

**Indiana Department of Transportation**

County Lake Route US 41 Des. No. 1383695

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

<b>Road No./County:</b>	<b>US 41, Lake County</b>
<b>Designation Number:</b>	<b>1383695</b>
<b>Project Description/Termini:</b>	<b>Auxiliary Lanes, Two-Way Left-Turn Lanes</b>

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

<b>X</b>	<b>Categorical Exclusion, Level 2</b> – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager)
	<b>Categorical Exclusion, Level 3</b> – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services Division)
	<b>Categorical Exclusion, Level 4</b> – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA
	<b>Environmental Assessment (EA)</b> – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA

Note: For documents prepared by or for Environmental Services Division, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

**Approval** \_\_\_\_\_  
 ESM Signature \_\_\_\_\_ Date \_\_\_\_\_ ES Signature \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
 FHWA Signature \_\_\_\_\_ Date \_\_\_\_\_

**Release for Public Involvement**

Ashley Shanley \_\_\_\_\_ 06/05/18 \_\_\_\_\_  
 ESM Initials \_\_\_\_\_ Date \_\_\_\_\_ ES Initials \_\_\_\_\_ Date \_\_\_\_\_

**Certification of Public Involvement** \_\_\_\_\_  
 Office of Public Involvement \_\_\_\_\_ Date \_\_\_\_\_

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

INDOT ES/District Env.  
 Reviewer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name and Organization of CE/EA  
 Preparer: Jessica Spiess, INDOT-LaPorte District Environmental Section

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Part I - PUBLIC INVOLVEMENT

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

Does the project have a historic bridge processed under the Historic Bridges PA\*? If No, then: Opportunity for a Public Hearing Required? Yes No X

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

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

Remarks: A Notice of Entry for Survey was sent to affected property owners within the project area on December 14, 2015. See Appendix G1-G2 for Survey Letter Example. The proposed project meets one or more of the conditions described in the current Indiana Department of Transportation (INDOT) Public Involvement Manual 2012, Part 1, Section IV.C.4, which would require INDOT to offer the public an opportunity to request a public hearing. This project will require 2.99 acres of permanent right of way. In accordance with the FHWA approved INDOT public involvement policy this project will require an opportunity for public comment based on the acquisition of more than 0.5 acres of new permanent right of way. Therefore, a legal notice will appear in a local publication contingent upon the release for public involvement of this document. This environmental document will be revised after the public involvement requirements are fulfilled.

Public Controversy on Environmental Grounds Will the project involve substantial controversy concerning community and/or natural resource impacts? Yes No X

Remarks: This project is not expected to result in substantial controversy concerning community and/or natural resource impacts.

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

Sponsor of the Project: Indiana Department of Transportation INDOT District: La Porte Local Name of the Facility: US 41

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

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

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### PURPOSE AND NEED:

*Describe the transportation problem that the project will address. The solution to the traffic problem should NOT be discussed in this section. (Refer to the CE Manual, Section IV.B.2. Purpose and Need)*

The purpose of this project is to improve safety throughout the town of St. John on the US 41 roadway especially for left-turning vehicles.

The project is needed to reduce the amount of crashes on the US 41 roadway, by allowing space for vehicles to safely stop outside of the through travel lanes.

### PROJECT DESCRIPTION (PREFERRED ALTERNATIVE):

County: Lake County Municipality: St. John

Limits of Proposed Work: US 41 from US 231 to 1.52 miles north of US 231 (Standard Dr.)

Total Work Length: 1.52 Mile(s) Total Work Area: 20.88 Acre(s)

	Yes <sup>1</sup>	No
Is an Interchange Modification Study / Interchange Justification Study (IMS/IJS) required? If yes, when did the FHWA grant a conditional approval for this project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date:	<input type="text"/>	

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

*In the remarks box below, describe existing conditions, provide in detail the scope of work for the project, including the preferred alternative. Include a discussion of logical termini. Discuss any major issues for the project and how the project will improve safety or roadway deficiencies if these are issues.*

The project is located on US 41 from US 231 to 1.52 miles north of US 231 at Standard Dr., in the town of St. John, Lake County, Indiana. The project is located in the St. John Quadrangle, Sections 4, 5, 32, and 33, Townships 34N and 35N, and Range 9W. The project is in an urban area. US 41 is classified as an other principal arterial roadway and handles four through lanes of traffic, two northbound and two southbound, with right turn lanes located sporadically throughout the project area. The lanes are 12 feet wide with varied amounts of paved shoulders. See Appendix B for Project Location Maps.

The existing US 41 roadway will be modified and widened to include a 14 foot wide auxiliary center left-turn lane throughout the length of the project area. Exceptions will be at intersections where left turns already exist and at bridge or culvert structures where widening would require modifications of the existing structures. Turn lanes are also not needed at these structures due to the lack of business or residential properties located at the structures. The auxiliary lane will allow vehicles traveling in both north and south directions to ability to have a safe place to stop outside of the through lanes while waiting for an opening in oncoming traffic. North and south bound traffic in the through lanes will be able to continue unimpeded. Due to widening of the roadway, existing driveway culverts will be replaced in-kind in a new location as needed. Twin drainage structures smaller than 36 inches will be added to allow water to equalize under the US 41 roadway into new drainage basins along the edge of US 41 south of 101<sup>st</sup> Place and north of the entrance to Alsip Nursery. See Appendix B118 for location of structures on plans. A large detention basin is being coordinated with the Town of St. John, the Lake County Drainage Board, United States Army Corps of Engineers – Chicago District (USACE), and the Indiana Department of Environmental Management (IDEM). One curb ramp will also be

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updated as part of this project at the southeast corner of 97<sup>th</sup> Lane and US 41 (Wicker Ave.). All other curb ramps within the project area are compliant.

US 41 will have phased lane closures occurring throughout construction. See Appendix B72-B101 for Maintenance of Traffic Plans.

The surrounding area includes wetlands, forest, commercial, and residential properties. The proposed alternative will require the purchasing of approximately 2.99 acres of permanent right-of-way and 0.07 acres of temporary right-of-way. The permanent right-of-way will be purchased from 36 parcels. See Appendix B57-B148 for Stage 2 Plans.

The preferred alternative will impact St. John Ditch, likely a jurisdictional waterway. There will be temporary and permanent impacts to St. John Ditch. St. John Ditch is located within a floodplain. Due to impacts to the ditch, a construction in a floodway permit will be required for this project. See Appendix F for Waters Report and floodplain maps.

Six wetlands will be impacted by this project. Impacts were reduced to as small as possible, but without impacting wetlands the project would have incurred adverse impacts to adjacent properties, substantially increased project costs, not addressed engineering, traffic, maintenance and safety issues, caused adverse social and economic impacts, and would no longer be able to meet the project's identified need. Because of impacts to wetlands greater than 0.1 acres, mitigation will be required for this project. See Appendix F for Waters Report and wetland maps.

Due to waterway and wetland impacts, 401 and 404 permits will be required for this project.

Due to the widening of the roadway, approximately 11.75 acres will be disturbed. Because of this, a Rule 5 permit will be required for this project.

**OTHER ALTERNATIVES CONSIDERED:**

*Describe all discarded alternatives, including the Do-Nothing Alternative and an explanation of why each discarded alternative was not selected.*

One other alternative was considered:  
 1) No Build

**Alternative 1 - No Build (A):** The no build alternative would do nothing to address the deficiencies of this roadway. The roadway would remain without auxiliary lanes and accidents related to left turns will continue to occur. This alternative does not meet the purpose and need for this project. Therefore, it was not chosen.

No other alternatives could address the purpose and need for this project.

**The Do Nothing Alternative is not feasible, prudent or practicable because (Mark all that apply):**

- |   |                                     |
|---|-------------------------------------|
| It would not correct existing capacity deficiencies;  | <input type="checkbox"/>            |
| It would not correct existing safety hazards;   | <input checked="" type="checkbox"/> |
| It would not correct the existing roadway geometric deficiencies;                             | <input type="checkbox"/>            |
| It would not correct existing deteriorated conditions and maintenance problems; or            | <input type="checkbox"/>            |
| It would result in serious impacts to the motoring public and general welfare of the economy. | <input checked="" type="checkbox"/> |
| Other (Describe)  | <input type="checkbox"/>            |

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### ROADWAY CHARACTER:

#### US 41

Functional Classification: Arterial

Current ADT: 28,700 VPD (2019) Design Year ADT: 34,960 VPD (2039)

Design Hour Volume (DHV): 2,674 Truck Percentage (%): 2.49

Designed Speed (mph): 45-55 Legal Speed (mph): 45-55

	Existing	Proposed
Number of Lanes:	4	5
Type of Lanes:	Thru Lanes	4 Thru Lanes, 1 Center Turn Lane
Pavement Width:	48 ft.	62 ft.
Shoulder Width:	2 ft.	8 ft.
Median Width:	N/A ft.	N/A ft.
Sidewalk Width:	N/A ft.	N/A ft.

Setting:  Urban  Suburban  Rural  
 Topography:  Level  Rolling  Hilly

*If the proposed action has multiple roadways, this section should be filled out for each roadway.*

### DESIGN CRITERIA FOR BRIDGES:

Structure/NBI Number(s): N/A Sufficiency Rating: N/A  
 (Rating, Source of Information)

	Existing	Proposed
Bridge Type:	N/A	N/A
Number of Spans:	N/A	N/A
Weight Restrictions:	N/A ton	N/A ton
Height Restrictions:	N/A ft.	N/A ft.
Curb to Curb Width:	N/A ft.	N/A ft.
Outside to Outside Width:	N/A ft.	N/A ft.
Shoulder Width:	N/A ft.	N/A ft.
Curb/Sidewalk Width:	N/A	N/A
Length of Channel Work:	N/A	N/A

*Describe bridges and structures; provide specific location information for small structures.*

Remarks: Three existing structures are located within the project area. CV 041-045-259.60, CV 041-045-258.85, and 041-045-09892 will not be impacted by the project. The roadway will not be widened over CV 041-045-259.60, CV 041-045-258.85, 041-045-09892, see Appendix B122, B110, and B106 for corresponding plan sheets. All three structures will remain as they are.

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Existing driveway culverts will be replaced in kind as needed due to the widening of the US 41 roadway.

Twin small structure 36" diameter pipes will be included under the US 41 roadway south of the 101<sup>st</sup> Place intersection and north of the entrance to Alsip Nursery. See Appendix B118 for the corresponding plan sheet.

Yes      No      N/A

Will the structure be rehabilitated or replaced as part of the project?                 

*If the proposed action has multiple bridges or small structures, this section should be filled out for each structure.*

**MAINTENANCE OF TRAFFIC (MOT) DURING CONSTRUCTION:**

	Yes	No
Is a temporary bridge proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is a temporary roadway proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project involve the use of a detour or require a ramp closure? (describe in remarks)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Provisions will be made for access by local traffic and so posted.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Provisions will be made for through-traffic dependent businesses.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Provisions will be made to accommodate any local special events or festivals.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Will the proposed MOT substantially change the environmental consequences of the action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there substantial controversy associated with the proposed method for MOT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks: US 41 will be restricted through phased lane closures and shifting of traffic as needed. See Appendix B72-B101 for MOT plans. No detours are required for this project. There will be no restrictions of access to businesses and residences. The plans note that the contractor will be required to provide access to all properties along the US 41 corridor with the project limits at all times. Impacts will be temporary to the traveling public, local businesses, and local residents lasting only through the construction of the project.

Coordination has been ongoing with the town of St. John. Early coordination was sent to the St. John Public Works Department and St. John Police Department on March 16, 2017. The Public Works Department did not respond, but the Police Department responded on March 17, 2017 expressing support for the proposed alternative for US 41 through the community. No concerns were raised about construction. Typically two festivals occur each year within the town of St. John according to the Indiana State Festivals Association website, [www.indianafestivals.org](http://www.indianafestivals.org). The two festivals are the St. John Festival in July, and the St. John Oktoberfest in September. Coordination with the town of St. John will occur to cause the least amount of impacts to the festivals. See Appendix C1 for the list of early coordination recipients and Appendix C21 for the early coordination response from the St. John Police Department.

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**ESTIMATED PROJECT COST AND SCHEDULE:**

Engineering: \$ 718,015 (2017)	Right-of-Way:	Construction:
<u>18,750 (2018)</u>	<u>\$ 2,000,000 (2019)</u>	<u>\$ 5,868,064 (2019)</u>

Anticipated Start Date of Construction: June 2020

Date project incorporated into STIP: July 3, 2017

Is the project in an MPO Area?  Yes  No

If yes,

Name of MPO: Northwestern Indiana Regional Planning Commission (NIRPC)

Location of Project in TIP: Page 10

Date of incorporation by reference into the STIP: July 3, 2017

**RIGHT OF WAY:**

Land Use Impacts	Amount (acres)	
	Permanent	Temporary
Residential	0.28	0.0
Commercial	2.02	0.03
Agricultural	0.0	0.0
Forest	0.04	0.0
Wetlands	0.16	0.0
Other: Religious	0.19	0.04
Other: Municipality	0.30	0.0
<b>TOTAL</b>	<b>2.99</b>	<b>0.07</b>

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

Remarks: 

The project requires a total of 3.06 acres of right-of-way. Approximately 2.99 acres of permanent right-of-way and approximately 0.07 acres of temporary right-of-way will be purchased. Right-of-way is being purchased from a total of thirty-six property owners; twenty-one commercial parcels, eight residential parcels, four religious parcels, and three municipality parcels. Private drives will need to be redeveloped for businesses and residences within the project area.

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Of the total 2.99 acres of permanent right-of-way; 0.28 acres are residential, 2.02 acres are commercial, 0.04 acres are forest, 0.16 acres are wetlands, 0.19 acres are religious entity related, and 0.3 acres are municipality. The permanent right-of-way is primarily mowed roadside vegetation, private drives, wetland, and forest.

Of the total 0.07 acres of temporary right-of-way; 0.03 acres are commercial and 0.04 are religious entity related. The temporary right-of-way is either mowed roadside vegetation or commercial parking lot/private drive.

The existing right-of-way along US 41 varies from roughly 20 to 40 feet from the edge of pavement.

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

**SECTION A – ECOLOGICAL RESOURCES**

	<u>Presence</u>	<u>Impacts</u>	
		<u>Yes</u>	<u>No</u>
<b>Streams, Rivers, Watercourses &amp; Jurisdictional Ditches</b>	<b>X</b>	<b>X</b>	
Federal Wild and Scenic Rivers			
State Natural, Scenic or Recreational Rivers			
Nationwide Rivers Inventory (NRI) listed			
Outstanding Rivers List for Indiana			
Navigable Waterways			

Remarks: Four waterways were identified within or adjacent to the project area. A field investigation conducted on November 14 & 15, 2016 identified four waterways and two roadside ditches within the project area. A waters report was reviewed and approved by INDOT Ecology and Waterway Permitting on March 30, 2017.

St. John Ditch was first identified on National Wetland Inventory (NWI) maps. This waterway was also observed during the field investigation conducted by INDOT Environmental Services. St. John Ditch would be classified as R2UB3 (Riverine Lower Perennial Unconsolidated Bottom Mud). The waterway is approximately 16 feet wide and 4 inches deep, flowing southwest. St. John is an average quality waterway due to the presence of riffles, pools, and tree cover. There will be approximately 0.06 acres of impacts to St. John Ditch as part of this project. The impacts include grading for the expanding roadway and relocating the ditch to a safe distance away from the edge of pavement.

Jane Feddeler Ditch was first identified on NWI maps. This waterway was also observed during the field investigation conducted by INDOT Environmental Services. Jane Feddeler Ditch would be classified as R2UB3 (Riverine Lower Perennial Unconsolidated Bottom Mud). The water feature is approximately 2 feet wide and 3 inches deep, flowing southwest. This waterway would be classified as poor due to the absence of riffles, pools, and tree cover. This waterway will not be impacted by this project.

UNT to Jane Feddeler Ditch was first identified during the field investigation conducted by INDOT Environmental Services. UNT to Jane Feddeler Ditch would be classified as R2UB3 (Riverine Lower Perennial Unconsolidated Bottom Mud). The water feature is approximately 2 feet wide and



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3 inches deep, flowing southwest. This waterway would be classified as poor due to the absence of riffles, pools, and tree cover. This waterway will not be impacted by this project because it is no longer within the project limits.

UNT to West Creek (UNT1) was first identified on NWI maps. This waterway was also observed during the field investigation conducted by INDOT Environmental Services. UNT1 to West Creek would be classified as R2UB3 (Riverine Lower Perennial Unconsolidated Bottom Mud). The water feature is approximately 5 feet wide and 5 inches deep, flowing northwest. This waterway would be classified as poor due to the absence of riffles, pools, and tree cover. This waterway will not be impacted by this project.

UNT to St. John Ditch, a roadside ditch, was identified during the field visit. UNT to St. John Ditch is located west of the US 41 roadway starting south of 96th Place eventually connecting with St. John Ditch. UNT to St. John Ditch would be classified as R4SB2 (Riverine Intermittent Streambed Rubble). The observed roadside ditch had an OHWM of 4 feet wide and 2 inches deep, flowing south. This roadside ditch will not be impacted by this project.

UNT2 to West Creek, a roadside ditch, was identified during the field visit. UNT2 to West Creek is located west of the US 41 roadway starting at the intersection of US 231 eventually connecting to UNT1 to West Creek. UNT2 to West Creek would be classified as R4SB5 (Riverine Intermittent Streambed Mud). The observed roadside ditch had an OHWM of 3 feet wide and 2 inches deep, flowing north to UNT1 to West Creek. This roadside ditch will not be impacted by this project.

An early coordination letter was sent to IDNR, USACE, IDEM, and the United States Fish and Wildlife Service (USFWS) on March 16, 2017. See Appendix C for early coordination letter and responses.

The IDNR responded to early coordination on April 13, 2017 and stated, "Avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts." IDNR also included recommendations to address potential impacts especially to stream crossings. See Appendix C4-C7 for full IDNR response.

USACE did not respond to early coordination.

IDEM's automated early coordination response includes multiple sections related to work within a waterway. First, there is a section on the need for receiving a permit from IDEM and USACE for impacts to water bodies such as St. John Ditch. Second, the response requires that work within a one-hundred year floodway be permitted by IDNR. Third, the response states that, "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." Fourth, "If the project is located within an IDEM approved MS4-area, please contact the local MS4 program about meeting their storm water requirements." Fifth, the response states that proper storm water requirements and techniques be followed by the Soil and Water Conservation District (SWCD). Sixth, the response states that projects involving impacts to fish and botanical resources require contacting IDNR – Division of Fish and Wildlife. See Appendix C8-C14 for full IDEM response.

USFWS responded on March 22, 2017. USFWS stated they would not be providing a letter response due to the lack of impacts that this project will cause. See Appendix C22 for full USFWS response.

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Agency recommendations applicable to the project are include in the commitments section of this environmental document.

Due to the grading for the existing roadway, the relocation of the existing ditch to a safe distance away from the edge of pavement, and construction work, there will be impacts to St. John Ditch. Total stream impacts are anticipated to be 0.06 acres. There will be no impacts to the other waterways or roadside ditches. The Waters Report completed March 30, 2017 was sent to USACE – Chicago District. 401 and 404 permits will be required for this project.

Other Surface Waters	Presence	Impacts	
		Yes	No
Reservoirs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lakes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Farm Ponds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Detention Basins	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Storm Water Management Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: The area within and immediately adjacent to the project area was reviewed for the presence of water resources. A desktop review was performed by INDOT Environmental Services using aerial maps. During a red flag investigation, twenty-one lakes were identified within the half-mile radius of the project area. The nearest lake was identified as being located adjacent to the project area on the southeastern edge. A field visit conducted on November 14 & 15, 2016 by INDOT-Environmental Services confirmed that there were no other surface waters within the project area. The project will not be impacting the lake. No other surface waters were identified within the project area. See Appendix B110 for the plan sheet that includes the lake area also known as Wetland H. See Appendix E for the red flag investigation and Appendix F for the waters of the U.S. report.

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

Total wetland area:     10.44     acre(s)      Total wetland area impacted:     0.38     acre(s)

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

	Documentation	ES Approval Dates
<b>Wetlands (Mark all that apply)</b>		
Wetland Determination	<input checked="" type="checkbox"/>	<b>March 30, 2017</b>
Wetland Delineation	<input type="checkbox"/>	<input type="checkbox"/>
USACE Isolated Waters Determination	<input type="checkbox"/>	<input type="checkbox"/>
Mitigation Plan	<input type="checkbox"/>	<input type="checkbox"/>

**Improvements that will not result in any wetland impacts are not practicable because such avoidance would result in (Mark all that apply and explain):**  
 Substantial adverse impacts to adjacent homes, business or other improved properties;

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Substantially increased project costs;	<table border="1"><tr><td>X</td></tr></table>	X
X		
Unique engineering, traffic, maintenance, or safety problems;	<table border="1"><tr><td>X</td></tr></table>	X
X		
Substantial adverse social, economic, or environmental impacts, or	<table border="1"><tr><td>X</td></tr></table>	X
X		
The project not meeting the identified needs.	<table border="1"><tr><td>X</td></tr></table>	X
X		

*Measures to avoid, minimize, and mitigate wetland impacts need to be discussed in the remarks box.*

Remarks: Eleven wetlands were identified within or adjacent to the project area on the NWI maps. A field investigation conducted on November 14 & 15, 2016 identified eleven wetlands within the project area. A waters report was reviewed and approved by INDOT Ecology and Waterway Permitting on March 30, 2017.

Six wetlands will be impacted by this project. Impacts were reduced to as small as possible, but without impacting wetlands the project would have incurred adverse impacts to adjacent properties, substantially increased project costs, not addressed engineering, traffic, maintenance and safety issues, caused adverse social and economic impacts, and would no longer be able to meet the project's identified need.

Wetland A is located west of the US 41 roadway south of 97th Lane. Wetland A was classified as a wetland due to aerial characteristics observed during the desktop review. Wetland A would be classified as PEMC (Palustrine Emergent Seasonally Flooded). The estimated total size of Wetland A is approximately 0.02 acres. This project will not impact this wetland.

Wetland B is located west of the US 41 roadway north of 103rd Lane. Wetland B would be classified as PSS6 (Palustrine Scrub-Shrub Deciduous). The estimated total size of Wetland B is approximately 1.17 acres and extends well beyond the project area. Approximately 0.17 acres of Wetland B will be impacted by this project. The impacts include grading for the expanding roadway and the installation of a permanent pavement driveway for construction.

Wetland C is located west of the US 41 roadway just north of the intersection with US 231. Wetland C would be classified as PEMC5 (Palustrine Emergent Seasonally Flooded *Phragmites australis*). The estimated total size of Wetland C is approximately 0.08 acres. Approximately 0.07 acres of Wetland C will be impacted by this project. The impacts include grading for the expanding roadway and guardrail removal and replacement.

Wetland D is located east of the US 41 roadway just north of the intersection with US 231. Wetland D would be classified as PEMC5. The estimated total size of Wetland D is approximately 0.14 acres. Approximately 0.03 acres of Wetland D will be impacted by this project. The impacts include grading for the expanding roadway and guardrail removal and replacement.

Wetland E is located east of the US 41 roadway just south of 108th Avenue. Wetland E would be classified as PEMC5. The estimated total size of Wetland E is approximately 0.09 acres. Approximately 0.09 acres of Wetland E will be impacted by this project. The impacts include grading for the expanding roadway and guardrail removal and replacement.

Wetland F is located east of the US 41 roadway north of 108th Avenue. Wetland F would be classified as PEMC5. The estimated total size of Wetland F is 0.03 acres. Approximately 0.01 acres of Wetland F will be impacted by this project. The impacts include grading and an asphalt driveway replacement.

Wetland H is located east of the US 41 roadway north of 105th Place and Jane Feddeler Ditch. Wetland H is classified as a PUBHX (Palustrine Unconsolidated Bottom Permanently Flooded

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Excavated) wetland according to NWI maps of the area. The estimated total size of Wetland H is approximately 8.3 acres. Wetland H will not be impacted by this project.

Wetland I is located east of the US 41 roadway at the southern intersection with 103rd Lane. Wetland I would be classified as PEMC5. The estimated total size of Wetland I is 0.01 acres. Approximately 0.01 acres of Wetland I will be impacted by this project. The impacts include grading and replacing permanent pavement.

Wetland J is located east of the US 41 roadway north of 103rd Lane. Wetland J would be classified as PEMC5. The estimated total size of Wetland J is approximately 0.32 acres. Wetland J will not be impacted by this project.

Wetland K is located east of the US 41 roadway south of Earl Drive. Wetland K would be classified as PEMC (Palustrine Emergent Seasonally Flooded). The estimated total size of Wetland K is approximately 0.07 acres. Wetland K will not be impacted by this project.

Wetland L is located east of the US 41 roadway north of Earl Drive. Wetland L would be classified as PEMC5. The estimated total size of Wetland L is approximately 0.21 acres. Wetland L will not be impacted by this project.

Total wetland impacts will be 0.38 acres. Due to impacts greater than 0.1 acres, mitigation will be required for this project. It is anticipated that wetland mitigation bank credits will be used as the mitigation for this project pending approval by IDEM and USACE-Chicago District.

Early coordination was sent to IDNR, USACE, USFWS, and IDEM on March 16, 2017. See Appendix C for early coordination letter and responses.

IDNR responded on April 13, 2017. The response mentioned that "due to the presence or potential presence of wetlands on site" coordination with IDEM and USACE should occur as part of the 401 and 404 permitting process. The response also stated that, "Consideration should be given to avoiding the construction of a turn lane along areas with no use for a turn lane, especially in areas where wetlands are present. Projects near wetlands should consider avoiding impacts entirely before considering mitigation." As previously mentioned, permitting and coordination with IDEM and USACE is ongoing. Turn lanes are not located along the entire length of the project area, unnecessary center lanes were avoided in order to prevent greater impacts to wetlands. However, some impacts could not be avoided due to safety needs for the US 41 roadway. See Appendix C4-C7 for full IDNR response including other recommendations not relating to wetlands.

USACE did not respond to early coordination.

USFWS responded on March 22, 2017. USFWS stated they would not be providing a letter response due to the lack of impacts that this project will cause. See Appendix C22 for full USFWS response.

IDEM's automated early coordination response includes multiple sections related to work within a wetland. First, there is a section on the need for receiving a permit from IDEM and USACE for impacts to water bodies including wetlands. Second, if a wetland is determined by USACE to not be subject to Clean Water Act regulation, it is still regulated by the state of Indiana. Third, "if a project will involve over 0.5 acre of wetland impact...you should seek additional input from OWQ Wetlands Program staff." See Appendix C8-C14 for full IDEM response.

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	<u>Presence</u>	<u>Impacts</u>	
		<u>Yes</u>	<u>No</u>
<b>Terrestrial Habitat</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Unique or High Quality Habitat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Use the remarks box to identify each type of habitat and the acres impacted (i.e. forested, grassland, farmland, lawn, etc).

Remarks: Land use within the vicinity of the project consists of multiple waterways and a roadside ditch, wetland vegetation, forest, and roadside upland vegetation. The area surrounding the project is forest, agricultural lands, residential properties, and commercial properties. There are trees, shrubs, wetlands, and mowed grass near the edge of the existing pavement of US 41 that will be impacted by this project. Total area of disturbance is estimated to be 11.75 acres.

One high quality habitat was identified near the project area during early coordination with IDNR. In their April 13, 2017 response to early coordination, IDNR stated that a high quality natural community was documented within the project area. Biesecker Prairie is located south of the project limits and will not be impacted by this project. IDNR also recommended that riparian habitat be mitigated with a mitigation plan if impacts were to occur. Impacts may occur to riparian habitat. A mitigation plan will be developed if needed. IDNR further recommended that, "impacts to non-wetland forest of less than one acre 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 larger trees." Approximately 0.04 acres of trees will be removed for this project. This will be added as a firm commitment. See Appendix C4-C7 for IDNR early coordination response.

USFWS did not identify any unique or high quality habitats during early coordination. See Appendix C22 for USFWS response.

Impacts to terrestrial habitat will occur. A rule 5 permit will be required for this project because of more than an acre of disturbance occurring within the project limits.

If there are high incidences of animal movements observed in the project area, or if bridges and other areas appear to be the sole corridor for animal movement, consideration of utilizing wildlife crossings should be taken.

**Karst**

	<u>Yes</u>	<u>No</u>
Is the proposed project located within or adjacent to the potential Karst Area of Indiana?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are karst features located within or adjacent to the footprint of the proposed project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes, will the project impact any of these karst features?	<input type="checkbox"/>	<input type="checkbox"/>

Use the remarks box to identify any karst features within the project area. (Karst investigation must comply with the Karst MOU, dated October 13, 1993)

Remarks: This project is located outside of the karst features region of the state as identified in the October 13, 1993 MOU between IDEM, IDNR, USFWS, and INDOT. No potential karst features are known to exist within or adjacent to the proposed project area.

Early coordination was sent to the Indiana Geological Survey (IGS) on March 16, 2017. No geological concerns were identified. See Appendix C18 for IGS response.

Presence                      Impacts

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**Threatened or Endangered Species**

	Yes	No
Within the known range of any federal species	X	X
Any critical habitat identified within project area		
Federal species found in project area (based upon informal consultation)	X	X
State species found in project area (based upon consultation with IDNR)	X	X

Is Section 7 formal consultation required for this action? Yes  No

Remarks: Lake County is within range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (NLEB) (*Myotis septentrionalis*). The IDNR Lake County Endangered, Threatened, and Rare Species List contains several other species including insects, fish, reptiles, birds, bats, mammals, and plants. See Appendix E13-E23 for the full list.

Early coordination was sent out to coordinating agencies on March 16, 2017.

IDNR identified multiple communities, plants, insects, and animals in their letter dated April 13, 2017. Along with the species mentioned, IDNR noted the close proximity to Biesecker Prairie which part of IDNR's Division of Nature Preserves. DNR requested that continued coordination with the Nature Preserve occur. DNR also recommended that no right-of-way or construction activities should occur near or within the Nature Preserve. The project will not be impacting Biesecker Prairie Nature Preserve. No right-of-way will be purchased from the Nature Preserve. Construction will not impact the Nature Preserve. See Appendix C4-C7 for IDNR response.

USFWS responded on March 22, 2017. USFWS stated they would not be providing a letter response due to the lack of impacts that this project will cause. See Appendix C22 for full USFWS response.

The project was input into the USFWS' Information for Planning and Consultation (IPaC) system on February 27, 2018. A species list was generated that identified four federally endangered species. *Charadrius melodus* (Piping Plover) was identified within the vicinity of the project area, but no critical habitat was identified. This project will not impact the Piping Plover. *Lycaeides melissa samuelis* (Karner Blue Butterfly) was identified within the vicinity of the project area, but no critical habitat was identified. This project will not impact the Karner Blue Butterfly. *Bombus affinis* (Rusty Patched Bumble Bee) was identified within the vicinity of the project area, but no critical habitat was identified. This project will not impact the Rusty Patched Bumble Bee. *Myotis sodalis* (Indiana bat) was identified within the vicinity of the project area. A determination key was completed for the Indiana bat and the federally threatened *Myotis septentrionalis* (Northern long-eared bat). The determination key revealed that the project did qualify for informal coordination with USFWS. See Appendix C24-C30 for the species list.

The IPaC system for informal coordination for the Indiana Bat and Northern Long-eared Bat was used for this project on March 21, 2018. The project area includes riparian areas along the roadside of the US 41, and construction will occur up to 100 feet from the existing pavement. Up to 0.04 acres of trees may be cleared, all tree clearing will occur less than 100 feet from the existing pavement. With regard to the Indiana bat and the NLEB, the project finding is "Not Likely to Adversely Affect." Proposed impacts cannot be avoided due to the riparian area's location adjacent to the existing roadway. Avoidance and Minimization Measures (AMMs) are required for this project and will be included as firm commitments. See Appendix C31-C44 for the USFWS Consistency Letter generated for the project in IPaC.

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The USFWS map Range Map for the Rusty Patch Bumble Bee (<https://www.fws.gov/midwest/endangered/insects/rpbb/rpbbmap.html>) identified the entire project area as being located within a High Potential Zone for Rusty Patch Bumble Bee habitat. INDOT reviewed "The Rusty Patched Bumble Bee (*Bombus affinis*) Voluntary Implementation Guide Version 1.1." The project area is made up of existing asphalt pavement extending beyond the US 41 roadway serving as parking lots, side streets, and business access. Beyond the asphalt pavement the rest of the project area is made up of mowed grass vegetation, wetlands dominated by *Phragmites australis* (common reed), and riparian vegetation surrounding St. John Ditch. There is a lack of diverse and flowering plant species throughout the year. See Appendix F for the waters of the U.S. report which contains USACE data sheets that include vegetation located throughout the project area. The project area is also frequently mowed. Based on the habitat qualifications identified in the USFWS Voluntary Implementation Guide, none of the project area exhibits properties that would make the area suitable habitat for the Rusty Patch Bumble Bee. The project is not anticipated to impact the Rusty Patch Bumble Bee. USFWS concurred with the No Effect finding on April 11, 2018. See Appendix C23 for USFWS concurrence.

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

### SECTION B – OTHER RESOURCES

	<u>Presence</u>	<u>Impacts</u>	
		Yes	No
<b>Drinking Water Resources</b>			
Wellhead Protection Area	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Public Water System(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Residential Well(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Source Water Protection Area(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sole Source Aquifer (SSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If a SSA is present, answer the following:

	Yes	No
Is the Project in the St. Joseph Aquifer System?	<input type="checkbox"/>	<input type="checkbox"/>
Is the FHWA/EPA SSA MOU Applicable?	<input type="checkbox"/>	<input type="checkbox"/>
Initial Groundwater Assessment Required?	<input type="checkbox"/>	<input type="checkbox"/>
Detailed Groundwater Assessment Required?	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: The proposed project is located in Lake County; therefore, the project is not located within the area of the St. Joseph Sole Source Aquifer, the only legally designated sole source aquifer in Indiana. Therefore, the Federal Highway Administration (FHWA)/Environmental Protection Agency (EPA) sole source aquifer Memorandum of Agreement (MOA) is not applicable to this project, and a groundwater assessment is not required.

IDEM's Wellhead Proximity Determination website (<http://www.in.gov/idem/cleanwater/pages/wellhead/>) was accessed on April 16, 2018 by INDOT Environmental Services. The required project location data was provided and it was determined that this project is located within multiple Wellhead Protection Areas. A Wellhead Protection Area Proximity Determination Request was sent to IDEM on April 16, 2018. IDEM-Ground Water

This is page 15 of 30 Project name: Auxiliary Lanes, Two-Way Left-Turn Lanes Date: May 25, 2018

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Section-Drinking Water Branch responded on April 20, 2018 stating that the wellhead protection area is for the St. John Municipal Water Utility. This project is within municipal water facilities of the town of St. John. All requirements proposed by the St. John Municipal Water Utility and Public Works department will be followed when identified. Coordination with the town, the Public Works department, and Municipal Water Utility is ongoing. See Appendix C8-C16 for IDEM responses.

This project does not infringe on any residential wells, therefore no impacts will occur to any drinking water resources as a result of this project.

	<u>Presence</u>	<u>Impacts</u>	
		<u>Yes</u>	<u>No</u>
<b>Flood Plains</b>			
Longitudinal Encroachment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transverse Encroachment	<b>X</b>	<b>X</b>	<input type="checkbox"/>
Project located within a regulated floodplain	<b>X</b>	<input type="checkbox"/>	<input type="checkbox"/>
Homes located in floodplain within 1000' up/downstream from project	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Discuss impacts according to classification system described in the "Procedural Manual for Preparing Environmental Studies".*

Remarks: The available Federal Emergency Management (FEMA) floodplain map shows parts of the project is located within a floodplain. See Appendix F111-112 for FEMA Floodplain Insurance Rate Maps (FIRM). This project will have transverse floodplain impacts.

The project is located within a regulatory floodplain and because drainage structure modifications will be done to St. John Ditch floodplain impacts will occur. Therefore, the project falls under Category 3, according to the INDOT CE Manual. Modifications of existing structures may affect flood heights and flood limits and therefore an analysis may be needed to determine the effect of the modifications. Calculations should be made to determine any changes in capacity of existing structures and an inspection of the floodplain should be made to determine whether any expected increase in flood heights could result in substantial damage not expected under current conditions. A hydraulic design study that addresses various structure size options will be completed during the preliminary design phase. A summary of this study will be included with the Stage 3 Plans.

IDNR responded to early coordination on April 13, 2017 stating, "This proposal will require the formal approval of our agency for construction in a floodway, pursuant to the Flood Control Act (IC 14-28-1), unless the project qualifies under the INDOT Maintenance Activity Exemption from the Flood Control Act and Navigable Waterways Act dated March 1997, established through a Memorandum of Understanding between INDOT and IDNR." See Appendix C4-C7 for full IDNR response.

The project is located within the town of St. John and St. John Ditch has an upstream drainage of over one square mile. Therefore, an IDNR Construction in a Floodway (CIF) permit will be required.



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

Total Points (from Section VII of CPA-106/AD-1006\* 5  
 \*If 160 or greater, see CE Manual for guidance.

See CE Manual for guidance to determine which NRCS form is appropriate for your project.

Remarks: Land within the project area is primarily classified as commercial, residential, wetland, or forest. Some areas are suitable for farming, but are not currently planted for ROW crops. Since right-of-way is being purchased, the project will impact 2.99 acres of farmland. Early coordination was sent to the Natural Resources Conservation Service (NRCS) on March 16, 2017. NRCS responded on March 24, 2017 stating that the project would cause a conversion of prime farmland. Although farmland will be impacted, INDOT – Environmental Services completed the AD-1006 form and the point value was below the threshold of 160, therefore the impact is not significant. INDOT – Environmental Services returned the updated form to NRCS on April 10, 2018. See Appendix C19 for NRCS response and C20 for AD 1006 form.

**SECTION C – CULTURAL RESOURCES**

	Category	Type	INDOT Approval Dates	N/A
Minor Projects PA Clearance	B	1	October 13, 2017	<input type="checkbox"/>
	B	3	October 13, 2017	<input type="checkbox"/>

**Eligible and/or Listed  
Resource Present**

**Results of Research**

Archaeology	<input type="checkbox"/>
NRHP Buildings/Site(s)	<input type="checkbox"/>
NRHP District(s)	<input type="checkbox"/>
NRHP Bridge(s)	<input type="checkbox"/>

**Project Effect**

No Historic Properties Affected  No Adverse Effect  Adverse Effect

**Documentation  
Prepared**

Documentation (mark all that apply)

	ES/FHWA Approval Date(s)	SHPO Approval Date(s)
Historic Properties Short Report	<input type="checkbox"/>	<input type="checkbox"/>
Historic Property Report	<input type="checkbox"/>	<input type="checkbox"/>
Archaeological Records Check/ Review	<input type="checkbox"/>	<input type="checkbox"/>
Archaeological Phase Ia Survey Report	<input type="checkbox"/>	<input type="checkbox"/>
Archaeological Phase Ic Survey Report	<input type="checkbox"/>	<input type="checkbox"/>
Archaeological Phase II Investigation Report	<input type="checkbox"/>	<input type="checkbox"/>

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Archaeological Phase III Data Recovery  
APE, Eligibility and Effect Determination  
800.11 Documentation


Memorandum of Agreement (MOA)

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

--	--

*Describe all efforts to document cultural resources, including a detailed summary of the Section 106 process, using the categories outlined in the remarks box. The completion of the Section 106 process requires that a Legal Notice be published in local newspapers. Please indicate the publication date, name of paper(s) and the comment period deadline. Likewise include any further Section 106 work which must be completed at a later date, such as mitigation or deep trenching.*

Remarks: This project falls within the guidelines of Category B, Type 1 and 3 under the Minor Projects Programmatic Agreement. No further consultation is required. This fulfills the requirements of the Section 106 process. See Appendix D1-D4 for MPPA Project Assessment Form.

One curb ramp will be updated to ADA requirements. This curb ramp will not change the MPPA determination. See Appendix D5-D6 for correspondence with INDOT-Cultural Resources.

**SECTION D – SECTION 4(f) RESOURCES/ SECTION 6(f) RESOURCES**

**Section 4(f) Involvement** (mark all that apply)

**Parks & Other Recreational Land**

	<u>Presence</u>	<u>Use</u>	
		Yes	No
Publicly owned park	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Publicly owned recreation area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (school, state/national forest, bikeway, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Evaluations  
Prepared

Programmatic Section 4(f)*	<input type="checkbox"/>	<u>FHWA Approval Date</u>
"De minimis" Impact*	<input type="checkbox"/>	
Individual Section 4(f)	<input type="checkbox"/>	<input type="text"/>

**Wildlife & Waterfowl Refuges**

	<u>Presence</u>	<u>Use</u>	
		Yes	No
National Wildlife Refuge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Natural Landmark	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Wildlife Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Nature Preserve	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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Evaluations  
Prepared

Programmatic Section 4(f)\*  
"De minimis" Impact\*  
Individual Section 4(f)


FHWA  
Approval  
Date

Presence

**Historic Properties**

Sites eligible and/or listed on the NRHP

Use

Yes      No



Evaluations  
Prepared

Programmatic Section 4(f)\*  
"De minimis" Impact\*  
Individual Section 4(f)


FHWA  
Approval  
Date

*\*FHWA approval of the environmental document also serves as approval of any Section 4f Programmatic and/or De minimis evaluation(s) discussed below.*

*Discuss Programmatic Section 4(f) and "de minimis" Section 4(f) impacts in the remarks box below. Individual Section 4(f) documentation must be separate Draft and Final documents. For further discussions on Programmatic, "de minimis" and Individual Section 4(f) evaluations please refer to the "Procedural Manual for the Preparation of Environmental Studies". Discuss proposed alternatives that satisfy the requirements of Section 4(f).*

Remarks: Section 4(f) of the US Department of Transportation Act of 1966 requires special considerations be made regarding the "use" of any publicly owned park, recreation area, wildlife/waterfowl refuge or historic property that is listed in or eligible for the NRHP. There is one Section 4(f) resources identified within or near the project area upon review of applicable GIS layers and response from resource agencies.

Biesecker Prairie Nature Preserve  
This project is located near an IDNR Division of Nature Preserves site, the Biesecker Prairie Nature Preserve. The nature preserve is located adjacent to the southeastern corner of the project area. IDNR responded to early coordination on April 13, 2017 and stated that coordination with IDNR's Division of Nature Preserve's occur. Further, no right-of-way should be taken, and any construction activity near the nature preserve should be confined as much as possible to prevent potential negative impacts.

No other Section 4(f) properties were identified within or near the project area.

See Appendix E for the Red Flag Investigation that identifies the location of the nature preserve to the project area.

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<b>Section 6(f) Involvement</b>	<b>Presence</b>	<b>Use</b>	
		Yes	No
<b>Section 6(f) Property</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Discuss proposed alternatives that satisfy the requirements of Section 6(f). Discuss any Section 6(f) involvement.*

Remarks: There are no Section 6(f) resources in or near the project area. The National Park Service (NPS) website was checked and no 6(f) properties are located nearby. No recreational properties, either acquired with or improved by the Land and Water Conservation Fund (LWCF) will be impacted by this project. Refer to 6(f) list for Lake County in Appendix J1-J3.

### SECTION E – Air Quality

#### Air Quality

##### **Conformity Status of the Project**

Is the project in an air quality non-attainment or maintenance area?  Yes  No

If YES, then:

Is the project in the most current MPO TIP?  Yes  No

Is the project exempt from conformity?  Yes  No

If the project is NOT exempt from conformity, then:

Is the project in the Transportation Plan (TP)?  Yes  No

Is a hot spot analysis required (CO/PM)?  Yes  No

Level of MSAT Analysis required?

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

Remarks: This project is located in Lake County, which is currently a non-attainment area for 8-hour Ozone (O3) and a maintenance area for particulate matter (PM2.5). No air quality studies are required for this project. This project has been identified as being exempt from air quality analysis in accordance with 40 CFR 93.126 and this project is not a project of air quality concern (40 CFR 93.123). It can therefore be concluded that the project will have no significant impact on air quality. This project is of a type qualifying as a categorical exclusion (Group 1) under 23 CFR 771.117(c), or exempt under the Clean Air Act conformity rule under 40 CFR 93.126, and as such, a Mobile Source Air Toxics analysis is not required. The project's design, concept, and scope are accurately reflected in the Northwestern Indiana Regional Planning Commission (NIRPC) Transportation Improvement Program (TIP) and conforms to the State Implementation Plan (STIP). Therefore, the conformity requirements of 40 CFR 93 have been met. See Appendix H for STIP, TIP, and Nonattainment Areas Map.

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**SECTION F - NOISE**

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

	No	Yes/ Date
<b>ES Review of Noise Analysis</b>	X	

Remarks: This project is a Type III project. In accordance with 23 CFR 772 and the INDOT Traffic Noise Policy (FHWA concurrence, effective July 1, 2017), this action does not require formal noise analysis.

**SECTION G – COMMUNITY IMPACTS**

	Yes	No
<b>Regional, Community &amp; Neighborhood Factors</b>		
Will the proposed action comply with the local/regional development patterns for the area?	X	
Will the proposed action result in substantial impacts to community cohesion?		X
Will the proposed action result in substantial impacts to local tax base or property values?		X
Will construction activities impact community events (festivals, fairs, etc.)?	X	
Does the community have an approved transition plan?	X	
If No, are steps being made to advance the community's transition plan?		
Does the project comply with the transition plan? (explain in the remarks box)	X	

Remarks: 

Inconvenience associated with construction such as increased travel times, construction noise, and fugitive dust should be expected. These impacts will be temporary and cease upon completion of the project. Because the project will require two construction seasons for completion, the road will be completed in such ways to alleviate traffic issues in the winter between construction seasons. No substantial economic impacts are anticipated for the proposed project. No impacts to the local tax base and property values are anticipated. Temporary impacts to traffic and travel may occur. Coordination with the Town of St. John, emergency services, and schools will occur at least 2 weeks prior to the lane closures of US 41. This has been added as a firm commitment.

Early coordination was sent to the Town of St. John on March 16, 2017 and St. John Police. Town representatives did not respond. Police officials responded with support for the project. Typically two festivals occur each year within the city according to the Indiana State Festivals Association website, [www.indianafestivals.org](http://www.indianafestivals.org). The project manager and design team will continue ongoing coordination to alleviate impacts to the festivals as much as possible. See Appendix C21 for early coordination response from St. John Police.

Work is being done relating to Americans with Disabilities Act (ADA) requirements for this project. One curb ramp is being updated to current ADA requirements at the intersection of 97<sup>th</sup> place and US 41. St. John and Lake County both have approved ADA transition plans on record with NIRPC according to their website, [www.nirpc.org](http://www.nirpc.org).

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### Indirect and Cumulative Impacts

Will the proposed action result in substantial indirect or cumulative impacts?

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

Remarks: The project is not likely to result in substantial indirect and cumulative impacts. There will be no added capacity to the roadway or stream crossing or change in access to nearby properties because of this project.

### Public Facilities & Services

Will the proposed action result in substantial impacts on health and educational facilities, public and private utilities, emergency services, religious institutions, airports, public transportation or pedestrian and bicycle facilities? *Discuss how the maintenance of traffic will affect public facilities and services.*

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

Remarks: There are public facilities and services located within or near the project limits. One school is located north of the project area. Coordination with St. John Evangelist Church School will occur at least two weeks prior to the beginning of construction. The Shrine of Christ's Passion is located within the project area. Coordination has been ongoing with the Shrine and will continue through construction. Three trails are located within the project area. Coordination with the trail managers will occur prior to the beginning of construction. Coordination with the Town of St. John is ongoing and will continue through construction. Coordination with the Town of St. John Police Department is ongoing and will continue through construction. This project will not have substantial impacts to any public facilities and services; however, delays in travel may occur due to the lane closures required for the construction of the project. Phased construction will require lane closures throughout the project. There will be no restrictions of access to businesses and residences. Impacts will be temporary to the traveling public, local businesses, and local residents lasting only through the construction of the project. A firm commitment is included in this document recommending that all public facilities and services will be notified at least two weeks prior to construction by the contractor.

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

During the development of the project were EJ issues identified?

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

Does the project require an EJ analysis?

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

If YES, then:

Are any EJ populations located within the project area?

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

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

<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Remarks: Per the INDOT Procedural Manual for Preparing Environmental Studies, an Environmental Justice (EJ) Analysis is required for any project that has two or more relocations or 0.5 acre of additional permanent ROW. The project will require the purchasing of 2.99 of additional permanent right-of-way. Therefore, an EJ Analysis is required for this project.

Potential EJ impacts are detected by locating minority and low-income populations relative to a reference population to determine if populations of EJ concern do, in fact, exist and, if so, determining whether there could be disproportionate and adverse impacts to them. The reference population may be a county, city or town and is called the community of comparison (COC). In this project, the COC includes Hanover and St. John Townships in Porter County, Indiana. The community that overlaps the project limits is called the affected community (AC). In this project, the AC includes Census Tract 426.05, 426.08, 426.09, and 429.02. These Census Tracts are located within St. John and Hanover Townships respectively (See Appendix I4 for Township Map). An AC has a population of concern for environmental justice if the population is more than 50% minority or low-income or if the low-income or minority population is 125% of the COC.

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<b>Low Income</b>					
	COC	AC1	AC2	AC3	AC4
	Hanover & St. John Townships	Census Tract 426.05 (Part)	Census Tract 426.08 (Part)	Census Tract 426.09 (Part)	Census Tract 429.02 (Part)
Total Population	77,094	3,978	2,550	3,925	782
Population with Income in past 12 months below poverty level	3,581	159	31	131	96
Percent Low Income	4.6%	4.0%	1.2%	3.3%	12.3%
125 Percent of COC	5.8%	AC<125% COC	AC<125% COC	AC<125% COC	AC>125% COC
Minority Population of Concern?		No	No	No	Yes

Census Tract 426.05 (part) has a low income percent of 4.0%, which is below 50% and the 125% COC threshold. Census Tract 426.08 (part) has a low income percent of 1.2%, which is below 50% and the 125% COC threshold. Census Tract 426.09 (part) has a low income percent of 3.3%, which is below 50% and the 125% COC threshold. AC1, AC2, and AC3 do not contain low income populations of EJ concern. Census Tract 429.02 (part) has a low income percent of 12.3%, which is below 50%, but above the 125% COC threshold. AC4 does contain a low income population of EJ concern.

<b>Minority</b>					
	COC	AC1	AC2	AC3	AC4
	Hanover & St. John Townships	Census Tract 426.05 (Part)	Census Tract 426.08 (Part)	Census Tract 426.09 (Part)	Census Tract 429.02 (Part)
Total Population	78,450	3,989	2,550	3,936	782
Population Non-White/Minority	12,463	653	522	279	214
Percent Non-White/Minority	15.9%	16.4%	20.5%	7.1%	27.4%
125 Percent of COC	19.9%	AC<125% COC	AC<125% COC	AC<125% COC	AC<125% COC
Minority Population of Concern?		No	Yes	No	Yes

Census Tract 426.05 (part) has a minority percent of 16.4%, which is below 50% and the 125% COC threshold. Census Tract 426.09 (part) has a minority percent of 7.1%, which is below 50% and the 125% COC threshold. AC1 and AC3 do not contain minority populations of EJ concern.

Census Tract 426.08 (part) has a minority percent of 20.5%, which is below 50%, but above the 125% COC threshold. Census Tract 429.02 (part) has a minority percent of 27.4%, which is below

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50%, but above the 125% COC threshold. AC2 and AC4 does contain a low income population of EJ concern.

Since AC4 has an EJ population for low income and AC2 and AC4 have an EJ population for minority populations, INDOT-Environmental Services (INDOT-ES) was notified. A response was received on March 9, 2018 stating, "INDOT-ES has reviewed the project information along with the EJ analysis for the above referenced project. The project would require minimal right-of-way, require no relocations, and would not disrupt community cohesion or create a physical barrier. With the information provide, INDOT-ES would consider the impacts associated with this project as causing a disproportionately high and adverse effect on minority and/or low incomes populations of EJ concern relative to non EJ populations in accordance with the provisions of Executive Order 129898 and FHWA Order 6640.23a. No further EJ Analysis is required."

See Appendix I for Environmental Justice Analysis and Documentation.

### Relocation of People, Businesses or Farms

- Will the proposed action result in the relocation of people, businesses or farms?  
 Is a Business Information Survey (BIS) required?  
 Is a Conceptual Stage Relocation Study (CSRS) required?  
 Has utility relocation coordination been initiated for this project?

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

Number of relocations:

Residences: 0 Businesses: 0 Farms: 0 Other: 0

If a BIS or CSRS is required, discuss the results in the remarks box.

Remarks: Utility coordination has been initiated for this project. Multiple utilities will be relocated as part of this project. Utility coordination is ongoing with all utilities located within the vicinity of the project area. This project will not require the relocation of people, businesses, or farms.

### SECTION H – HAZARDOUS MATERIALS & REGULATED SUBSTANCES

#### Documentation

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

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

No      Yes/ Date

<b>ES Review of Investigations</b>		April 20, 2017
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Include a summary of findings for each investigation.

Remarks: A red flag investigation was completed by La Porte District INDOT - Environmental Section and approved by INDOT Central Office – Environmental Services on April 20, 2017. Hazardous materials were identified nearby. However, due to a reduction in the project limits to Standard Drive, three sites will no longer be impacted by the project. J J's Petro & Food Mart (9285 Wicker Ave. FID No. 14798), St. John Pool Center (9571 Wicker Ave. FID No. 13650), and Saint John Marathon (9245 Wicker Avenue, FID No. 14424) will no longer be impacted.

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One leaking underground storage tanks (LUST) is located adjacent to or within the project area and may be impacted. It is:

- John Lawler/Indiana Department of Transportation, FID No. 20127. IDEM issued a No Further Action Approval Determination Pursuant to 1994 UST Branch Guidance letter, dated October 15, 2009. If excavation occurs at the northeast corner of US 41 and US 231, any petroleum contaminated soil that is excavated shall be disposed in compliance with applicable federal and state laws. Also, should any petroleum contaminated groundwater be encountered, or excavation fills in with rainwater, the impacted water shall also need to be sampled, and if contaminated, handled and disposed appropriately. This has been included as a firm commitment.

Two underground storage tanks (UST) are located within the project area and may be impacted. They are:

- Standard Lumber Company of Saint John Inc., 9625 Wicker Ave., FID No. 10117. If excavation occurs at 9625 Wicker Avenue, St John, Indiana, 46373, analysis for lead will need to be done before proper handling and disposal of petroleum contaminated soil and/or groundwater. This has been included as a firm commitment.
- Knabenhans Motor Sales, 10531 Wicker Ave., FID No. 13558. If excavation occurs at 10531 Wicker Avenue, St John, Indiana, 46373, analysis for lead will need to be done before proper handling and disposal of petroleum contaminated soil and/or groundwater. This has been included as a firm commitment.

See Appendix E for Red Flag Investigation.

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<b>SECTION I – PERMITS CHECKLIST</b>
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Permits (mark all that apply) Likely Required

<b>Army Corps of Engineers (404/Section 10 Permit)</b>	
Individual Permit (IP)	<input type="checkbox"/>
Nationwide Permit (NWP)	<input type="checkbox"/>
Regional General Permit (RGP)	<input checked="" type="checkbox"/>
Pre-Construction Notification (PCN)	<input type="checkbox"/>
Other	<input type="checkbox"/>
Wetland Mitigation required	<input checked="" type="checkbox"/>
Stream Mitigation required	<input checked="" type="checkbox"/>
<b>IDEM</b>	
Section 401 WQC	<input checked="" type="checkbox"/>
Isolated Wetlands determination	<input type="checkbox"/>
Rule 5	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>
Wetland Mitigation required	<input checked="" type="checkbox"/>
Stream Mitigation required	<input checked="" type="checkbox"/>
<b>IDNR</b>	
Construction in a Floodway	<input checked="" type="checkbox"/>
Navigable Waterway Permit	<input type="checkbox"/>
Lake Preservation Permit	<input type="checkbox"/>
Other	<input type="checkbox"/>
Mitigation Required	<input type="checkbox"/>
<b>US Coast Guard Section 9 Bridge Permit</b>	
Others (Please discuss in the remarks box below)	<input type="checkbox"/>

Remarks: Due to impacts to Wetlands B, C, D, E, F, I and St. John Ditch an IDEM 401 Individual Permit (IP) and an USACE 404 Regional General Permit (RGP) will be required for this project. Due to impacts greater than 0.1 acres, mitigation will be required for this project. It is anticipated that wetland mitigation bank credits will be used as the mitigation for this project pending approval by IDEM and USACE-Chicago District. Due to ground disturbance greater than 1 acre, a Rule 5 permit will be required for this project. Due to impacts to waterways and wetlands within a floodway, a construction in a floodway permit will be needed. It is the responsibility of the designer to submit plans to INDOT-Environmental Services (ES) to process permits.

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### SECTION J- ENVIRONMENTAL COMMITMENTS

The following information should be provided below: List all commitments, name of agency/organization requesting the commitment(s), and indicating which are firm and which are for further consideration. The commitments should be numbered.

Remarks:

**Firm:**

1. Coordination with the town of St. John, local emergency services, and other public facilities and services will occur at least two weeks prior to the lane closures of US 41. **INDOT**
2. If a spill occurs or contaminated soils or water are encountered during construction, appropriate personal protective equipment (PPE) should be used. Contaminated materials will need to be properly handled by trained personnel and disposed in accordance with current regulations. IDEM should be notified through the spill line at (888) 233-7745 within 24 hours of discovery of a release from a UST system and within two (2) hours of discovery of a spill. **INDOT**
3. If scope or right-of-way changes for the project, INDOT Environmental Services will be notified. **INDOT**
4. If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (I.C. 14-21-1-27 and 29) requires that the discovery must be reported to the Indiana Department of Natural Resources within two (2) business days. In that event, call (317) 232-1646. **INDOT**
5. If new information on endangered species at the site becomes available, or if project plans are changed, USFWS will be contacted for consultation. **USFWS**
6. All permits must be obtained before construction may begin. **INDOT**
7. If additional right-of-way is determined to be required, INDOT-Environmental Services will be contacted immediately. **INDOT**
8. If excavation occurs at the northeast corner of US 41 and US 231, any petroleum contaminated soil that is excavated shall be disposed in compliance with applicable federal and state laws. Also, should any petroleum contaminated groundwater be encountered, or excavation fills in with rainwater, the impacted water shall also need to be sampled, and if contaminated, handled and disposed appropriately. **INDOT**
9. If excavation occurs at 9625 Wicker Avenue, St John, Indiana, 46373, analysis for lead will need to be done before proper handling and disposal of petroleum contaminated soil and/or groundwater. **INDOT**
10. If excavation occurs at 10531 Wicker Avenue, St John, Indiana, 46373, analysis for lead will need to be done before proper handling and disposal of petroleum contaminated soil and/or groundwater. **INDOT**
11. Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat will be notified of all FHWA environmental commitments, including all applicable Avoidance and Minimization Measures (AMMs). **USFWS**
12. Direct temporary lighting away from suitable bat habitat during the active season. **USFWS**

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

**14.** 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 and outside of documented roosting/foraging habitat or travel corridors; visual emergency survey must be conducted with no bats observed. **USFWS**

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

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

**For Consideration:**

**1.** Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue), legumes, and native shrub and hardwood tree species as soon as possible upon completion. **IDNR**

**2.** Minimize and contain within the project limits inchannel disturbance and the clearing of trees and brush. **IDNR**

**3.** Do not work in the waterway from April 1 through June 30 without prior written approval of the Division of Fish and Wildlife. **IDNR**

**4.** Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30. **IDNR**

**5.** Minimize the movement of resuspended bottom sediment from the immediate project area. **IDNR**

**6.** 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. **IDNR**

**7.** Seed and protect all disturbed stream banks and slopes that are 3:1 or steeper with heavy-duty net-free biodegradable erosion control blankets to minimize the entrapment and snaring of small wildlife such as snakes and turtles (follow manufacturer's recommendations for installation); seed and apply mulch on all other disturbed areas. **IDNR**

**8.** A mitigation plan should be developed (and submitted with the permit application, if required) if impacts to riparian habitat occurs. **IDNR**

**9.** 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. **IDNR**

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- 10.** 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). **IDNR**
- 11.** Reasonable precautions must be taken to minimize fugitive dust emissions from construction and demolition activities. **IDEM**
- 12.** 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. **IDEM**
- 13.** 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. **IDEM**
- 14.** 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. **IDEM**
- 15.** 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. **IDEM**

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**SECTION K- EARLY COORDINATION**

Please list the date coordination was sent and all agencies that were contacted as a part of the development of this Environmental Study. Also, include the date of their response or indicate that no response was received. INDOT and FHWA are automatically considered early coordination participants and should only be listed if a response is received.

Remarks: Early coordination was initiated on March 16, 2017 with applicable federal, state, and local agencies. Review comments from those agencies that returned a reply have been incorporated into this study as appropriate. The agencies contacted and the date on which they replied is identified below.

Agency	Response Received	Appendix Page
Indiana Department of Natural Resources	April 13, 2017	C4-C7
Indiana Department of Environmental Management, Automatic Response	March 16, 2017	C8-C14
Indiana Department of Transportation, Office of Public Involvement/Communications	March 29, 2017	C17
Indiana Geologic Survey	March 31, 2017	C18
Lake County Highway Department	No Response	
Natural Resources Conservation Service	March 24, 2017	C19-C20
Town of St. John Police Department	March 17, 2017	C21
Town of St. John Public Works Department	No Response	
U.S. Army Corps of Engineers – Chicago District	No Response	
U.S. Department of Housing and Urban Development	No Response	
U.S. Fish and Wildlife Service	March 22, 2017	C22