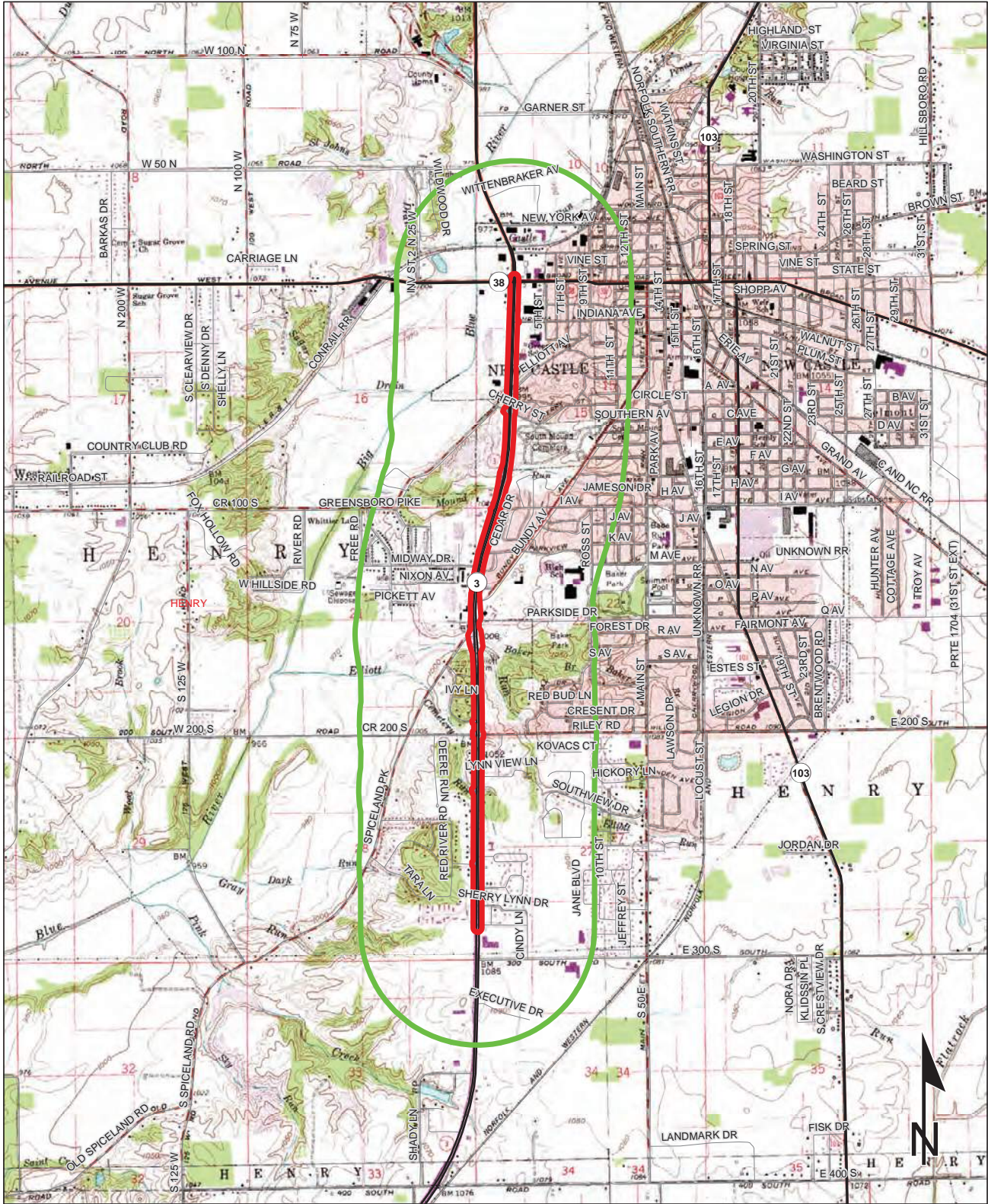
HAZARDOUS MATERIAL CONCERNS: YES

**Note: After the RFI was concurred by INDOT SAM, it was determined that temporary right-of-way would be needed. Because the temporary right-of-way will be needed within the RFI footprint already examined, the RFI was not updated.**

**Additionally, a supplemental desktop review of GIS and available public records was completed on January 24, 2024, by RQAW due to the RFI approval exceeding one year. No additional sites with hazardous material concerns (hazmat sites) or sites involved with regulated substances were identified near the project area. Further investigation for hazardous material concerns or regulated substances is not required at this time.**



Red Flag Investigation - Site Location  
 SR 3, 3.14 miles north of I-70 to SR 38  
 Des. No. 1593230 and 1902175, HMA Overlay  
 Henry County, Indiana



Sources: 0.55 0.275 0 0.55 Miles  
**Non Orthophotography**  
**Data** - Obtained from the State of Indiana Geographical Information Office Library  
**Orthophotography** - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
**Map Projection:** UTM Zone 16 N **Map Datum:** NAD83  
 This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

NEW CASTLE WEST & NEW  
 CASTLE EAST QUADRANGLES  
 INDIANA  
 7.5 MINUTE SERIES  
 (TOPOGRAPHIC)

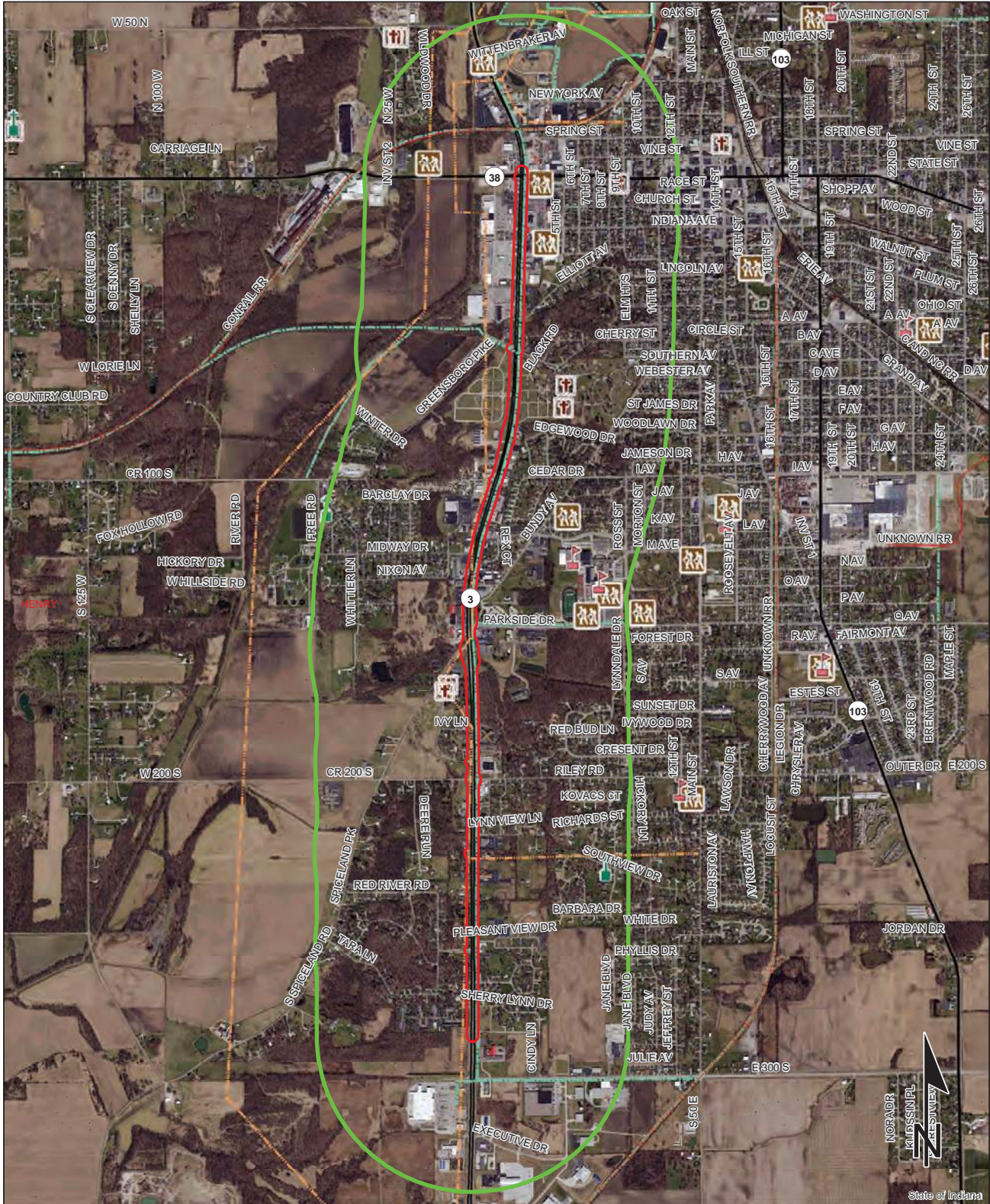


# Red Flag Investigation - Infrastructure

## SR 3, 3.14 Miles North of I-70 to SR 38

### Des. No. 1593230 and 1902175, HMA Overlay

#### Henry County, Indiana



**Sources:**  
**Non Orthophotography**  
**Data** - Obtained from the State of Indiana Geographical Information Office Library  
**Orthophotography** - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
**Map Projection:** UTM Zone 16 N **Map Datum:** NAD83

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

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

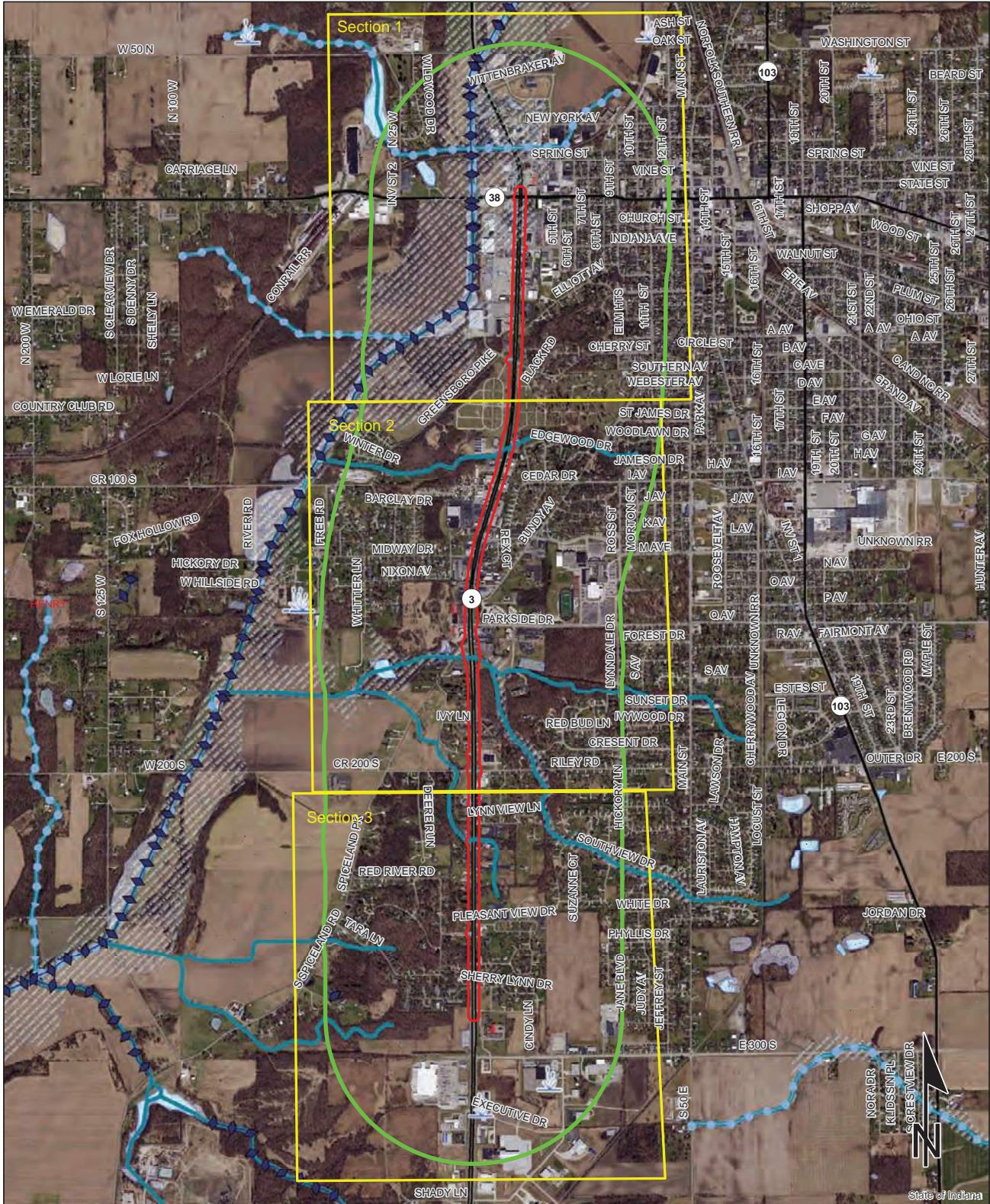


# Red Flag Investigation - Water Resources

## SR 3, 3.14 Miles North of I-70 to SR 38

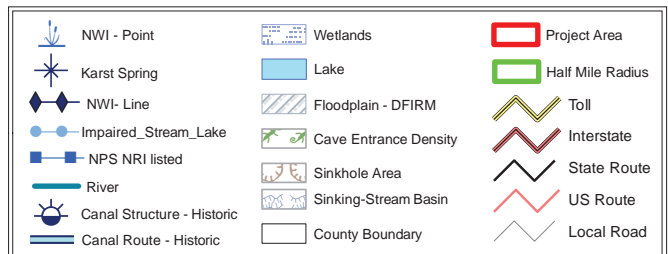
### Des. No. 1593230 and 1902175, HMA Overlay

#### Henry County, Indiana



**Sources:**  
**Non Orthophotography**  
**Data** - Obtained from the State of Indiana Geographical Information Office Library  
**Orthophotography** - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
**Map Projection:** UTM Zone 16 N **Map Datum:** NAD83

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



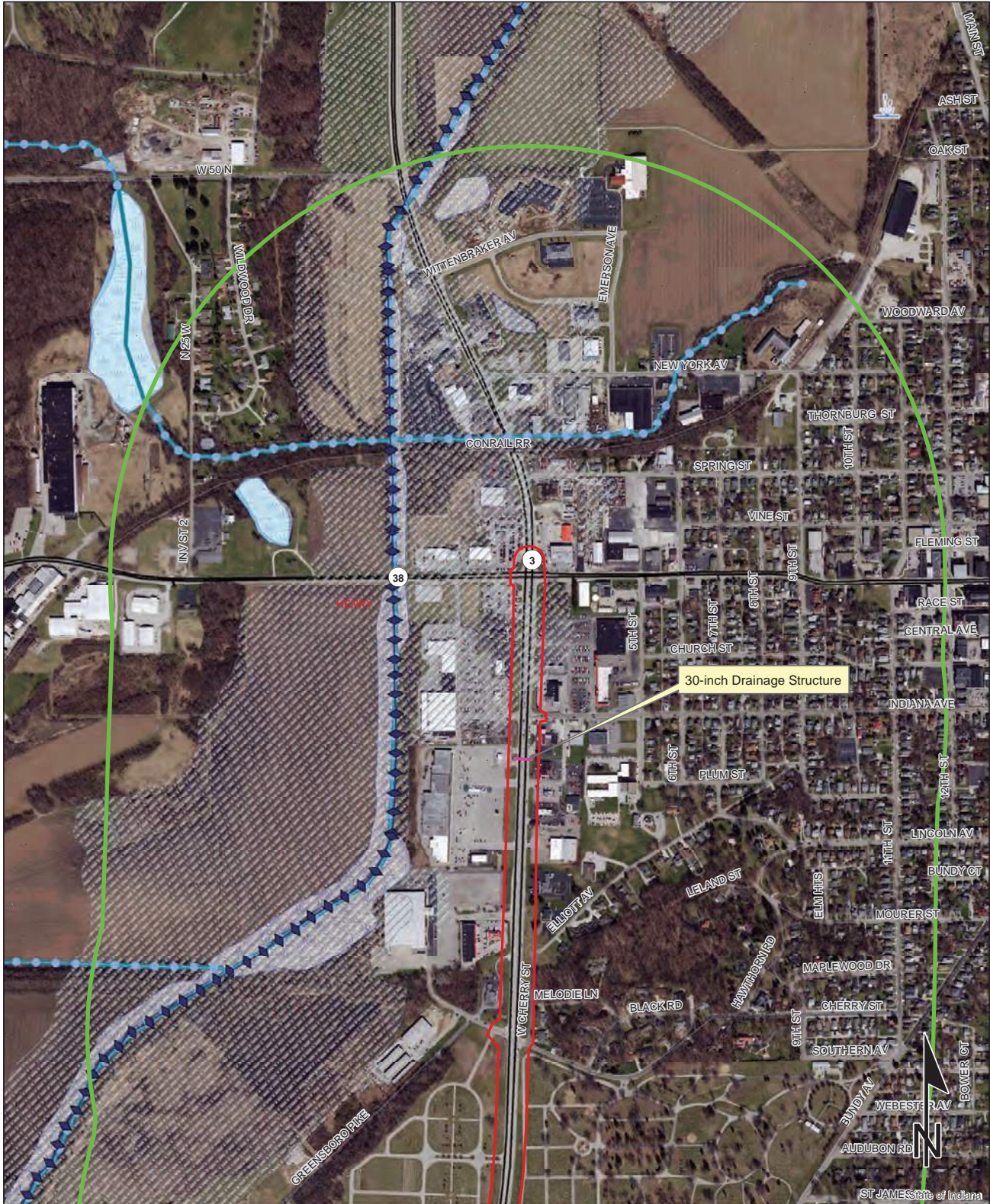


# Red Flag Investigation - Water Resources (Section 1)

## SR 3, 3.14 miles north of I-70 to SR 38

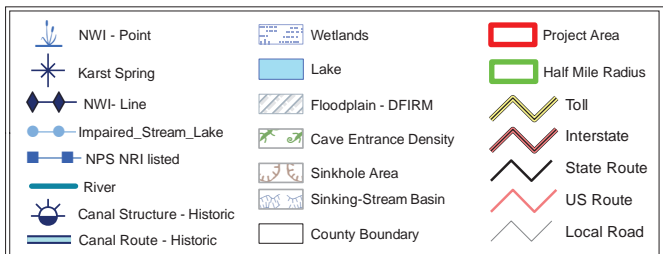
### Des. No. 1593230 and 1902175, HMA Overlay

#### Henry County, Indiana



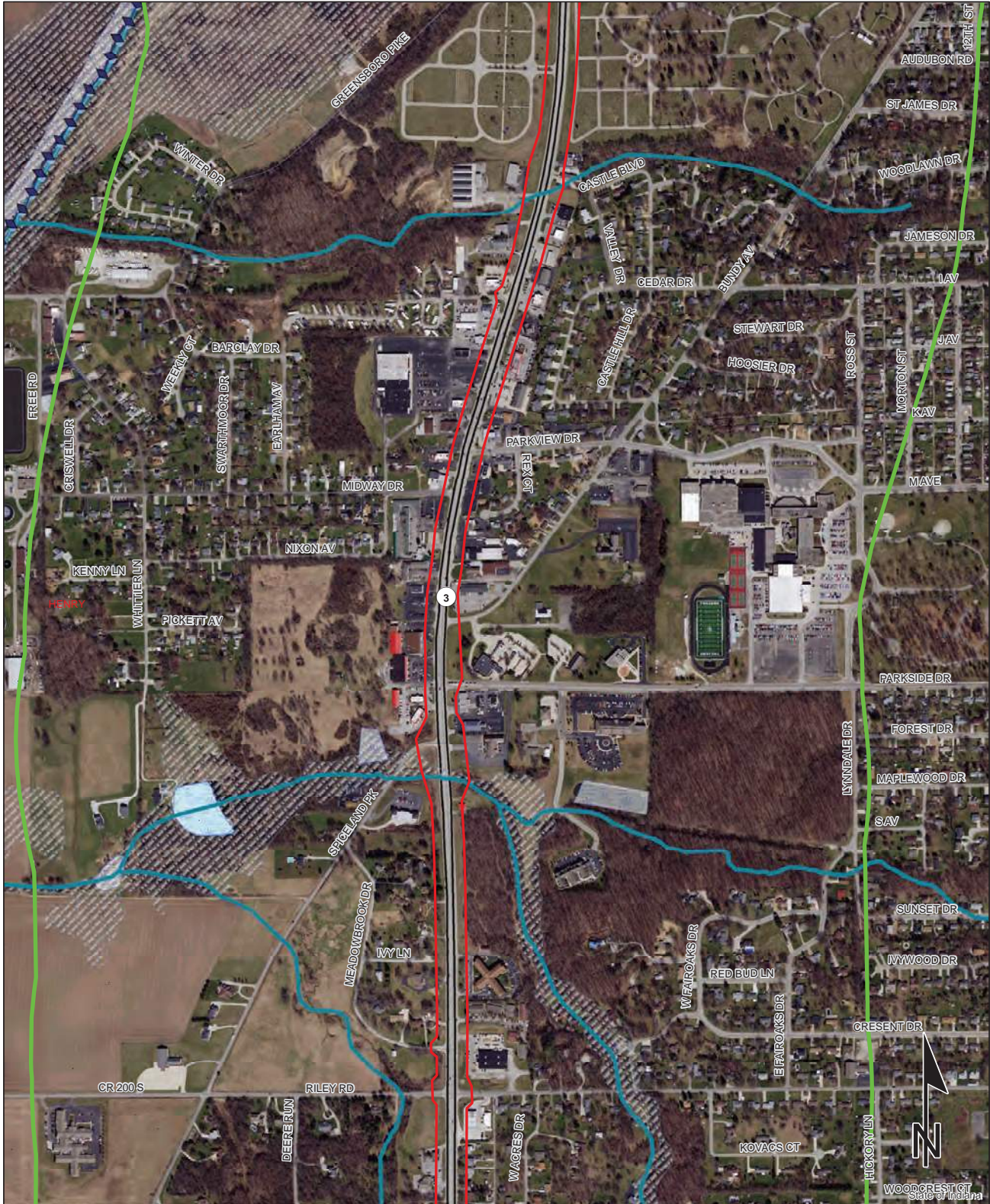
**Sources:**  
**Non Orthophotography**  
**Data** - Obtained from the State of Indiana Geographical Information Office Library  
**Orthophotography** - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
**Map Projection:** UTM Zone 16 N **Map Datum:** NAD83

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

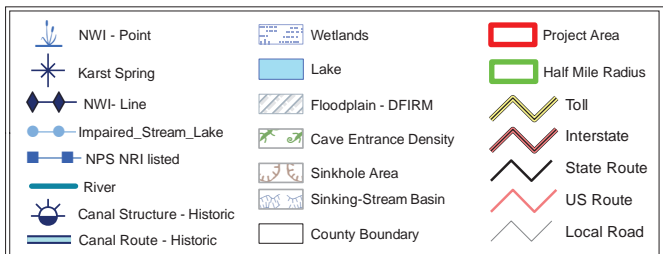




Red Flag Investigation - Water Resources (Section 2)  
 SR 3, 3.14 Miles North of I-70 to SR 38  
 Des. No. 1593230 and 1902175, HMA Overlay  
 Henry County, Indiana

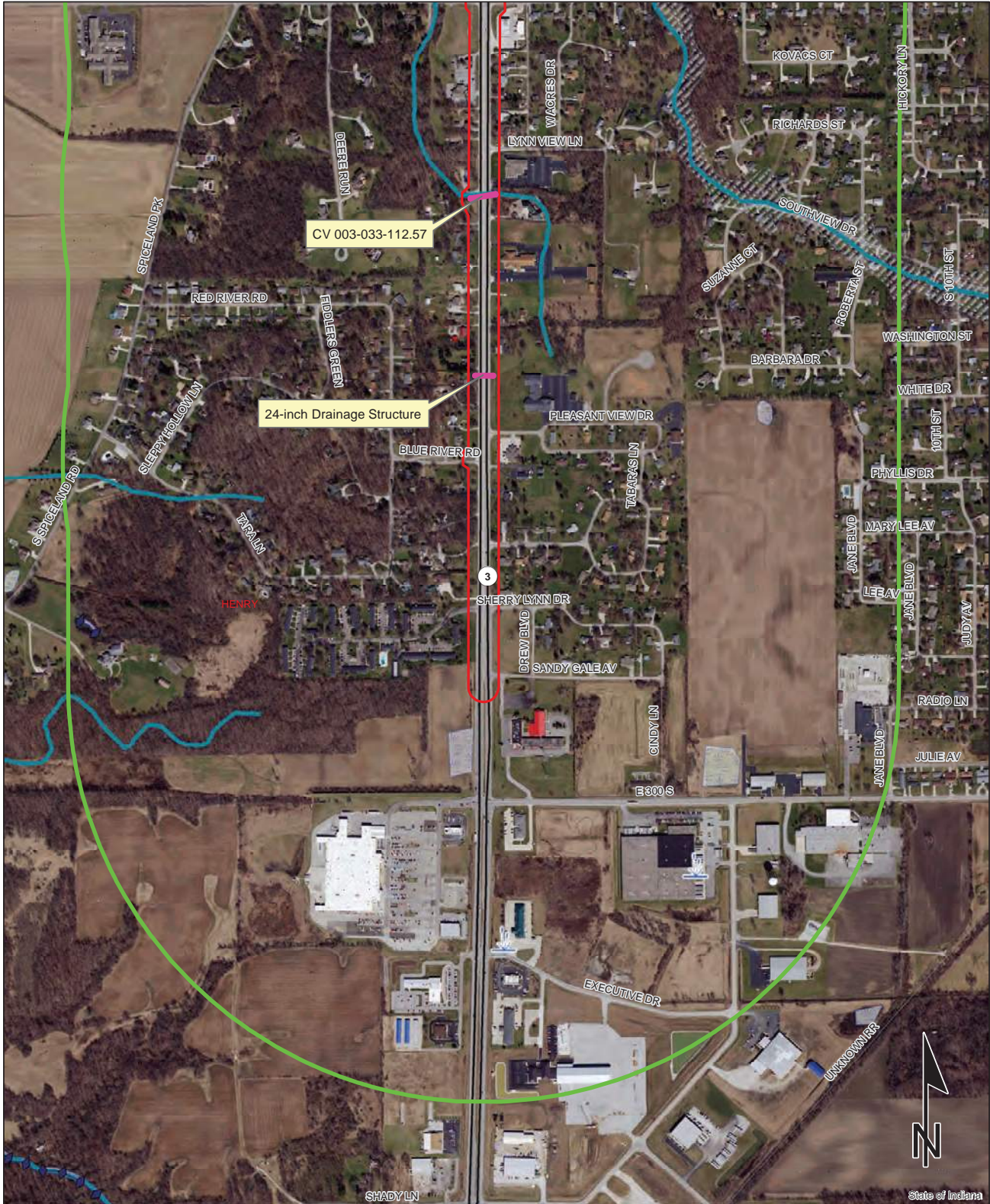


Sources: 0.15 0.075 0 0.15 Miles  
**Non Orthophotography**  
 Data - Obtained from the State of Indiana Geographical Information Office Library  
**Orthophotography** - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
 Map Projection: UTM Zone 16 N Map Datum: NAD83  
 This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

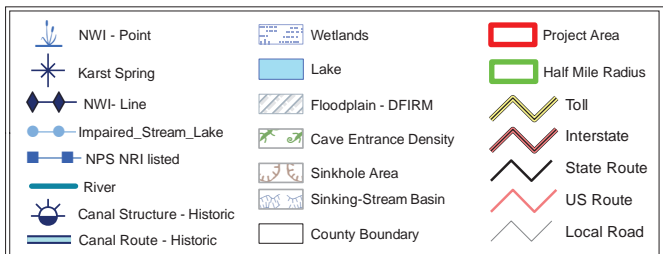




Red Flag Investigation - Water Resources (Section 3)  
 SR 3, 3.14 Miles North of I-70 to SR 38  
 Des. No. 1593230 and 1902175, HMA Overlay  
 Henry County, Indiana

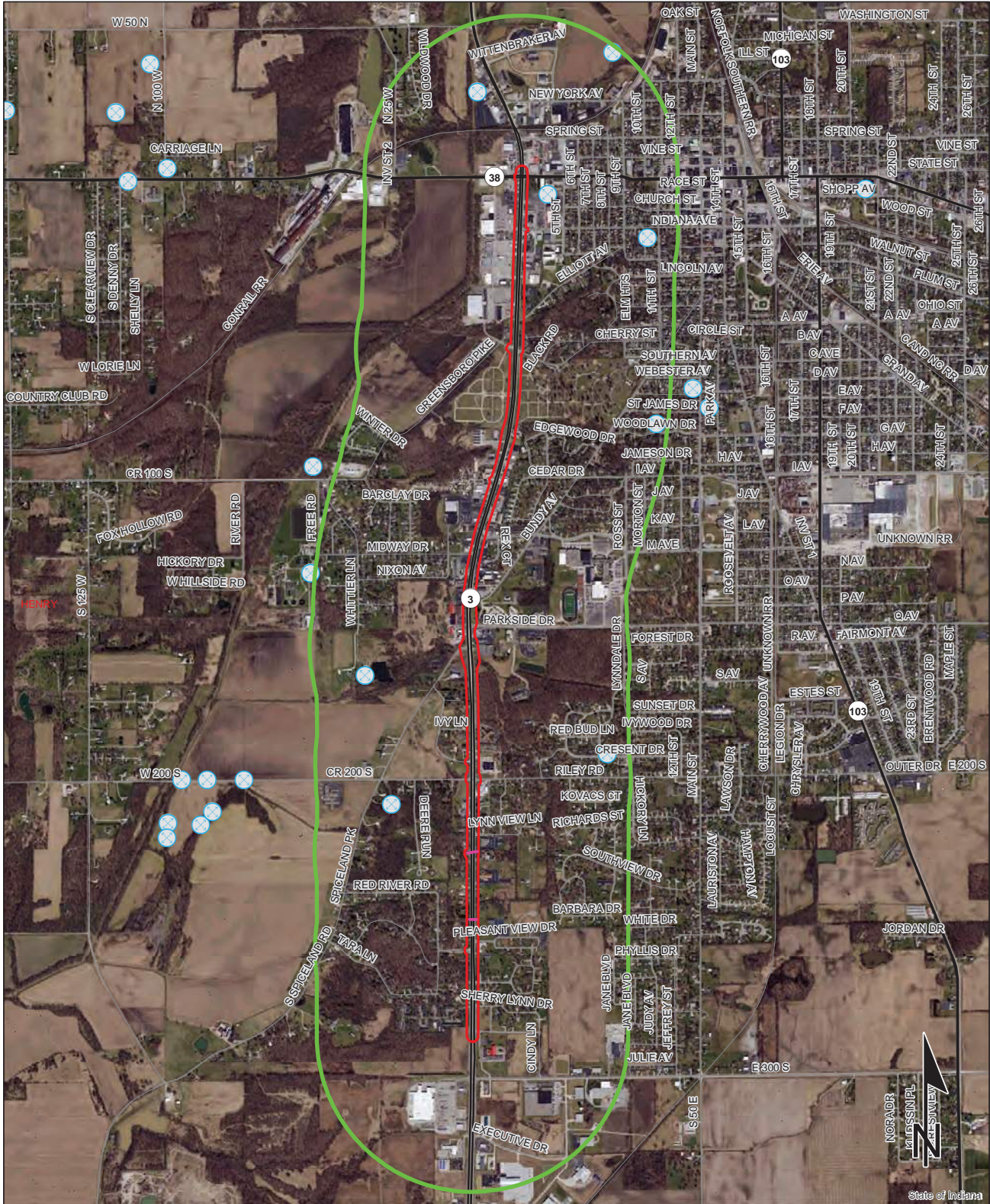


Sources: 0.15 0.075 0 0.15 Miles  
**Non Orthophotography**  
 Data - Obtained from the State of Indiana Geographical Information Office Library  
**Orthophotography** - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
 Map Projection: UTM Zone 16 N Map Datum: NAD83  
 This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.



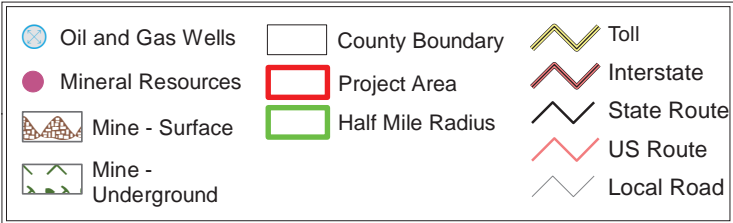


Red Flag Investigation - Mining/Mineral Exploration  
 SR 3, 3.14 Miles North of I-70 to SR 38  
 Des. No. 1593230 and 1902175, HMA Overlay  
 Henry County, Indiana



Sources:  
 Non Orthophotography  
 Data - Obtained from the State of Indiana Geographical Information Office Library  
 Orthophotography - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
 Map Projection: UTM Zone 16 N Map Datum: NAD83

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



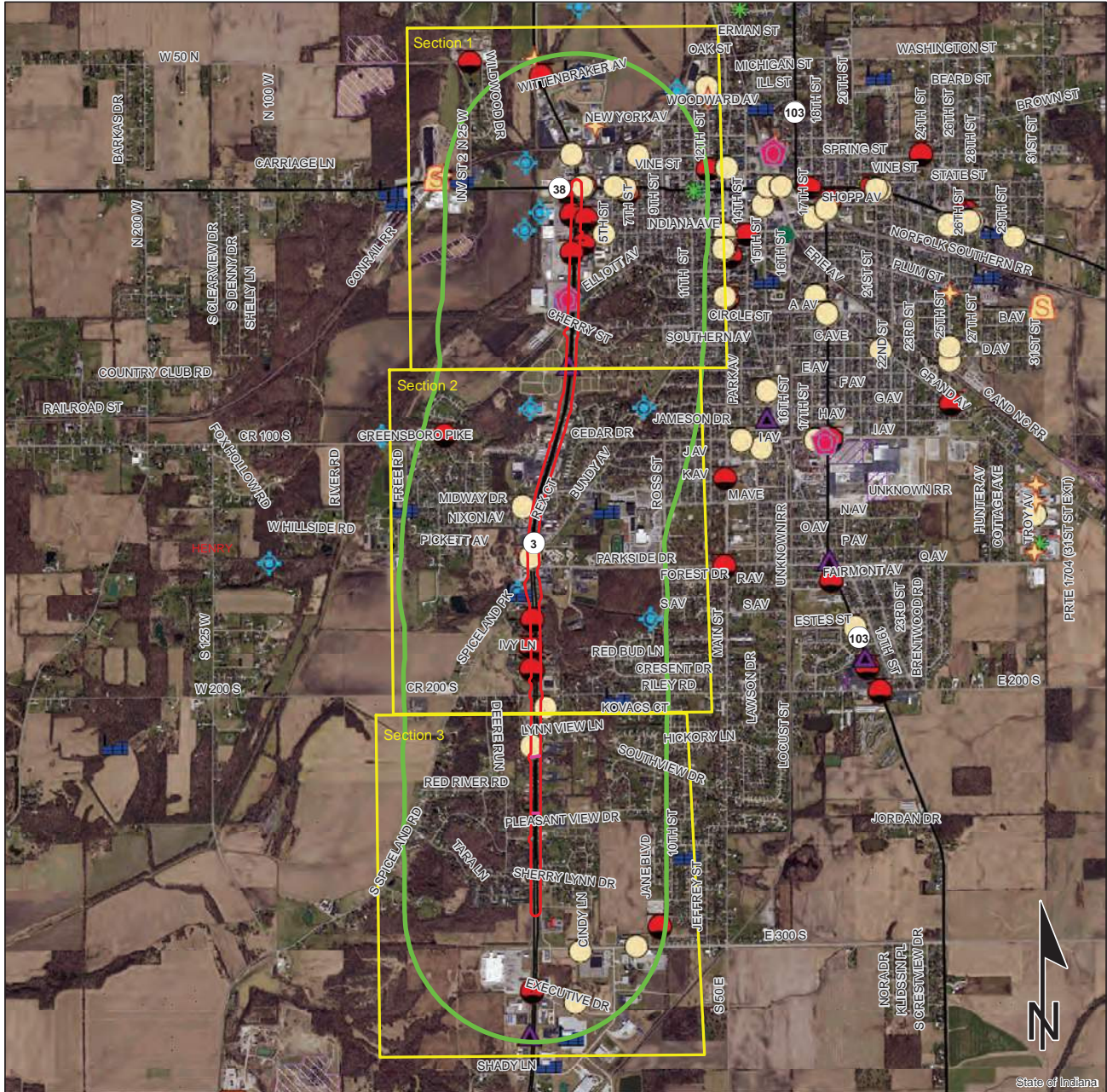


# Red Flag Investigation - Hazardous Material Concerns

## SR 3, 3.14 Miles North of I-70 to SR 38

### Des. No. 1593230 and 1902175, HMA Overlay

#### Henry County, Indiana



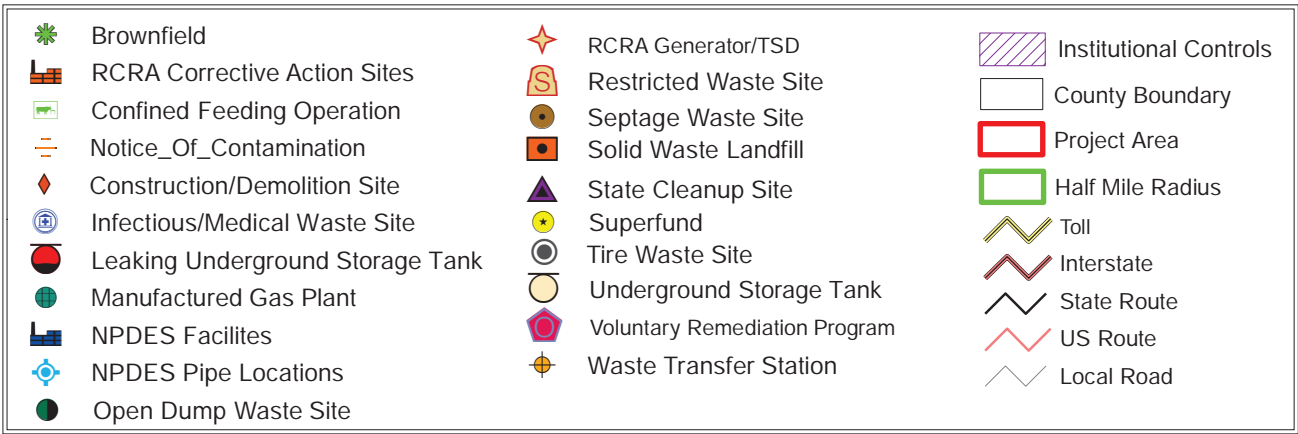
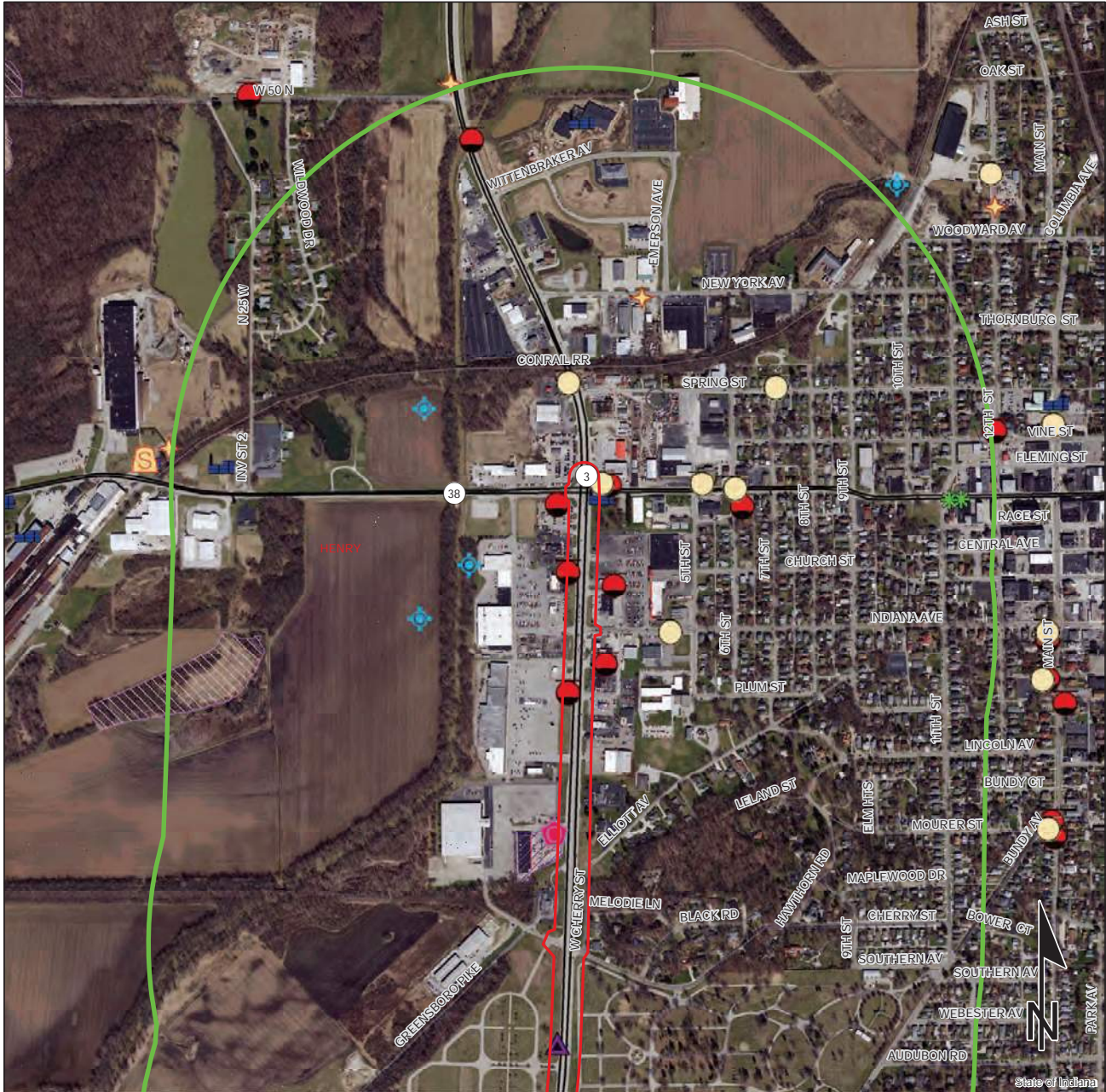
	Brownfield		RCRA Generator/TSD		Institutional Controls
	RCRA Corrective Action Sites		Restricted Waste Site		County Boundary
	Confined Feeding Operation		Septage Waste Site		Project Area
	Notice_of_Contamination		Solid Waste Landfill		Half Mile Radius
	Construction/Demolition Site		State Cleanup Site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



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



Red Flag Investigation - Hazardous Material Concerns (Section 1)  
 SR 3, 3.14 Miles North of I-70 to SR 38  
 Des. No. 1593230 and 1902175, HMA Overlay  
 Henry County, Indiana



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

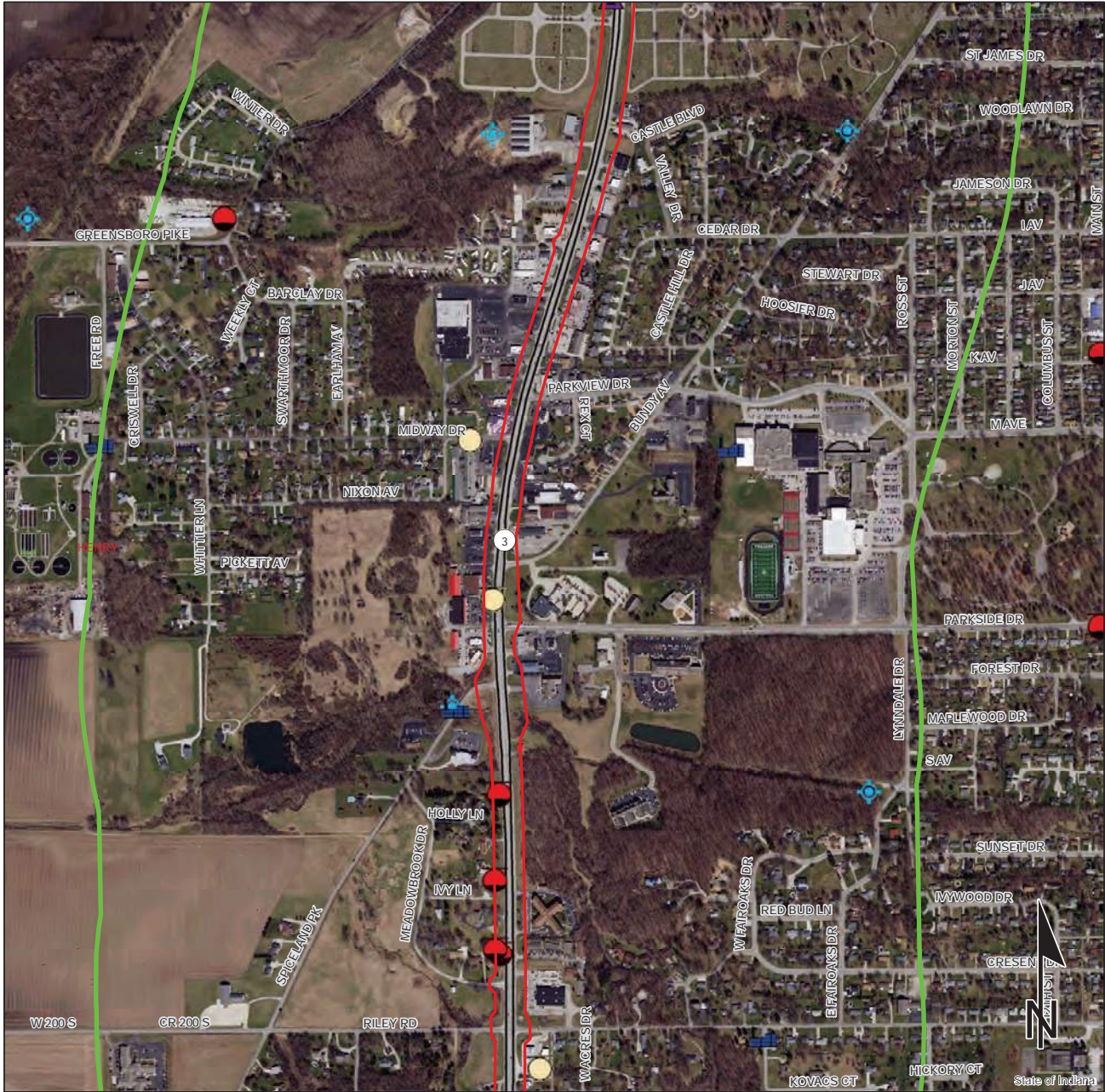


# Red Flag Investigation - Hazardous Material Concerns (Section 2)

## SR 3, 3.14 Miles North of I-70 to SR 38

### Des. No. 1593230 and 1902175, HMA Overlay

#### Henry County, Indiana



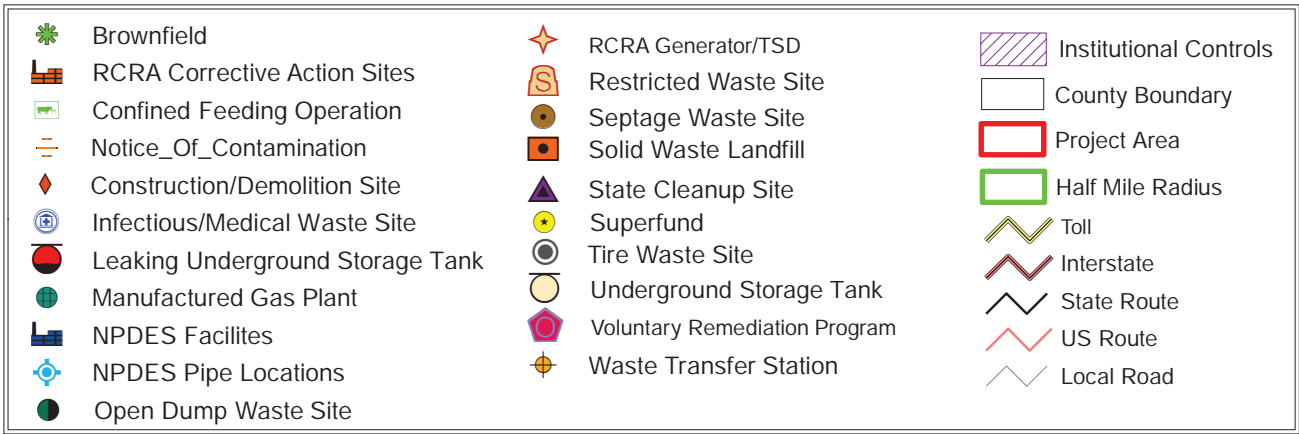
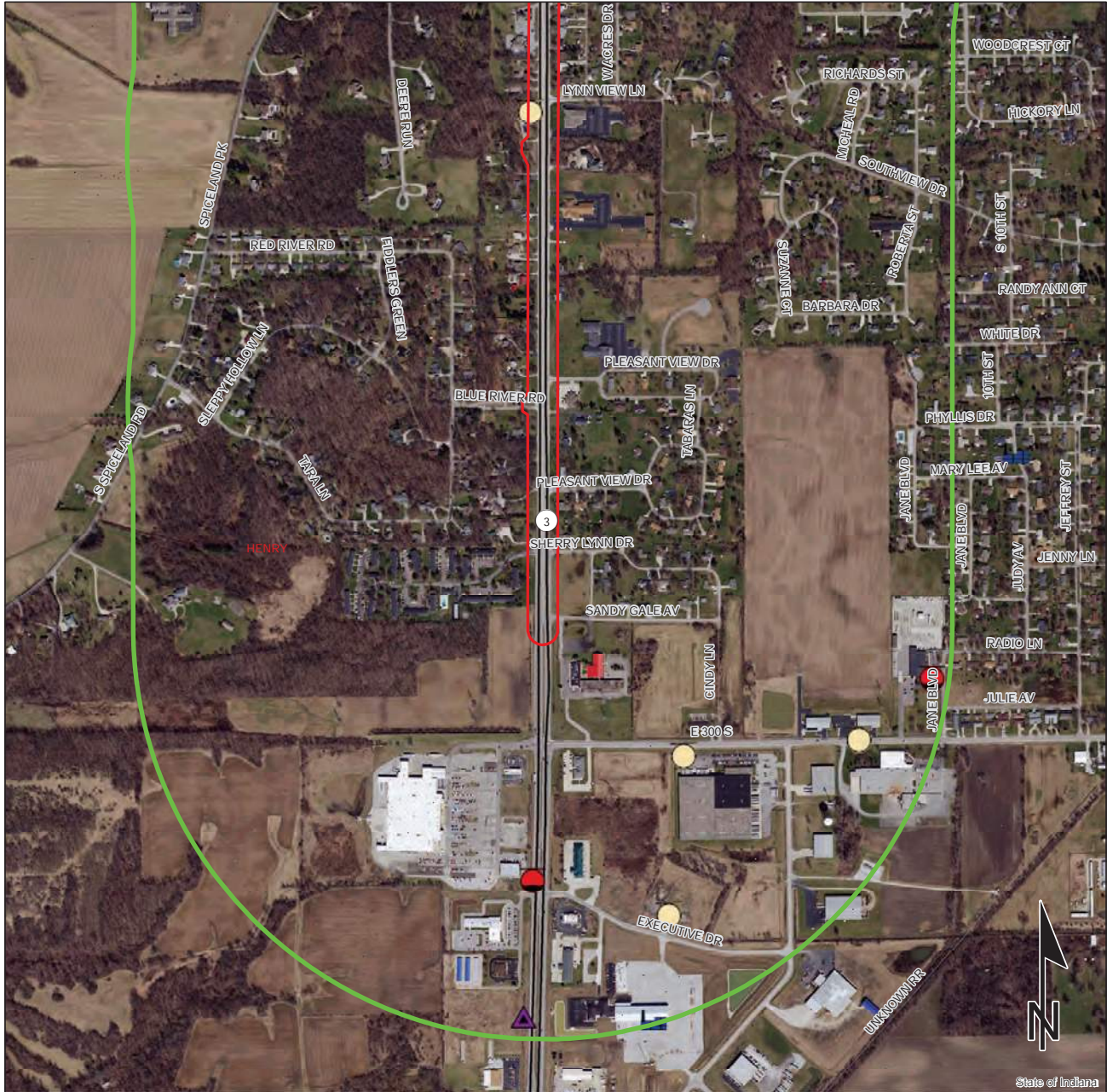
	Brownfield		RCRA Generator/TSD		Institutional Controls
	RCRA Corrective Action Sites		Restricted Waste Site		County Boundary
	Confined Feeding Operation		Septage Waste Site		Project Area
	Notice_of_Contamination		Solid Waste Landfill		Half Mile Radius
	Construction/Demolition Site		State Cleanup Site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

0.15 0.075 0 0.15  
Miles

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



Red Flag Investigation - Hazardous Material Concerns (Section 3)  
 SR 3, 3.14 Miles North of I-70 to SR 38  
 Des. No. 1593230 and 1902175, HMA Overlay  
 Henry County, Indiana



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



September 17, 2021

Ms. Marlene Mathas  
INDOT Environmental Services Division  
Environmental Policy Office  
Indianapolis, Indiana  
[Mmathas@indot.IN.gov](mailto:Mmathas@indot.IN.gov)

**Re: Phase II ESA Scope-of-Work  
Pavement Reconstruction  
SR 3 near 1464 S. Memorial Dr.  
New Castle, Henry County, IN  
INDOT Des No. 1593230  
SESCO Project #11656**

Dear Ms. Mathas,

SESCO Group (SESCO) is pleased to provide you with this summary of the Phase II Environmental Site Assessment (ESA) activities performed in association with the above referenced Project Area. A topographic map depicting the entire Project Area is included as **Figure 1**.

The soil sampling was performed in response to the findings of a May 25, 2021, *Red Flag Investigation* (RFI) for INDOT Des. No. 1593230 and Des No. 1902175 that identified a Q-Lube automotive oil change facility located at 1464 S. Memorial Drive with undocumented status of the bulk oil and spent oil underground storage tanks (USTs).

### **Soil Sampling Activities**

SESCO mobilized to the Project Area on August 12, 2021, to advance a total of two (2) soil borings (SB-1 and SB-2) to a depth of 20 feet below ground surface (bgs). The sample locations are depicted on **Figure 2**.

The soil borings were installed using a track-mounted Geoprobe® 6610 DT drilling rig equipped with direct-push technology. The subsurface geology was primarily sand or sandy clay to 12 to 13 feet bgs, followed by sand and clayey silt to 20 feet bgs. Groundwater was encountered at approximately 12 to 16 feet bgs. The soil boring locations are depicted on **Figure 2** and **Figure 3**. Boring logs have been included in **Appendix A**.

Soil samples collected from each boring were field screened to determine the presence or absence of volatile constituents using a photoionization detector (PID) and visual evidence, such as staining, and/or odors. One (1) soil sample was collected from each boring at the interval that appeared to be most likely

impacted based on field screening. Additionally, one (1) groundwater sample was collected from each boring via temporary piezometers.

Soil and groundwater samples collected from SB-1 and SB-2 were submitted to Envision Laboratories of Indianapolis, Indiana for analysis of Volatile Organic Compounds (VOCs) using USEPA Test Method 8260, Polycyclic Aromatic Hydrocarbons (PAHs) using USEPA Test Method 8270SIM and RCRA Metals 6010B (no Arsenic). The groundwater samples were lab filtered and analyzed for *dissolved* RCRA Metals. All soil sample results were corrected for moisture and reported as dry weight.

### Soil Analytical Results Summary

Soil laboratory analytical results were compared to the IDEM Remediation Closure Guide (RCG) Migration to Groundwater (MTG) screening levels (SLs), Direct Contact residential screening levels (DCRSLs) and Direct Contact industrial/commercial screening levels (DCISLs).

While concentrations of some constituents of concern (COCs) were detected above the laboratory detection limit, the concentrations were below the respective IDEM RCG MTG screening level. However, Total Chromium concentrations in both soil samples (SB-1 and SB-2) that were collected exceeded the IDEM RCG MTG screening level for Hexavalent Chromium (0.14 ppm). Per the *INDOT Site Assessment & Management Manual* (June 2020), additional hexavalent chromium analysis was completed for SB-1 (2-4') and SB-2 (2-4'). The concentrations of Hexavalent Chromium in both samples were below the IDEM RCG MTG screening level. The soil analytical results have been summarized in **Table 1** and depicted in **Figure 2**. The laboratory analytical report with chain-of-custody documentation is included in **Appendix B**.

### Groundwater Analytical Results Summary

Groundwater samples were compared to the IDEM RCG Groundwater Tap RSLs. Review of the analytical results indicate that the concentrations of all COCs (VOCs, PAHs and RCRA Metals) were below their respective IDEM RCG screening levels. The groundwater analytical results have been summarized in **Table 2** and depicted in **Figure 3**. The laboratory analytical report with chain-of-custody documentation is included in **Appendix B**.

### Recommendations

Based on the soil and groundwater Phase II ESA analytical results, the use of the Uncontaminated Soil Policy (Waste-0064-NPD) can be applied for the Project Area that was investigated during SESCO's Phase II ESA activities and standard Personal protective equipment (PPE) is sufficient for providing worker safety.



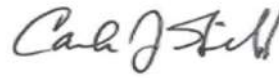
Des No. 1593230  
SR 3 Near 1464 S. Memorial Dr.  
New Castle, Henry Co., IN  
SESCO #11656  
September 17, 2021

Thank you for allowing SESCO to assist you with your environmental and redevelopment needs. If you have any questions regarding this project, please contact Tonia Pippin at (317) 347-9590 ext. 26.

Sincerely,  
**SESCO Group**



Tonia Pippin, **CHMM #19649**  
Senior Project Manager



Carla Gill, **CHMM #13243**  
Technical Director



## **FIGURES**

**Figure 1 – Topographic Map**

**Figure 2 – Soil Analytical Map**

**Figure 3 – Groundwater Analytical Map**



\\SES-DC\Projects\Consulting\@SESCO Technical Docs\11656 INDOT Des 1593230 - SR 3 - New Castle, Henry Co\Report\Phase II ESA Report\FIGURES\SOIL MAP.DWG, SITE: 9/3/2021 10:13:47 AM



**LEGEND**

- SOIL BORING
- COMMUNICATION / FIBER OPTICS / TELEPHONE
- GAS— GAS
- W—W— WATER
- SS—SS— SEWER
- RESULTS BELOW RCG SOIL MTG RSLs
- RESULTS ABOVE RCG SOIL MTG RSLs
- RESULTS ABOVE RCG SOIL EDCRSLs
- RESULTS ABOVE RCG SOIL EDCISLs
- RCG REMEDIATION CLOSURE GUIDE
- MTG MIGRATION TO GROUNDWATER
- RSLs RESIDENTIAL SCREENING LEVELS
- EDCRSLs EXPOSURE DIRECT CONTACT RESIDENTIAL SCREENING LEVELS
- EDCISLs EXPOSURE DIRECT CONTACT COMMERCIAL/INDUSTRIAL SCREENING LEVELS

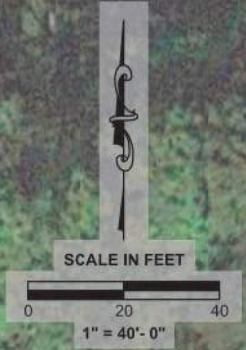
**SOIL ANALYTICAL MAP**

INDOT DES NO.1593230  
 1464 S. MEMORIAL DRIVE  
 NEW CASTLE, INDIANA 47362

DRAWN BY: ELC	DATE: 09-03-2021	PROJECT # 11656	FIGURE # 2
REVIEWED BY: TNP			



\\SES-DC\Projects\Consulting\@SESCO Technical Docs\11656 INDOT Des 1593230 - SR 3 - New Castle, Henry Co\Report\Phase II ESA Report\FIGURES\GW MAP.DWG, SITE, 9/3/2021 10:23:16 AM



**LEGEND**

- SOIL BORING
- RESULTS BELOW RCG GW TAP RSLs
- RESULTS ABOVE RCG GW TAP RSLs
- COMMUNICATION / FIBER OPTICS / TELEPHONE
- GAS— GAS
- W—W— WATER
- SS—SS— SEWER
- RCG REMEDIATION CLOSURE GUIDE
- GW GROUNDWATER
- TAP TAP WATER
- RSLs RESIDENTIAL SCREENING LEVELS

**GROUNDWATER ANALYTICAL MAP**

INDOT DES NO.1593230  
 1464 S. MEMORIAL DRIVE  
 NEW CASTLE, INDIANA 47362

DRAWN BY: ELC	DATE: 09-03-2021	PROJECT # 11656	FIGURE # 3
REVIEWED BY: TNP			



**Categorical Exclusion**  
**Appendix F**  
**Water Resources**



Fishers, IN - Corporate  
8770 North St., Ste. 110  
Fishers, IN 46038  
317.588.1798

**Waters of the U.S. Determination  
SR 3 in Henry County, Indiana  
Pavement Reconstruction Project  
Des. Nos. 1593230 & 1902175**

Prepared by: Nathan Schuman and Julie Evans, RQAW Corporation  
Completed Date: March 8, 2021  
*Revision Date: July 29, 2021*

**Dates of Waters Field Investigation:**

A field investigation was conducted on October 12, 2020 by RQAW Corporation to evaluate the presence of *Waters of the United States* for the proposed SR 3 Pavement Reconstruction project in New Castle, Henry County, Indiana.

**Location:**

SR 3  
Sections 10, 15, 21, 22, 27, and 28, Township 17 North, Range 10 East  
New Castle West U.S. Geological Survey (USGS) Quadrangle  
Henry County, Indiana

**Project Termini:**

North	South
Latitude: 39.931737° N	Latitude: 39.89003° N
Longitude: -85.381485° W	Longitude: -85.38557 °W

**Project Description:**

The proposed project (Des. Nos. 1593230 & 1902175) is a full depth hot mix asphalt (HMA) pavement reconstruction project. The project is 2.78 miles long from approximately 3.14 miles north of I-70 to SR 38. The need for the project is due to the poor condition of the existing pavement, recurring above average number of injury crashes throughout the project limits, and replacing the existing storm sewers and inlets that are in poor condition. There also are no pedestrian facilities throughout the project limits. The proposed project would involve improving pavement condition, reduce or eliminate right angle crashes, improve the condition of the storm sewers and inlets, and provide pedestrian accommodations.

The proposed project would involve full depth hot mix asphalt pavement reconstruction throughout the entire length of the 2.78 mile survey area. A raised median with various turn lanes throughout, will primarily be constructed within the northern portion of the survey area, from the northern survey area terminus to Parkside Drive/Trojan Lane. A two-way left turn lane median will primarily be constructed within the southern portion of the survey area, from the Parkside Drive/Trojan Lane to the southern survey area terminus (Sherry Lynn Drive). Curbs will be constructed along the east and west side of SR 3. From SR 38 to Parkside Drive/Trojan Lane, sidewalks will be constructed adjacent to the back of curb on both sides of SR 3. From Parkside Drive/Trojan Lane to Sherry Lynn Drive, sidewalks will be constructed adjacent to the back of curb on the east side of SR 3 only. New drainage inlets and/or castings will be installed along SR 3, with the new installations connecting to the existing manholes and storm sewer trunkline. The existing 24-inch diameter corrugated metal drainage structure (no identification number), located approximately 0.07 mile north of Pleasantview Drive, will be replaced. The existing small structure (CV 003-033-112.57), located 0.06 mile south of Lynn View Lane will be replaced. Riprap will be placed at the end of the new structures. CV 003-033-112.57 conducts Elliott Run under SR 3.

The survey area is located within the Big Blue River Floodway (page A22) and Elliott Run Floodway (Page A20).

**National Wetlands Inventory (NWI) Wetlands:**

According to the U.S. Fish and Wildlife (USFWS) National Wetlands Inventory (NWI) data available through IndianaMap (<http://www.indianamap.org/>), there are NWI wetlands located within the 0.5 mile search radius. Two NWI polygons (R4BC- Riverine, Intermittent, Streambed) cross through the survey area and are confined to the channels of Cemetery Run and Elliot Run (pages A14-A15). Mound Run was not identified as a NWI polygon. No other NWI polygons are located within the survey area.

According to the National Wetlands Data Mapper (<fws.gov/wetlands/Data/Mapper.html>), Mound Run, Elliott Run, and Cemetery Run are listed as riverine intermittent streambed seasonally flooded (R4SBC) under the Cowardin Classification System.

According to the United States National Geological Survey (USGS) National Hydrography Dataset (NHD), there are 110 NHD lines within the survey area. Of these, 22 lines are classified as canal ditch, 20 lines are classified as connectors, 6 lines are classified as intermittent, and 62 lines are classified as perennial. Maps showing the NHD layer turned on is provided in the attachments (pages A14-A15).

**Soils:**

According to the Soil Survey Geographic (SSURGO) Database for Henry County, Indiana, the survey area contains soil areas with nationally listed hydric soils.

<u>Map Abbreviation</u>	<u>Soil Name</u>	<u>Hydric Component Range</u>	<u>Classification</u>
CeB2	Celina silt loam, 2 to 6 percent slopes, eroded	1-32%	hydric
Cy	Cyclone silty clay loam, 0 to 2 percent slopes	66-99%	hydric
EdA	Eldean silt loam, 0 to 2 percent slopes	1-32%	hydric
EdB2	Eldean silt loam, 2 to 6 percent slopes, eroded	1-32%	hydric
EdC2	Eldean silt loam, 6 to 12 percent slopes, eroded	1-32%	hydric
EdD2	Eldean silt loam, 12 to 18 percent slopes, eroded	0%	not hydric
Ge	Genessee loam, occasionally flooded	1-32%	hydric
La	Landes loam, rarely flooded	0%	not hydric
LeC2	Losantville silt loam, 6 to 12 percent slopes, eroded	1-32%	hydric
LeD2	Losantville silt loam, 12 to 18 percent slopes, eroded	0%	not hydric
LhC3	Losantville clay loam, 6 to 12 percent slopes, severely eroded	1-32%	hydric
LhD3	Losantville clay loam, 12 to 18 percent slopes, severely eroded	0%	not hydric
MmB2	Miamian silt loam, New Castle Till Plain, 2 to 6 percent slopes, eroded	1-32%	hydric
Ot	Orthents and aquents, loamy	1-32%	hydric
Wb	Washtenaw silt loam	100%	hydric
We	Westland silt loam	100%	hydric

**12 Digit HUC:**

Elliott Run-Big Blue River (HUC) 051202040103

Rock Branch-Flatrock River (HUC) 051202050102

Omitted to avoid duplication or reduce file size. See graphics in Appendix B of this CE document.

**Attachments:**

Project Location Maps.....	A1 – A6
Natural Resources Conservation Service (NRCS) Soil Survey Map & Soils Report.....	A7 – A13
NWI & NHD Maps, StreamStats, Floodplain Maps, Water Resource Maps.....	A14 – A34
Photograph Location Maps and Photographs.....	A35 – A144
Wetland Determination Data Forms.....	A145 – A172

**Field Reconnaissance:**

The survey area includes approximately 2.78 miles of SR 3. The project extends south from the SR 38 intersection to 3.14 miles north of I-70. The survey area is located in a mostly urban setting interspersed with small businesses and residential neighborhoods. The entire survey area was investigated for potential stream and wetland features using U.S.G.S. Topo and NWI maps. The survey area included the median and approximately 50 feet on either side of the roadway. Intersections that will be impacted by project activities were also investigated (see Project Location Maps on pages A1-A6).

**Streams:**

According to the hydrology data available through IndianaMap (<http://www.indianamap.org/>) and the New Castle West USGS topographic map (1:24,000 scale), three intermittent streams mapped as Mound Run, Elliott Run, and Cemetery Run are located within the survey area. During the field investigation, these 3 streams were verified. Ordinary high water mark (OHWM) measurements were taken up and downstream of the structures conducting these streams under SR 3. OHWM measurements were taken outside of the influence of the structure. Each stream is discussed below.

**Cemetery Run (286 linear feet./0.069 acre of free flowing channel within the survey area)** is located 0.12 mile south of the SR 3/Lynn View Lane Intersection. According to the New Castle USGS topographic map, Cemetery Run is a mapped intermittent blue line stream. According to the USGS StreamStats report, this stream has a drainage area of 0.139 square mile and a gradient of 63.4 feet per mile. The upstream OHWM is 12.4 feet wide and 0.8 feet deep. The downstream OHWM is 8.7 feet wide and 2 feet deep. The free flowing channel includes the 3-sided box culvert underneath SR 3 (approximately 76 feet long with an opening 5 feet wide x 5 feet high).

The stream was flowing at the time of the field investigation. The riparian corridor is wooded upland on either side of SR 3. The stream substrate is unconsolidated till/silt up and downstream of the structure. Downstream (west side of SR 3), the stream channel is concrete lined from the structure outlet for approximately 100 feet. This stream would likely be considered average quality due to overhead cover and riffles and pools. Cemetery Run flows west/southwest under SR 3 via a corrugated metal pipe, then flows into Little Blue River, which flows into the Driftwood River, which flows into the Flatrock River, which flows into the White River, a traditionally navigable waterway (TNW). Based on its contribution of intermittent surface flow into a TNW, Cemetery Run is likely to be considered a Waters of the United States.

**Cemetery Run CV (114 linear feet./0.012 acre of encapsulated stream)**

Cemetery Run CV is encapsulated within Structure No. CV 003-033-112.57, which has a length of 190 feet. The portion under the roadway is a 3-sided box structure which is 76 feet long x 5 foot wide x 5 foot high. At the inlet and outlet of the box culvert, there is a corrugated metal pipe with a length of approximately 57 feet (total length 114 feet) and an opening diameter of 4.5 feet.

**Elliott Run (245 linear feet./0.052 ac of free flowing channel within the survey area)** is located 0.1 mile south of the SR 3/ Spiceland Parkway Intersection. According to the New Castle USGS topographic map, Mound Run is a mapped intermittent blue line stream. According to the USGS StreamStats report, this stream has a drainage area of 2 square miles and a gradient of 30.1 feet per mile. Upstream (east of SR 3) the riparian corridor is thickly forested, with overhanging vegetation. The area appears to have limited anthropogenic modification, except the installation of gabion baskets near the structure inlet. The stream showed some sinuosity and the substrate was

cobble with some silting in. Riffles and pools were observed. The upstream OHWM measurements are 9.5 feet wide and 1.2 feet deep. Downstream (west of SR 3) the riparian corridor was recently cleared. The downstream OHWM measurements are 9.2 feet wide and 2.1 feet deep. The stream substrate on the south side of the stream is silt. Wetlands E and F are on either side of the downstream side (west of SR 3). The overall quality of the stream would likely be considered average quality. This is due to the good quality of the upstream riparian corridor and the poor quality of the downstream riparian corridor. Elliott Run flows west under SR 3 via a corrugated metal pipe (Structure No. CV 003-033-113.21), then flows into Little Blue River, which flows into the Driftwood River, which flows into the Flatrock River, which flows into the White River, a TNW. Based on its contribution of intermittent surface flow into a TNW, Elliott Run is likely to be considered a Waters of the United States.

**Elliott Run CV (240 linear feet./0.053 ac of encapsulated stream)**

Elliott Run CV is encapsulated within Structure No. CV 003-033-112.21, which is a 240 feet long x 13 feet wide corrugated metal pipe structure.

**Mound Run (135 linear feet./0.054 acre of free flowing channel within the survey area)** is located 0.3 mile south of the SR 3/Cherry Street Intersection. According to the New Castle USGS topographic map, Mound Run is a mapped intermittent blueline stream. According to the USGS StreamStats report, this stream has a drainage area of 0.669 square miles and a gradient of 45.2 feet per mile. Only one OHWM was taken (upstream). The downstream side of the structure is outside of the survey area. The upstream OHWM measurements are 17.4 feet wide and 2 feet deep. This stream would likely be considered poor quality due to disturbance from the roadway, lack of riffles and pools, and a straightened, modified channel. The stream's substrate consisted predominately of gravel, silt, and riprap. Mound Run flows west under SR 3, then flows into Little Blue River, which flows into the Driftwood River, which flows into the Flatrock River, which flows into the White River, a TNW. Based on its contribution of intermittent surface flow into a TNW, Mound Run is likely to be considered a Waters of the United States.

**Mound Run CV (530 linear feet./0.1 acre of encapsulated stream)**

Mound Run CV is encapsulated within Structure No. CV 003-033-113.96. The total length of the structure is 620 feet. On the west side (the structure outlet) of the roadway, the structure is comprised of a 4-sided concrete box (574 feet long with an 8 x 8 opening). On the east side (the structure inlet) of the roadway, the structure is comprised of a corrugated metal pipe (46 feet long with a 9 foot opening diameter). Of the total 620 foot length, 530 feet are within the investigation area.

**Wetlands:**

Seven wetlands (Wetlands A-G) were identified within the survey area. Two data points were taken per wetland to determine the boundaries. Wetland boundaries were determined primarily by vegetation transition from wetland to upland species and by surrounding topography (sloped compared to flat terrain). Wetland type was determined by the dominant plant species. Wetlands A-D, and G are likely Waters of the State (Class 1 Wetlands), under the jurisdiction of the Indiana Department of Environmental Management (IDEM). Wetlands E and F are likely Waters of the United States. because they abut Elliott Run, a Waters of the United S. A discussion of Wetlands A-G is provided below.

**Wetland A** is a Palustrine Emergent (PEM) wetland that is located on the east side of SR 3, approximately 30 feet north of the Pleasant View Drive/ SR 3 intersection. Wetland A (0.038 acre) is wholly confined in the roadside ditch. This wetland is not directly abutting a section (a)(1-2) water and is not inundated by flooding in a typical year. Therefore, it is likely not a Waters of the United States but may be considered a Water of the State and would likely be under the jurisdiction of IDEM. This wetland would likely be considered Class 1 under 327 IAC 17-1-3, primarily due to its low species diversity and at least 50% of Wetland A has been disturbed by the roadway, which has affected hydrology. Two data points (A1 and A2) were taken to determine the boundaries of Wetland A. A discussion of data points A1 and A2 is provided below.



Data point A1 exhibited all three criteria to be considered within a wetland. The dominant vegetation observed at data point A1 was barnyard grass (*Echinochloa crus-galli*), which is a facultative wetland (FACW) plant. This data point exhibited two hydric soil indicators, Depleted Below Dark Surface (A11) and Dark Surface (S7). The soil was predominantly fill material from when the roadside ditch was excavated. The soil could be considered problematic. Additionally, this data point exhibited one primary wetland hydrology indicator (Saturation A3) and one secondary wetland hydrology indicator (FAC-Neutral Test D5).

Data point A2 did not exhibit all three criteria to be considered within a wetland. The dominant vegetation observed at data point A2 was tall fescue (*Schedonorus arundinaceus*) and Kentucky bluegrass (*Poa pratensis*). Tall fescue (*Schedonorus arundinaceus*) is a facultative upland (FACU) plant, while Kentucky bluegrass (*Poa pratensis*) is a facultative (FAC) plant. This data point did not exhibit hydric soil or wetland hydrology indicators.

**Wetland B** is a PEM wetland that is located on the east side of SR 3, in the southeast corner of the Sandy Gale Avenue/ SR 3 intersection. Wetland B (0.011 acre) is wholly confined in the roadside ditch. This wetland exhibited poor quality due to lack of biodiversity and disturbance from the roadway. This wetland is not directly abutting a section (a)(1-2) water and is not inundated by flooding in a typical year. Therefore, it is likely not a Waters of the United States but may be considered a Water of the State and would likely be under the jurisdiction of IDEM. This wetland would likely be considered Class 1 under 327 IAC 17-1-3, primarily due to its low species diversity and at least 50% of Wetland B has been disturbed by the roadway, which has affected hydrology. Two data points (B1 and B2) were taken to determine the boundaries of Wetland B. A discussion of data points B1 and B2 is provided below.

Data point B1 exhibited all three criteria to be considered within a wetland. The dominant vegetation observed at data point B1 was Kentucky bluegrass (*Poa pratensis*), which is a FAC plant. This data point exhibited two hydric soil indicators, Depleted Below Dark Surface (A11) and Depleted Matrix (F3). Additionally, this data point exhibited one primary wetland hydrology indicator, Saturation (A3), and two secondary wetland hydrology indicators, Crayfish Burrows (C8) and FAC-Neutral Test (D5).

Data point B2 did not exhibit all three criteria to be considered within a wetland. The dominant vegetation observed at data point B2 was tall fescue (*Schedonorus arundinaceus*) and Kentucky bluegrass (*Poa pratensis*). Tall fescue (*Schedonorus arundinaceus*) is a FACU plant, while Kentucky bluegrass (*Poa pratensis*) is a FAC plant. This data point did not exhibit hydric soil or wetland hydrology indicators.

**Wetland C** is a PEM wetland that is located on the west side of SR 3, at the Sandy Gale Avenue/ SR 3 intersection. Wetland C (0.027 acre) exhibited poor quality due to lack of biodiversity and disturbance from the roadway. This wetland is not directly abutting a section (a)(1-2) water and is not inundated by flooding in a typical year. Therefore, it is likely not a Waters of the United States but may be considered a Water of the State and would likely be under the jurisdiction of IDEM. This wetland would likely be considered Class 1 under 327 IAC 17-1-3, primarily due to its low species diversity and at least 50% of Wetland C has been disturbed by the roadway, which has affected hydrology. Two data points (C1 and C2) were taken to determine the boundaries of Wetland C. A discussion of data points C1 and C2 is provided below.

Data point C1 exhibited all three criteria to be considered within a wetland. The dominant vegetation observed at data point C1 was barnyard grass (*Echinochloa crus-galli*), which is a FACW plant. This data point exhibited one hydric soil indicator, Depleted Matrix (F3). Additionally, this data point exhibited two primary wetland hydrology indicators, Saturation (A3) and Algal Mat or Crust (B4), and one secondary wetland hydrology indicator, FAC- Neutral Test (D5).

Data point C2 did not exhibit all three criteria to be considered within a wetland. The dominant vegetation observed at data point C2 was yellow foxtail (*Setaria pumila*) and Queen Anne's lace (*Daucus carota*). Yellow foxtail (*Setaria pumila*) is a FAC plant, while Queen Anne's lace (*Daucus carota*) is an upland (UPL) plant. This data point did not exhibit hydric soil or wetland hydrology indicators.

**Wetland D** is a PEM wetland that is located on the west side of SR 3, approximately 0.1 mile north of the Riley Road/ SR 3 intersection. Wetland D (0.005 acre) is wholly confined in the roadside ditch. Wetland D formed at the outlet of an equalizer pipe on the west side of SR 3. This wetland exhibited poor quality due to lack of biodiversity and disturbance from the roadway. This wetland is not directly abutting a section (a)(1-2) water and is not inundated by flooding in a typical year. Therefore, it is likely not a Waters of the United States but may be considered a Water of the State and would likely be under the jurisdiction of IDEM. This wetland would likely be considered Class 1 under 327 IAC 17-1-3, primarily due to its low species diversity and at least 50% of Wetland D has been disturbed by the roadway, which has affected hydrology. Two data points (D1 and D2) were taken to determine the boundaries of Wetland D. A discussion of data points D1 and D2 is provided below.

Data point D1 exhibited all three criteria to be considered within a wetland. The dominant vegetation observed at data point D1 was sugar maple (*Acer saccharum*) within the tree stratum; white mulberry (*Morus alba*) within the sapling/shrub stratum; and barnyard grass (*Echinochloa crus-galli*) within the herb stratum. Sugar maple (*Acer saccharum*) is a FACU plant, white mulberry (*Morus alba*) is a FAC plant, and barnyard grass (*Echinochloa crus-galli*) is a FACW plant. This data point exhibited one hydric soil indicator, Loamy Mucky Mineral (F1). Additionally, this data point exhibited two primary wetland hydrology indicators, Surface Water (A1) and Saturation (A3), and one secondary wetland hydrology indicator, FAC-Neutral Test (D5).

Data point D2 did not exhibit all three criteria to be considered within a wetland. The dominant vegetation observed at data point D2 was sugar maple (*Acer saccharum*) within the tree stratum; gray dogwood (*Cornus racemosa*) within the sapling/shrub stratum; and Kentucky bluegrass (*Poa pratensis*) and tall fescue (*Schedonorus arundinaceus*) within the herb stratum. Gray dogwood (*Cornus racemosa*) and Kentucky bluegrass (*Poa pratensis*) are FAC plants, while sugar maple (*Acer saccharum*) and tall fescue (*Schedonorus arundinaceus*) are FACU plants. This data point did not exhibit hydric soil or wetland hydrology indicators.

**Wetland E** is a PEM wetland that is located on the west side of SR 3, approximately 100 feet south of Spiceland Parkway/ SR 3 intersection. Wetland E (0.064 acre) abuts Elliott Run's south bank. This wetland exhibited poor quality due to lack of biodiversity and disturbance from the roadway. The area was recently cleared, so the boundary was based primarily on the vegetation transition from upland to wetland species, and it was assumed that the wetland extended to Elliott Run. Since this wetland is abutting Elliott Run, a Waters of the United States, Wetland E is likely to be considered a Waters of the United States. Wetland E extends outside of the survey area (south). Two data points (E1 and E2) were taken to determine the boundaries of Wetland E. A discussion of data points E1 and E2 is provided below.

Data point E1 exhibited all three criteria to be considered within a wetland. The dominant vegetation observed at data point E1 was common reed (*Phragmites australis*) and narrowleaf cattail (*Typha angustifolia*). Common reed (*Phragmites australis*) is a FACW plant, while narrowleaf cattail (*Typha angustifolia*) is an obligate (OBL) plant. This data point exhibited one hydric soil indicator, Depleted Matrix (F3). Additionally, this data point exhibited one primary wetland hydrology indicator, Saturation (A3), and one secondary wetland hydrology indicator, FAC-Neutral Test (D5).

Data point E2 did not exhibit all three criteria to be considered within a wetland. The dominant vegetation observed at data point E2 was amur honeysuckle (*Lonicera maackii*) within the sapling/shrub stratum, and Canada goldenrod (*Solidago canadensis*) and tall fescue (*Schedonorus arundinaceus*) within the herb stratum. Amur honeysuckle (*Lonicera maackii*) is an UPL plant, while Canada goldenrod (*Solidago canadensis*) and tall fescue (*Schedonorus arundinaceus*) are both FACU plants. This data point did not exhibit hydric soil or wetland hydrology indicators.

**Wetland F** is a PEM wetland that is located on the west side of SR 3, approximately 100 feet south of Spiceland Parkway/ SR 3 intersection. Wetland F (0.080 acre) abuts Elliott Run's north bank. This wetland exhibited poor quality due to lack of biodiversity and disturbance from the roadway. The area was recently cleared, so the boundary was based primarily on the vegetation transition from upland to wetland species, and it was assumed

that the wetland extended to Elliott Run. Since this wetland abuts Elliott Run, a Waters of the United States, Wetland F is likely to be considered a Waters of the United States. Two data points (F1 and F2) were taken to determine the boundaries of Wetland F. A discussion of data points F1 and F2 is provided below.

Data point F1 exhibited all three criteria to be considered within a wetland. The dominant vegetation observed at data point F1 was reed canary grass (*Phalaris arundinacea*), which is a FACW plant. This data point exhibited one hydric soil indicator, Depleted Matrix (F3). Additionally, this data point exhibited one primary wetland hydrology indicator, Saturation (A3), and one secondary wetland hydrology indicator, FAC-Neutral Test (D5).

Data point F2 did not exhibit all three criteria to be considered within a wetland. The dominant vegetation observed at data point F2 was Canada goldenrod (*Solidago canadensis*), Kentucky bluegrass (*Poa pratensis*), and red fescue (*Festuca rubra*). Canada goldenrod (*Solidago canadensis*) and red fescue (*Festuca rubra*) are FACU plants, while Kentucky bluegrass (*Poa pratensis*) is a FAC plant. This data point did not exhibit hydric soil or wetland hydrology indicators.

**Wetland G** is a PEM wetland that is located on the west side of SR 3 in the northwest corner of the Indiana Avenue/ SR 3 intersection. Wetland G (0.027 acre) is wholly confined in the roadside ditch. This wetland exhibited poor quality due to lack of biodiversity and disturbance from the roadway. This wetland is not directly abutting a section (a)(1-2) water and is not inundated by flooding in a typical year. Therefore, it is likely not a Waters of the United States but may be considered a Water of the State and would likely be under the jurisdiction of IDEM. This wetland would likely be considered Class 1 under 327 IAC 17-1-3, primarily due to its low species diversity and at least 50% of Wetland G has been disturbed by the roadway, which has affected hydrology. Two data points (G1 and G2) were taken to determine the boundaries of Wetland G.

Data point G1 exhibited all three criteria to be considered within a wetland. The dominant vegetation observed at data point G1 was red-rooted spikerush (*Eleocharis erythropoda*), an OBL species. This data point exhibited one hydric soil indicator, Loamy Mucky Mineral (F1). Additionally, this data point exhibited two primary wetland hydrology indicators, High Water Table (A2) and Saturation (A3), and one secondary wetland hydrology indicator, FAC-Neutral Test (D5).

Data point G2 did not exhibit all three criteria to be considered within a wetland. The dominant vegetation observed at data point G2 was tall fescue (*Schedonorus arundinaceus*) and Kentucky bluegrass (*Poa pratensis*). Tall fescue (*Schedonorus arundinaceus*) is a FACU plant, while Kentucky bluegrass (*Poa pratensis*) is a FAC plant. This data point did not exhibit hydric soil or wetland hydrology indicators.

#### **Open Water:**

No open water habitat was observed within or adjacent to the survey area.

#### **Roadside Ditches (RSDs):**

Fourteen roadside ditches were observed throughout the survey area and were reviewed for potential water resources. All roadside ditches lacked an OHWM and wetland characteristics and were therefore considered to be non-jurisdictional features. Please refer to Table 4 for a list of all roadside ditches that exist within the survey area.

#### **Conclusions:**

A field investigation was conducted on October 12, 2020 by RQAW Corporation to evaluate the presence of *Waters of the United States* for the proposed intersection project in Howard County, Indiana. Field observations identified three intermittent streams (Mound Run, Elliott Run, and Cemetery Run) within the survey area. Based on connectivity to a TNW, these streams are likely to be considered *Waters of the United States*. Seven wetlands (Wetlands A through G) were identified within the survey area. Wetlands A, B, C, D, and G are not directly abutting a section (a)(1-2) water and are not inundated by flooding in a typical year. Therefore, these wetlands are likely not a *Waters of the United States* but may be considered a Waters of the State and would likely be under the jurisdiction of IDEM. Wetlands E and F are abutting Elliott Run, a *Waters of the United States*, and thus, likely to be considered a *Waters of the United States*.

Every effort should be taken to avoid and minimize impacts to these waterways. If impacts are necessary, then mitigation may be required. The INDOT Ecology and Waterway Permitting Section should be contacted immediately if impacts will occur. The final determination of jurisdictional waters is ultimately made by the U.S. Army Corps of Engineers. This report is our best judgement based on the guidelines set forth by the Corps.

**Acknowledgement:**

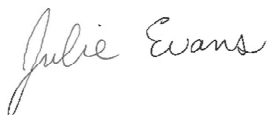
This waters determination has been prepared based on the best available information, interpreted in the light of the investigator’s training, experience and professional judgement in conformance with the 1987 Corps of Engineers Wetlands Delineation Manual, the appropriate regional supplement, the USACE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

Prepared by:



7/29/2021

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**Table 1: Stream Summary  
SR3 Pavement Reconstruction  
Project Henry County, Indiana  
Des. No. 1593230 & 1902175**

Stream Name	Photo#	Lat/Long	OHWM Width (feet)	OHWM Depth (feet)	USGS Blue-line? Type?	Riffles/ Pools?	Substrate	Stream Quality	Likely Water of the U.S.?
Cemetery Run	21-24, 156-157	39.89885° N -85.38565° W	12.4	2	Yes; Intermittent	No	Silt	Average	Yes
Cemetery Run CV (West side/outlet)	N/A	39.89886° N, -85.38559° W	N/A	N/A	N/A	N/A	N/A	N/A	No
Cemetery Run CV (East side/inlet)	N/A	39.89893° N, -85.38513° W	N/A	N/A	N/A	N/A	N/A	N/A	No
Elliott Run	58, 61, 70-71, 140-141	39.90831° N -85.38578° W	9.5	2.1	Yes; Intermittent	Yes	Cobble, Silt, Riprap	Average	Yes
Elliott Run CV	N/A	39.90823 ° N, -85.38527° W	N/A	N/A	N/A	N/A	N/A	N/A	No
Mound Run	123-125	39.91870° N -85.38273° W	17.4	2.0	Yes; Intermittent	No	Gravel, Silt	Poor	Yes
Mound Run CV	N/A	39.9187 ° N, -85.38269 ° W	N/A	N/A	N/A	N/A	N/A	N/A	No

**Table 2: Wetland Summary  
SR3 Pavement Reconstruction  
Project Henry County, Indiana  
Des. No. 1593230 & 1902175**

Wetland Name	Photos	Lat/Long	Type	Wetland Quality	Total Area (acres)	Likely Water of U.S.?
Wetland A	164-170, 172, 175, 177,	39.89495° N, -85.38517° W	PEM	Poor	0.038	No
Wetland B	183-184, 187, 193, 195	39.89005° N, -85.38533° W	PEM	Poor	0.011	No
Wetland C	1-3, 5, 9,11	39.89018° N, -85.38578° W	PEM	Poor	0.027	No
Wetland D	32-33, 38-39, 43	39.90411° N, -85.38557° W	PEM	Poor	0.005	No
Wetland E	48-53, 56, 58, 61-63, 69-72	39.90827° N, -85.38582° W	PEM	Poor	0.064	Yes
Wetland F	59-63, 67-72	39.90837° N, -85.38615° W	PEM	Poor	0.080	Yes
Wetland G	92-95,100, 103-104,	39.92909° N, -85.38190° W	PEM	Poor	0.027	No

**Table 3: Data Point Summary  
SR3 Pavement Reconstruction  
Project Henry County, Indiana  
Des. No. 1593230 & 1902175**

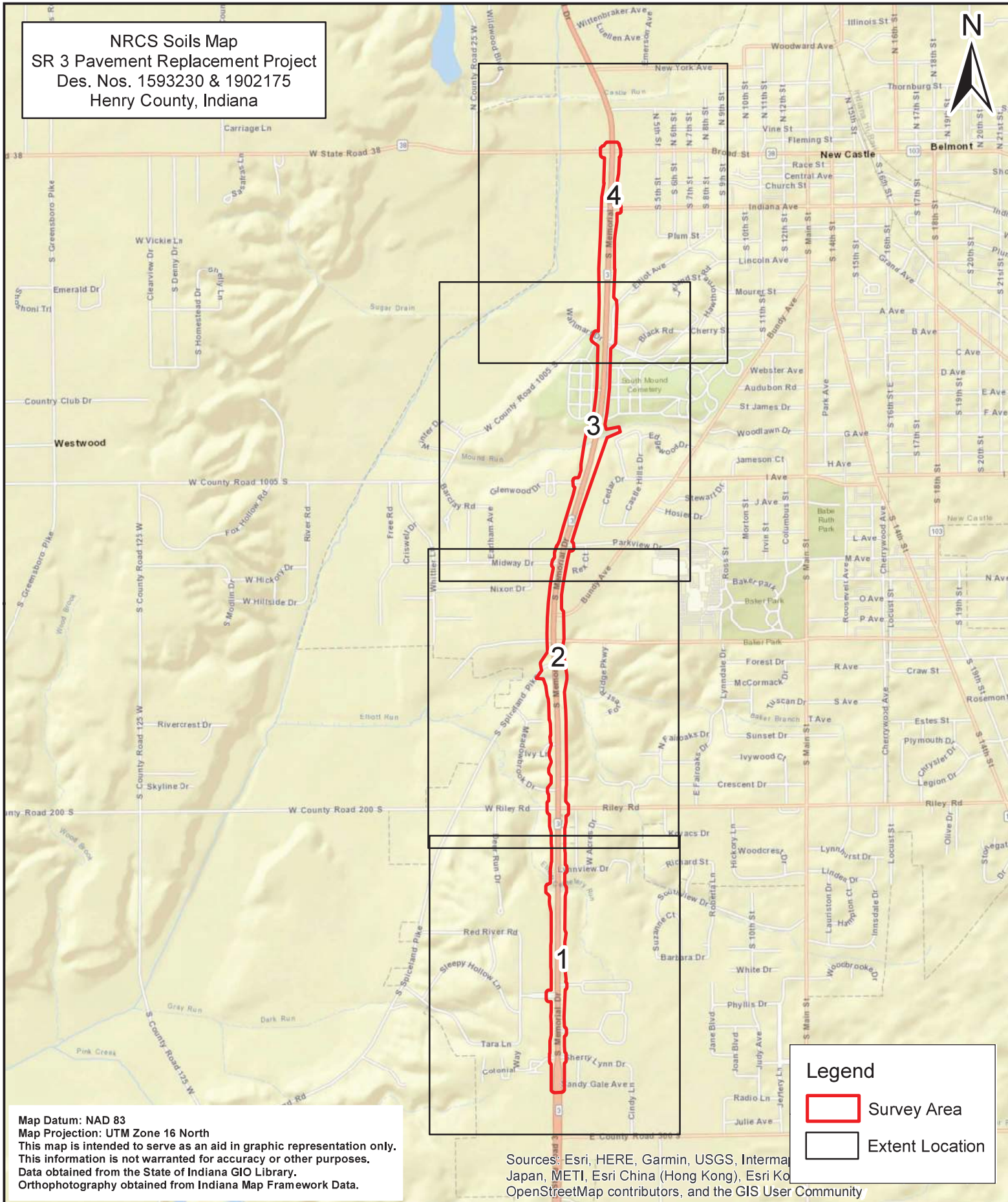
<b>Data Point</b>	<b>Vegetation?</b>	<b>Hydric Soil?</b>	<b>Wetland Hydrology?</b>	<b>Wetland?</b>
A1	Yes	Yes	Yes	Yes
A2	No	No	No	No
B1	Yes	Yes	Yes	Yes
B2	No	No	No	No
C1	Yes	Yes	Yes	Yes
C2	No	No	No	No
D1	Yes	Yes	Yes	Yes
D2	No	No	No	No
E1	Yes	Yes	Yes	Yes
E2	No	No	No	No
F1	Yes	Yes	Yes	Yes
F2	No	No	No	No
G1	Yes	Yes	Yes	Yes
G2	No	No	No	No

**Table 4: Roadside Ditches  
SR 3 Pavement Reconstruction Project  
Henry County, Indiana  
Des. No. 1593230 & 1902175**

<b>Name</b>	<b>Lat/Long</b>	<b>Approximate Length Within Survey Area (Linear Feet)</b>
RSD 1	39.89063° N, -85.38576° W	512
RSD 2	39.89001° N, -85.38533° W	105
RSD 3	39.89107° N, -85.38532° W	445
RSD 4	39.89426° N, -85.38590° W	145
RSD 5	39.89430° N, -85.38523° W	140
RSD 6	39.89520° N, -85.38514° W	355
RSD 7	39.89729° N, -85.38555° W	240
RSD 8	39.90204° N, -85.38556° W	170
RSD 9	39.90406° N, -85.38499° W	100
RSD 10	39.90777° N, -85.38554° W	400
RSD 11	39.90777° N, -85.38496° W	360
RSD 12	39.92420° N, -85.38179° W	310
RSD 13	39.92811° N, -85.38195° W	1205
RSD 14	39.92752° N, -85.38158° W	883
<b>Total</b>		<b>5370</b>



**NRCS Soils Map**  
**SR 3 Pavement Replacement Project**  
**Des. Nos. 1593230 & 1902175**  
**Henry County, Indiana**

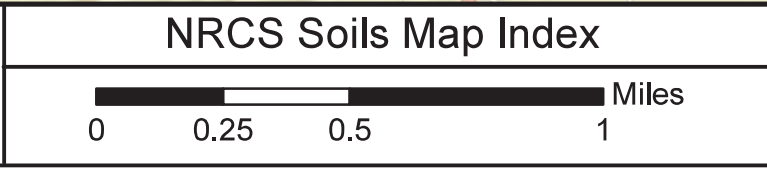


Map Datum: NAD 83  
 Map Projection: UTM Zone 16 North  
 This map is intended to serve as an aid in graphic representation only.  
 This information is not warranted for accuracy or other purposes.  
 Data obtained from the State of Indiana GIO Library.  
 Orthophotography obtained from Indiana Map Framework Data.

Sources: Esri, HERE, Garmin, USGS, Intermap, Japan, METI, Esri China (Hong Kong), Esri Korea, Swisstopo, Mapbox Contributors, and the GIS User Community

**Legend**

- Survey Area
- Extent Location



Location: SR 3  
 Township: Henry  
 County: Henry  
 Date: 10/29/2020



NRCS Soils Map  
 SR 3 Pavement Replacement Project  
 Des. Nos. 1593230 & 1902175  
 Henry County, Indiana



Map Datum: NAD 83  
 Map Projection: UTM Zone 16 North  
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 Data obtained from the State of Indiana GIO Library.  
 Orthophotography obtained from Indiana Map Framework Data.

**Legend**

- Survey Area
- NRCS Soils: Henry County



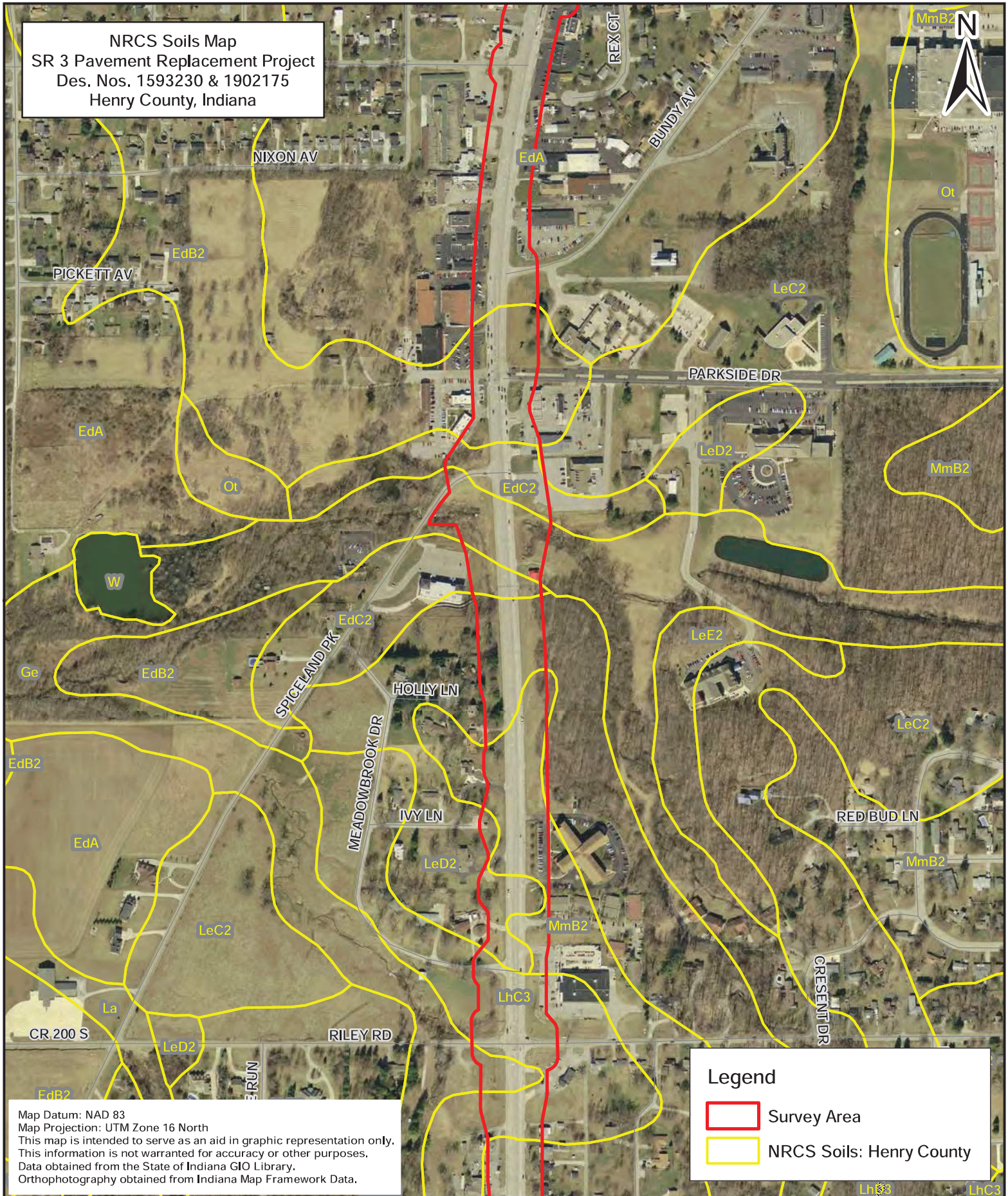
**NRCS Soils Map 1**

0      290      580      1,160      Feet

Location: SR 3  
 Township: Henry  
 County: Henry  
 Date: 10/29/2020



NRCS Soils Map  
 SR 3 Pavement Replacement Project  
 Des. Nos. 1593230 & 1902175  
 Henry County, Indiana



Map Datum: NAD 83  
 Map Projection: UTM Zone 16 North  
 This map is intended to serve as an aid in graphic representation only.  
 This information is not warranted for accuracy or other purposes.  
 Data obtained from the State of Indiana GIO Library.  
 Orthophotography obtained from Indiana Map Framework Data.

**Legend**

- Survey Area
- NRCS Soils: Henry County



**NRCS Soils Map 2**

0      290      580      1,160      Feet

Location: SR 3  
 Township: Henry  
 County: Henry  
 Date: 10/29/2020



NRCS Soils Map  
 SR 3 Pavement Replacement Project  
 Des. Nos. 1593230 & 1902175  
 Henry County, Indiana



Map Datum: NAD 83  
 Map Projection: UTM Zone 16 North  
 This map is intended to serve as an aid in graphic representation only.  
 This information is not warranted for accuracy or other purposes.  
 Data obtained from the State of Indiana GIO Library.  
 Orthophotography obtained from Indiana Map Framework Data.

**Legend**

- Survey Area
- NRCS Soils: Henry County



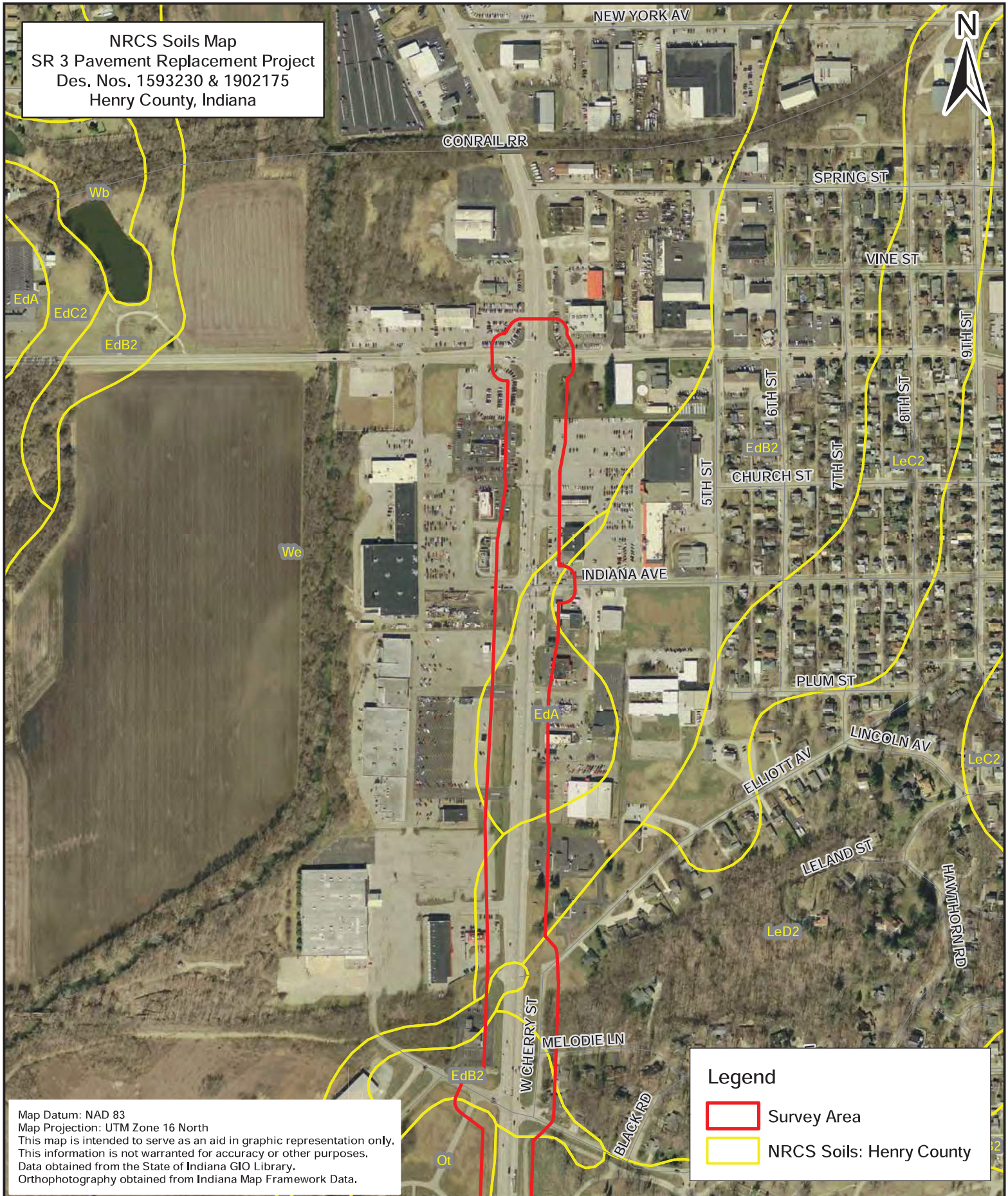
**NRCS Soils Map 3**



Location: SR 3  
 Township: Henry  
 County: Henry  
 Date: 10/29/2020



NRCS Soils Map  
 SR 3 Pavement Replacement Project  
 Des. Nos. 1593230 & 1902175  
 Henry County, Indiana



Map Datum: NAD 83  
 Map Projection: UTM Zone 16 North  
 This map is intended to serve as an aid in graphic representation only.  
 This information is not warranted for accuracy or other purposes.  
 Data obtained from the State of Indiana GIO Library.  
 Orthophotography obtained from Indiana Map Framework Data.

**Legend**

- Survey Area
- NRCS Soils: Henry County



**NRCS Soils Map 4**

0      290      580      1,160      Feet

Location: SR 3  
 Township: Henry  
 County: Henry  
 Date: 10/29/2020



## Report—Hydric Soil List - All Components

Hydric Soil List - All Components--IN065-Henry County, Indiana					
Map symbol and map unit name	Component/Local Phase	Comp. pct.	Landform	Hydric status	Hydric criteria met (code)
CeB2: Celina silt loam, 2 to 6 percent slopes, eroded	Celina-Eroded	85-95	Water-lain moraines,ground moraines,recessioni al moraines	No	—
	Crosby	0-10	Till plains	No	—
	Kokomo	0-10	Depressions,till plains	Yes	2,3
	Miamian	0-2	Till plains	No	—
Cy: Cyclone silty clay loam, 0 to 2 percent slopes	Cyclone	83-100	Flats,swales,depressi ons,till plains	Yes	2,3
	Fincastle	0-5	Till plains	No	—
	Xenia	0-5	Till plains	No	—
	Sugarvalley	0-3	Ground moraines,flats	No	—
	Starks	0-2	Outwash plains	No	—
	Morningsun	0-2	Flats,ground moraines	No	—
EdA: Eldean silt loam, 0 to 2 percent slopes	Eldean	80-90	Outwash terraces	No	—
	Westland	0-5	Depressions,swales,o utwash terraces	Yes	2,3
	Ockley	0-10	Outwash terraces	No	—
	Sleeth	0-5	Stream terraces	No	—
	Thackery	0-5	Outwash terraces	No	—
EdB2: Eldean silt loam, 2 to 6 percent slopes, eroded	Eldean	97	Stream terraces,outwash plains	No	—
	Westland	3	Depressions	Yes	2,3
EdC2: Eldean silt loam, 6 to 12 percent slopes, eroded	Eldean	97	Stream terraces,outwash plains	No	—
	Westland	3	Drainageways	Yes	2,3
EdD2: Eldean silt loam, 12 to 18 percent slopes, eroded	Eldean	100	Stream terraces,outwash plains	No	—
Ge: Genesee loam, occasionally flooded	Genesee	97	Flood plains	No	—
	Sloan	3	Depressions	Yes	2,3
La: Landes loam, rarely flooded	Landes	100	Flood plains	No	—
LeC2: Losantville silt loam, 6 to 12 percent slopes, eroded	Losantville	97	Moraines,till plains	No	—
	Treaty	3	Drainageways	Yes	2,3



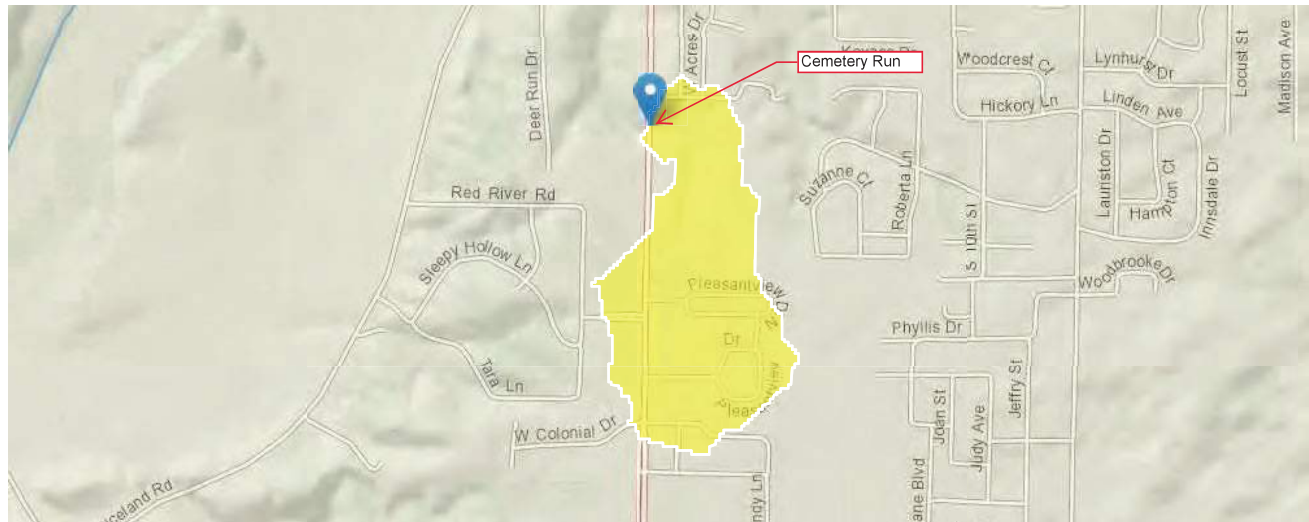
Hydric Soil List - All Components--IN065-Henry County, Indiana					
Map symbol and map unit name	Component/Local Phase	Comp. pct.	Landform	Hydric status	Hydric criteria met (code)
LeD2: Losantville silt loam, 12 to 18 percent slopes, eroded	Losantville	100	Moraines,till plains	No	—
LhC3: Losantville clay loam, 6 to 12 percent slopes, severely eroded	Losantville-Severely eroded	85-95	Till plains	No	—
	Miamian-Eroded	0-10	Till plains	No	—
	Crosby	0-10	Till plains	No	—
	Treaty	0-5	Drainageways	Yes	2,3
LhD3: Losantville clay loam, 12 to 18 percent slopes, severely eroded	Losantville-Severely eroded	100	Moraines,till plains	No	—
MmB2: Miamian silt loam, New Castle Till Plain, 2 to 6 percent slopes, eroded	Miamian-Eroded	85-95	Till plains	No	—
	Treaty	0-10	Depressions,till plains	Yes	2
	Crosby	0-5	Water-lain moraines,ground moraines,recessionial moraines	No	—
Ot: Orthents and aquents, loamy	Orthents	71	Till plains	No	—
	Aquents	20	Till plains	No	—
	Treaty	3	Depressions	Yes	2,3
	Millgrove	3	Depressions	Yes	2,3
	Westland	3	Depressions	Yes	2,3
Wb: Washtenaw silt loam	Washtenaw	100	Depressions on till plains,depressions on outwash plains,depressions on moraines	Yes	2,3
We: Westland silt loam	Westland	100	Depressions on stream terraces,depressions on outwash plains	Yes	2,3

## Data Source Information

Soil Survey Area: Henry County, Indiana  
Survey Area Data: Version 22, Jun 4, 2020

# StreamStats Report

**Region ID:** IN  
**Workspace ID:** IN20210118164808750000  
**Clicked Point (Latitude, Longitude):** 39.89900, -85.38533  
**Time:** 2021-01-18 11:48:25 -0500



Basin Characteristics				
Parameter Code	Parameter Description	Value	Unit	
CSL10_85	Change in elevation divided by length between points 10 and 85 percent of distance along main channel to basin divide - main channel method not known	63.4	feet per mi	
DRNAREA	Area that drains to a point on a stream	0.139	square miles	
K2INDNR	Average hydraulic conductivity (ft/d) for the full depth of unconsolidated deposits from InDNR well database.	16	ft per day	
LC01FOREST	Percentage of forest from NLCD 2001 classes 41-43	1.7	percent	
LOWREG	Low Flow Region Number	1729	dimensionless	
QSSPERMTHK	Index of the permeability of surficial Quaternary sediments computed as in SIR 2014-5177	320.49	dimensionless	
T2INDNR	Average transmissivity (ft <sup>2</sup> /d) for the full depth of unconsolidated deposits from InDNR well database.	1779	square feet per day	

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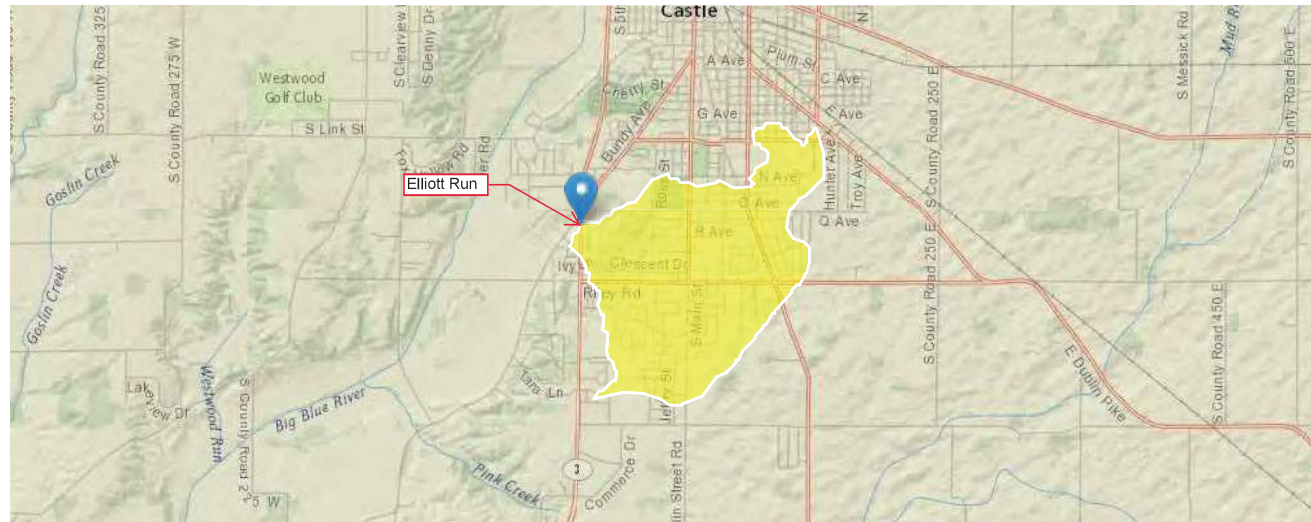
USGS Software Disclaimer: This software has been approved for release by the U.S. Geological Survey (USGS). Although the software has been subjected to rigorous review, the USGS reserves the right to update the software as needed pursuant to further analysis and review. No warranty, expressed or implied, is made by the USGS or the U.S. Government as to the functionality of the software and related material nor shall the fact of release constitute any such warranty. Furthermore, the software is released on condition that neither the USGS nor the U.S. Government shall be held liable for any damages resulting from its authorized or unauthorized use.

USGS Product Names Disclaimer: Any use of trade, firm, or product names is for descriptive purposes only and does not imply endorsement by the U.S. Government.

Application Version: 4.4.0

# StreamStats Report

Region ID: IN  
 Workspace ID: IN20210118164050259000  
 Clicked Point (Latitude, Longitude): 39.90822, -85.38527  
 Time: 2021-01-18 11:41:10 -0500



Basin Characteristics				
Parameter Code	Parameter Description	Value	Unit	
CSL10_85	Change in elevation divided by length between points 10 and 85 percent of distance along main channel to basin divide - main channel method not known	30.1	feet per mi	
DRNAREA	Area that drains to a point on a stream	1.999	square miles	
K1INDNR	Average hydraulic conductivity (ft/d) for the top 70 ft of unconsolidated deposits from InDNR well database.	17	ft per day	
LC01FOREST	Percentage of forest from NLCD 2001 classes 41-43	6.2	percent	
LOWREG	Low Flow Region Number	1729	dimensionless	
QSSPERMTHK	Index of the permeability of surficial Quaternary sediments computed as in SIR 2014-5177	368.86	dimensionless	
T2INDNR	Average transmissivity (ft <sup>2</sup> /d) for the full depth of unconsolidated deposits from InDNR well database.	1802	square feet per day	

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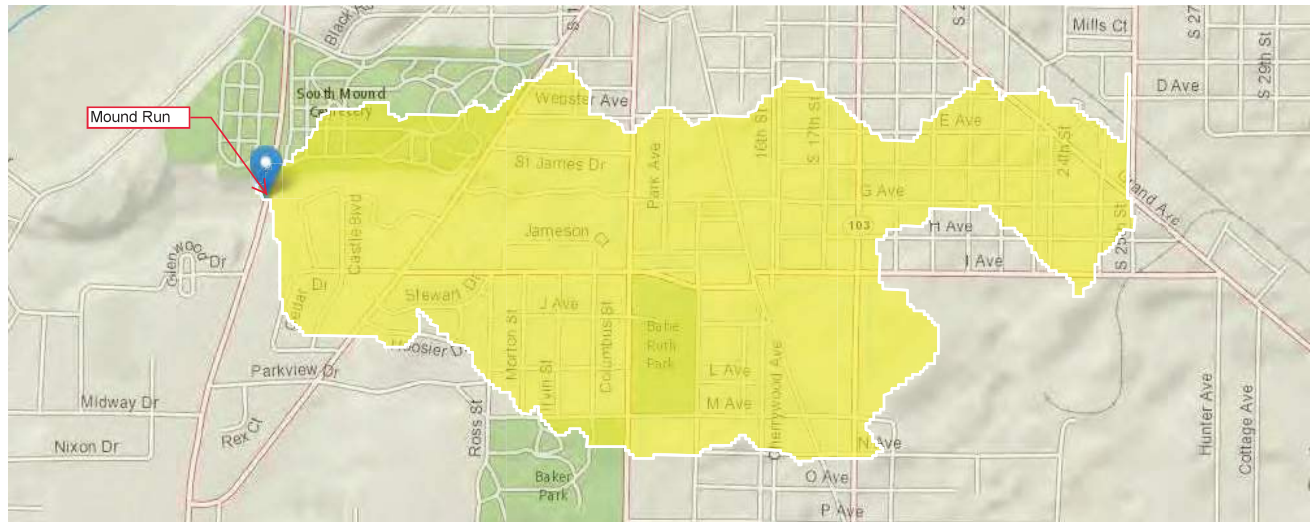
USGS Product Names Disclaimer: Any use of trade, firm, or product names is for descriptive purposes only and does not imply endorsement by the U.S. Government.

Application Version: 4.4.0



# StreamStats Report

Region ID: IN  
 Workspace ID: IN20210118123713783000  
 Clicked Point (Latitude, Longitude): 39.91876, -85.38274  
 Time: 2021-01-18 07:37:31 -0500



## Basin Characteristics

Parameter Code	Parameter Description	Value	Unit
CSL10_85	Change in elevation divided by length between points 10 and 85 percent of distance along main channel to basin divide - main channel method not known	45.2	feet per mi
DRNAREA	Area that drains to a point on a stream	0.669	square miles
K2INDNR	Average hydraulic conductivity (ft/d) for the full depth of unconsolidated deposits from InDNR well database.	23	ft per day
LC01FOREST	Percentage of forest from NLCD 2001 classes 41-43	0	percent
LOWREG	Low Flow Region Number	1729	dimensionless
QSSPERMTHK	Index of the permeability of surficial Quaternary sediments computed as in SIR 2014-5177	300	dimensionless
T2INDNR	Average transmissivity (ft <sup>2</sup> /d) for the full depth of unconsolidated deposits from InDNR well database.	4349	square feet per day

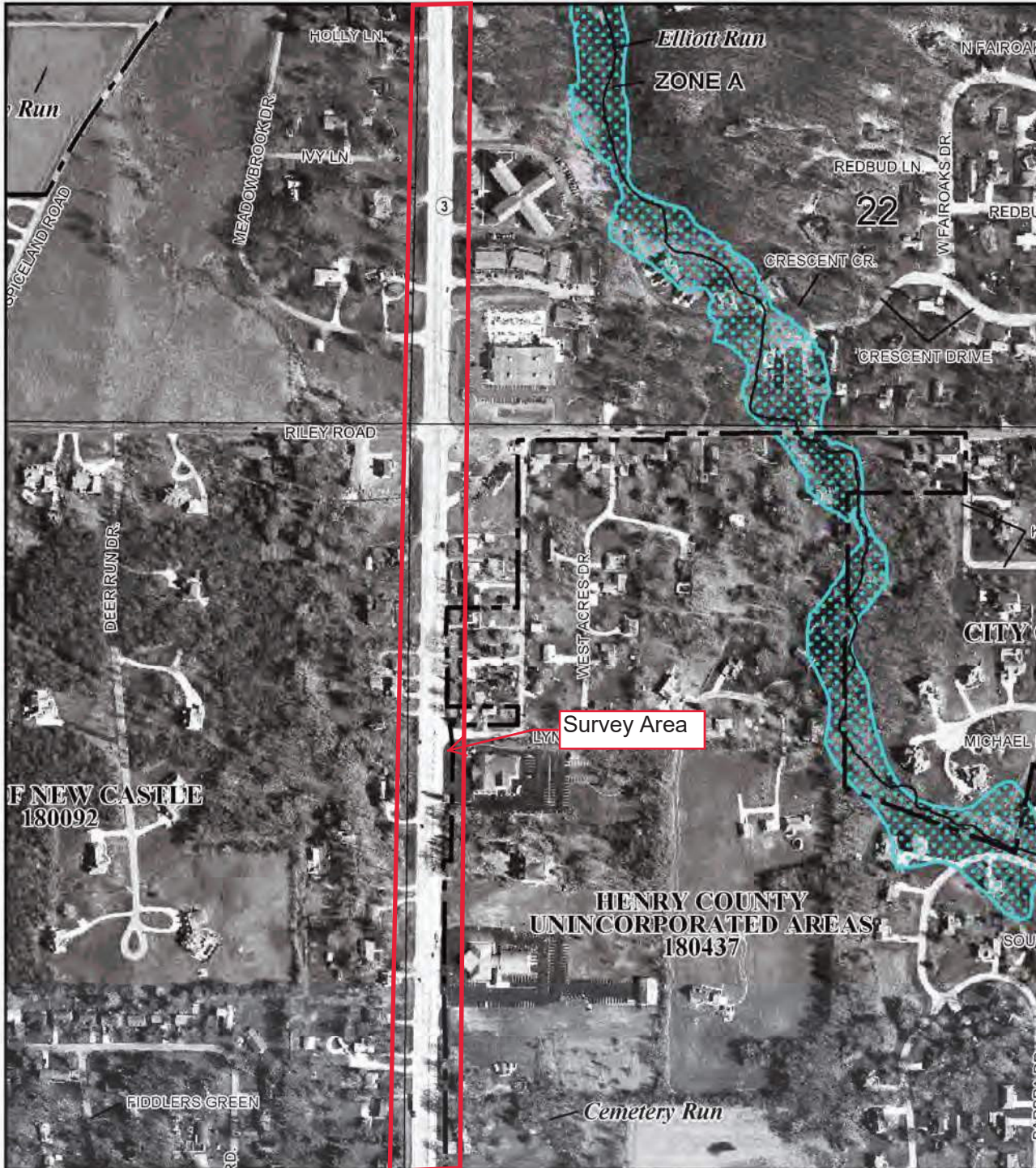
USGS Data Disclaimer: Unless otherwise stated, all data, metadata and related materials are considered to satisfy the quality standards relative to the purpose for which the data were collected. Although these data and associated metadata have been reviewed for accuracy and completeness and approved for release by the U.S. Geological Survey (USGS), no warranty expressed or implied is made regarding the display or utility of the data for other purposes, nor on all computer systems, nor shall the act of distribution constitute any such warranty.

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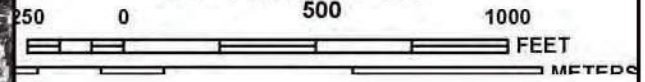
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Application Version: 4.4.0





MAP SCALE 1" = 500'



PANEL 0144D

**FIRM**  
**FLOOD INSURANCE RATE MAP**  
**HENRY COUNTY,**  
**INDIANA**  
**AND INCORPORATED AREAS**

**PANEL 144 OF 295**  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS

COMMUNITY	NUMBER	PANEL	SUFFIX
HENRY COUNTY	180437	0144	D
NEW CASTLE, CITY OF	180092	0144	D

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

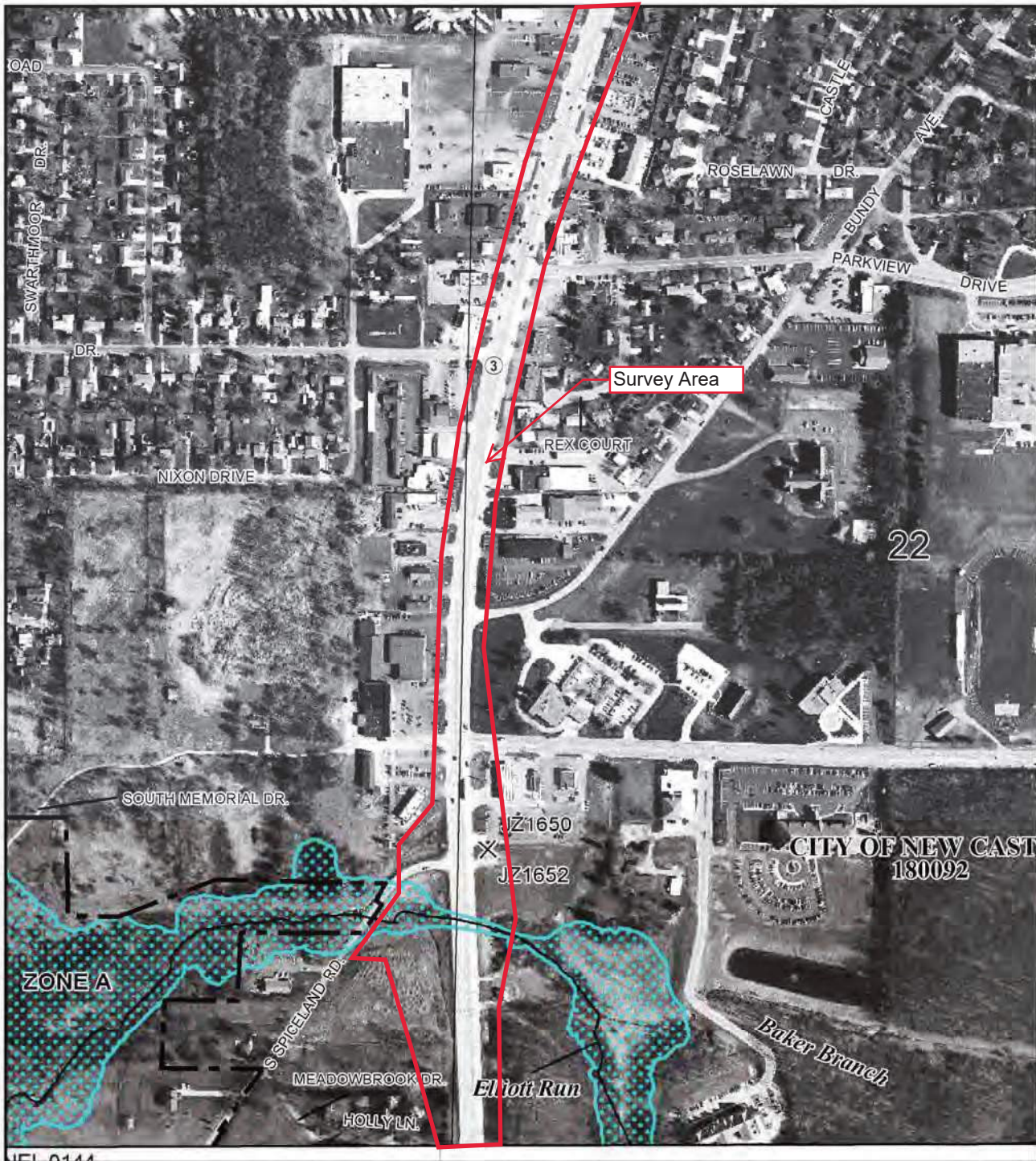


**MAP NUMBER**  
**18065C0144D**  
**MAP REVISED**  
**MARCH 2, 2015**

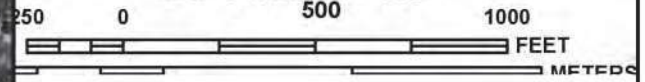
Federal Emergency Management Agency

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MAP SCALE 1" = 500'



NFP

PANEL 0142D

**FIRM**  
**FLOOD INSURANCE RATE MAP**  
**HENRY COUNTY,**  
**INDIANA**  
**AND INCORPORATED AREAS**

**PANEL 142 OF 295**  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
HENRY COUNTY	180437	0142	D
NEW CASTLE, CITY OF	180092	0142	D

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

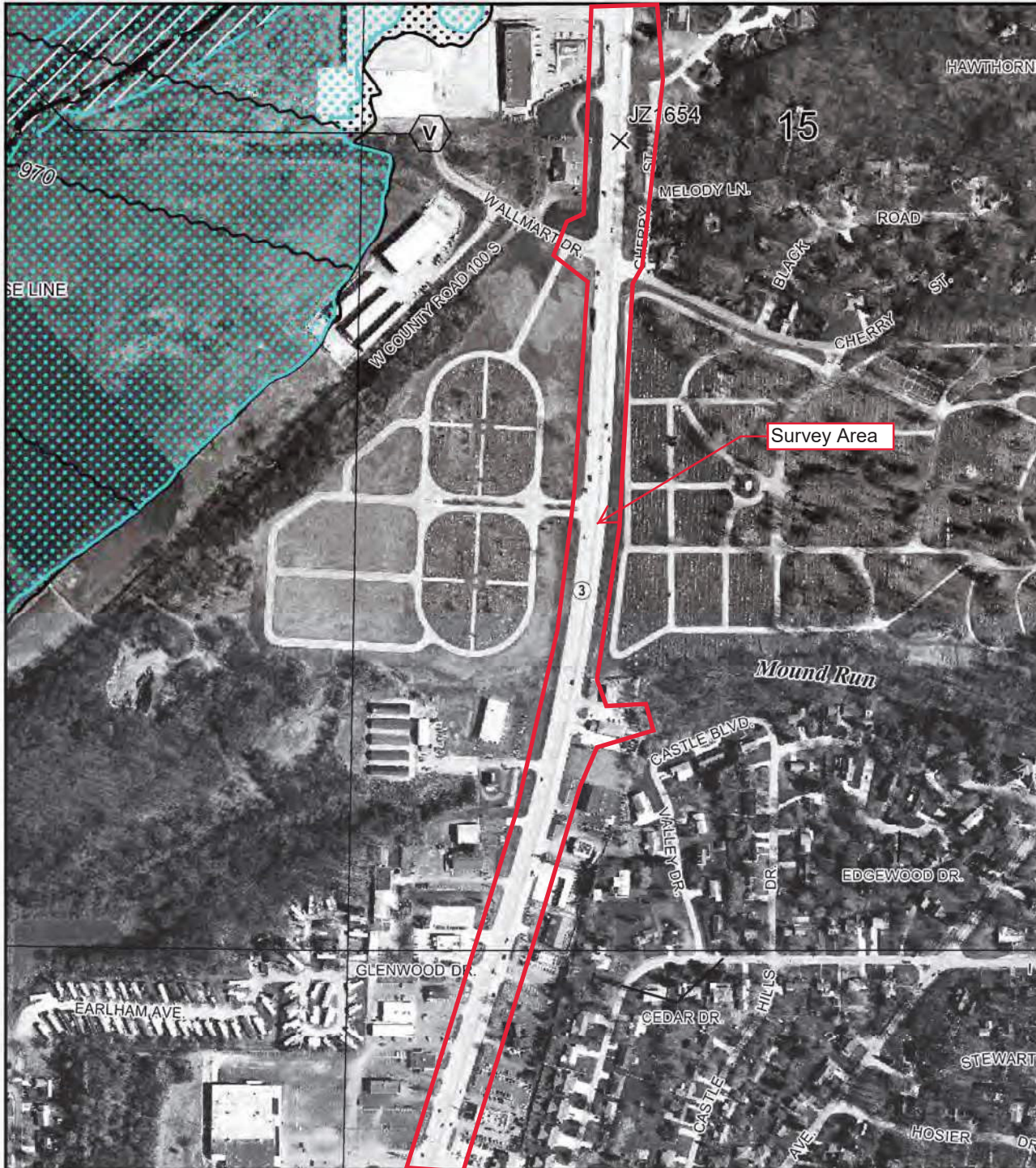


**MAP NUMBER**  
**18065C0142D**  
**MAP REVISED**  
**MARCH 2, 2015**

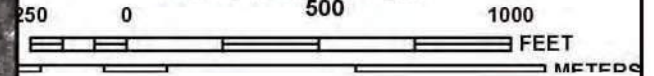
Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)





MAP SCALE 1" = 500'



NFP

PANEL 0142D

# FIRM

FLOOD INSURANCE RATE MAP  
HENRY COUNTY,  
INDIANA  
AND INCORPORATED AREAS

PANEL 142 OF 295  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

**CONTAINS:**

COMMUNITY	NUMBER	PANEL	SUFFIX
HENRY COUNTY	180437	0142	D
NEW CASTLE, CITY OF	180092	0142	D

NATIONAL FLOOD INSURANCE PROGRAM

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

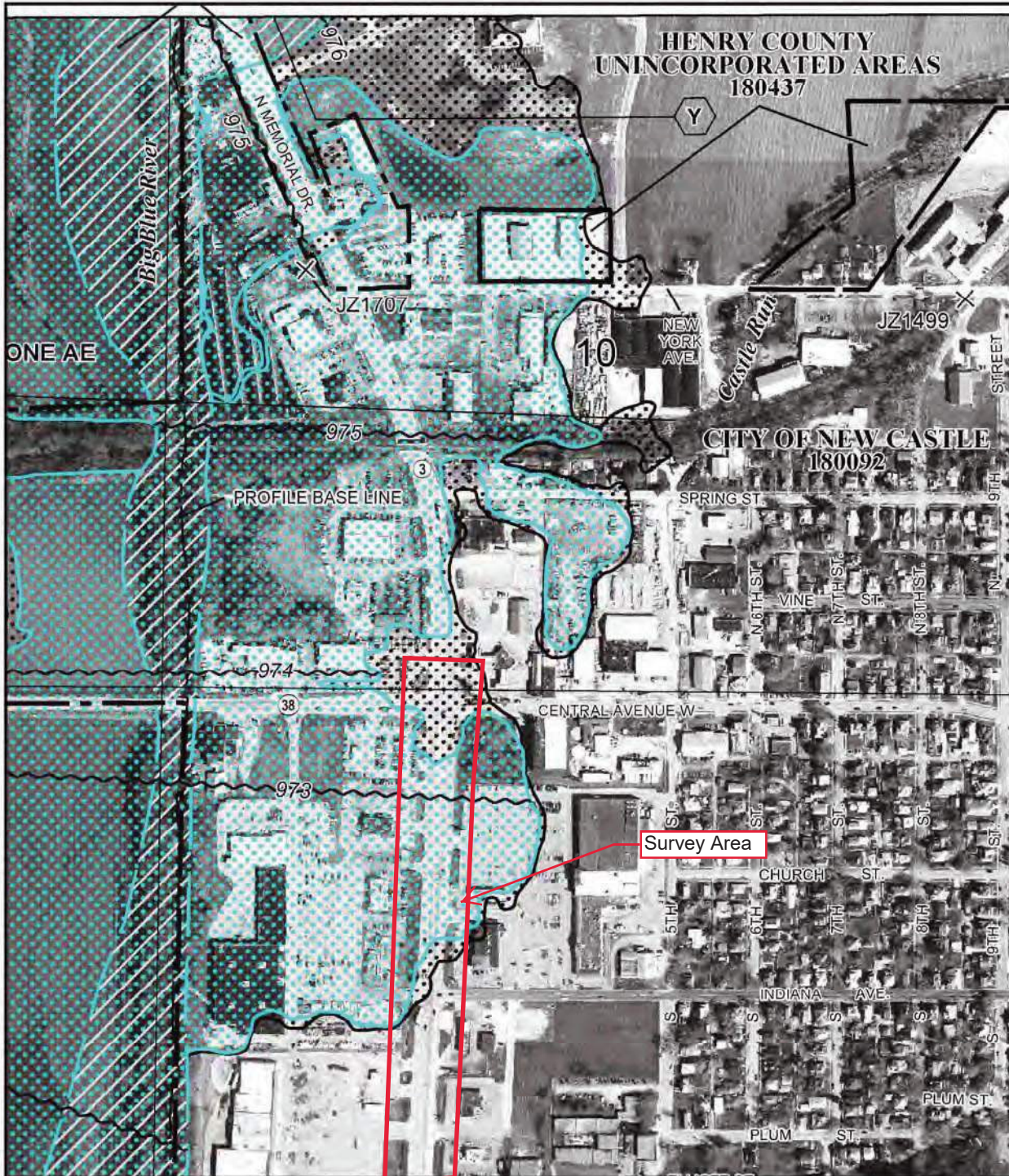


**MAP NUMBER**  
18065C0142D  
**MAP REVISED**  
MARCH 2, 2015

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

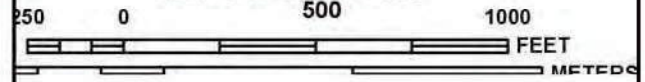




39



MAP SCALE 1" = 500'



NFP

PANEL 0142D

**FIRM**  
**FLOOD INSURANCE RATE MAP**  
**HENRY COUNTY,**  
**INDIANA**  
**AND INCORPORATED AREAS**

**PANEL 142 OF 295**  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

**CONTAINS**

COMMUNITY	NUMBER	PANEL	SUFFIX
HENRY COUNTY	180437	0142	D
NEW CASTLE, CITY OF	180092	0142	D

NATIONAL FLOOD INSURANCE PROGRAM

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



**MAP NUMBER**  
**18065C0142D**  
**MAP REVISED**  
**MARCH 2, 2015**

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



**Appendix 2 - PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM**

**BACKGROUND INFORMATION**

**A. REPORT COMPLETION DATE FOR PJD:** January 26, 2022

**B. NAME AND ADDRESS OF PERSON REQUESTING PJD:** Julie Evans, RQAW Corporation,  
8770 North Street, Suite 110,  
Fishers, IN 46038

**C. DISTRICT OFFICE, FILE NAME, AND NUMBER:**

**D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:**

The proposed project (Des. Nos. 1593230 & 1902175) will involve full depth hot mix asphalt (HMA) pavement reconstruction, raised median construction, two-way left turn lane median construction, curb and gutters installation, and sidewalk construction along SR 3. A total of 7 PEM wetlands (Wetlands A-G) and 3 streams (Mound Run, Elliott Run, and Cemetery Run) were delineated during the field investigation on October 12, 2020.

Note that this project went through the Approved JD (AJD) process (USACE ID: LRL-2021-269-dds). Since it was determined that project impacts will not exceed the Indiana Department of Environmental Management (IDEM) and the United States Army Corps of Engineers (USACE) mitigation thresholds, a new AJD under the updated Clean Water Act was not pursued. INDOT would like all streams and wetlands within the survey area to be jurisdictional.

**(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)**

State: Indiana                      County/parish/borough: Henry                      City: New Castle

Center coordinates of site (lat/long in degree decimal format):

Lat.: 39.91156° N                      Long.: -85.38523° W

Universal Transverse Mercator: 16 S 638017.21 E 4419189.34 N

Name of nearest waterbody: Mound Run, Cemetery Run, Elliott Run

**E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**

Office (Desk) Determination. Date:

Field Determination. Date(s):

**TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH “MAY BE” SUBJECT TO REGULATORY JURISDICTION.**

<b>Site number</b>	<b>Latitude (decimal degrees)</b>	<b>Longitude (decimal degrees)</b>	<b>Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)</b>	<b>Type of aquatic resource (i.e., wetland vs. non-wetland waters)</b>	<b>Geographic authority to which the aquatic resource “may be” subject (i.e., Section 404 or Section 10/404)</b>
Mound* Run	39.91870° N	-85.38273° W	665 linear feet 0.154 acre	Non-wetland	Non-Section 10/Section 404
Elliott Run*	39.90831° N	-85.38578° W	485 linear feet 0.105 acre	Non-wetland	Non-Section 10/Section 404
Cemetery* Run	39.89885° N	-85.38565° W	400 linear feet 0.081 acre	Non-wetland	Non-Section 10/Section 404
Wetland A	39.89495° N	-85.38517° W	0.038 acre	Wetland	Non-Section 10/Section 404
Wetland B	39.89005° N	-85.38533° W	0.011 acre	Wetland	Non-Section 10/Section 404
Wetland C	39.89018° N	-85.38578° W	0.027 acre	Wetland	Non-Section 10/Section 404
Wetland D	39.90411° N	-85.38557° W	0.005 acre	Wetland	Non-Section 10/Section 404
Wetland E	39.90827° N	-85.38582° W	0.064 acre	Wetland	Non-Section 10/Section 404
Wetland F	39.90837° N	-85.38615° W	0.080 acre	Wetland	Non-Section 10/Section 404
Wetland G	39.92909° N,	-85.38190° W	0.027 acre	Wetland	Non-Section 10/Section 404

\*Stream width and acreage is the combined area and length of the stream an structures conveying them under SR 3.



- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring “pre-construction notification” (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant’s acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there “*may be*” waters of the U.S. and/or that there “*may be*” navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

**SUPPORTING DATA. Data reviewed for PJD (check all that apply)**

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

- Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:  
Map: Indiana GIO Library, IndianaMap, USGS, NWI.
- Data sheets prepared/submitted by or on behalf of the PJD requestor.
  - Office concurs with data sheets/delineation report.
  - Office does not concur with data sheets/delineation report. Rationale: \_\_\_\_\_.
- Data sheets prepared by the Corps: \_\_\_\_\_.
- Corps navigable waters' study: \_\_\_\_\_.
- U.S. Geological Survey Hydrologic Atlas: \_\_\_\_\_.
  - USGS NHD data.
  - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: New Castle West, New Castle East / 1:24,000.
- Natural Resources Conservation Service Soil Survey. Citation: NRCS Web Soil Survey: Henry County.
- National wetlands inventory map(s). Cite name: USFWS NWI data: Henry County.
- State/local wetland inventory map(s): \_\_\_\_\_.
- FEMA/FIRM maps: FEMA/FIRM Henry County, Indiana.
- 100-year Floodplain Elevation is: \_\_\_\_\_ (National Geodetic Vertical Datum of 1929)
- Photographs  Aerial (Name & Date): Henry County / 2016  
or  Other (Name & Date): Photographs taken October 12, 2020.
- Previous determination(s). File no. and date of response letter: \_\_\_\_\_.
- Other information (please specify): \_\_\_\_\_.

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**

\_\_\_\_\_  
Signature and date of  
Regulatory staff member  
completing PJD

*Julie Evans* 1/26/2022  
\_\_\_\_\_  
Signature and date of  
person requesting PJD  
(REQUIRED, unless obtaining  
the signature is impracticable)<sup>1</sup>

<sup>1</sup> Districts may establish timeframes for requestor to return signed PJD forms. If the requestor does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.



### Find an address

Example: 300 Michigan Avenue, Auburn, IN, 46706

Go To Address

### Jump to a county

- or -

Select your county from below

View your county's [Flood Insurance Study](#).

For the best feel and performance, use [Firefox 3.5+](#), [Internet Explorer 8+](#), [Chrome](#), or [Safari 4+](#).

[< Previous Tips](#)

[Next Tips >](#)

Minimize

Map FEMA Flood Insurance Study Floodplain Layers Frequently Asked Questions

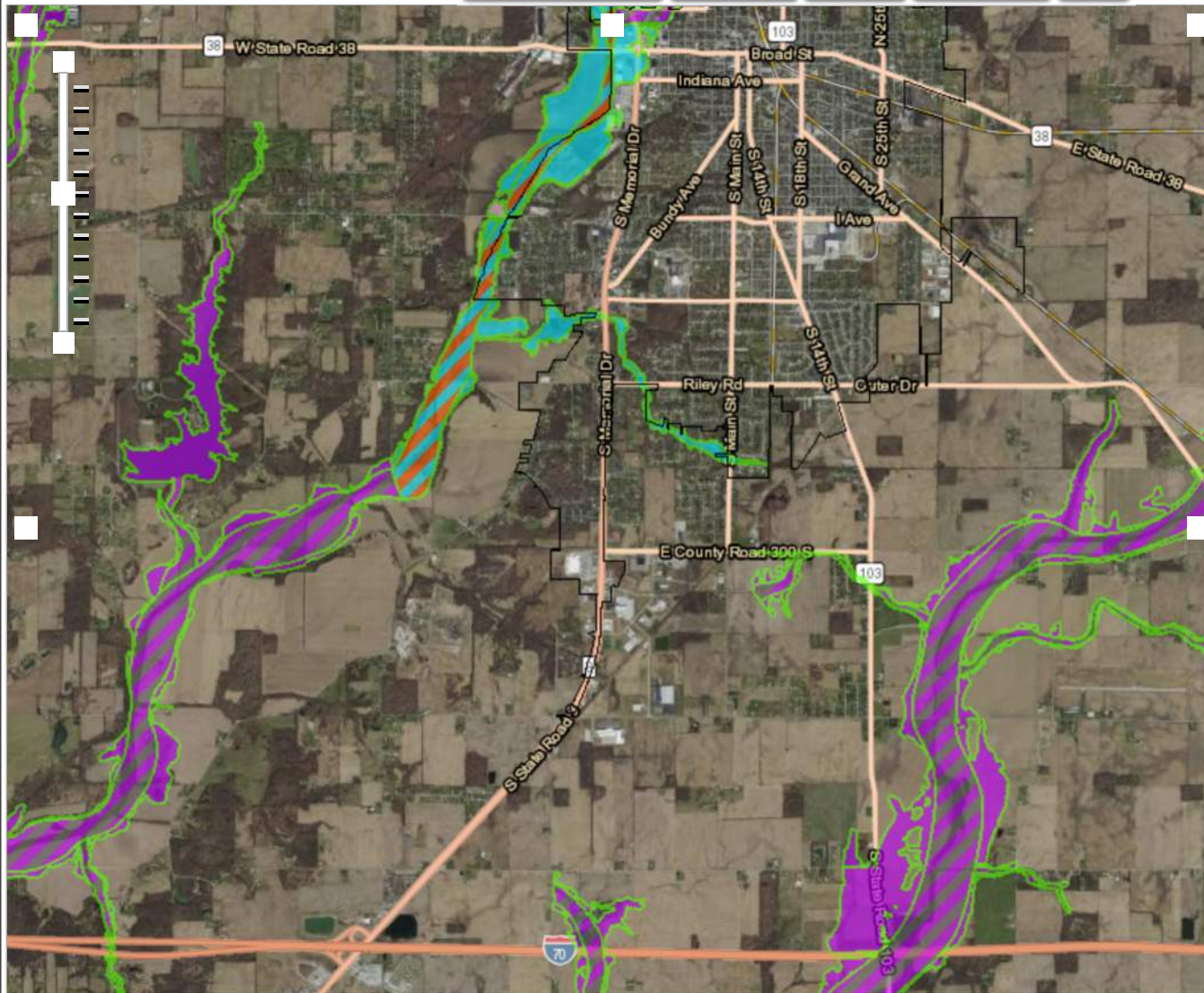
Profile Charter

Layers

Legend

Options

Help



Follow instructions under "How to navigate the map" to select a Point of Interest.

### What does INFIP do?

The Indiana Floodplain Information Portal, INFIP, is a mapping application that provides floodplain information for waterways to help citizens determine flood risk in an effort to minimize flood damage. INFIP utilizes FEMA published floodplain data and floodplain data from various, IDNR approved resources in order to provide the most available, comprehensive coverage of floodplain information for the State of Indiana.

The main functions of INFIP enables you to:

- select a Point of Interest (i.e. residence or tract of land) to view floodplain mapping and the Base Flood Elevations (BFE)
- print a floodplain map for a Point of Interest
- submit a request for a Floodplain Analysis / Regulatory Assessment (FARA) from the Division of Water using the eFARA (electronic)

[Click to learn how to navigate the map](#)

[Click to learn how to submit eFARA](#)

[Click to learn about Special Flood Hazard Areas \(SFHA\) and Base Flood Elevations \(BFE\)](#)

[Click to learn about flood insurance](#)

[Click to learn about local community floodplain ordinance](#)

**Download Report**



Currently centered on: **Henry County**



To generate a report, please zoom in and select a point of interest on the map by clicking on a location.

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**Categorical Exclusion**  
**Appendix G**  
**Public Involvement**



# INDIANA DEPARTMENT OF TRANSPORTATION

## *Driving Indiana's Economic Growth*

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

**Eric Holcomb, Governor**  
**Joe McGinness, INDOT Commissioner**

July 14, 2020

### Example Notice of Entry for Survey or Investigation Letter

Re: Notice of Entry for Survey or Investigation  
Des. Numbers 1593230 and 1902175  
SR 3 Concrete Pavement Replacement from 3.14 miles north of I-70 to SR 38 (2.78 miles)  
New Castle, Henry County, Indiana

Dear Property Owner or Current Occupant,

Our information indicates that you own property near the above referenced transportation project. RQAW Corporation has been selected by the Indiana Department of Transportation (INDOT) Greenfield District to complete the environmental document for this proposed project. RQAW will be performing a survey of environmental resources within the project area in the near future. It may be necessary for representatives from RQAW or sub-consultants for RQAW to enter your property to complete this work. This is permitted by law per Indiana Code (IC) 8-23-7-26. Anyone performing this type of work has been instructed to identify him or herself, if you are available, before they enter your property. If you no longer own this property, or if it is currently occupied by someone else, please let us know the name of the new owner or occupant so we can contact them about the survey.

**Please read the attached notice to inform you what the "Notice of Entry for Survey or Investigation" means. The survey work may include the identification and mapping of wetlands and historic resources, archaeological investigations (which may involve the survey, testing, or excavation of identified archaeological sites) and various other environmental studies.** The information we obtain from these studies is necessary for the proper planning and design of this transportation project.

At this stage, we generally do not know what effect, **if any**, the project may eventually have on your property. If we later determine your property is involved, you will be contacted with additional information.

RQAW and its sub-consultants will be conducting the field surveys for this project. If any problems occur, please contact Stephanie Verhoff at 317.588.1765 at RQAW at or at [sverhoff@rqaw.com](mailto:sverhoff@rqaw.com). You may also contact the INDOT Project Manager, Nathan Riggs, at 317.467.3986 or at [nriggs@indot.in.gov](mailto:nriggs@indot.in.gov). For archaeological concerns, you may contact Shaun Miller at INDOT at 317.233.6795 or at [smiller@indot.ing.gov](mailto:smiller@indot.ing.gov).

Please be aware that IC 8-23-7-27 and 28 provides that you may seek compensation from INDOT for damages occurring to your property (land or water) that result from entry for the purposes mentioned above in IC 8-23-7-26. In this case, a basic procedure that may be followed is for you and/or an INDOT employee or representative to present an account of the damages to the above named INDOT staff. They will check the information and forward it to the appropriate person at INDOT who will contact you to discuss the situation and compensation. In addition, you may contact the INDOT Greenfield District Real Estate Manager (DREM) at 317.463.6848. The DREM