INDOT Categorical Exclusion Manual

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After October 1, 2013, new Categorical Exclusions must be prepared under the process outlined in this manual.

TABLE OF CONTENTS

Tables

Figures

ATTACHMENTS

APPENDICES

I. Introduction

This manual has been developed to guide Indiana Department of Transportation (INDOT) environmental staff, Local Public Agencies (LPAs) and consultants in complying with the National Environmental Policy Act (NEPA) when preparing federally-funded Categorical Exclusions (CEs) and state-funded categorical exemptions. FHWA and INDOT may also determine that it is appropriate to utilize the CE Manual and CE Format for minor Environmental Assessments (EAs). However, preparers of EA documents also will use INDOT's *Procedural Manual for Preparing Environmental Documents* as their primary reference. Standard forms have been designed to provide a consistent process and format for preparing CEs and simple EAs, which will result in a thorough analysis and efficient advancement of projects that are expected to have minor environmental impacts.

CEs comprise most of the environmental documents prepared for transportation projects in Indiana. INDOT and the Federal Highway Administration (FHWA), through a programmatic agreement, have agreed to four levels of review and approval for these transportation projects. The review and approval process outlined in the Programmatic Agreement is designed to align the level of review with the impacts of the project. The appropriate level of a CE is based on the type of action and the anticipated impacts of the project. The Programmatic Agreement provides for:

- A process that will allow INDOT Districts and INDOT's Environmental Services Division (ES) to act on behalf of the FHWA in assuring compliance with all applicable federal environmental and related requirements pertaining to CEs.
- A process that will be consistent in documenting information that allows for defensible CEs on a statewide basis.
- A process that is concise and easy to follow.
- A process that allows those with limited exposure to the environmental process to follow, provide the proper information and to make appropriate decisions within the bounds of the Programmatic Agreement.
- A process that uses technological advances to reduce the amount of paperwork.

INDOT will ensure that all coordination, evaluations and decisions are adequately documented under the CE preparation process.

This manual was prepared with the combined efforts of ES and the FHWA. If there are any questions regarding the contents of this manual, the CE-1 Form, CE/EA Form, or attachments, please contact the Environmental Policy Office (EPO) Manager. This manual and other relevant forms can be downloaded from INDOT's publications list at http://www.in.gov/indot/2523.htm

Within INDOT, all projects are reviewed for NEPA compliance either in one of the district offices (Crawfordsville, Fort Wayne, Greenfield, Seymour, LaPorte and Vincennes) or in the Central Office (Indianapolis). Each district office is responsible for preparation of the Categorical Exclusion-level projects developed in their district, as well as review of LPA projects within the district. Preparation and review of NEPA documentation for Central Office-

managed projects is the responsibility of the EPO of INDOT's Environmental Services Division (see organizational chart in Appendix D).

Return to the Table of Contents

I.A. Consultant Pre-qualification Criteria

Consulting firms desiring to function as the prime consultant for the NEPA phase of the project development process must identify a project manager who meets INDOT's pre-qualification requirements. The project manager will act as the key professional managing the investigation and documentation processes. Given the nature of NEPA as an interdisciplinary process, it is of great value for the manager to have a general knowledge of various environmental disciplines. The requirements reflect the most appropriate general educational backgrounds but are not exclusive to certain degrees or licenses.

1. **Formal Education** - The environmental project manager must hold a bachelor's degree or higher in environmental science, planning, engineering or a closely related field.

2. **Qualifying Experience** - The environmental project manager must demonstrate experience in the preparation of acceptable CEs. "Acceptable" means documents that have been formally approved by INDOT or the FHWA with minimum review comments and associated revisions. CEs that require multiple revisions and re-submissions will not be considered acceptable for meeting prequalification requirements.

   If the project manager has a Bachelor of Science or Arts degree, three years of experience are required. If the project manager has a Master of Science or Arts degree or higher, then only two years of experience is required.

3. **INDOT Training** – The environmental project manager must have current INDOT certification for both the CE course and the NEPA initial and any required refresher course. Current NEPA certification is required to complete any level of NEPA document. Only INDOT approved courses qualify.

Prequalification materials must be submitted prior to responding to a Request for Proposal. Consultants must submit all pre-qualification materials demonstrating education and experience to the Pre-Qualification Engineer in the Division of Contract Administration. Contact the Division of Contract Administration for details concerning prequalification.

Return to the Table of Contents

I.B. Classes of Environmental Documents

The National Environmental Policy Act (NEPA) mandates that the type of documentation for federal actions be determined by the potential impacts projects may have on the surrounding natural, cultural, and social environment. The regulations that implement NEPA define these document types and explain their use. The Council on Environmental Quality (CEQ) regulations (40 CFR 1500-1508) implement NEPA as it applies to all federal agencies. The FHWA's regulations (23 CFR 771) further describe the FHWA's policies and procedures for implementing NEPA and the CEQ regulations.

There are three classes of action that prescribe the level of documentation required in the NEPA process for federal actions.

- Class I, Environmental Impact Statement (EIS): A detailed written report that provides "full and fair discussion on significant environmental impacts and [informs] decision-makers and the public of the reasonable alternatives that would avoid or minimize adverse impacts or enhance the quality of the human environment."
- Class II, Categorical Exclusion (CE): A classification given federal actions that do not have a significant effect on the environment either individually or cumulatively.
- Class III, Environmental Assessment (EA): A document prepared for federal actions that is not eligible for a CE but does not appear to be of sufficient magnitude to require an EIS. This may be due to impacts to specific kinds of resources (such as those protected by Section 4(f) of the US Department of Transportation Act), or due to public controversy over the project. An EA provides the analysis and documentation to determine whether an EIS or a Finding of No Significant Impact (FONSI) should be prepared.

Projects which use only state and/or local funds and require no other federal approvals will follow the state environmental process instead. These will result in state Categorical Exemptions, Environmental Assessments or State Environmental Impact Statements. See I.C. 13-12-4 for more information.

Return to the Table of Contents

I.C. The Four Levels of Categorical Exclusions

Categorical Exclusions (CEs) are actions which will not individually or cumulatively have a significant impact on the environment, as defined by the Council on Environmental Quality (CEQ) regulations in 40 CFR 1508.4. For transportation projects, the Federal Highway Administration's (FHWA) regulations in 23 CFR 771.117(a) specify that CEs are appropriate for actions which, based on past experience, have been shown to have insignificant impacts.

Any action may be classified as a CE if it meets the definition in 23 CFR 771.117(a) and does not exhibit any of the criteria in 23 CFR 771.117(b):

1. *Significant environmental impacts;*
2. *Substantial controversy on environmental grounds;*
3. *Significant impact on properties protected by Section 4(f) of the DOT Act or Section 106 of the National Historic Preservation Act; or*
4. *Inconsistencies with any federal, state, or local law, requirement or administrative determination relating to the environmental aspects of the action.*

In consultation with Environmental Services Division (ES), the preparer should consider the class of action and demonstrate that the project will not involve any of the four unusual circumstances in 23 CFR 771.117(b) shown above. If any of these situations arise during project development, it may be necessary to elevate the project to a higher class of document (Environmental Assessment or Environmental Impact Statement). Documentation must be provided to clearly show that the project is properly classified as a CE.

INDOT and the FHWA have agreed to four levels in which a project may qualify as a CE and a programmatic process for completing minimal impact CE 1 projects. The appropriate level of a CE is based on the type of action and the anticipated impacts of the project. The anticipated impacts will determine the appropriate level of NEPA class, as well as the appropriate level of CE. Table 1 provides thresholds for CE levels 1 through 4 CE Level thresholds.

The following forms are used to document the NEPA process for CEs on transportation projects:

- **Categorical Exclusion Level 1 Form (Attachment 1)** – This form is used for CE Level 1 projects.
- **Categorical Exclusion/Environmental Assessment Document Form (Attachment 2)** – This form is completed for CE Levels 2, 3, and 4 projects.
- **Environmental Consultation Form (ECF) (Attachment 3)** -- Prior to project letting, the Environmental Consultation Form is completed by the designer to determine whether conditions of the project have changed and whether the NEPA classification remains valid for the action. The completed document, dependent upon the level of CE, is then submitted to either the district ESM/DPD or ES for review and approval. The approved Environmental Consultation Form is then returned to the designer for inclusion with the other contract documents. If the project has changed significantly, a re-evaluation of the environmental document will be necessary.

The appropriate review and approval path depends on the level of documentation. CE-1 and CE-2 documents will generally be approved at the district level.. They require limited or no right-of-way acquisition and are not reasonably anticipated to require detailed technical studies. If impacts are encountered during the preparation of these documents that exceed the relevant thresholds in Table 1, the project must be elevated to a higher level of environmental document.

Documents, CE-3 and higher, must be reviewed by Central Office ES in addition to the district. They may involve larger acreage or impacts to resources that require more extensive or specialized study, such as noise analysis. Projects that exceed the thresholds for a CE-3 or require specific federal approval (often by law or regulation) must be CE-4 documents. CE-4s must be approved by the district, ES and the FHWA, except for those projects that are managed at the CO which will require only ES and FHWA approval.

Beyond these criteria, certain impact types (e.g. Section 4(f)) must be reviewed by the FHWA regardless of whether the CE itself requires their review; see the appropriate subject sections of this manual for further information on how this should be managed.

When the CE is complete, the applicable criteria should be highlighted in Table 1 on the form, showing that the level of the document has been correctly determined based on the impacts of the project. This table should be provided as an appendix to the CE.

Note: Environmental documents prepared by and for the INDOT, Environmental Services Division do not require the authorization to be advanced for public involvement or the approval of the District in which the project is located. However, they should be supplied with a copy of the environmental document for their information.

Return to the Table of Contents

Table 1: Categorical Exclusion Level Thresholds

	Level 1	Level 2	Level 3	Level 4
Relocations	None	≤ 2	> 2	> 10
Right-of-Way[1]	< 0.5 acre	< 10 acres	≥ 10 acres	≥ 10 acres
Length of Added Through Lane	None	None	Any	Any
Permanent Traffic Pattern Alteration	None	None	Yes	Yes
New Alignment	None	None	< 1 mile	≥ 1 mile[2]
Wetlands	< 0.1 acre	< 1 acre	< 1 acre	≥ 1 acre
Stream Impacts*	≤ 300 linear feet of stream impacts, no work beyond 75 feet from pavement	> 300 linear feet impacts, or work beyond 75 feet from pavement	N/A	N/A
Section 4(f)	None	None	None	Any impacts
Section 6(f)	None	None	Any impacts	Any impacts
Section 106*	"No Historic Properties Affected" or falls within guidelines of Minor Projects PA	"No Adverse Effect" or "Adverse Effect"	N/A	If ACHP involved Or Historic Bridge Involvement[7]
Noise Analysis Required	No	No	Yes[3]	Yes[3]
Threatened/Endangered Species	"Not likely to Adversely Affect", or Falls within Guidelines of USFWS 9/8/93 Programmatic Response	N/A	N/A	"Likely to Adversely Affect" [4]
Sole Source Aquifer Groundwater Assessment	Detailed Assessment Not Required	Detailed Assessment Not Required	Detailed Assessment Not Required	Detailed Assessment Required
Approval Level • **ESM**[5] • **ES**[6] • **FHWA**	Yes	Yes	Yes Yes	Yes Yes Yes

*These thresholds have changed from the March 2011 Manual.

[1]Permanent and/or temporary right-of-way.

[2]If the length of the new alignment is equal to or greater than one mile, contact the FHWA's Air Quality/Environmental Specialist.

[3]In accordance with INDOT's Noise Policy.

[4] If the project is considered Likely to Adversely Affect Threatened and/or Endangered Species, INDOT and the FHWA should be consulted to determine whether a higher class of document is warranted.

[5]Environmental Scoping Manager.

[6]Environmental Services Division.

[7] Any involvement with a bridge processed under the Historic Bridge Programmatic Agreement.

I.C.1 CE Level 1 Projects

INDOT and the FHWA have identified specific project scopes that may qualify as CE Level 1 projects, provided the project impacts do not exceed the thresholds identified in Table 1. While state and federal laws and regulations still apply, less coordination and review is required due to lower risk of impact to protected resources. Among these, there are two groups of project scopes that qualify for this level of documentation. The first, listed in Table 2, contains projects that are defined by the FHWA in regulations (23 CFR 771.117) as CEs.

Table 2: CE Level 1 Projects Pursuant to 23 CFR 771.117(c)

1	Activities which do not involve or lead directly to construction, such as planning and research activities; grants for training; engineering to define the elements of a proposed action or alternatives so that social, economic, and environmental effects can be assessed; and Federal-aid system revisions which establish classes of highways on the Federal-aid highway system.
2	Approval of utility installations along or across a transportation facility.
3	Construction of bicycle and pedestrian lanes, paths, and facilities.
4[1]	Activities included in the State's highway safety plan under 23 U.S.C. 402.
5	Transfer of Federal lands pursuant to 23 U.S.C. 317 when the subsequent action is not an FHWA action.
6	The installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction.
7	Landscaping.
8[2]	Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur.
9	Emergency repairs under 23 U.S.C. 125.
10	Acquisition of scenic easements.
11	Determination of payback under 23 U.S.C. 156 for property previously acquired with Federal-aid participation.
12	Improvements to existing rest areas and truck weigh stations.
13	Ridesharing activities.
14	Bus and rail car rehabilitation.
15	Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.
16	Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.
17	The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which themselves are within a CE.
18	Track and railbed maintenance and improvements when carried out within the existing right-of-way.
19	Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.
20	Promulgation of rules, regulations, and directives.
21	Deployment of electronics, photonics, communications, or information processing used singly or in combination, or as components of a fully integrated system, to improve the efficiency or safety of a surface transportation system or to enhance security or passenger convenience. Examples include, but are not limited to, traffic control and detector devices, lane management systems, electronic payment equipment, automatic vehicle locaters, automated passenger counters, computer-aided dispatching systems, radio communications systems, dynamic message signs, and security equipment including surveillance and detection cameras on roadways and in transit facilities and on buses.

[1] These activities are non-infrastructure programs, such as educational programs to encourage seatbelt use.
[2] These activities may include general pavement markings, line painting, and installation of raised pavement markers, maintenance of signs, and maintenance of fencing.

While certain project types are specifically defined as CEs, 23 CFR 771.117(d) also allows the FHWA to propose additional project types for management as CEs. INDOT and the FHWA-IN have agreed to seven project scopes under this provision, based on past experience with projects in Indiana. These project types are listed in Table 3. Note that for all of these project types, all permits and coordination are still required.

Table 3: INDOT/FHWA CE Level 1 Projects

A	Culvert and pipe replacement/reconstruction.
B	Modernization of a highway by resurfacing/reconstruction of pavement/sidewalks.
C	Guardrail projects where no new bank stabilization is required (except for end treatment areas) as long as work is within previous construction limits.
D	The replacement of traffic signals within existing rights-of-way.
E	Bridge deck overlays, bridge deck replacements, bridge painting projects and other bridge maintenance activities, within existing rights-of-way.
F	Herbicidal spraying within existing right-of-way.
G	Mowing or brush removal/trimming within existing right-of-way.

There may be other types of projects that qualify as a CE Level 1 based upon meeting the threshold limits, but are not listed above. If there are questions about applicability, please contact ES. Decisions as to the proper level of CE documentation will be made on a project-by-project basis.

For Level 1 projects, the CE-1 Form (Attachment 1) completes the environmental documentation.

For information on CE-1 documentation, see Section III, Completing the Categorical Exclusion Level 1 Form.

Return to the Table of Contents

I.C.2. CE Levels 2 Through 4 Projects

The regulations (23 CFR 771.117) allow for CEs beyond those which INDOT has designated as CE-1s. However, these require additional analysis and review to verify that a CE is appropriate. The CE/EA Form should be used for any project which appears to be a CE but which exceeds the thresholds for a CE-1. The CE/EA Form covers the same resource categories as the CE-1 form, but in greater depth.

At any time, the ES or the FHWA may elevate a CE to a higher level or different NEPA class based on considerations outside those in the thresholds chart, such as substantial public controversy or environmental justice impacts.

For some projects the level of documentation will change as environmental investigations progress. This may result in elevation to a higher-level of CE (or higher class of environmental document), or may result in a smaller document if the size and/or anticipated impacts of the

project decrease. The preparer should assess the project against the thresholds as information becomes available.

Return to the Table of Contents

I.C.3 Programmatic Categorical Exclusions

INDOT and FHWA have identified certain types of projects which are routinely classified as a CE-1 and which require little or no environmental review and resource agency coordination. In the interest of efficiency and process streamlining, INDOT and FHWA have agreed to programmatically approve these project types as Categorical Exclusions, as long as certain criteria are met:

- There will be no new right of way (permanent or temporary).
- There will be no permanent easement for reasons other than conservation.
- There will be no resource agency permits required.
- There will be no excavation in undisturbed soils.
- No coordination with the US Fish and Wildlife Service (USFWS) is necessary, according to the most recent programmatic coordination agreement between the agencies.
- The project fits into "Category A" under the most recent Section 106 Minor Projects Programmatic Agreement, meaning that review by a Section 106 Qualified Professional is not necessary.

The exact types of projects that are programmatically cleared are listed in the Programmatic Categorical Exclusion. A copy may be found in Appendix G-2, and the most current version will always be posted on the ES website. Minor projects which do not qualify for the Programmatic CE, for example those which require coordination for permitting purposes, will require an individual CE-1, 2, 3 or 4.

For projects that qualify for the Programmatic CE, a note should be entered into the project file indicating that the project is programmatically approved. The date of the project note should be used as the project's environmental approval date.

I.C.4. State-Funded CE Projects

For projects that are developed, designed and constructed using only state funds, the project sponsor must comply with Indiana's Environmental Policy Act (IC 13-12-4). Depending on the range of impacts from the project, it may qualify for a State Categorical Exemption or may require a State Environmental Assessment or State Environmental Impact Statement as defined in 327 IAC 11-1. The ES should be contacted to determine the appropriate level of documentation to be completed.

Under 327 IAC 11-1-3(f), a list of Categorical Exemptions was prepared by INDOT these are listed in Table 4.

All state-funded projects qualifying under Table 4, should be documented on the Categorical Exclusion Level 1 Form. If the project qualifies for one of the above-referenced Categorical Exemptions, the number of the applicable exemption should be provided in the CE-1 form. In order to reduce unnecessary repetition, these minor projects may be grouped on an annual basis. For example, one CE-1 may be produced covering all mowing work to be completed within the district in a given year.

Additional documentation beyond the CE-1 Form will be required for projects that do not qualify as Categorical Exemptions, either a state Environmental Assessment or state Environmental Impact Statement. See the *Procedural Manual for Preparing Environmental Documents* for more information.

Table 4: State-Funded Categorical Exemptions

1.	Pipe culvert replacement.
2.	Bridge painting.
3.	Mowing.
4.	Installation, modernization or maintenance of signs, traffic signals, pavement markings, highway lighting, and channelization within the existing right-of-way.
5.	Patching and crack sealing of roadway surfaces.
6.	Resurfacing existing pavement.
7.	Guardrail and fence installation or repairs.
8.	*Herbicide treatment. (NOT ACCEPTED BY IDEM)**
9.	*Storage and winter application of ice melting chemicals or sand. (NOT ACCEPTED BY IDEM)**
10.	Right-of-way abstracting, engineering appraising, property management and administration.
11.	Landscaping and erosion control.
12.	Safety projects such as pavement grooving, flare screen, safety barriers, and energy attenuators.
13.	Addition or reconstruction of railroad crossing protection.
14.	*Rest area construction or modernization. (NOT ACCEPTED BY IDEM)**
15.	Reconstruction or replacement of an existing bridge crossing a stream, railroad, or roadway.
16.	Addition of special facilities to an existing highway for the exclusive use of buses.
17.	Slide correction measures which are not emergencies but are necessary to preserve the highway facility.
18.	Modernization of an existing highway by widening less than a single line (sic.) width, adding shoulders, adding auxiliary lanes for climbing, turning or weaving, and correcting substandard curves and intersections.
19.	*Construction of a new rural two-lane highway which does not provide new access to a new area and which would not be likely to precipitate significant changes in land use or development patterns. (NOT ACCEPTED BY IDEM)**

* These project types originally nominated by INDOT were not accepted by IDEM. They have been retained in the list to maintain numbering.

All asterisk containing project types must have a state EA or EIS prepared.

Return to the Table of Contents

I.C.5. Re-evaluation of CE Projects and CEs for Mitigation Sites

After the CE has been approved, all changes in the project's scope/design (i.e. changes in number or types of lanes, right-of-way, and a change from a partial to a total take) will trigger the need for a re-evaluation of the project's impacts to the environment. The Additional Information (AI) document should discuss whether the changes in design result in additional impacts to the environment. An AI should be approved by the same agencies that approved the original CE (i.e. if the CE is a level 3, the AI must be approved by the district ESM and ES or if the CE is a level 4, the AI must be approved by the district ESM, ES, and the FHWA). Depending on the nature of the change to the project, additional public involvement may be required. This decision will be made by INDOT (and possibly FHWA) after considering changes in the project footprint and impacts, as well as previous public involvement efforts. This will be completed by comparing impacts to the CE level Chart (Table 1).

Additionally, INDOT and the FHWA have prepared the Environmental Consultation Form (Attachment 3) to be used by the project sponsor prior to plan submission to determine whether the scope or impacts have changed. If this review shows that the CE is no longer consistent with the project's scope or impacts, a written AI is required. The project manager is responsible for ensuring that this review is completed at the appropriate stage of the project development process.

A mitigation site should be documented in a separate CE if it is located outside the project area or if mitigation is coordinated prior to approval of the CE for the associated road project. Mitigation sites documented with a separate CE should have a separate INDOT project designation number. If there is already an approved CE for the project and the mitigation site is within or adjacent to the project footprint for the roadway, the mitigation site should be documented as an Additional Information of the roadway.

Return to the Table of Contents

II. The Categorical Exclusion Process

II.A. Categorical Exclusion (CE) Development Process Defined

The majority of the environmental documents prepared for INDOT and Local Public Agency (LPA) sponsored projects are CEs. These projects may include such activities as pavement rehabilitations, bridge replacements, intersection improvements and even added travel lane projects. The minor differences between the development of LPA sponsored project CE and INDOT sponsored project CE will be discussed later in Section II.B.

Level 1 CE projects will not generally require the same level, intensity or diversity of study as may be required for CE Levels 2, 3 and 4. The processes involved in the preparation of a CE and the contents of a CE will be determined by the type of project and the severity and complexity of the impacts anticipated. Regardless of the type, severity and complexity of the impact, each information box should be completed to the requisite/appropriate level. No remarks box should be left blank.

II.A.1. Step 1: Gather Preliminary Information

A. Identification and Notification of Landowners

As early as possible, the parcels of land that will likely be impacted by a programmed project will need to be identified. A complete and accurate list of the names and addresses of the landowners and tenants of the potentially impacted parcels should be compiled. This list should be kept on file at the District Office, Central Office (CO) or LPA consultant office and be made available for other uses as needed. There is more than one method that can be used for landowner identification including visiting the county courthouse or using the internet to review property owner information.

Prior to initiating and conducting any field studies that require physical entry onto privately owned land, the preparer of the environmental document will make sure that Notice of Entry (NOE) letters have been mailed to identified property owners and tenants notifying them of INDOT's intent and right to enter upon their property and conduct the necessary investigations. It is INDOT's policy that the preparer of the environmental document should make all effort to send a NOE letter to all potentially affected property owners and residents early enough so that they will have their letters in their possession for a minimum of five (5) days before the intended entry. This will provide a sufficient opportunity to ask questions should any of the NOE letter recipients desire to do so. A sample of the NOE letter is provided in the appendices as Appendix H. Public notification by NOE letter and the legal notices, that are later discussed in Step 3 (Item C, Public Involvement), are two of the first steps in the CE process.

All employees and representatives of INDOT shall present proper identification or authorization to the occupant of the property before entering onto the property (IC 8-23-7-26 and 27**).** A new NOE letter should be sent to the affected property owner and tenant if fieldwork is actually

needed and the previous NOE letter is more than 6 months old. The address list for affected property owners should be updated every two years.

B. Red Flag Investigation

During the initial planning and development of the CE document, a red flag investigation should be conducted to determine areas of concern within the project study area. Areas of concern within a study area are called "red flags". Conducting a red flag investigation early on in the process allows the preparer to more closely examine areas or items of concern that might be impacted as a result of the proposed action. For environmental documents prepared by INDOT district personnel or ES Staff, the Environmental Scoping Manager (ESM) or authorized representative should submit red flag investigations to the Hazardous Materials Unit Team Leader for review and approval. Contract consultants will need to perform the necessary red flag investigations on the behalf of INDOT and submit it to the Hazardous Materials Unit Team leader for review and approval. The preparers of LPA sponsored projects are responsible for performing their own red flag investigations. Red flag investigations prepared for LPA sponsored projects do not require the review or approval of the Hazardous Materials Unit team leader.

The purpose of the red flag investigation is to screen the project area and identify points of concern, including environmental, constructability, and engineering issues. Environmental issues can include hazardous materials and ecologically and culturally sensitive sites. The red flag investigation should consist of at least a project description and a map of the project location. The red flag investigation should be a research tool that helps to determine if any red flags (potential issues) are located within or in close proximity to the project area.

An information tool that is helpful with red flag investigations is the GIS Atlas for Indiana.

C. Conduct Site Visit

Site visits are made to assess and evaluate the existing conditions of the project area and to determine the impacts that are likely to occur as the result of the proposed project. It can also be determined during site visits whether or not most of the red flag items are present and whether or not those present are of concern and require additional investigation.

A site visit for a specific purpose will not be productive unless all of the necessary participants are in attendance. Those generally required to be present at the initial site visit include, at a minimum, the document preparer, the scoping engineer and the project manager. Optional attendees that could benefit from attending the initial site visit will be determined by the type of the likely impacts as a result of the proposed project. This may include historians, archaeologists, ecologists, permitters, hazardous waste specialists and geologists. However, the requirements of the specialized work and investigations may also be better served by visiting the site individually at a later date when the project footprint has been established.

D. Gather Secondary Source Documentation

The identification of environmental resources in the study area involves reviewing available secondary source information which provides an inventory of known environmental, social, and

cultural resources. Specific resources which could be researched include, but are not limited to the following:

- Historic sites/districts and architecturally significant structures (National Register of Historic Places and county interim report).
- Archaeological sites (Records checks at the university(ies) closest to the project site and Indiana DNR, Division of Historic Preservation and Archaeology).
- Wetlands (National Wetland Inventory).
- Waterways (rivers, streams, ditches and other bodies of water).
- Threatened and endangered species (US Fish and Wildlife Service).
- Land use.
- Section 6(f) resources.
- Potential Section 4(f) resources.
- Public water supplies (IDEM, IDNR, Division of Water).
- Coal and other mines.
- Hazardous materials (Red Flag Investigation and additional investigations).
- Environmental Justice demographic data (US Bureau of the Census).

As previously mentioned in the red flag investigation discussion, a very useful source of information for the preceding resources is the GIS Atlas for Indiana. This INDOT funded site contains over 200 layers of information. Information from the technical studies, the environmental secondary source review, site visits, and engineering review should be presented on maps, aerial photographs and other graphics whenever possible.

Return to the Table of Contents

II.A.2. Step 2: Determine Scope, Schedule, and Budget

A. Identify and Evaluate Conceptual Alternatives

The sponsoring INDOT District Office, Central Office or the sponsoring LPA is responsible for working with project stakeholders regarding their projects. The project sponsor or their consultant will identify, analyze and evaluate the conceptual alternatives and scope of the project to ultimately identify the best alternative to meet the identified Purpose and Need for the project. Except for some of the more complex CE Level projects where the Purpose and Need may need to be revised as the project develops, the major elements of the purpose and need should be found in the engineer's report.

Many projects will have only two alternatives, the "do nothing" and the "build." Projects types such as intersection improvements and bridge replacements are typically designed to utilize the existing roadway alignment if the horizontal and vertical curvatures are within current design standards. Intersection improvements and bridge replacements would rarely be a need to introduce alternative alignments for these projects. More complex CE level projects that are to be constructed on new alignment, require extensive improvements to the existing horizontal or vertical alignments or for some reason lend themselves to multiple design alternatives will very likely have more than just the two basic alternatives. For those projects that may have impacts to

wetlands, Section 4(f) or Section 6(f) resources, the inclusion of avoidance alternatives is required.

At the beginning of the CE process, preliminary engineering is conducted to develop feasible alternatives concurrently with the necessary environmental studies. The preliminary engineering may include:

- Traffic data to determine the location of interchanges and other access points.
- Grade separations.
- Trip generators.
- Level(s) of service.
- Number of travel lanes.
- Other safety/capacity issues in the study area.
- Alignment and profile development to illustrate mainline curvature.
- Approximate work limits, points of access, cross-road separations, railroad crossing separations, service roads, retaining walls and structures.
- Complex/non-complex drainage conveyances.
- Landlocked properties.
- Identification of utilities and whether they will require relocation.
- Estimates for the total cost of utility relocation with State and utility owner costs separately listed.
- Estimates for the total cost of the project including preliminary engineering, right-of-way and construction.
- Current scheduling information including the contract letting date and the anticipated construction completion date.

Much, if not all of the preceding information and data will be included in the appropriate sections of the CE document.

B. Determine Level of Environmental Documentation

If a project qualifies as a CE-1, the NEPA requirements are satisfied when the CE-1 Form is completed and approved. For CE-1 projects prepared at the district office by district environmental personnel or by their contract consultant, the INDOT District Environmental Staff will approve the document and maintain project environmental files at the District Office. For CE-1 projects prepared at the CO by ES personnel, the Manager of the Environmental Policy Office will approve those environmental documents.

Generally, the level of the CE is not known until impacts are determined and the associated investigations are completed and approved. The preparer should highlight the applicable criteria in the CE Level Threshold Table (Table 1) to show the document level.

It is possible, although very uncommon, for a project that started out with the preparation of a CE to be elevated to an Environmental Assessment/FONSI due to significant public controversy or a potentially significant impact. Such determining factors are, however, generally known prior to the initiation of the environmental process.

Return to the Table of Contents

II.A.3. Step 3: Perform Environmental Analysis

A. Early Coordination with Resource Agencies, Consulting Parties and Others

The sponsor of the project initiates the early coordination process with resource agencies, Section 106 consulting parties and other required groups and individuals to provide them with project information and to receive specific information regarding the probable impacts of the various alternatives. Included in the early coordination letter (ECL) should be the following information for each alternative under consideration:

- Description of the existing conditions of the project area, including the roadway deficiencies, alignment, right-of-way, and current land use.
- Draft Purpose and Need of the project.
- Project length.
- Vertical and horizontal alignment changes.
- Anticipated number of lanes and pavement widths.
- Proposed permanent and temporary right-of-way widths and total acreages of each type of land use required.
- Proposed in-stream work and channel changes.
- Access control.
- Environmental considerations.
- Project schedule.

The ECL should not mention the level of environmental document to be prepared for the proposed project. See Appendix I and the *Procedural Manual for Preparing Environmental Documents* for details concerning the preparation of an ECL and listing/addresses of the agencies and other recipients of an ECL. A comment period of thirty days is given to the recipients of the ECL to review and make comments regarding the proposed project. Extensions to the thirty day comment period may be approved if adequate justification is provided in the request for an extension. Attachments to the ECL should include graphics of the project area which include the following types of information:

- Topographic map indicating the location of the project.
- Aerial photos indicating the location of the project.
- Plan sheets, if available should be attached with proposed project limits, existing and proposed alignments, existing and proposed rights-of-way and locations of any potential areas of concern.
- Photographs of the existing roadway in multiple directions, all quadrants at any bridges, and up and downstream of all streams crossed.

A Programmatic Agreement regarding early coordination exists between INDOT and the USFWS (see Appendices N and O) and is to be utilized when appropriate. IDEM utilizes electronic coordination. An invitation to attend or participate in any District/LPA meetings or

conference calls with early coordination agencies should be extended to the appropriate section or sections of the ES, who will attend as appropriate.

Level 1 CEs may have varying amounts of early coordination. The decision on how much early coordination is required should be made subsequent to a review of the potential impacts. For level 1 CEs, if it is determined there are any possible impacts to archaeological resources due to the necessity for additional right-of-way or if there are National Register listed or eligible (historic) resources within the area of potential effect (APE), the Section 106 process should be immediately initiated. Additionally, if waterway resources are impacted, then early coordination with the permitting agencies is recommended. All CEs level 2, 3 and 4 require full coordination.

B. Environmental Field Studies and Analysis

Based on the magnitude of the anticipated environmental impacts documented during the secondary source review in Step 1, the required level of environmental field studies and regulatory agency coordination is determined. The inventoried information is mapped on a study area exhibit (aerial photography or other mapping as appropriate). The exhibit should show all features identified in the study area, including the red flag areas identified earlier. Each resource should be labeled to assist in describing how it will be impacted. All decisions that are made at this stage should be well documented.

Field studies are conducted on the feasible alternatives to identify the characteristics of the natural and man-made resources within the study area. The information gathered in the literature search and the field studies will be used to avoid or minimize, where avoidance is not possible, potentially adverse impacts to sensitive resources. The amount of data collected and coordination required will vary according to the impacts associated with the project. Studies for this may include, but are not limited to the following:

- A cultural resources survey that identifies both archaeological and historic sites that may be impacted is required for all projects except for the most minor of CE-1 level projects. This includes documentation and analysis of the cultural resource investigations in a specific survey area. For the specific contents of what should be included in a cultural resources survey, consult the *Indiana Cultural Resources Manual*.
- A wetlands delineation must be prepared if it has been previously determined that wetlands are present.
- A karst feature study must be prepared if the project is located within the designated karst feature boundaries and karst features have been identified and may be impacted by the proposed project. If a karst feature(s) is thought to exist and the project area is well outside the designated karst features area, the need for such a study will be made on a case-by-case basis. Karst studies on LPA sponsored projects are discussed later in Section II.B.
- Additional studies may be prepared if other sensitive features or resources are present. For example, a recognized State's largest tree that is of local significance may require some investigation and may prompt some design considerations.
- A Phase I hazardous materials investigation will assess liabilities in property acquisition and identify properties impacted by regulated substances and/or hazardous waste. This assessment involves gathering parcel-specific information to determine whether a Phase II investigation will be required.

- A community impact assessment may be required to addresses social and economic impacts (environmental justice, community issues).
- A Section 4(f) evaluation to determine if protected resources including publicly owned parks, recreation lands and wildlife and waterfowl refuges and historic resources within the study area will be performed.
- A noise analysis will be required if the project is a Type I project.
- A conceptual relocation study or business needs survey may be required if a sufficient number of relocations are associated with the proposed project.

Should any of the preceding studies or investigations indicate a potentially significant impact, INDOT should discuss the impacts with FHWA. FHWA will determine if the project should be raised to a higher level of environmental document such as an EA or EIS. For further details on the above studies, see the *Procedural Manual for Preparing Environmental Documents*

Once literature searches, individual environmental studies, and preliminary engineering are completed and resource areas are identified, potential impacts to the project area should be identified and quantified. An understanding of the location and intensity of environmental, social and cultural impacts will allow the project to avoid critical or protected resources. The project should be analyzed to determine how impacts may be avoided, or minimized if they cannot be avoided. Impact types include direct, indirect and cumulative. Direct impacts are those that are caused by an action and occur at the same time and place as the action. Indirect and cumulative impacts may or may not be associated with a project. Specific information and guidance regarding indirect and cumulative impacts can be found in Section III.C.7.b, Indirect and Cumulative Impacts.

In determining the intensity of an impact, the following factors should be taken into consideration:

- Beneficial effects: improvements to the human or natural environment as a result of the project.
- Public health: the degree to which the proposed action affects public health or safety.
- Unique characteristics: unique characteristics of the geographical area, such as proximity to historical or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.
- Degree of controversy: the degree to which the effects on the quality of the human environment are likely to be controversial.
- Degree of unique or unknown risk: the degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.
- Precedent-setting effect: the degree to which the action may establish a precedent for future actions with significant effects.
- Cumulative effect: whether the action is related to other actions with individually insignificant, but cumulatively significant, impacts.
- Cultural or historical resources: the degree to which the action may adversely affect cultural or historical resources in the project area.
- Special-status species: the degree to which the action may adversely affect an endangered or threatened species or its habitat.

C. Public Involvement

All projects require some level of a Public Involvement Plan (PIP) in accordance with INDOT's *Public Involvement Manual*. A PIP must be prepared early in the project development process. It should be commensurate with the project's anticipated impacts. The public involvement plan can include as little as the placement of a legal notice announcing the intent to proceed with a project covered by a CE-1 level document or involve a plan that includes a public hearing with possibly one or more public information meetings. More than one project can be discussed in a legal notice, particularly for CE-1 level projects.

For projects with multiple design alternatives, greater impacts or with anticipated public controversy, the PIP may also include measures to keep the public well informed regarding the development of a project. However, projects having one or more of the preceding may require preparation of an EA. If a need for a Community Advisory Committee (CAC), Project Management Team (PMT) or agency involvement in the Purpose and Need and alternatives screening process has been identified, then the project may need to be prepared as an EA or EIS.

As project development continues, the public may be invited to make comments. The request for public comment can be made in a variety of ways including legal notices, newsletters and public radio and television broadcasts. One or more public information meetings may be held to disseminate information regarding the project and to obtain input from the public on the project and the alternatives under consideration. Public hearings require verbatim transcription and Public Information Meetings do not. The designer is responsible for the preparation of a summary of the public hearing comments and responses to those comments.

A public hearing is required to be held for all projects involving impacts to National Register of Historic Places (NRHP) listed or eligible bridges. For the other types of projects that do not involve impacts to a NRHP listed or eligible bridge, the offering of the opportunity to request a public hearing is required when a project meets certain criteria (refer to the INDOT *Public Involvement Manual* for more information). If a public hearing or the offering of the opportunity to request a public hearing is required, the CE will be appropriately authorized to be advanced to the public involvement phase of project development. The CE can be approved immediately subsequent to the issuance of documentation that certifies that the public involvement requirements have been satisfied.

D. Selection of Alternatives for Further Study

CE projects with multiple design alternatives should include a matrix or summary of anticipated impacts for each reasonable alternative from both design and environmental perspectives. The information included in the summary or matrix should be drawn from information obtained from the environmental field studies and the project scoping report. The selection of the preferred alternative will ultimately be decided by both design and environmental factors. Many environmental, cultural and social resources require protection, some by complete avoidance and others by minimization and mitigation.

In compliance with NEPA and the CEQ regulations (40 CFR 1508), reasonably foreseeable indirect and cumulative impacts should be taken into consideration when evaluating options for a

preferred alternative. At this time, based upon the information and data gathered during project development, the selection of a preferred alternative will be possible for nearly every CE level project.

Return to the Table of Contents

II.A.4. Step 4: Prepare Categorical Exclusion and Develop Design

A. Environmental Field Studies

Additional field studies may be required for the preferred alternative. If the environmental staff concludes that additional studies are warranted, they should be conducted only within the footprint of the preferred alternative. The following are typical studies conducted for the preferred alternative:

- Archaeology
- Historic Structures Survey
- Phase II Environmental Site Assessment (ESA).
- Wetlands delineation/conceptual mitigation plan.
- Endangered Species.
- Data for waterway permits.
- Development of geometrics.
- Preliminary drainage.
- Interchange justification/modification (IJ/M).
- Finalization of surveys.
- Preliminary utility locations.
- Cost estimates for construction, utilities, mitigation and right-of-way.
- Review of preliminary engineering plans by District Design.
- Verification that the project's preferred alternative is included in the appropriate Transportation Plan (TP) and Transportation Improvement Program (TIP), if applicable.
- Conceptual right-of-way plans.
- Detailed line and grade and typical cross sections.
- Preliminary flood hazard evaluation studies.
- Karst feature impact mitigation, if needed.
- Noise analysis and noise barrier design.

B. Authorization of CE to be Advanced to Public Involvement

The CE document should now be prepared and submitted for review. All sections of the CE should generally be complete and the CE should be otherwise ready for approval.

If the project requires holding or offering the opportunity to request a public hearing, the CE must be authorized to be advanced to public involvement. For CE-2 documents, this may be done by the ESM. CE-3 and CE-4 documents are released for public involvement by ES. Spaces for the appropriate initials are provided on the approval sheet of the CE.

Once the CE is authorized for public involvement, the project sponsor, for INDOT projects, will upload to the Electronic Records Management System (ERMS) the CE document and provide notification to INDOT's Office of Public Involvement. Either a public hearing will be scheduled or the opportunity offered by the placement of a properly worded legal notice in widely circulated project area newspapers. The Public Hearings Section should be contacted for templates and any questions of content or format for these notices. Subsequent to the satisfactory completion of the public involvement requirements, the necessary certification document will be prepared and distributed as appropriate by the Public Hearings Section.

For LPA sponsored projects, the LPA is responsible for the preparation and placement of the necessary properly worded legal notices in widely circulated project area newspapers. However, prior to the placement of the legal notices, the LPA must submit a copy of the initialed CE coversheet to the INDOT Public Hearings Section indicating the document has been released for public involvement. Upon request by Hearings Section, the LPA may be asked to submit a set of hearings plans and other documents as needed.

The hearing plans will be compared to the authorized environmental document to make sure that they are consistent, particularly with regards to the project footprint and amounts of permanent and temporary right-of-way. Subsequent to a satisfactory review, the Public Hearings Section will send the LPA a memorandum to proceed with the advertisement of either the opportunity to request a public hearing or to notify the public that a public hearing has been scheduled.

An INDOT representative, either from the Public Hearings Section or the INDOT district in which the project is located, will attend the public hearing to make sure that the public involvement requirements are satisfied.

Immediately subsequent to the completion of the required comment period, an information packet will be submitted by the LPA to the INDOT Public Hearings Section with a request that the public involvement requirements be certified. If all of the public involvement requirements have been satisfied, the requested certification document will be prepared and provided to the LPA.

C. Approval of Categorical Exclusion

If a project does not require that a public hearing be held or offered, the CE can be submitted for approval. If public involvement is required, the CE can be approved immediately subsequent to the certification of the public involvement requirements. Prior to the approval of the CE, the public involvement section of the CE should be appropriately updated with a discussion of the steps taken to satisfy the public involvement requirements. Table 5 identifies the signature(s) required for the approval of a CE. The preparer of the environmental document is responsible for the distribution of the environmental document. All approved environmental documents will need to be uploaded to ERMS. The distribution of approved CE's is provided in Table 5.

Table 5: Distribution of Approved CEs*

	CE Level 1	CE Level 2	CE Level 3	CE Level 4
Signature Authority	ESM	ESM	ESM, ES	ESM, ES, FHWA
Distribution Requirements for Approved CEs				
ESM or ES[1]	ERMS Upload	ERMS Upload	ERMS Upload	ERMS Upload
INDOT Office of Communications[2]	0	ERMS Upload	ERMS Upload	ERMS Upload
LPA Sponsor[3] (if applicable)	1 CD/DVD or 1 hard copy	1 CD/DVD or 1 hard copy	1 CD/DVD or 1 hard copy	1 CD/DVD or 1 hard copy
US Fish and Wildlife Service[4]	0	1 CD/DVD	1 CD/DVD	1 CD/DVD
Project Manager (for distribution to District Public Information, Design, Construction, and as needed)	1 CD/DVD	1 CD/DVD	1 CD/DVD	1 CD/DVD
FHWA	0	0	0	ERMS Upload

*Unless specifically requested by INDOT or the LPA sponsor, hard copies of approved CE's are not required.

[1]ESM: District and Local Public Agency projects; ES: Central Office projects

[2]Notification of ERMS upload of approved CE's for INDOT and LPA projects.

[3]The LPA Sponsor should be contacted for their preference of distribution (hard copy or CD/DVD copy).

[4]For projects located in the northern two tiers of counties in Indiana, the northern USFWS and Bloomington USFWS office each receive copies of the CE document. See the *Procedural Manual for Preparing Environmental Documents* for a list of these counties.

D. Commitments and the Commitments Database

During project development, the mitigation measures included in the CE must be incorporated in the project's plans, specifications and estimates (PS&E). The Attachment 4_Commitments includes the commitments made during the environmental process and is initiated by the preparer of the CE. The commitments link the environmental phase of the project to the later stages of the project development process to ensure follow through of commitments.

The commitments include information regarding resources that were specifically identified to be avoided, if possible, during preliminary development, a description of environmentally related actions that are required for the project, and commitments for additional public involvement. To assist with successful communication and incorporation of the mitigation measures, the project manager will review commitment(s) at various stages of plan preparation. Commitments may address the following issues and resources:

- Additional right-of-way.
- Discovery of human remains.
- Discovery of hazardous materials.
- Work in wetlands and borrow/waste areas.

- Wetland delineation (updated)/mitigation/monitoring plan.
- Section 106 mitigation, including archaeology.
- Cultural resource data recovery.
- Section 7, Endangered Species Act.
- Karst features.
- Section 4(f) avoidance, minimization, and mitigation.
- Any other Memoranda of Agreement and/or unresolved commitments.
- Hazardous materials plan notes/commitments.
- All conditions from early coordination response letters.

The preparer of the CE will forward an electronic copy of the commitments to the project manager upon document approval for upload to the commitments database. District Production/CO project managers must note the commitments within the project plans/bidding documents. Commitments should be implemented and updated as the project is developed. The District/CO project manager will enter the commitments into the INDOT electronic record-keeping system.

E. Re-evaluations of Environmental Documents (Additional Information Documents)

Once a CE has been approved, a project and its accompanying CE must be re-evaluated at each subsequent federal approval stage in order to verify that the environmental document continues to accurately describe the impacts of the project (23 CFR 771.129(c)). A re-evaluation should be performed prior to each time that INDOT requests federal funding for right-of-way and for construction. It is the responsibility of the project manager to provide the necessary plans to the ES, Document Review Unit.

The re-evaluation includes the completion of the Environmental Consultation Form (Attachment 3) by the designer for review by the ES or district prior to the request for construction funding. The completion of Attachment 3 should not be done too close to the request for construction authorization in case an Additional Information (AI) document needs to be completed. Projects that remain within the limits of the original CE need no further coordination. However, if the scope or impacts have increased, the designer and ES will need to work together to resolve the discrepancies. If modifications to the project's design cannot be made, the preparation of an AI will be required. Depending on the extent of change to the design of the project, the preparation of the necessary AI can be a lengthy process. The designer should contact the ES as soon as likely changes are identified.

The format for an AI document varies with the extent of change. In general, an AI may be described in a letter format, with technical documents (historic property reports, hazardous materials investigations, etc.) included as attachments. If changes to the project are significant enough that a letter format may not explain the additional impacts clearly, the ES should be contacted to determine an appropriate alternate format. The AI should clearly describe what has changed since the original NEPA document was approved, detail the change in impacts, and reaffirm that the previous CE findings remain valid. Consult with INDOT if there are questions regarding the level of analysis or the need for additional public involvement. All re-evaluations should follow the same approval process that was used for the original CE.

In the unlikely event that a CE level project would require value engineering due the cost of the project being in excess of the $25 million minimum amount, a re-evaluation should be performed to determine if the project's impacts to any sensitive resources have been increased.

F. Post Design

During any pre-construction meetings that take place for a project with an approved CE, the ESM should discuss mitigation measures included in the project with the meeting attendees. If appropriate during the pre-construction conference, the following environmental topics should be discussed:

- Environmental permit requirements, waterway permits, and mitigation.
- Soil and erosion control responsibilities.
- All environmental commitments and associated plan notes.
- Environmental monitoring during construction.

Changes that involve environmental issues must be coordinated through the district's environmental office for district-sponsored projects and the Environmental Policy Office for Central Office (CO) sponsored projects. LPA projects will be addressed according to the level of the CE with 1s and 2s being handled at the district level and 3s and 4s at CO.

Return to the Table of Contents

II.B. Local Public Agency (LPA) Categorical Exclusion Process

The "LPA Process Guidance Document," will be applicable to all LPA sponsored projects that receive federal funding or require one or more federal permits. This guidance can be found on the INDOT web page under Doing Business with INDOT – Other Business – Local Public Agency page

The CEs for LPA sponsored projects must satisfy the same NEPA requirements as do INDOT sponsored projects. The documents prepared for LPA CEs will be in the same format as INDOT sponsored CEs. There will be no difference in the content of an LPA CE compared to that of an INDOT CE for a similar type of project.

The one notable exception to the previous statement is when an LPA project is either located within the designated potential karst features area of the State or may impact a karst feature. Since LPAs are not signatories of the October 13, 1993 Memorandum of Understanding governing the treatment of karst features, they are not bound by the stipulations contained in that document. However, the LPA must locate and document all karst features and insure that all runoff or other potential impacts to karst features are treated in a manner similar to that outlined in the MOU. Therefore, it is highly recommended that LPAs voluntarily comply with the MOU when karst features within the designated area will be impacted. The consideration and treatment of karst features will be addressed later in Section IV.C.1.e.

The other differences between LPA and INDOT sponsored CE preparation essentially involve an attempt to reduce the length and complexity of the review process. The submission of the Red Flag Investigation for INDOT CO review prior to the submission of the CE for release for public involvement or approval is not required. The review of noise studies will be performed by the INDOT noise specialist prior to CE document submittal. ES will review the report for technical adequacy, but will not approve or deny any recommendations or decisions regarding abatement.

Return to the Table of Contents

III. Completing the Categorical Exclusion Level 1 Form

Background
The CE-1 Form (Attachment 1) is the environmental documentation required for CE-1 projects. The completion of the form documents that the proposed project will not have impacts that demonstrate a need for a higher level CE, Environmental Assessment (EA) or Environmental Impact Statement (EIS).

Process
If the project qualifies as a CE-1, the CE-1 Form will represent the entire environmental documentation for the project. Therefore, the form should be written for the public and include enough narrative to make it a stand-alone document. All impact categories must be discussed to a level of detail that demonstrates the thought process behind determining whether protected resources are or are not likely to be impacted. All supporting documentation should be included in the appendix with a reference to the document in the CE-1 form.

If the project qualifies as a CE-1, then only a district environmental staff signature is required to approve the project as a CE-1. The ES requires that the CE-1 Form and necessary supporting documentation, including coordination and ensuing permits, be completed and kept on file by the district. Unless the document is completed by ES staff, in this case the document does not need to be signed by the district environmental staff.

Information
When completing the CE-1 Form, if there is no impact to a resource, check "No" and explain what data sources (NWI maps, GIS data, etc.) were consulted to make this determination and why this determination was made. If impacts are possible, the remarks box should include the type of impact expected, what measures were taken to avoid or minimize the impact, why the impact is not significant, and the source of information used to make these determinations. All remarks boxes within the CE-1 Form should include some information (even if the "No" box was checked). Be sure to indicate the presence of any threatened or endangered species in the project area even if no impacts are anticipated.

At completion of the CE-1 Form, the applicable criteria in Table 1 should be highlighted to show that the project does not exceed the CE-1 thresholds. The organization of the CE document should follow the outline in Appendix F.

Return to the Table of Contents

IV. Completing the CE/EA Form

The CE/EA Form (Attachment 2) was developed to consistently document the NEPA decision-making process for federal-aid transportation projects in Indiana. It also documents that the project will not individually nor cumulatively have a significant impact on the human and natural environment, and that neither an Environmental Assessment (EA) nor Environmental Impact Statement (EIS) is required. The form also documents environmentally-related information that is important for design purposes. Once the CE is approved, the requirements of NEPA are satisfied for the project as described in the environmental document.

The CE/EA Form and its appendices are a public document; therefore, the CE/EA Form and supporting documentation must accurately reflect the decision-making processes followed during project development. The preparer should include enough narrative to make the CE a stand-alone record of the environmental impacts of the project. The following are key guidelines to producing a quality document:

1. The CE should be written for the general public, who are not transportation professionals and who are not familiar with the project.
2. If a resource is present, but there is no impact, provide enough information for the reader to draw the same conclusion.
3. The location of other documents that support the conclusions of the CE/EA must be noted and the relevant information summarized in the appropriate section of the form.

The CE/EA Form has five parts:

1. The cover page contains the project identifying information, identification of the document type (level of CE or EA), and initial/signature lines for releasing the document for public involvement and for final approval. The cover page also begins the header and footer that identify the project and the date of submittal.
2. Part I contains a discussion of public involvement activities and a discussion of any public controversy about the environmental effects of the project.
3. Part II contains the project description and identification information, project design criteria, roadway characteristics, bridges and small structures, anticipated design exceptions and selected maintenance and protection of traffic measures.
4. Part III contains the evaluation of impacts of the proposed action on environmental resources
5. The threshold table identifies the level of CE relative to threshold criteria

The project description information in Part II describes the area to be investigated for environmental impacts in Part III. The scope of work and the right-of-way requirements must be precisely defined. A thorough evaluation of resource involvement cannot be efficiently performed without adequate engineering to produce a defined scope of work.

Any supporting documentation that can be released to the public should be included in the document as an appendix. The individual resource sections of this manual will explain required documentation in more detail. For most projects, these documents include the following:

- Project location mapping and other illustrations to adequately visualize the area.
- The location of the project on aerial photographs and USGS quadrangle map.
- Preliminary design drawings information.
- Maintenance of traffic or detour maps.
- Purpose and Need data.
- Site photographs.
- A sample outgoing early coordination letter and all responses.
- The Environmental Site Assessment Screening/Checklist for hazardous materials.
- Section 106 documentation for historic properties.
- Ecological evaluations, wetland determinations, and waters reports.
- Public involvement documentation.

The rest of this manual explains how to use the CE/EA Form to investigate and document the environmental impacts of a project. In general, each discussion is divided into background information, a process discussion, and the information that must appear in the form. The background section contains an introduction to the topic and definitions, as well as appropriate legal references. The process section gives a brief explanation of the steps needed to be undertaken in the NEPA analysis. The information section describes what data and analyses should be included in the CE/EA Form and attached as appendices.

Return to the Table of Contents

IV.A. CE/EA Form - PART I (Public Involvement)

Public Involvement

Background

The Federal Highway Administration's laws and regulations (23 USC 134 and 135 and 40 CFR 1500 through 1508) require that each state department of transportation establish standard procedures to carry out their public involvement/public hearing program. INDOT's procedures to comply with these requirements are available on INDOT's Public Involvement/Media website. While certain activities are standard to all projects, the need for and timing of others will vary with the impacts and controversy associated with the project.

Process

The preparer should review INDOT's *Public Involvement Manual* to determine what public involvement activities are required, based on the project's scope and potential impacts, and plan to implement them at appropriate stages of development.

The first step is development of a list of property owners. The list will also serve as a starting point for the project mailing list to distribute project newsletters and issue invitations to public meetings and hearings. Additions or removals from this list will often be necessary over the life of the project as land ownership or the project footprint change. The list of property owners can usually be obtained from the project manager.

For projects that are controversial, INDOT may choose to establish a Community Advisory Committee (CAC). The goal of the CAC is to inform and engage interest groups to resolve problems that have been identified. This is most appropriate for EA- or EIS-level projects; by their nature CE projects tend to not be controversial and not require this level of involvement. If significant controversy is developing around a project that is being managed as a CE, Environmental Services Division (ES) should be contacted to determine an appropriate course of action, in consultation with FHWA. This could include elevating the project to a higher class of document.

In addition to formal meetings and hearings, public notices are frequently issued, seeking public comments or offering opportunities to request additional meetings or hearings. These are triggered by a variety of criteria, in particular findings under Section 106 or Section 4(f), or applications for permits. INDOT encourages preparers to combine public notices and public comment periods when practical and convenient.

Most CEs will meet the thresholds in the INDOT's *Public Involvement Manual* that require the sponsor to either hold a public hearing or offer the opportunity for the public to request a public hearing before the environmental documents is approved. A CE may not be released for public involvement until it has been completed and deemed acceptable by INDOT. A hearing may then be scheduled if required or if requested by the public. After any public notice and hearing requirements have been met, the appropriately revised CE will then be approved by the necessary approval authorities. The environmental document cannot be approved until the public involvement requirements have been satisfied.

Information

In the remarks box, describe formal and informal public involvement that occurred during the development of the CE. Public involvement activities to satisfy Section 106, Section 4(f), and any other public involvement activities should be specifically outlined, including dates of notices and any responses that were received. If a hearing was required for the project based on the public involvement manual, the date of the hearing should be noted along with a brief description of any substantive issues that were raised at the hearing. If additional public involvement activities are planned after completion of the CE, these should be listed in both the remarks and commitments box. The remarks should also discuss any special circumstances that affect public involvement, such as advance acquisition or the need to reacquire right-of-way. The discussion of public involvement is meant to be a brief summary of events. If a detailed description is felt to be warranted, please attach such a discussion to the appropriate appendix.

When the CE has been completed and is ready for public involvement, the CE should be initialed by the INDOT personnel who will eventually approve the document. After public involvement requirements have been met, the CE may be approved.

Attach to the CE:

- A copy of any public notices that were issued.
- Correspondence with locals, agencies and others.
- Information that was distributed to the public at public hearings, information meetings, etc.
- Summary of public comments received in response to public notice, at a public hearing, or at a public information meeting.
- Summaries of other meetings with stakeholders, including Community Advisory Committee meetings.
- A copy of the project's hearing certification.

Return to the Table of Contents

IV.B. CE/EA Form - PART II (General Information)

IV.B.1. General Project Identification, Description and Design Information

The level of detail needed in the Purpose and Need, project description, and alternatives discussion sections of Part II of the CE/EA Form (Attachment 2) will vary with the complexity of the project. For simple or small projects, these sections will most likely be brief. However, for larger projects that involve many resources or alternatives, a more detailed discussion of the goals and nature of the project should be provided.

IV.B.2. Purpose and Need

Background

The Purpose and Need is a written description of the transportation problem(s) or other need(s) that the proposed project is intended to address. It lays out why the proposed action, with its inherent costs and environmental impacts, is being pursued. It must not identify a solution, but should describe the transportation problem in a data-driven, defensible manner.

The Purpose and Need should be re-examined periodically throughout the project development process to verify that it is still appropriate to current conditions. This also helps to make sure that the project's scope has not drifted away from the originally-identified need.

Process

The preparer should start with the needs that the project will address and present the project purpose. These may include one or more of the following:

- System linkage, in terms of the project's place and importance in the road network.
- Capacity deficiencies, in terms of current and future level of service.
- Transportation demand as indicated in any statewide plan or adopted urban transportation plan.
- Federal, state or local governmental legislative mandates for the action.
- Social demands or economic development, in terms of infrastructure that will be necessary to support planned or proposed new development.

- Intermodal relationships, in terms of how the project will interface with and serve airports, rail and port facilities, or mass transit services.
- Safety, in terms of current safety hazards.
- Other roadway deficiencies, such as substandard geometrics, inability to meet load limits or high maintenance costs.

Information
In the remarks box, describe in detail the transportation problem or deficiency to be solved and the goals of the project. This should be described in terms of background data to support the need for the project. This data may include one or more of the following as appropriate:

1. Crash data (compare crash data to statewide average of similar type of roadway).
2. Traffic data:
   a. ADT/LOS (for year of study, estimated ready for letting date, and 20 years beyond ready for letting date).
   b. Percent commercial vehicles.
3. Locations where roadway geometry is substandard and features that are substandard.
4. Relevant bridge data, such as:
   a. Sufficiency rating.
   b. Why the bridge is structurally deficient and/or functionally obsolete.
   c. Estimated remaining life (years).
   d. Potential for widening rather than replacement.

Additional information may be provided as necessary to strengthen the description of project need, such as amount of parking available, presence of recreational facilities requiring access, etc. Lengthy technical data may be included as an attachment and briefly referenced in the Purpose and Need section.

Return to the Table of Contents

IV.B.3. Project Description (Preferred Alternative)

Background
The Council on Environmental Quality (CEQ) considers the alternatives evaluation the heart of an environmental study, since it is the preparer's opportunity to explain why the preferred alternative was selected and others were discarded. This is done through a careful explanation of the range of alternatives that were assessed and the process by which those alternatives were evaluated.

Process
The Project Description (Preferred Alternative) section should contain a description of the preferred alternative, an explanation of its independent utility and selection of termini, as well as how it satisfies the Purpose and Need for the project. This section should also include a brief summary of any measures that were implemented to minimize, avoid or mitigate for project

impacts. This could include replacement of impacted features or resources, or incorporation of special design features.

Information
This section should describe the current facility, then explain the preferred alternative, particularly with respect to the following information:

- Location and logical termini.
- Changes in lane configurations.
- Method of traffic maintenance, if known.
- Cost, constructability and other engineering criteria.
- Ability of the alternative to meet success criteria (typically Purpose and Need).

Graphical representations of the project area are critical to communicating the features and impacts of each alternative. The following information should be provided as appendices to the CE and referenced within the text where relevant:

- Map of Indiana showing project location.
- Local map that shows legible street names, route numbers and project termini, etc.
- Aerial photography of project location.
- USGS topographic map of project location.
- Any appropriate preliminary design graphics that are available.
- Other graphical information that may be informative and relevant, such as pictures of drainage channels or potentially historic properties.

Return to the Table of Contents

IV.B.4. Other Alternatives Considered

Background
NEPA requires that the project developer consider a range of alternatives that is broad enough to include a wide range of solutions to the identified transportation problem. However, it is understood that this should be proportional to the size and potential impacts of the project. For very small or simple projects, this may only involve a comparison with the "do-nothing" scenario. For larger projects, such as those over new terrain, many more alternatives should be considered.

In many cases the selected range of alternatives is determined by professional judgment. However, in certain circumstances, the regulations require that specific kinds of alternatives be assessed to determine whether they are feasible and prudent.

Process
This section should include a discussion of the discarded alternatives and why each was determined not to be reasonable, or why it did not perform as well as the preferred alternative. It must rigorously explore and objectively evaluate all reasonable alternatives, including the no-

build or no-action alternative. This section should not include discussion of the preferred alternative.

It is important to include a discussion of the no-build alternative in all environmental documents. Analysis of the no-build alternative can serve two purposes. First, it may be a reasonable alternative, especially for situations where the impacts are great and the need is relatively minor. More often, the no-build serves as a baseline against which the other alternatives can be compared.

If the preferred alternative will impact wetlands or Section 4(f) resources, the range of alternatives considered must include options to minimize or avoid these impacts. Likewise, if the preferred alternative involves replacement of a historic bridge, a review of rehabilitation options that would maintain historic integrity of the structure is required. If these alternatives are not selected, an explanation must be provided as to why they are not "feasible or prudent" for Section 4(f) resources and “practicable” for wetlands. This may be described in terms of such issues as:

- Substantial increase in community or business impacts.
- Substantial increase in roadway or structure costs.
- Unique engineering, traffic, maintenance, or safety problems.
- Difficulties in acquiring permits (for example: wetland or stream impacts).
- Failure to meet the Purpose and Need for the project.
- Relative significance of each protected resource (Section 4(f) resource or wetland) should more than one of either or one of each be present and potentially impacted by the preferred alternative of the proposed project.
- Relative severity of the remaining harm, after mitigation, to the protected resource (Section 4(f) resource or wetland) should more than one of either or one of each be present and potentially impacted by the preferred alternative of the proposed project.

Information

A description of each discarded alternative should be included in the remarks box. This information should include the following for each alternative:

- Location and logical termini.
- Changes in lane configurations and right-of-way.
- Explain the work length (feet or miles) for linear projects or area (acre or acres) for non linear projects.
- Method of traffic maintenance, if known.
- Cost, constructability and other engineering criteria.
- A summary of environmental impacts including wetlands and streams.
- Ability to meet success criteria (typically Purpose and Need).
- Any additional reasons why an alternative was not selected for detailed study.

If the range of alternatives under consideration is small, a simple comparison of alternatives in paragraph format is normally adequate. However, if multiple alternatives are being reviewed, or their impacts vary significantly, then an impacts matrix is recommended to clearly show differences between the alternatives under consideration.

If design or graphical information is available for discarded alternatives, these should be included as an appendix to the CE.

Return to the Table of Contents

IV.B.5. Roadway Character

Background
Current and future roadway design parameters are helpful in explaining the need for the proposed project and the changes to the facility that is planned. In addition, this information is necessary to conduct certain environmental analyses such as air studies, noise abatement studies and prediction of indirect and cumulative impacts.

Process
This section should list all of the relevant design criteria for the project, to the extent that they are known. Much of this information will be given to the preparer in the form of Engineer's Reports, scoping studies or environmental assessment/corridor studies and will simply need to be transferred into the CE.

Information
In the "proposed" column, list what features are proposed at this stage. If more than one roadway is involved, this section should be duplicated for each.

Return to the Table of Contents

IV.B.6. Design Criteria for Bridges

Background
Information about the size and type of existing and proposed bridges and small structures is used to determine environmental impacts and necessary permits. The bridge and small structure information reported in this section is particularly important if the bridge is listed on or eligible for the NRHP with its mandated protections or requires channel work or relocation, and may also be a consideration when preparing permit applications.

Process
Structure design parameters will be prepared either in scoping or design and will be provided to the preparer in the engineers report. The preparer should determine the number and type of structures involved in the project, what work is planned for each, and what impacts each will have on environmental resources.

Information
Structure data should be entered in the form as provided by the Engineer's Report or as obtained from the designer. This should include the structure number, its sufficiency rating and any other

parameters which will help to identify it or demonstrate deficiencies. For small structures (structures with less than a 20 foot span), the preparer enters "small structure" for the structure number and "NA" for the sufficiency rating.

If the proposed action has multiple structures, this section should be duplicated for each structure. The remarks box should describe the structure, state whether it will be replaced and why, and explain the reasons for any channel work or relocation. The amount of information to include depends on the structure size. Small culverts could just be listed in general terms, but a large box culvert should have more detailed information. Be sure to also mention any structures parallel to the roadway that will be affected as well.

Return to the Table of Contents

IV.B.7. Maintenance of Traffic during Construction

Background
Transportation projects often require temporary closure of existing facilities to allow for construction. In addition to the inconvenience to the public of road closures, temporary roads and detours can have their own environmental impacts on the surrounding area.

Process
Information about maintenance of traffic will be provided by engineers designing the project.

Information
This section should include a discussion of what closures and/or temporary facilities (if any) will be provided for maintenance of traffic. Any known impacts from these temporary measures should be quantified to the extent possible, particularly with respect to properties such as Section 4(f) resources or wetlands. Any local concerns about access and traffic flow should be detailed as well. This information will be useful when assessing community impacts.

Return to the Table of Contents

IV.B.8. Estimated Project Cost and Schedule

Background
Cost and schedule are important considerations on any project, since cost overruns and schedule slippage will often affect delivery of other projects in the program. Estimates at this point will be very preliminary but are useful for planning purposes.

Process
Project costs will be provided by scoping or design engineers. The cost and schedule should be entered in to the box accurately from what is reflected in the current TIP/STIP.

Information
The preparer enters the engineering, right-of-way, and construction costs for the project and the anticipated start date of construction. The fiscal year of the cost expenditure should be noted. For example, if the construction cost is estimated to be $2,000,000 in the construction year of 2013, in the construction cost line write "$2,000,000 (2013)". Discuss inclusion in the TIP and STIP as applicable. Include the date of the appropriate approval/amendment and the page it is found on. All projects must be in the STIP and if within an MPO in the appropriate TIP. Provide in the appendix copies of the applicable TIP/STIP pages.

Return to the Table of Contents

IV.B.9. Right-of-Way

Background
Accurate right-of-way information is critical to producing a satisfactory CE, since this information is needed to identify the area in which environmental impacts will be evaluated. Errors or unexpected changes in right-of-way can be both costly and time-consuming to resolve.

In this section discuss the amounts of permanent, temporary, reacquired and easement acquisition of right-of-way. The amount of permanent and temporary right of way acquisitions will be used in determining level of CE and therefore need to be provided. The amount of impacts associated with the acquisition of permanent easements and reacquired right-of-way will be used in determining the level of the CE.

Process
The most reliable information available should be used by the preparer in indicating right-of-way impacts. This will often come from scoping reports, but if design has advanced to a sufficient stage to provide a more current right-of-way footprint, this should be used instead. Changes to right-of-way should be monitored at the various review steps to identify changes quickly and resolve any additional investigation or documentation that may be needed.

The need to reacquire apparent right-of-way presents an unusual challenge, because the environmental document for the project will have likely been prepared and approved before the discovery of the need to re-acquire right-of-way. On the other hand most, if not all, of the right-of-way in question will already have been disturbed or modified by the existing roadway or structure, and the risk of impacts to sensitive resources will be minimal. Any undisturbed portions of the right-of-way to be re-acquired should be investigated and documented in an Additional Information (AI) document in the same way as normal environmental investigations are performed on additional right-of-way determined to be necessary subsequent to the design of a project. The undisturbed portion of any re-acquired right-of-way is subject to applicable state and federal regulations, such as Section 4(f) and Section 6(f) impacts.

Information
The purpose of the discussion in this section of the form is to present right-of-way amounts, both permanent and temporary, and describe their current use as well as their proposed use. Typical

and maximum right-of-way widths (existing and proposed) should be described as well. The preparer should also discuss any advance acquisition and reacquisition, either known or suspected, and their impacts on the environmental analysis. A discussion of permanent easements and any associated impacts should also be included.

Return to the Table of Contents

IV. C. CE/EA Form - Part III (Environmental Impacts)

Identification and Evaluation of Impacts of the Proposed Action

This section should identify the range of issues of concern and the scope of the environmental resources that would be affected by the project. The preparer should consider both the level of impacts as well as the type (negative, neutral or beneficial). The document should be written in such a way that the level of detail is commensurate with the impact and the importance of the resource. The CE should clearly demonstrate that the project results in no significant impact to the environment as defined by the CEQ regulations 40 CFR 1508.27.

IV.C.1. Section A - Ecological Resources

IV.C.1.a. Streams, Rivers, Watercourses and Jurisdictional Ditches

Background
There are many state and federal laws and regulations that protect water resources. Use this section of the CE/EA Form to list and describe these protected resources.

A stream is any channel which carries water for at least a minimal period of time and normally has an ordinary high water mark (OHWM). A stream can be ephemeral, intermittent, or perennial streams. A watercourse is a natural or artificial channel through which water flows. A river is a large natural stream of water emptying into another river, lake, ocean, or other body of water and usually fed along its course by converging tributaries. A ditch is a manmade drainage feature. Jurisdictional ditches are those which have been determined by the USACE to be subject to regulation as waters of the US. Refer to the *Indiana Waterway Permits Manual* for further clarification.

Federal Wild and Scenic Rivers - In 1968, the Wild and Scenic Rivers Act (16 USC 28) was established by Congress, with the goal of preserving the character and surrounding environment of rivers that possess outstanding remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values. Wild and scenic rivers are not designated by a federal agency; they are specifically added to the National Wild and Scenic Rivers System by Congress.

Publicly owned waters designated as wild and scenic rivers are protected by Section 4(f) of the USDOT Act of 1966, and public lands adjacent to these rivers may be subject to Section 4(f) protection as well. The regulations only apply to wild and scenic rivers and adjacent lands which

are being used or designated by an approved land management plan for use as a park; recreation, wildlife, or waterfowl refuge; or for historic purposes. The determination of applicability of Section 4(f) is made through an examination of any adopted or proposed management plan for a listed river.

There are no rivers in Indiana that have been officially designated by Congress into the National Wild and Scenic Rivers System to date. However, if a river eligible for designation is present in or adjacent to the proposed project, coordination must take place with the relevant local office. The Maumee River (including tributaries) is the only river system in Indiana at this time that is designated for potential addition to the national wild and scenic rivers system. In accordance with 16 USC 1276(d)(1) consideration shall be given by all federal agencies involved to potential national wild, scenic and recreational river areas.

State Natural, Scenic, and Recreational Rivers - State law (IC 14-29-6) designates the Indiana natural, scenic and recreational river system to be set aside and preserved for the benefit of present and future generations. In accordance with IC-14-29-6-10, the impact to the natural, scenic and recreational river system will be determined when planning for the use and development of water and associated land resources within the system. Indiana law 312 IAC 7-2 identifies three waterways included in the system:

- Cedar Creek from river mile 13.7 to the St. Joseph River
- Wildcat Creek
    - North fork from river mile 43.11 to river mile 4.82
    - South fork from river mile 10.21 to river mile 0.0
- Blue River from river mile 57 to river mile 11.5.

Outstanding Rivers List for Indiana (DNR) - In 1993, the Natural Resources Commission adopted its "Outstanding Rivers List for Indiana." The listing was published in the Indiana Register on March 1 of that year as Information Bulletin #4 in Volume 16, Number 6, page 1677 through 1680 (sometimes cited as 16 IR 1677). See Appendix K for a listing of Indiana's Outstanding Rivers and Streams.

Process

Determine whether any streams, rivers, and/or jurisdictional ditches are present and whether they will be impacted (i.e., work will occur below OHWM). If potential streams, rivers and/or jurisdictional ditches are found, a waters of the US determination report is then required to determine the exact location and likely jurisdiction of each waterway. Though a waters of the US determination report is not required for the environmental document, it is strongly recommended to complete it at this time to allow for avoidance and minimization of impacts. In some cases compensatory mitigation may be required for stream impacts and determining this potential need using the waters of the US determination report as early as possible is critical for project delivery. Also determine whether the stream is included in the listing for Federal Wild and Scenic Rivers; State Natural, Scenic, and Recreational Rivers; or Indiana Outstanding Rivers and Streams. Determine whether navigable waterways are present and whether they will be impacted. Indicate stream quality and the methodology used to determine its quality. Once the impacts to the stream have been determined, the preparer will provide the Department of Natural Resources (DNR) with the opportunity to review these impacts.

The CE should identify any potential adverse effects on the natural, cultural, and recreational values of the inventory river. Adverse effects include alteration of the setting, restricting the free-flowing nature of the river or degrading the water quality. If it is determined that the proposed action could foreclose options to designate waterways on the National Rivers Inventory (NRI) under the Wild and Scenic Rivers Act, the CE should reflect consultation with the NPS and USDA on avoiding or mitigating the impacts. See the National Park Service's web page for a list of NRI waterways in Indiana, and see the *Procedural Manual for Preparing Environmental Documents* for more details on federal and state Wild and Scenic Rivers.

Information

List the streams, rivers and jurisdictional ditches in the project area and whether they will be impacted, either directly or indirectly. Describe any Federal Wild and Scenic Rivers; State Natural, Scenic, and Recreational Rivers; Outstanding Rivers for Indiana (see Appendix K); navigable waterways (See Appendix J) or National Rivers Inventory waterways and summarized coordination efforts with NPS in the project area and their impacts. For rivers on the Outstanding Rivers List for Indiana, the discussion should include a description of the characteristics of the river that qualify it as outstanding.

In the remarks box, if a stream is present but no impacts are expected, state why there will be no impacts. If stream impacts will occur, discuss what type of structure(s) is/are proposed compared to what is currently in place and quantify any impacts. Describe the extent of in-channel work both up and downstream of the project, including linear feet of work below ordinary high water. If stream work will be extensive, reference and attach additional sheets and include mapping and/or site plans to aid in impact interpretation. If a function and value methodology such as Headwater Habitat Evaluation Index (HHEI) or Qualitative Habitat Evaluation Index (QHEI) was conducted for the project area streams, reference the HHEI or the QHEI form(s) and state the score(s) and include the forms in the appendix and provide reference to INDOT standard specifications where appropriate. If a waters of the US determination report was prepared, a summary of the report should be provided in the remarks box and provided as an appendix to the CE document.

Discuss what coordination has taken place between the NPS and the design team to date and any commitments or design issues resulting from that coordination. Efforts to avoid and minimize impacts should be noted, as well as any mitigation that will be required due to unavoidable impacts. The location of the comment letter(s) within the CE appendices should be referenced. Summarize any mitigation commitments in Section J (Environmental Commitments) and in the commitments database. It should also mention that the concerns of the NPS were eliminated.

Mitigation may be required for impacts to channels. Efforts to avoid, minimize and mitigate should be evaluated in the CE. Summarize any mitigation commitments in Section J (Environmental Commitments) and in the commitments database. Any efforts between the designer and the NPS to resolve their concerns regarding possible impacts to the NRI listed stream should be documented. This coordination should be included in the appendices as well as summarized in the remarks box. It should also mention that the concerns of the NPS were eliminated.

Return to the Table of Contents

IV.C.1.b. Other Surface Waters

Background
Other surface waters are natural and artificial ponds, impoundments, reservoirs, lakes, and detention and retention basins. These waters may or may not be subject to regulation by the USACE, IDNR, and IDEM.

Process
The preparer visits the project area to determine whether other surface waters are present in or near the project area. An aerial photograph and USGS quad map are helpful for planning the site visit.

The preparer determines the type of water body for each feature located in, adjacent to, and near the project area. The direct impacts to the feature, such as work within waters of the U.S. or waters of the state and the indirect impacts, such as runoff, siltation, or erosion, should be fully explored and documented. Connections to other water bodies and relationships to floodplains in the area should also be determined and documented.

Information
In the Remarks, the preparer lists by name all surface water features in, adjacent to, and near the project area. The preparer should state which features, if any, are subject to USACE jurisdiction and which, if any, are subject to the jurisdiction of state agencies or other federal agencies. Any direct and indirect impacts are described in full, including discharges of water or other material. If a water body is present in the project area but no impacts are expected, the remarks should explain why there will be no impacts. Any required or planned mitigation measures are summarized here and in Section J (Environmental Commitments).

Return to the Table of Contents

IV.C.1.c. Wetlands

Background
Presidential Executive Order (EO) 11990, entitled *Protection of Wetlands* and dated May 23, 1977, established a national policy to avoid adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands to the extent possible. New construction includes draining, dredging, channelizing, filling, diking, impounding and related activities. The EO requires a Wetland Finding for all federal undertakings that will have any impact on a wetland, whether direct or indirect.

The USDOT, in implementing EO 11990, set forth its policy on wetlands in USDOT Order 5660.1A, *Preservation of the Nation's Wetlands*, issued on August 24, 1978. USDOT Order 5660.1A requires the protection, preservation and enhancement of wetlands to the fullest extent possible during the planning, construction and operation of transportation facilities. The policy requires the avoidance of new construction in wetlands unless practicable alternatives do not exist and the proposed action includes all practicable measures to minimize impacts to the wetland. The consideration of economic, environmental, and other factors is included in the finding of no practicable alternative. However, additional cost alone is not sufficient to render an alternative or minimization measure impracticable.

The Federal Highway Administration (FHWA), through Technical Advisory T6640.8A (October 30, 1987), provides guidance on the preparation of environmental documents, including the assessment of project impacts on wetlands.

The Technical Advisory prescribes the following wetland evaluation methodology should be utilized:

1. The identification of all wetlands within a project corridor.
2. An evaluation of the significance, uniqueness and function/value of each wetland.
3. An evaluation of project impacts on each wetland.
4. An evaluation of all project alternatives including avoidance alternatives.
5. A formal wetlands finding stating that no practicable alternatives to the wetland taking exist, if such is the case.
6. An evaluation of all practicable measures to minimize harm to wetlands.
7. An evaluation of the reasonableness of mitigation measures proposed to reduce adverse impacts.

Process

The first step in the process is to complete a wetland determination, which identifies all wetlands within and immediately adjacent to the project area using the National Wetland Inventory (NWI) maps, field visits and coordination with resource agencies (US Army Corps of Engineers (USACE), US Environmental Protection Agency, US Fish and Wildlife Service (USFWS), Indiana Department of Natural Resources (IDNR), and Indiana Department of Environmental Management). If potential wetlands are found, a wetland delineation is then required to determine the exact location and boundaries of each wetland. Though a wetland delineation is not required for the environmental document, it is strongly recommended to complete it at this time to allow for avoidance and minimization of impacts. Use the *U.S. Army Corps of Engineers Wetland Delineation Manual*, January 1987 to perform wetland delineations. **If a wetland area is identified, an alternative that does not impact wetlands must be considered and discussed here and in the alternatives section of the CE.**

For INDOT projects, follow the ES waterway Permitting Manual submittal process.

All federal undertakings that impact wetlands, either directly or indirectly, are required to have a Wetland Finding by the FHWA. If one or more acres of wetlands are impacted, the finding is incorporated into the CE, which is then reviewed and approved by the FHWA, indicating their approval of the Wetland Finding. If impacts are less than an acre and USFWS and IDNR have

not expressed significant concern about the impacts, the project is covered by the Programmatic Agreement (Appendix G-1) between INDOT and the FHWA and will not require the FHWA's approval.

Information

In the remarks box, include a summary of the wetland determination. If a wetland delineation was completed, a summary that includes the type, quality, importance and function of all wetlands identified will need to be provided. Indicate whether the wetlands are jurisdictional or isolated. Describe the potential impacts for each alternative with respect to:

- Total wetland acreage impacted.
- Direct and indirect impacts.
- Short and long-term effects.
- Importance of any loss of function or value.

Please note that a Waters of US Determination Report/Wetland Delineation Report does not necessarily indicate that a wetland delineation occurred for the project. The environmental document should only be checked for wetland delineation in the event that data was collected using the Army Corps of Engineers Wetlands Delineation Manual (January 1987) and applicable supplements.

Include a discussion on why alternatives that will not result in any wetland impacts are not practicable. Include the reason for this decision, such as:

- Substantial adverse community impacts to adjacent homes, businesses or other improved properties.
- Substantial increases in project costs.
- Unique engineering, traffic maintenance or safety problems.
- Substantial adverse social, economic or environmental impacts.
- The project not meeting identified needs.

This information will be consistent with the earlier discussion on alternative selection

Indicate the practicable measures to minimize harm considered and explain why each measure was accepted or eliminated. If avoidance and or minimization measures are not found to be practicable, include reasons that support that decision. Discuss all comments received during early coordination in relation to the wetland impacts. Summarize any mitigation commitments or resources to be avoided here, in Section J (Environmental Commitments) and in the commitments database. Also, include a commitment to complete a wetland delineation if one has not been completed.

For projects that have one (1) acre or more of wetland impacts, the following is required:

- A reference to EO 11990.
- This concluding statement:

  Based upon the above considerations, it has been determined that there is no practicable alternative to the proposed new construction in wetlands and that the proposed action includes all practicable measures to minimize harm to wetlands which may result from such use.

For projects that impact less than one (1) acre of wetland and which are not of concern to USFWS and IDNR, include a statement that the project is in compliance with the most current version of the wetland finding portion of the Categorical Exclusion Programmatic Agreement between the Federal Highway Administration and the Indiana Department of Transportation (Appendix G-1).

Return to the Table of Contents

IV.C.1.d. Terrestrial Habitat

Background
Transportation projects have the potential to impact aquatic and terrestrial habitat directly through right-of-way acquisition and indirectly through habitat modification and fragmentation. Consideration of these impacts is crucial because loss and degradation of habitat and connectivity continue to be threats for wildlife species.

Laws and executive orders that require the consideration of wildlife impacts for transportation projects include: the National Forest Management Act (NFMA), Moving Ahead for Progress in the 21st Century (MAP-21), the Fish and Wildlife Coordination Act, Executive Order 13112, and the Migratory Bird Treaty Act (MBTA). See the *Procedural Manual for Preparing Environmental Documents* for more information on these requirements as they apply to transportation projects.

Process
During the site visit, identify the basic characteristics of each habitat community, including the representative flora and fauna species. Include amphibians, reptiles, birds, small and large mammals, aquatic organisms, and terrestrial and aquatic vegetation in the identification. For more information on procedures for conducting biological surveys, contact Environmental Services Division (ES) Ecology and Permitting Unit.

In their response to early coordination, resource agencies may recommend or require mitigation measures to offset any impacts. These may include the replacement of impacted habitat, use of specialized construction techniques to minimize impacts, incorporation of wildlife crossings, adjustment of alignments, etc. The selection of mitigation measures should include consideration of the value of the resources impacted, the severity of the impact and the scope of the project.

If a project has the potential to result in a take of birds/nests protected under the MBTA, a take permit from the US Fish and Wildlife Service (USFWS) office with local jurisdiction will be required. Do not attempt the removal of inactive nests of migratory birds prior to consultation with the USFWS.

Information
The CE document should include information that identifies sensitive biological resources and describes potential impacts to these resources. Indentify each type of habitat and the acres impacted. Issues to discuss include habitat flora & fauna, habitat fragmentation, wildlife crossings, invasive species, migratory birds and non-wetland wildlife habitat.

Descriptions of core forest (a patch of forest that is located far enough away from disturbances to ensure that species within them remain relatively unaffected by the activities that occur outside the forest) impacts should include a quantitative measurement of the change in core forest. It should also describe, to the extent practicable, the impact that this change will have on wildlife communities in the area (such as changes in nesting patterns). The discussion of fragmentation should address the potential for increased collisions between motor vehicles and wildlife and any proposed measures to mitigate these impacts, such as wildlife crossings. Various state agencies, including the DNR, require the consideration of wildlife crossings for projects that have the potential to fragment habitat. Motorist safety, connectivity of habitat and cost are important factors to consider and discuss in the environmental document. If DNR responds to early coordination indicating that wildlife crossings should be considered for an INDOT project, the ES Ecology and Permitting Unit should be contacted to make a project-level determination as to whether a crossing is appropriate.

A description of wildlife, including invasive species and migratory birds, identified within or adjacent to the project area should be included in the remarks box of the CE. Include in the description the types of species present and any potential impacts. Also, indicate if a take permit is required.

Include a discussion of the efforts to avoid, minimize, and/or mitigate project impacts. Summarize any mitigation commitments in Section J (Environmental Commitments) and in the commitments database. Photographs and maps with the identified communities should be included in the appendix.

Return to the Table of Contents

IV.C.1.e. Karst

Background
Karst regions are characterized by the presence of limestone, dolomite or other soluble rocks, where drainage has been largely diverted into subterranean routes. Sinkholes, swallowholes, sinking streams, large springs, and caves dominate the topography and drainage of karst areas.

On October 13, 1993, the Indiana Department of Transportation (INDOT), the Indiana Department of Natural Resources (IDNR), the Indiana Department of Environmental Management (IDEM), and the U.S. Fish and Wildlife Service (USFWS) entered into a Memorandum of Understanding (MOU) to establish karst features treatment guidelines for the construction of transportation projects in a designated portion of Indiana. A map illustrating the agreed upon potential karst features area can be seen as Appendix P in the appendices of this

document. The MOU governing the treatment of karst features can be seen as Appendix O. Additional information on karst is available in the *Procedural Manual for Preparing Environmental Documents*.

Process

- **Projects with karst features located within the designated potential karst area:**

These must be reviewed to determine whether any features are located within or adjacent to the project. This should begin with a review of public and private sources of karst information, followed by a field reconnaissance of the area to identify and verify the existence of all karst features.

If karst features are present and will likely be impacted, the Ecology and Permitting Unit of Environmental Services Division (ES) must be contacted for further discussion and guidance. If a karst assessment is determined to be necessary, it must be carried out by a qualified expert who will determine the potential for impacts. The level of detail of the karst study will be determined by the number, size and complexity of the impacted features. Copies of the completed karst study will be distributed by the preparer of the CE to the resource agencies designated in the MOU for review and approval.

- **For those projects with karst features located outside of the designated area:**

These will be reviewed to determine the need for such a study by the ES on a case-by-case basis.

The USEPA considers some karst features (sinkholes and swallowholes) to be Class V injection wells if alterations are made to the drainage system which will affect the amount or type of runoff received by the feature. If a project causes one of these features to be in any way impacted, the project sponsor is required to provide the USEPA with some basic inventory information about the well and implement measures so as not to endanger any underground source of drinking water. Under existing federal regulations, Class V injection wells are "authorized by rule" (40 CFR 144). This means that Class V injection wells do not require a permit if they do not endanger underground sources of drinking water and they comply with the Underground Injection Control Program requirements. See the *Indiana Waterway Permits Manual* for further guidance.

Information

State in the remarks box whether the project falls within the potential karst features area, if any karst features are located within the project, and any potential impacts. If a karst study is completed, include a brief summary of the findings and recommendations. The BMPs and mitigation commitments will also be included in Section J (Environmental Commitments) of the CE and the commitments database.

Return to the Table of Contents

IV.C.1.f. Threatened and Endangered Species

Background

The Endangered Species Act (ESA) of 1973 requires federal agencies to use their authorities to carry out their programs for the conservation of endangered species and their critical habitat. Section 7 of the Act requires that federal agencies (and recipients of federal funds) assist in the conservation of federally listed Threatened and Endangered Species (TES) and, in consultation with the US Fish and Wildlife Service (USFWS), ensure that their actions do not jeopardize listed species or destroy or adversely modify critical habitat.

Indiana Law IC 14-22-34 protects species within the state that have a limited abundance or distribution or those species in danger of extinction. This law prohibits the taking, possession, transport, export, process, sale, or offer to sell non-game species. Take is defined as the harassment, hunt, capture, or kill; or the attempt to harass, hunt, capture or kill.

As efforts to protect threatened and endangered wildlife are successful, populations may increase enough to warrant de-listing a species. This was the case when the Bald Eagle was removed from the Federal Threatened and Endangered Species list on August 8, 2007. The Bald Eagle will continue to be protected under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act, which prohibits the take or disturbance of nesting eagles. The final rule (50 CFR 17) on the delisting provides an explanation of the delisting, and a draft Post-Delisting and Monitoring Plan. Environmental Services Division (ES) should be contacted if a take of a Bald Eagle is anticipated.

Process

As a part of the early coordination phase (see The Categorical Exclusion Process – Step 3B), the USFWS (federally listed species) and Indiana Department of Natural Resources (IDNR) Office of Fish and Wildlife (state-listed species) must be informally consulted regarding the evaluation of impacts to federally threatened or endangered species. Ultimately, for federally-listed species, the USFWS must issue a written statement stating their opinion detailing whether the project would jeopardize the continued existence of any listed species or result in the destruction or adverse modification of critical habitat. If the USFWS opinion is one of the following, then the environmental analysis with respect to the Endangered Species Act is complete:

- Protected species are known to not occur in the project area.
- The project would result in "No Effect" to any federally listed or proposed endangered species or critical habitat.
- The project is "Not likely to adversely affect" any federally listed or proposed endangered species or critical habitat.

Any of the above opinions will conclude Section 7 consultation.

If the USFWS opinion is that the project is “Likely to adversely affect” any federally listed or proposed endangered species or critical habitat, then ES and the FHWA should be contacted. They will initiate formal consultation with the USFWS to coordinate the preparation of a Biological Assessment (BA). NEPA cannot be completed until formal consultation is concluded

with a Biological Opinion (BO) and a finding of "No Jeopardy" by the USFWS. If the USFWS indicates that a project will jeopardize the continued existence of a protected species, the project may not proceed until the project has been sufficiently modified to receive a "No Jeopardy" finding.

INDOT currently has a Memorandum of Understanding (MOU) with the USFWS which streamlines the Section 7 process for certain projects. At times, coordination with the USFWS may consist only of project notification in accordance with the MOU, Streamlining and Reducing the Flow of Early Coordination Letters/Responses with the USFWS dated September 1993 (see Appendix N). If the project meets the criteria of the MOU, the appropriate USFWS letter dated September 8, 1993 (see Appendix M) may be used in the CE document and no additional coordination with the USFWS is necessary. **Note that certain areas of the state (notably the potential karst region and the Lake Michigan watershed) are not eligible for programmatic coordination with the USFWS regardless of project type.**

Information

In the CE/EA Form, indicate whether:

- The project is within the known range of any federal or state listed threatened or endangered species.
- The project will impact any critical habitat.
- Any federal or state-listed threatened or endangered species were found in the project area and whether they are expected to be impacted.
- Formal consultation (for federally-listed species) has been completed.

In Remarks, include a summary of:

- The informal consultation that has been done to date with the USFWS and the IDNR, including the "effect" opinion(s) for each species.
- Any avoidance or minimization options that were evaluated or will be further evaluated in later stages of project development for either federal or state listed TES.
- Provide only a generalized location of the TES. Responses provided by IDNR and USFWS are typically generalized. **Do not provide specific locations of TES (i.e. maps, etc.)**

Since the bald eagle has been delisted for purposes of the endangered species act, but continues to be protected, the following language (or equivalent) is recommended when impacts to bald eagles or their habitat are anticipated:

> *The bald eagle was removed from the Federal Threatened and Endangered Species list on August 8, 2007. The bald eagle is still protected under the Bald and Golden Eagle Protection Act and Migratory Bird Treaty Act, which prohibits the take and disturbance of nesting eagles.*

Summarize any mitigation commitments in Section J (Environmental Commitments) and the commitments database.

Return to the Table of Contents

IV.C.2. Section B – Other Resources

IV.C.2.a. Ground Water, Surface Water, Drinking Water, Wellhead Protection Areas and Sole Source Aquifers

Background

Every construction project has the potential to adversely impact water resources. Water resources exist both above and below ground. The identification and protection of all water resources is imperative not only because it is required by law, but also to insure that adequate supplies of clean potable water are available for numerous uses. Drinking water resources within the construction impact area or in close proximity to the project must be identified. Possible impacts to drinking water resources based on the proposed construction activities (i.e., installation of open drainage or detention/retention basins or underground high capacity runoff storage structures) should be determined. Residential wells may be directly impacted by construction if they are within close proximity or down gradient of the project.

Two specifically designated areas of underground water to be considered and protected include Wellhead Protection Areas (WHPAs) and Sole Source Aquifers (SSAs). Information regarding WHPAs can be found in Section II.C.4.d of the *Procedural Manual for Preparing Environmental Documents*. The locations of the various other sources of drinking water can be obtained from the contact persons mentioned below in the process discussion.

A Sole Source Aquifer is a federally regulated aquifer where ground water protection is of the utmost importance. The Sole Source Aquifer (SSA) Protection Program is authorized by Section 1424(e) of the Safe Drinking Water Act of 1974 (Public Law 93-523, 42 USC 300 et. seq). Sole Source Aquifer designations are one tool to protect drinking water supplies in areas with few or no alternative sources to the ground water resource, and where if contamination occurred, using an alternative source would be extremely expensive. The designation protects an area's ground water resource by requiring the U.S Environmental Protection Agency (USEPA) to review any proposed project within the designated area that is receiving federal financial assistance. All proposed projects receiving federal funds are subject to review to ensure they do not endanger the water source. The FHWA and the USEPA signed a Memorandum of Understanding (MOU) in April 1989 to ensure that projects in the Sole Source Aquifer area are developed to prevent the introduction of contaminants into the aquifer that might create a significant hazard to public health. The MOU describes applicability criteria, projects exempt from review, and procedures for reviewing projects in the SSA area. Although projects qualifying as CEs under 23 CFR 771.117 are specifically exempted from review by the USEPA as per the MOU unless a review is specifically requested, it is INDOT policy that all CEs, level 2 and above for projects that are located in the SSA area shall include the USEPA on the list of early coordination recipients.

Indiana currently has only one legally designated Sole Source Aquifer (SSA), the St. Joseph Aquifer System, located in northern Indiana. The St. Joseph Aquifer System serves as the “sole or principal source” of drinking water for some residents in Elkhart, St. Joseph, LaGrange, Noble, and Kosciusko Counties.

Process

For all projects that require early coordination, the preparer should determine the presence of community drinking water resources, residential wells if they will be directly impacted, WHPAs, and water wells (public and private) within the project study area. Note in the project file the locations of all WHPAs and water wells both public and private. However, WHPAs must not be shown on general maps of the project area that will be distributed to the public.

There are two processes that can be used to determine if the proposed project is located within a designated WHPA. Please select one of the following processes to obtain this information.

- From the IDEM web page, download the Wellhead Protection Proximity Request Form in pdf format.
    - Fill out the form completely.
    - Return the fully completed form to the IDEM Ground Water Section either by email, fax or mail.
    - Upon receipt and subsequent to review, IDEM responds back the Wellhead Protection Area Proximity Determination documentation for the site in question.

- From the IDEM web page, select the self service to utilize the Wellhead Proximity Determinator
    - Using the icon/tools in the upper right corner of the application, zoom to your site location or address.
    - Once you have located you site of interest click on the "I" icon, and then using your mouse click on your location.
    - The site WHPA proximity determination will be displayed below the icon tools in the upper right hand corner.
    - For most small projects a singular point will be sufficient. However, for linear projects at least three points should be used (start, midpoint, and end). If the project is greater than 3 miles in length an additional point should be used per mile (i.e. a 10 mile project should have 10 points selected).
    - Should you have any questions, please contact INDOT-ES.

The use of the self service or an IDEM response will indicate whether the project is within a wellhead protection. If the project is within a WHPA, the preparer must coordinate with water districts, municipal engineers and other contact persons to obtain more specific information, including management measures and requirements. Contact and other relevant information can be found on the IDEM web page.

Should the preferred alternative potentially impact a WHPA, the environmental document should contain a discussion of how the project will comply with the management measures and requirements in the local wellhead protection program management plan developed for the community public water supply system (CPWSS). The potential impacts and possible mitigation measures should be evaluated for each alternative under consideration.

If the project is located within the designated boundaries of the St. Joseph Aquifer (Appendix L), the preparer must coordinate with the USEPA Sole Source Aquifer Specialist in the Ground Water Branch of that agency to provide them with an opportunity to make comment on the potential of the project to adversely impact the aquifer.

The USEPA's review will determine one of the following:

- The project does not require further review as it does not possess the potential to cause a public health concern;
- A Groundwater Impact Assessment (GWIA) is necessary to determine the potential of the project to adversely affect the Aquifer, or;
- The project has a significant potential to contaminate the Aquifer and requires modification to eliminate that potential before federal funds can be committed.

Information

In the remarks box, note whether the project is within the St. Joseph Aquifer System, the only legally designated SSA in Indiana, whether the MOU is applicable, and a summary of coordination with USEPA. USEPA's review and acceptance of the GWIA should be attached to the CE along with all coordination with the USEPA. Additionally, the remarks box should include whether the project is within a WHPA. Standard language for WHPA is provided below. Please provide supporting documentation and any correspondence received.

Standard Language for Wellhead Protection Areas

Standard Language for Consultation with IDEM

Outside a Wellhead Protection Area (IDEM Response)

In a letter dated (*date*), the Indiana Department of Environmental Management, Ground Water Section stated that the project is not located within a Wellhead Protection Area.

Inside a Wellhead Protection Area (IDEM Response)

In a letter dated (*date*), the Indiana Department of Environmental Management, Ground Water Section stated that the project is located within a Wellhead Protection Area. *(Describe any coordination that has occurred, provide any correspondence received, and summarize. Should an impact occur to the WHPA discuss how the project will comply with the management measures and requirements in the local wellhead protection program management plan.)*

Standard Language for Self Service

Outside a Wellhead Protection Area (Self Service)

The Indiana Department of Environmental Management's Wellhead Proximity Determinator website (http://idemmaps.idem.in.gov/whpa/) was accessed on (*date*) by (*organization*). The required project location data was provided and it was determined that this project is not located within a Wellhead Protection Area.

Inside a Wellhead Protection Area (Self Service)

The Indiana Department of Environmental Management's Wellhead Proximity Determinator website (http://idemmaps.idem.in.gov/whpa/) was accessed on (*date*) by (*organization*). The required project location data was provided and it was determined that this project is located within a Wellhead Protection Area. *(Describe any coordination that has occurred, provide any correspondence received, and summarize. Should an impact occur to the WHPA discuss how the project will comply with the management measures and requirements in the local wellhead protection program management plan.)*

Summarize any mitigation commitments in Section J (Environmental Commitments) and in the commitments database.

Return to the Table of Contents

IV.C.2.b. Floodplains

Background

The purpose of assessing impacts to floodplains is to determine whether a transportation project will encroach on the 100-year floodplain and whether any encroachment will be significant. A floodplain typically consists of a floodway, which is the channel of the waterbody that floods, and the fringe, which is the remainder of the backwater. The 100-year floodplain is the area that has a one percent or greater probability of flooding in any given year. The 100-year floodplain may also be called the base floodplain, the National Flood Insurance Program Zone A floodplain, the regulatory floodplain, or the Special Flood Hazard Area. The Federal Emergency Management Agency (FEMA) defines 100-year floodplains for most communities in the nation.

The analysis of floodway impacts is required for the CE document and is required to support permit requests. In Indiana, the Office of Water at the Indiana Department of Natural Resources (IDNR) regulates activities within 100-year floodplains. The floodway is always considered to be waters of the US, which means that work within the floodway requires additional permits from USACE. See the *Indiana Waterway Permit Manual* for more information on jurisdictional waters.

Floodplain impacts are categorized as transverse or longitudinal. Transverse impacts, which occur when roads or bridges cross floodplains, typically result in fewer impacts than longitudinal impacts, which occur when roads or bridges travel along a floodplain. Projects that have significant longitudinal impacts usually do not qualify for CE-level documentation.

Process

The tools for a floodplain analysis are the project plans and the FEMA flood plain map for the project area. The preparer compares the location of the floodplain delineated on the map with the project area to determine the extent and type of encroachment. The most current map for a location is listed in FEMA's *Community Status Book* and is available for download from

FEMA's web site. The FEMA website has a graphical layout tool which may be used to create floodplain maps for the project area. Depending on the area, the map may be one of three types:

- A Flood Insurance Rate Map (FIRM), which shows several levels of flood risk.
- A Flood Hazard Boundary Map (FHBM), which shows only 100-year floodplain and which will have the logo of the US Department of Housing and Urban Development on it.
- A Digital Flood Insurance Rate Map (DFIRM), which is a digitized version of a FIRM or FHBM and which is available for viewing or for download as a GIS layer.

Each major drainage structure on the proposed project must be assessed for encroachments and a determination made as to the significance of any encroachments. If a project segment, feature, or structure will encroach on the floodplain, the preparer must coordinate with the local floodplain administrator during design to insure consistency with local flood plain planning. If this cannot be completed prior to approval of the CE, the commitments section of the CE form and the commitments database should contain a commitment to continue coordination in the design stage. Alternatives to avoid adverse effects, minimize potential harm to or within the floodplain, and avoid incompatible development in the floodplains must also be considered.

INDOT has established five (5) categories of projects based upon the size, scope, and impact to the floodplain. The preparer determines which category the project falls into. The five categories are:

- Category 1 – Projects which will not involve any work below the 100 year flood elevation. No additional field work or coordination is required.
- Category 2 – Projects which will not involve the replacement or modification of any drainage structures. If a profile grade change is proposed, an inspection of the floodplain is required to determine whether such an increase will result in a substantial change in damage or risks.
- Category 3 – Projects involving modifications to existing drainage structures. 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.
- Category 4 – Projects involving replacement of existing drainage structures on essentially the same alignment. The site must be inspected upstream and downstream to determine existing conditions that affect the design of the replacement structure. For major drainage structure (opening larger than 100 square feet), a hydraulic design study is prepared as part of the engineering assessment to assess the impacts of various structure sizes on the flood risk within the floodplain.
- Category 5 – Projects on new alignment. As for Category 4 projects, a hydraulic design study is required for all major structures. INDOT's public involvement manual requires that the public be offered the opportunity to request a hearing if the project results in substantial floodplain impacts.

Information
The discussion in the remarks box must state whether the project will encroach on a floodplain, describe the resources consulted to make this determination, describe additional studies and coordination, and contain language specific to the project and impact.

Projects not located in the floodplain
For projects not located in a floodplain, the following statement should be included in the remarks box:

> *The project does not encroach upon a regulatory floodplain as determined from available FEMA flood plain maps (attached). Therefore, it does not fall within the guidelines for the implementation of 23 CFR 65, 23 CFR 771, and 44 CFR.*

Projects located in a flood plain:
For projects located in a flood plain, the remarks box must indicate the category of impact and include the appropriate language based on the impact assessment. It is possible that a single project will involve two or more of the categories. When this occurs it is necessary to include information for each of the categories involved. If a given situation does not fit a particular category, these guidelines should be used as a basis for developing a reasonable approach to fit that situation.

The appropriate statement or statements should be included in the remarks box based on the Category of impact:

- Category 1 – "Although this project involves work within the horizontal limits of the 100 year floodplain, no work is being performed below the 100 year flood elevation and as a result this project does not encroach upon the base floodplain."
- Category 2 – "This project will not involve the replacement or modification of any existing drainage structures or the addition of any new drainage structures. As a result, this project will not affect flood heights or floodplain limits. This project will not increase flood risks or damage, and it will not adversely affect existing emergency services or emergency routes, therefore, it has been determined that this encroachment is not substantial."
- Category 3 – "The modifications to drainage structures included in this project will result in an insubstantial change in their capacity to carry flood water. This change could cause a minimal increase in flood heights and flood limits. These minimal increases will not result in any substantial adverse impacts on the natural and beneficial floodplain values; they will not result in substantial change in flood risks or damage; and they do not have substantial potential for interruption or termination of emergency service or emergency routes; therefore, it has been determined that this encroachment is not substantial."
- Category 4 – If no substantial impacts are predicted then the following comment will be included:

  > *(#) homes are located within the base floodplain within 1000 feet upstream and (#) homes are located within the base floodplain within 1000 feet downstream. The proposed structure will have an effective capacity such that backwater surface elevations are not expected to substantially increase. As a result, there will be no substantial adverse impacts on natural and beneficial*

floodplain values; there will be no substantial change in flood risks; and there will be no substantial increase in potential for interruption or termination of emergency service or emergency evacuation routes; therefore, it has been determined that this encroachment is not substantial. A hydraulic design study that addresses various structure size alternates will be completed during the preliminary design phase. A summary of this study will be included with the Field Check Plans.

If substantial impacts are determined, the following will be included:

Substantial impacts to the floodplain have been predicted, therefore, a hydraulic design study that addresses various structure size alternates will be completed during the preliminary design phase. A summary of this study will be included in the Field Check Plans.

- Category 5 – If the evaluation finds no substantial encroachment to the floodplain, include the following statement:

There will be no substantial impacts on natural and beneficial floodplain values; there will be no substantial change in flood risks; and there will be no substantial increase in potential for interruption or termination of emergency service or emergency evaluation routes; therefore it has been determined that this encroachment is not substantial. A hydraulic design study that addresses various structure size alternates will be completed during the preliminary design phase. A summary of this study will be included with the Field Check Plans.

If substantial impacts are determined, the following will be included:

Substantial impacts to the floodplain have been predicted, therefore, a hydraulic design study that addresses various structure size alternates will be completed during the preliminary design phase. A summary of this study will be included in the Field Check Plans.

The appendix must contain the appropriate floodplain maps and the hydraulic design study, if performed.

The preparer must discuss the public involvement activities for substantial impacts in Part I, Public Involvement. The preparer must include mitigation and coordination commitments in Section J (Environmental Commitments) and in the commitments database.

Return to the Table of Contents

IV.C.2.c. Farmland

Background
Congress passed the Agriculture and Food Act of 1981 containing the Farmland Protection Policy Act (FPPA). The FPPA is intended to minimize the impact federal programs have on the irreversible conversion of farmland to nonagricultural uses. It assures that, to the extent possible, federal programs are administered to be compatible with farmland protection measures implemented by the state and local units of government. For the purposes of FPPA, farmland includes lands with soils that are identified as prime and unique or of statewide or local importance. All land which is not submerged or urbanized is subject to FPPA requirements.

Process
If the project has the potential to convert farmland to non-farm use, the local office of the Natural Resources Conservation Service (NRCS) or United States Department of Agriculture (USDA) Service Center must be contacted. The NRCS uses a land evaluation and site assessment system to establish a farmland conversion impact rating score on proposed sites of federally funded and assisted projects. This score is used as an indicator for the project sponsor to consider alternatives if the potential adverse impacts on the farmland exceed the recommended allowable level.

Form NRCS-CPA-106 is to be used for corridor type projects including roadway improvements, bridge replacements and intersection improvements. Form NRCS-AD-1006 will be used for the acquisition of large parcels or blocks of land for such purposes as environmental mitigation sites or large borrow areas that are not physically connected to the lead project and/or will be constructed at a different time under a different contract. If there is any question as to which form to use, the Environmental Policy Office should be contacted for guidance.

In general, parts I and III of either form will be completed by the preparer and sent to the NRCS, who will determine whether the site of the proposed project contains prime, unique, statewide, or locally important farmland. For sites where farmland covered by the FPPA will be converted by the proposed project, the NRCS will complete Parts II, IV, and V of the form. The NRCS will return the form to the preparer, who then will complete Parts VI and VII of the form and return the form with the final selected site to the NRCS. Part VII includes the total points for the project.

Information
The completed Form, either NRCS-AD-1006 or NRCS-CPA-106, as appropriate, must be attached to the CE. The Remarks should discuss existing farmland resources in the project area, impacts on farmland, and mitigation and minimization measures considered. For projects that receive a point value less than 160, the following statement should be included in the CE:

> *Farmland Conversion Impacts: As is required by the Farmland Protection Policy Act, the NRCS has been coordinated with and the Form NRCS-AD-1006/NRCS-CPA-106 (as appropriate) has been completed. Since this project received a total point value of less than 160 points, this site will receive no further consideration for farmland protection. No other alternatives other than those already discussed*

in this document will be considered without a re-evaluation of the project's potential impacts upon farmland. This project will not have a significant impact to farmland.

For projects that result in an AD-1006/CPA-106 score of 160 points or greater, additional coordination with the NRCS should be initiated to determine if mitigation measures will be required.

Summarize any mitigation commitments in Section J (Environmental Commitments) and in the commitments database.

Return to the Table of Contents

IV.C.3. Section C – Cultural Resources

Background
Cultural resources are any prehistoric or historic remains or indicators of past human activities, including artifacts, sites, structures, landscapes, and objects of importance to a culture or community for scientific, traditional, religious, or other reasons.

Section 106 of the National Historic Preservation Act (NHPA) and the associated regulations (36 CFR 800), promulgated by the Advisory Council of Historic Preservation (ACHP), requires Federal agencies to (1) take into account the effect of federal undertakings on historic properties and (2) provide the ACHP an opportunity to comment on the undertaking. Additional information regarding Section 106 can be found in the FHWA Environmental Guidebook and the *Indiana Cultural Resources Manual*.

In addition, Indiana has several state laws that protect cultural resources. IC 14-21-1-18, requires that a Certificate of Approval be obtained from the State Historic Review Board before impacting a historic structure or site using state funds or on state property. IC 14-21-1-26.5 requires that a development plan be prepared and approved by the Department of Natural Resources' Division of Historic Preservation and Archaeology (DHPA) for most activities that disturb ground within 100 feet of any burial ground. These regulations apply to all projects in the state.

The resources addressed by Section 106 are also protected under Section 4(f) of the USDOT Act of 1966 (See section II.B.14); however, these two laws use independent and complementary approaches to provide this protection. Section 106 is a procedural law which requires all federal agencies to evaluate the effect of federal undertakings on historic properties and which gives the federal ACHP an opportunity to comment on the undertaking. Section 4(f) is a substantive law that only applies to activities that are approved or funded by USDOT agencies, including the FHWA. Section 4(f) requires the consideration of avoidance alternatives and, if there are no feasible and prudent alternatives to using the resource, requires that harm to the resource be minimized and mitigated.

The FHWA-IN Section 106 Consultation Procedures (Chapter 3 of the *Indiana Cultural Resources Manual*) explain how to implement these regulations for the FHWA projects in Indiana. It is important to note that the preparer of the Section 106 documentation must meet minimal professional qualification standards. These can be found in 36 CFR 800.2(a)(1). See the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation for more information.

NEPA documentation cannot be finalized until the Section 106 process is completed, which means that Section 106 is often the critical path to completing CE projects. The process can take a little as two weeks for very simple projects that qualify for programmatic agreements or over a year for complex projects with multiple impacts. Therefore, the Section 106 process should be initiated as early as possible.

Process

The FHWA-Indiana Division (FHWA-IN) has created Section 106 consultation procedures that explain how the FHWA-IN Division satisfies its responsibilities under Section 106 of the NHPA. To the extent that Section 106 allows, the FHWA has delegated to INDOT and consultants the ability to conduct Section 106 coordination with the Indiana State Historic Preservation Officer (SHPO) and consulting parties. Section 106 must be completed for all Federal-aid undertakings, and the public must be given an opportunity to comment on the undertaking's effect on historic properties before the environmental document is completed. The outcome of the Section 106 process is a finding that describes the effect of the project on specifically identified historic properties. A historic property may be a structure, a collection of structures (such as a historic district), a geographic location, or an archaeological site.

The essential steps of the full Section 106 process are listed here. Steps that are starred must be executed by a qualified professional.

1. Establish an Area of Potential Effect (APE). *
2. Identify historic properties and archaeological sites within the APE. *
3. Make preliminary determinations of APE, Eligibility Determination, and Effect. *
4. Identify Consulting Parties provide them with project information and invite them to participate in consultation.
5. Review responses from Consulting Parties, hold Section 106 consultation meetings if necessary.
6. Prepare APE, Eligibility Determination, and Effect Finding for INDOT for review and INDOT/FHWA approval. *
7. Distribute the approved APE, Eligibility Determination, Effect Finding, and documentation to consulting parties and present to the general public through public notices.
8. Revise the APE, Eligibility Determination, Effect Finding, and supporting documentation based on Consulting Party and public comments.
9. Resolve any adverse effects on historic properties through a Memorandum of Agreement.

Each of these steps is discussed in more detail in the FHWA's procedures and the *Indiana Cultural Resources Manual*. After identifying the APE and potential historic properties within the APE, certain key organizations and individuals are invited to be consulting parties when the

Section 106 process is initiated, and any others may ask to be a consulting party any time during the Section 106 consultation process. If the project will require approval (such as permitting) from another federal agency, the agency issuing that approval should be invited to be a consulting party.

After completing the appropriate Section 106 consultation, the project sponsor is required to develop the finding and submit supporting documentation for effect findings. The finding may be "No Historic Properties Affected", "No Adverse Effect", or "Adverse Effect". The documentation includes the recommended APE, the properties within the APE that are believed to be eligible for or listed on the National Register of Historic Places, and the suggested finding of effect. For Adverse Effect findings, the documentation also includes a description of mitigation that is proposed to reduce the adverse effect. A draft memorandum of agreement for implementing the mitigation may also be included. The FHWA-IN has developed a template for these agreements, which is available through the, *Indiana Cultural Resources Manual*. A checklist for submitting information to INDOT can also be found in *Indiana Cultural Resources Manual*.

The FHWA, INDOT, and SHPO have developed two major programmatic agreements (PAs) to streamline the Section 106 process. The first addresses historic bridges and the second addresses certain categories of transportation projects. The preparer of the Section 106 documentation should review the project scope early in the NEPA process to determine whether these programmatic agreements apply or whether the full Section 106 process is required as described above.

Historic Bridge PA

The *Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Indiana State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Management and Preservation of Indiana's Historic Bridges,*, executed in August 2006, applies to any federal-aid project that may result in the replacement or rehabilitation of a historic bridge in Indiana. A copy is available in *Indiana Cultural Resources Manual*. The PA is based on an inventory of potentially historic bridges, which was used to determine the preservation status of each bridge. The historic bridge inventory covers all publicly owned Indiana bridges (state and local) built through 1965. The NRHP eligibility recommendations were finalized in early 2009. The process of determining which bridges are most suitable for preservation and the best examples of their type (called "select") and those that may not be suitable for preservation or are not the best examples of their type ("non-select") was completed in 2010. The most up-to-date list of "select" and "non-select" bridges is dated December 2010 and can be found on the following website: http://www.in.gov/indot/2531.htm. In essence, the Historic Bridges PA provides the research on NRHP eligibility and the finding of effect up front, which will significantly decrease the time needed to complete Section 106 for these resources. For questions regarding the use of the HBPA contact INDOT's CRO.

Minor Projects PA

The *Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana*

State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana, also called the Minor Projects PA, was established October 12, 2006 between the FHWA, INDOT, SHPO, and the ACHP. The Minor Projects PA has two sections. The first provides an abbreviated Section 106 process for a set of common, minor projects. The second delegates FHWA's authority to make findings of effect (except adverse effect) to INDOT.

Minor projects are those that have little to no potential to cause effect to historic properties. If a project type, activity, or undertaking is listed in the Minor Projects PA, little or no further cultural resource investigation is needed and the project may follow an abbreviated Section 106 process. The PA does not exempt a minor project from the normal NEPA process and documentation. The NEPA documentation shall reference and include the description of the specific stipulation in the PA that qualifies the project as exempt. Many projects that are scoped as CE's are also sufficiently minor in impacts to historic properties to fall under the Minor Projects PA, but each project should be individually evaluated for suitability.

Projects covered by this PA fall into two categories: minor projects that do not require review by INDOT's Cultural Resources Office (CRO) staff (Category A); and minor projects that do require documentation and review by INDOT's CRS staff to assess the likelihood that historic properties exist in the area of potential effects or determine the degree of existing soil disturbance within the project area (Category B). The only minor projects that require consultation with, review by, or approval by the SHPO, INDOT and the FHWA are those in category B-6. These should be submitted to INDOT, which will coordinate with the other agencies for approval.

If the project manager, project sponsor, the INDOT District Office in charge of the environmental document, and/or the INDOT-CRS determines that the PA applies to a project, then no further work needs to be produced for review under Section 106 by SHPO or the FHWA. If there is a concern about the application of the PA to a specific project, INDOT-CRS should be consulted.

Through the Minor Projects PA, the FHWA has delegated to INDOT the authority to make determinations of the Area of Potential Effects (APE), the eligibility of affected resources, and findings of "No Historic Properties Affected" and "No Adverse Effect" for all projects. The FHWA will remain legally responsible for all findings and determinations required by federal law. If INDOT determines, in consultation with the SHPO and consulting parties, that the project will have an "Adverse Effect" on historic properties, the FHWA will continue to be responsible for making a finding of "Adverse Effect" and for the resolution of those effects.

The project sponsor or consultant must send the APE, eligibility determinations, and effect finding documentation to the Manager of the Cultural Resources Section of Environmental Services Division in INDOT's Central Office for review. Two copies of the information should be submitted—one for INDOT's files and one to be signed and returned to the applicant or consultant.

If INDOT agrees with the recommendations of "No Historic Properties Affected" or "No Adverse Effect," it will approve the recommendations by signing and returning the effects documentation for distribution to the SHPO and consulting parties for review.

If INDOT agrees with recommendations of "Adverse Effect," it will forward the recommendations to the FHWA for review and signature. After the FHWA signature, the document will be returned for distribution to the SHPO and consulting parties for review. See the INDOT Cultural Resources Manual for details on consultation to resolve adverse effects.

If INDOT disagrees with any recommendation, requires further information before reaching a decision, or requires revisions to the documents, it will issue a letter or send an e-mail to the applicant or their consultant setting forth its position.

Information

Check all appropriate boxes to show which cultural resource documents were produced for the project. In the remarks box, include the appropriate discussions under these headings:

- Description of the Area of Potential Effect.
- Coordination with Consulting Parties.
- Archaeology (include the conclusions of the archaeology report).
- Historic Properties (include a description of each above-ground historic property and whether or not it is listed on or eligible for inclusion in the National Register).
- Documentation and Findings (summarize and provide submittal dates for the following: the finding and associated documentation, all correspondence with the SHPO and INDOT, and options considered to minimize harm and potential mitigation or enhancements). If applicable, include the executed Memorandum of Agreement to resolve adverse effects.
- Public Involvement (include the date the legal notice was published and whether any comments were received from the public or consulting parties, especially objections).

The following should appear in an appendix to the CE Document Form:

1. The FHWA approved APE, Eligibility determinations, and Effect finding. Include the date of each determination on the CE form.
2. Documentation that supports the effect finding.
3. If the FHWA has made an "Adverse Effect" finding, then attach a copy of the fully signed Memorandum of Agreement. Include the date the MOA was fully signed on the CE form.
4. Summary of Archaeology report (retain the entire report in the project file but do not include in the CE).
5. Summary of Historic Properties report (retain the entire report in the project file but do not include in the CE).
6. All correspondence with consulting parties, SHPO, FHWA, and INDOT, including the outgoing invitation to consulting parties.
7. The affidavit of publication of the legal notice advertising the finding of effect and a copy of the notice.

Be certain that specific locations of archaeological sites are not included in the CE document or other public documents.

Summarize any mitigation commitments in Section J of the CE/EA Form (Environmental Commitments) and in the commitments database. If the effect is adverse, include the stipulations from the memorandum of agreement must be included in exact wording. Refer to the *Procedural Manual for Preparing Environmental Documents* and the *Indiana Cultural Resources Manual* for more information on Section 106. Describe any additional archaeological work, such as excavations for data recovery, which may be completed after completing Section 106 or NEPA.

Return to the Table of Contents

IV.C.4. Section D - Section 4(f) and Section 6(f) Resources

IV.C.4.a. Section 4(f)

Background

Section 4(f) of the US Department of Transportation Act of 1966 prohibits the use of certain public and historic lands for federally funded transportation facilities unless there is no feasible and prudent alternative. The law applies to significant publicly owned parks, recreation areas, and wildlife/waterfowl refuges, and National Register eligible or listed historic properties. Lands that are subject to this law are called Section 4(f) resources. Each Section 4(f) resource has certain activities, features, and attributes that make it eligible for protection.

Land from a Section 4(f) resource may be used directly by permanent or temporary occupancy, or indirectly through constructive use. Direct use converts the land to a transportation facility through permanent easement or purchase. Constructive use occurs if the proximity of the project to the Section 4(f) resource substantially impairs the activities, features, and attributes of the land that make it eligible for protection. Before selecting an alternative that uses a Section 4(f) resource, the project sponsor must demonstrate that there is no feasible and prudent alternative to using land from the Section 4(f) resource, constructively impacting the resource and that they have engaged in all possible planning to minimize harm to the resource. This decision should consider input from other federal agencies that have an interest in the property (e.g. Department of the Interior, US Department of Housing and Urban Development).

The preparer evaluates any proposed use of a Section 4(f) resource for conformity with the law, and the evaluation document is submitted to the FHWA for approval. Many common uses of Section 4(f) resources can be documented and evaluated through one of five programmatic agreements. Very minor uses may qualify for a *de minimis* finding when the use does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f). Documentation of these Section 4(f) impacts are contained in the CE document. Uses that do not meet the criteria for a programmatic evaluation or a *de minimis* finding must be documented with an individual Section 4(f) evaluation, which is separate from the CE document.

Section 4(f) involvements may occur in any project. Recreational Trails Program (RTP) projects are specifically exempted from all requirements of Section 4(f). Other trail projects and projects with trails included in their scope may be exempt if they meet certain criteria outlined in the FHWA's guidance.

Process

The preparer must search for Section 4(f) resources on all projects and resolve or document any use. The following steps are recommended to locate Section 4(f) resources:

1. Inventory possible Section 4(f) resources:
   a. Determine the location of all parks, playgrounds, playing fields, wildlife and waterfowl refuges, and other recreational areas in the project vicinity from site visits and aerial photographs in the project vicinity.
   b. Examine results of early coordination, especially from local government agencies and the National Park Service, for indications of possible Section 4(f) resources.
   c. Determine the location of all National Register listed, eligible, or apparently eligible properties in the project vicinity from the Section 106 process.
   d. Note the location of publicly owned parcels from the landowner records used for Notices of Survey.
2. Determine whether Section 4(f) applies:
   a. Determine whether the project will use land from the resource, either permanently or temporarily.
   b. Determine the amount and location of land that will be used, including constructive use.
   c. Determine whether the park, recreational, and refuge lands are publicly owned.
   d. Obtain written confirmation of significant public use from the official with jurisdiction over park, recreational, and refuge lands.

If a Section 4(f) resource will be impacted by a project, the preparer should refer to the *Procedural Manual for Preparing Environmental Documents* for detailed information on how to proceed and the references by FHWA's for guidance on section 4(f) documentation.

If one or more Section 4(f) resources are involved in a project, the preparer generates a range of alternatives that must include avoidance and should include alterations to the project's configuration, features, and right-of-way requirements. The preparer and designer then evaluate the alternatives for feasibility and prudence and demonstrates that harm to the resource has been minimized. Minimization of harm includes modifying the design to reduce impacts and mitigation to compensate for residual impacts. Selection of the alternative that does the least overall harm to the 4(f) resource or demonstration of infeasibility or lack of prudence must be provided.

Five programmatic evaluations are available for impacts to the following Section 4(f) resources:

1. Public parks, recreation lands, and wildlife and waterfowl refuges.
2. Historic sites.
3. Historic bridges.
4. Bikeways and walkways.
5. Projects that provide a net benefit.

In addition, a *de minimis* finding may be used when the use does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f). Guidance on how to apply these programmatic evaluations and on proposing a *de minimis* finding may be found in the *Procedural Manual for Preparing Environmental Documents* and on the FHWA's Section 4(f) web site.

Most impacts from CE-level projects can be documented with one of the programmatic evaluations or a *de minimis* finding. An individual evaluation is required less frequently than the previously mentioned types. Any 4(f) impact must be processed as a level 4 CE.

The preparer's activities to satisfy Section 106 of the National Historic Preservation Act will provide some useful information for satisfying the requirements of Section 4(f) for historic properties, but the outcome of Section 106 does not control the outcome of Section 4(f). A project may have an adverse effect on a historic property under Section 106 but, if it does not take land from the property, may not be considered a Section 4(f) use. Conversely, a project that has a "No Adverse Effect" finding under Section 106 may take land from that property, and therefore may be a Section 4(f) use.

Application of the Indiana Section 106 Historic Bridge Programmatic Agreement or a Section 106 memorandum of agreement for mitigating an adverse effect under Section 106 is required for applying the historic sites and historic bridges programmatic Section 4(f) evaluations. If there is a Section 4(f) use of a historic property, a Section 106 finding of "No Adverse Effect" qualifies the impact for a *de minimis* finding. Section 106 and the application of a programmatic Section 4(f) evaluation are documented simultaneously.

Each Section 4(f) evaluation must be reviewed by ES and approved by the FHWA before the CE is approved. The documentation submitted to ES for review varies with the type of evaluation. For a programmatic evaluation, the preparer submits the appropriate sections of the CE document and supporting documentation. For a *de minimis* finding, the preparer submits the appropriate sections of the CE document and supporting documentation which includes a letter from the official with jurisdiction as well as documentation of satisfying the 30 day public involvement requirement. The CE and the Section 4(f) evaluation are submitted and approved concurrently.

For an individual evaluation, the preparer submits a draft and final Section 4 (f) document in the format required by the FHWA, which includes supporting documentation. After review, ES provides the documentation to the FHWA for their review, FHWA legal sufficiency determination, and approval.

Information

Section 4(f) resource involvement is documented in the Section 4(f) section, in the alternatives section, and in the project description. Within the Section 4(f) section, the preparer indicates which type of Section 4(f) evaluation applies by selecting the appropriate box and in paragraph form thoroughly describes the following:

1. Section 4(f) properties near the project, whether affected or not. This inventory will assist the designer and environmental staff in determining impacts if the project footprint changes after the CE is approved.
2. The Section 4(f) properties for which avoidance is not feasible and prudent and will, therefore, result in a use.

The appendices should include all applicable documentation, including the following:
1. Any plans and photographs of the 4(f) property that show how the property may be affected. Include property lines on these plans.
2. Correspondence from the official having jurisdiction regarding their views with respect to assessment of effects and mitigation
3. Section 4 (f) public notice and comments, if required
4. Coordination correspondence, if required.

The project alternatives described in the alternatives section must include all alternatives evaluated under Section 4(f) and the project description should state whether and how much impact the project will have on Section 4(f) resources.

Use standardized language for de minimis and programmatic section 4(f) application.

Summarize any applicable commitments in Section J (Environmental Commitments) and in the commitments database.

Return to the Table of Contents

IV.C.4.b. Section 6(f)

Background
Section 6(f) resources are lands that were purchased with or improved using funds from the Land and Water Conservation Fund (LWCF). The fund was created through the Land and Water Conservation Fund Act of 1965 to preserve, develop and assure accessibility to outdoor recreation resources, and to strengthen the health and vitality of the public. These public recreation lands are to be maintained for public outdoor recreation use. The program is administered by the National Park Service (NPS) at the national level and by the Department of Natural Resources (DNR) Division of Outdoor Recreation at the state level.

Section 6(f) of the act prohibits the conversion of LWCF lands unless the National Park Service (NPS) approves substitution property of reasonably equivalent usefulness and location and of at least equal fair market value. The Section 6(f) regulations may be found at 36 CFR 59.

Process
To document all potential involvements of Section 6(f) properties, all publicly owned land within or adjacent to the project area should be examined for LWCF involvement as early as possible in project development. In Indiana, the Department of Natural Resources' (DNR) Division of Outdoor Recreation keeps records on properties that have benefited from LWCF funds. Rather

than blanketly sending early coordination letters to the DNR Division of Outdoor Recreation or the National Park Service, first determine if the project area contains a park or other public recreation land (i.e. trail, boat launch, fishing pier, etc). If so, contact the DNR Division of Outdoor Recreation (rather than the NPS) to determine whether the site is protected by LWCF. DNR will provide the nature and location of of the LWCF parcels or improvements as well as information on the application of Section 6(f) conversion restrictions to the property

Projects that take land from a Section 6(f) property must meet certain prerequisites before a conversion request will be considered by the NPS. The following must be documented for the NPS and the complete documentation must appear in the CE document.

1. All practical alternatives to the conversion (such as avoidance) have been evaluated and rejected on a sound basis.
2. The fair market value of the property to be converted has been established and the property proposed for substitution is of at least equal fair market value as established by an approved appraisal.
3. The property proposed for replacement is of reasonably equivalent usefulness and location as that being converted, and the property proposed for substitution meets the eligibility requirements for LWCF-assisted acquisition as determined by the NPS and IDNR coordination
4. If a portion of a property will be taken, the effect of the conversion on the remaining property has to be documented.
5. For federally funded projects, all necessary coordination with other federal agencies has been satisfactorily accomplished including, for example, compliance with Section 4(f) (above).
6. The proposed conversion and replacement are in accord with the Statewide Comprehensive Outdoor Recreation Plan (SCORP) and/or equivalent recreation plans.
7. The acquisition complies with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act.

ES should be contacted for additional guidance if a Section 6(f) conversion is proposed. It is at the NPS discretion to approve or deny conversion of LWCF property. Section 6(f) requirements must be completed before the environmental document is approved.

Information

The remarks box should describe the process by which the preparer determined whether the project will involve Section 6(f) resources, including all sources consulted. If the project will take land from a Section 6(f) resource, describe measures to comply with the conversion requirements. Provide all documentation in the appendices.

Summarize any commitments in Section J (Environmental Commitments) and in the commitments database.

Return to the Table of Contents

IV.C.5. Section E - Air Quality

Background

The Clean Air Act (CAA) and later amendments were enacted to protect public health and welfare by controlling air pollution and to assist state and local governments with air pollution prevention programs. The two aspects of the CAA regulatory program that are important for transportation projects are the regulation of air quality and the regulation of mobile sources of specific toxic substances. Air quality regulation is primarily concerned with six major pollutants, called criteria pollutants, which are controlled by programs implemented at the state level. Mobile source air toxics are also regulated under the CAA to protect human health and the environment.

Regulatory requirements of the CAA apply to CEs. The preparer of the document will record existing documentation in regards to the criteria pollutants and the conformity status of the project. The preparer will also identify any additional requirements beyond conformity (hot spot analyses and mobile source air toxics analyses) that may be applicable to the project.

Criteria Pollutants and Conformity

The CAA established six criteria pollutants and required the Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards (NAAQS) for these criteria pollutants.

Criteria pollutants are those that adversely affect human health and welfare. The primary NAAQS for each pollutant are set at levels to ensure adequate protection of public health. The criteria pollutants are:

Pollutant Name	Chemical Abbreviation
Carbon Monoxide	CO
Ozone	O_3
Particulate Matter (Coarse and Fine)	PM_{10} (Coarse) and $PM_{2.5}$ (Fine)
Nitrogen Dioxide	NO_2
Lead	Pb
Sulfur Dioxide	SO_2

Three of the criteria pollutants, CO, O_3, and PM, have mobile sources. NO_2 is a transportation-related pollutant and has been included in the regulations of nitrous oxides, which are precursor pollutants for O_3. The remaining two criteria pollutants, lead and SO_2, are not transportation-related pollutants but may have to be considered in other environmental analyses for transportation projects.

The CAA established three designations for geographic areas based on ambient air quality conditions observed for each criteria pollutant:

- Nonattainment Area: areas that currently exceed the NAAQS for a criteria pollutant
- Maintenance Area: areas that were designated as nonattainment in the past but have since met the NAAQS for the exceeded criteria pollutant and have a maintenance plan in place.

- Attainment Area: areas that have never exceeded the NAAQS for any of the six criteria pollutants

The Indiana Department of Environmental Management (IDEM) develops a plan that demonstrates how the state will attain and maintain compliance with NAAQS. This plan, called a State Implementation Plan (SIP), must be reviewed and approved by the EPA.

The SIP provides implementation and enforcement of emission control measures for all sources of criteria pollutants. The SIP contains an inventory of emission sources, emissions budget for the on-road sources of each pollutant, and transportation control measures for these on-road sources. The transportation planning organizations determine whether proposed improvements are consistent with the motor vehicle emissions budgets in the SIP is called conformity.

Metropolitan Planning Organizations (MPOs) are the regional organizations responsible for comprehensive transportation planning and programming in urbanized areas, with the cooperation of state and local jurisdictions. Two MPO planning documents are involved in the conformity process. The Transportation Plan (TP) is the official intermodal metropolitan transportation plan developed through the metropolitan planning process for the metropolitan planning area. The TP is a long-range, federally-required 20-year planning document. The Transportation Improvement Program (TIP) is a staged, four-year intermodal program of transportation projects that covers the entire MPO planning area and is consistent with the TP. All funded projects within the boundary of the MPO must be included in the TIP. The Indiana Statewide Transportation Improvement Program (INSTIP) contains all of the various MPO TIPs and covers four years of transportation projects.

The federal Transportation Conformity Rule, 40 CFR Parts 51 and 93, requires MPOs and FHWA to determine that TPs and TIPs conform to the SIP, including meeting the emissions budget and the implemented schedule of Transportation Control Measures (TCMs) established in the SIP for air quality. Conformity determinations for projects located in isolated rural areas (nonattainment or maintenance areas that do not have a MPO and are not included in the regional emissions analysis) are the responsibility of the project sponsor, usually INDOT.

In addition to this planning-level conformity, individual projects must also be in conformity. The project-level conformity process takes place during the NEPA process and ensures that federal funding and/or approval are only given to projects that are consistent with air quality goals. The conformity process ensures that transportation projects do not create any new violations, increase the frequency or severity of existing violations, or interfere with the purpose of the SIP, which is to meet the EPA standards for air quality.

Project-level conformity applies to nonexempt projects located in nonattainment or maintenance areas that receive federal funds/approval and are not exempt. Exempt projects are those that maintain existing transportation facilities or improve mass transit or air quality and have a neutral impact on air quality (refer to the Procedural Manual for more information). A project-level conformity determination is required prior to the approval of any environmental document. Only the project's long-term impact on air quality is considered unless any phase of construction

will last longer than five years. In this case, temporary impacts due to construction must be evaluated as well.

The conformity regulations impose a four-year time limit on project-level conformity determinations. Conformity will have to be re-determined unless one of the following has occurred within four years of the original conformity determination:

1. NEPA process completion.
2. Start of final design.
3. Acquisition of a significant portion of right-of-way.
4. Approval of the plans, specifications and estimates.
5. Construction.

If the project has undergone significant change in design concept and scope since the conformity determination, or if the project requires supplemental environmental documentation for air quality purposes, a new conformity determination is required.

Nonattainment or maintenance areas for CO or PM may also be required to demonstrate that no new localized violations of these pollutants will result from project implementation.

Process

The air quality analysis that is required during the environmental process will vary considerably in content and in level of detail from one project to another based on the scope, size, geographic location, background conditions and anticipated impacts.

The first step in the transportation conformity process is to determine whether the project is in a nonattainment or maintenance area (refer to either the EPA or IDEM websites for current attainment status). The next step is to determine if the project is exempt from a conformity determination (refer to the *Procedural Manual for Preparing Environmental Documents* for more information). Although they do not have to show conformity, exempt projects with federal funding must be included in the TIP/INSTIP for a MPO area (INSTIP only for areas outside of a MPO). For larger projects, air quality impacts should be considered during the environmental process regardless of the attainment status of the area.

If the project is not exempt from conformity, the next step is to determine if the project is part of a conforming TP and TIP. The project must be accurately reflected in both documents. For projects located within a MPO boundary, the MPO will determine if the project is included in the TP and TIP. If a nonexempt project is located in an isolated rural area, the project sponsor is responsible for obtaining the conformity determination during the environmental process. See the Procedural Manual for more information.

If the project is nonexempt and is not included in the conforming TP and TIP, the project will need to be amended into the MPO's TP and TIP (if programmed within 4-year horizon of TIP) before conformity determination can be given. It is important to identify these changes early, because the amendment process could take up to a year or more to complete. Each MPO has their own schedule for updating the TP and TIP and any revisions will have to wait until the next

scheduled revision. The NEPA document cannot be approved until the project is in a conforming TP and TIP (if phase is programmed within the 4-year horizon of the TIP).

Information

The following information needs to be included in the environmental document:

- The attainment status of the county in which the project is located.
- Whether the project is exempt from conformity determination.
- If the project is not exempt from conformity, information about the TP and TIP and the source should be provided (either reference MPO website or name of the person who provided the information).

Return to the Table of Contents

IV.C.5.a. Hot Spot Analyses for Criteria Pollutants

Background

A hot spot analysis, as defined in 40 CFR 93.101, is an estimation of likely future localized $PM_{2.5}$, PM_{10}, or CO pollutant concentrations and a comparison of those concentrations to the relevant air quality standards. A hot spot analysis assesses the air quality impacts of criteria pollutants on a scale smaller than an entire nonattainment or maintenance area. Such an analysis is a means of demonstrating that a transportation project meets the CAA conformity requirements to support state and local air quality goals with respect to potential localized air quality impacts.

Hot spot analyses are required for all nonexempt projects that are located in CO nonattainment or maintenance areas. For projects located in PM nonattainment or maintenance areas, a hot spot analysis is required for all projects of air quality concern. See Figure 1 for a flowchart of when a hot spot analysis is required.

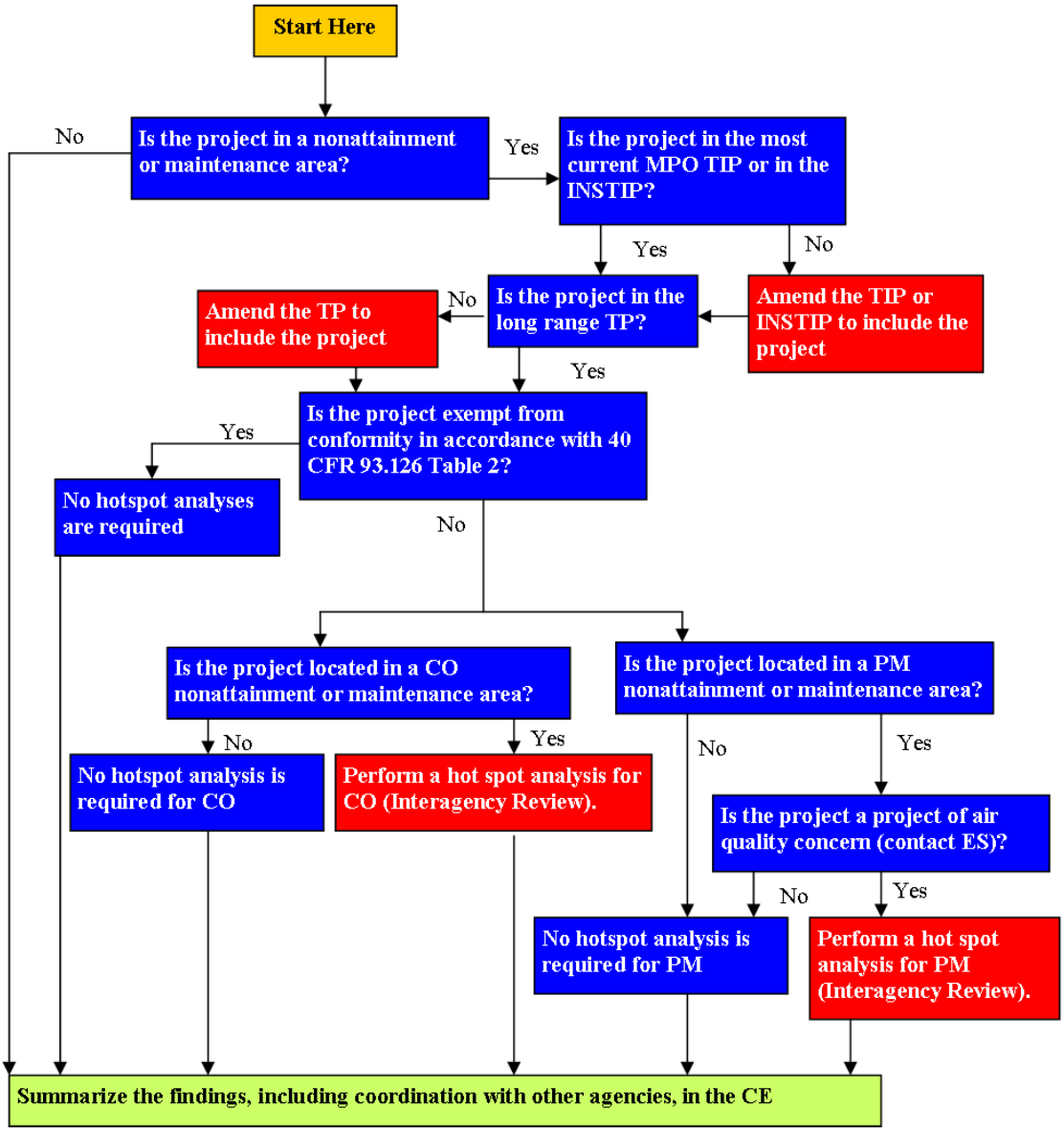
Process

It is the project sponsor's responsibility to determine if a hot spot analysis is required, ensure that the consultation requirements are completed, complete the hot spot analysis and include the results in the NEPA document. See the *Procedural Manual for Preparing Environmental Documents* for more information.

Information

In the remarks box, indicate if a hot spot analysis is required and the reasoning for the decision. If a hot spot analysis is required, include a summary of the analysis in the remarks box and the study in the appendix.

Figure 1: Hot Spot Analysis Flow Chart



Return to the Table of Contents

IV.C.5.b. Mobile Source Air Toxics

Background

The CAA identified a large number of air toxics, also known as hazardous air pollutants of which EPA has identified 21 as mobile source air toxics (MSATs). These are set forth in a 2007 EPA final rule, *Control of Emissions of Hazardous Air Pollutants from Mobile Sources*. The EPA also extracted a subset of this list that the FHWA labels as the six priority MSATs, which are benzene, formaldehyde, acetaldehyde, diesel particulate matter, acrolein, and 1,3-butadiene.

All projects must be subject to MSAT analysis to determine whether the project will increase the public's exposure to these substances. Depending on the specific project circumstances, the FHWA has identified three types of analysis:

1. An analysis is not required for projects with no potential for meaningful MSAT effects.
2. A qualitative analysis is required for projects with low potential MSAT effects.
3. A quantitative analysis to differentiate the alternatives is required for projects with a higher potential to have MSAT effects

Process

The Flowchart for the Analysis of MSATs (Figure 2) provides the steps necessary to determine what level of analysis is required for the proposed project. Each level of analysis requires differing amounts of documentation and effort, as is indicated in the flowchart. Most projects that are appropriate to document as CEs require only the first level of analysis because they do not have the potential for meaningful effects on MSATs. Such a project qualifies as a level 1 or 2 CE, is exempt from conformity as described above, or does not alter traffic volumes or the vehicle mix. If a project does not meet one of these criteria, the CE preparer must provide either a qualitative or quantitative analysis. More information on these analyses is available in the *Procedural Manual for Preparing Environmental Documents*.

Information

Include the appropriate MSAT standard language for the analysis type in the remarks box. For projects that are documents as CE level 1 or level 2, or that are exempt from conformity, use the following language:

> *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.*

For projects that have no meaningful impacts on traffic volumes or vehicle mix, use the following language:

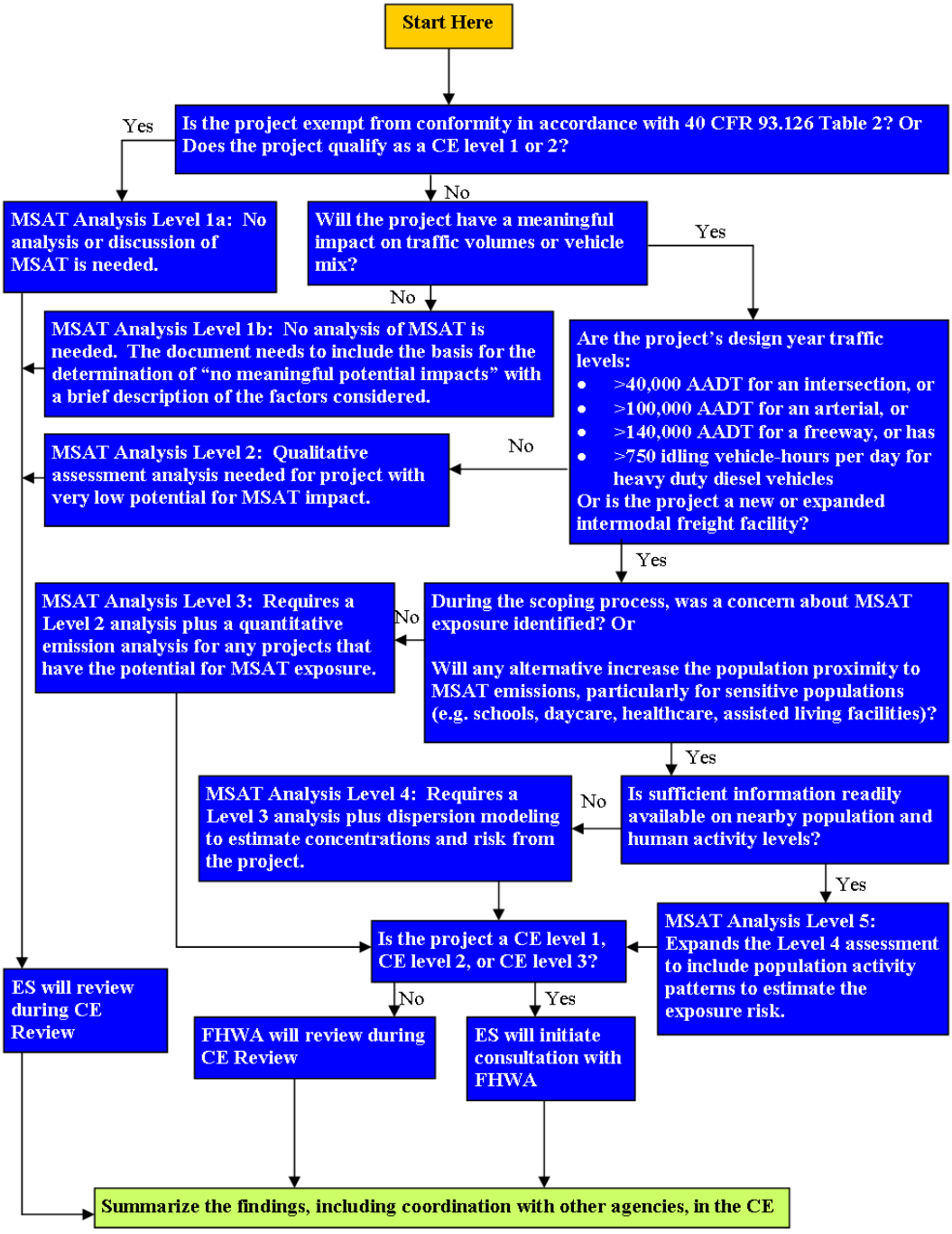
> *The purpose of this project is to (insert major deficiency that the project is meant to address) by constructing (insert major elements of the project). This project has been determined to generate minimal air quality impacts for CAAA criteria pollutants and has not been linked with any special MSAT concerns. As such, this project will not result in changes in traffic volumes, vehicle mix, basic project*

location, or any other factor that would cause an increase in MSAT impacts of the project from that of the no-build alternative.

Moreover, EPA regulations for vehicle engines and fuels will cause overall MSAT emissions to decline significantly over the next several decades. Based on regulations now in effect, an analysis of national trends with EPA's MOVES model forecasts a combined reduction of over 80 percent in the total annual emission rate for the priority MSAT from 2010 to 2050 while vehicle-miles of travel are projected to increase by over 100 percent. This will both reduce the background level of MSAT as well as the possibility of even minor MSAT emissions from this project.

See the *Procedural Manual for Preparing Environmental Documents* for information on how to complete the remarks box for a CE or EA project that requires a qualitative or quantitative analysis

Figure 2: Flowchart for the Analysis of Mobile Air Source Toxics (MSAT)



Return to the Table of Contents

IV.C.6. Section F – Noise

Background
The Federal Highway Administration's (FHWA) noise regulations (23 CFR 772) and INDOT's *Traffic Noise Policy* require the determination and consideration of traffic noise impacts for what are called Type I projects. Type I projects are those which consist of one or more of the following:

1) The construction of a highway on a new location; or,
2) The physical alteration of an existing highway where there is either:
    a. Substantial Horizontal Alteration. A project that halves the distance between the traffic noise source and the closest receptor between the existing condition to the future build condition; or,
    b. Substantial Vertical Alteration. A project that removes shielding, and therefore exposes the line-of-sight between the receptor and the traffic noise source. This is done by either altering the vertical alignment of the highway or by altering the topography between the highway traffic noise source and the receptor; or,
3) The addition of a through-traffic lane(s). This includes the addition of a through-traffic lane that functions as a High-Occupancy Vehicle (HOV) lane, High-Occupancy Toll (HOT) lane, bus lane, or truck climbing lane; or,
4) The addition of an auxiliary lane, except for when the auxiliary lane is a turn lane; or,
5) The addition or relocation of interchange lanes or ramps added to a quadrant to complete an existing partial interchange; or,
6) Restriping existing pavement for the purpose of adding a through-traffic lane or an auxiliary lane; or,
7) The addition of a new or substantial alteration of a weigh station, rest stop, ride-share lot or toll plaza.

All Type I projects require the completion of a noise analysis as part of the NEPA process. If a portion of the project is determined to be a Type I project under this definition then the entire project as defined in the environmental document is a Type I project. INDOT does not have a Type II program. A project that does not meet the classifications of a Type I project is a Type III project. Type III projects do not require a noise analysis.

Process
The first step is to determine whether the project is a Type I project by consulting with Environmental Services Division (ES). All noise analyses must follow the guidelines set by both the INDOT Traffic Noise Policy and the FHWA regulations. Refer to the *Procedural Manual for Preparing Environmental Documents* for guidance on information that must be included in the noise analysis and Flowchart 14 in Appendix E for submission timelines.

LPAs are responsible for completing a noise analysis for their projects during the NEPA phase. The preparer should contact ES to determine whether a noise analysis is required and to coordinate the noise study. Noise analyses for INDOT sponsored projects are to be submitted to

ES for approval prior to the CE being reviewed or approved. Noise analyses and abatement recommendations for LPA sponsored projects are to be submitted to ES prior to submitting the CE to reduce potential delays during the CE review and approval process. ES will review the report for technical adequacy, but will not approve or deny any recommendations or decisions regarding abatement.

Information

If a noise analysis is not required, include the following statement in the remarks box of the CE document: *This project is a Type III project. In accordance with 23 CFR 772 and the INDOT Traffic Noise Policy, this action does not require a formal noise analysis.*

If a noise analysis is required, include the following information in the remarks box of the CE:

- The number of receptors identified and the appropriate Noise Abatement Category.
- The existing and future noise levels predicted.
- The number of impacted receptors.
- Statement of Likelihood:

  Type I projects for which abatement is proposed will include the following statement in the noise remarks of the NEPA document and in the conclusion of the noise analysis. Information in italics must be provided for each common noise environment:

  > "Based on the studies completed to date, the State of Indiana has identified (*number*) impacted receptors and has determined that noise abatement is likely, but not guaranteed, at (*number*) locations. Noise abatement at these locations is based upon preliminary design costs and design criteria. Noise abatement in these locations at this time has been estimated to cost (*Total Cost for Each Common Noise Environment*) and will reduce the noise level by a minimum of 7 dB(A) at a majority of the identified impacted receptors. A reevaluation of the noise analysis will occur during final design. If during final design it has been determined that conditions have changed such that noise abatement is not feasible and reasonable, the abatement measures might not be provided. The final decision on the installation of any abatement measure(s) will be made upon the completion of the project's final design and the public involvement processes.
  >
  > The viewpoints of the benefited residents and property owners were sought and were considered in determining the reasonableness of highway traffic noise abatement measures for proposed highway construction projects. INDOT will incorporate highway traffic noise consideration in on-going activities for public involvement in the highway program."

  For all Type I projects where noise impacts have been identified but noise abatement is not proposed, the following text should be included in the NEPA document and the noise analysis:

> "Based on the studies thus far accomplished, the State of Indiana has not identified any locations where noise abatement is likely. Noise abatement at these locations is based upon preliminary design costs and design criteria. Noise abatement has been not been found to be (*feasible or reasonable*) based on (*insert reason*). A reevaluation of the noise analysis will occur during final design. If during final design it has been determined that conditions have changed such that noise abatement is feasible and reasonable, the abatement measures might be provided. The final decision on the installation of any abatement measure(s) will be made upon the completion of the project's final design and the public involvement processes.

Additional activities after the approval of the NEPA document are described in the *Procedural Manual for Preparing Environmental Documents* and the INDOT *Traffic Noise Policy*.

Return to the Table of Contents

IV.C.7. Section G - Community Impacts

IV.C.7.a. Regional, Community & Neighborhood Factors

Background
Transportation projects can impact communities in ways that are positive as well as negative. Although projects that qualify as categorical exclusions typically do not have profound effects on communities, the known, likely, and possible effects must be assessed in the environmental document.

Local mobility, access, pedestrian and motorist safety, and emergency services may be affected by transportation projects both during and after construction. Other areas of potential impact to the character of a community include alterations to the movement of traffic, land use, or the streetscape. If these impacts are determined to be substantial, the project should be elevated to an EA or EIS.

One approach to integrating transportation projects into communities is Context Sensitive Solutions (CSS). CSS is a collaborative, interdisciplinary approach that involves all stakeholders to develop a transportation facility that fits its physical setting. It is an approach that leads to preserving and enhancing scenic, aesthetic, historic, community, and environmental resources, while improving or maintaining safety, mobility, and infrastructure conditions. CSS incorporates feedback from the locals affected by the proposed project, encourages collaboration between neighborhoods and local, state, and federal officials, enhances roadway and transit communities, considers bicycle and pedestrian access needs, and assists in the development of strategies for smart growth and encourages assessments and design of alternatives consistent with local needs. CSS is not typically used for CE level projects and this discussion is only for when on that very

rare occasion it is implemented. You are not going to go through the following process for the vast majority of CE level projects.

Process
The process for gathering information about community impacts should be outlined in the project's public involvement plan. Local planning and public works organizations, emergency service providers, elected officials, and the public can identify the project's impact to the community and measures to avoid, minimize or mitigate the impacts. The public involvement plan for the project should be designed and executed to engage these stakeholders early and throughout the project development process.

During implementation of the public involvement plan, the preparer should seek feedback from stakeholders to determine whether the project will impact community or neighborhood cohesion, the local tax base, property values, public facilities, community centers, community plans or other resources important to the community that may not be readily identifiable by someone unfamiliar with the community.

CSS requires an early and continuous commitment to public involvement, flexibility in exploring new solutions, and openness to new ideas. Community members play an important role in identifying local and regional problems and solutions that may better meet and balance the needs of all stakeholders. Early public involvement improves community acceptance of the project and can help reduce expensive and time consuming revisions and thus contributes to more efficient project development.

Information
In the remarks box, the preparer should describe expected community impacts, both positive and negative, and explain how these impacts were identified. The preparer should describe measures that will be taken to avoid, minimize or mitigate impacts. The environmental document should discuss what activities have occurred to satisfy the goals of CSS. Any commitments related to regional, neighborhood and community factors or to CSS should be contained in Section J (Environmental Commitments) and in the commitments database. Include discussion on how the MOT might impact emergency services, schools, and utilities. Also, discuss the communities ADA Transition Plan and how this project is in conformity with this plan. Provide information on whether or not the community has a comprehensive plan and demonstrate conformity of this project with the comprehensive plan as well.

Return to the Table of Contents

IV.C.7.b. Indirect and Cumulative Impacts

Background
In addition to direct impacts to the human environment, the National Environmental Policy Act requires federal agencies to consider indirect and cumulative impacts associated with Federal actions. Indirect effects are defined as follows:

> *Effects that are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems. (40 CFR 1508.8)*

An example of an indirect effect would be the expected conversion of farmland to commercial use after a new interchange or highway facility is constructed. If the highway was never constructed, the conversion of farmland to commercial use would not likely occur.

Cumulative impacts are defined as follows:

> *The impact on the environment, which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. (40 CFR 1508.7)*

An example of a cumulative impact would be the combined impact of converting farmland to highway use by a DOT project, the past impacts associated with converting farmland to commercial or residential uses in the project's study area, and the future conversion of farmland to commercial, industrial or residential uses. Projects on new alignment or which provide access to new areas are more likely than others to present concerns related to indirect and cumulative impacts. There is no list of indirect or cumulative impacts that could occur as a result of the project. Critical thinking may be required to identify indirect and cumulative impacts. These impacts can be negative or positive.

Process

The preparer should determine whether the project scope is of a type that is likely to cause substantial indirect or cumulative impacts (for example, a project on new alignment). Most projects that qualify as CEs do not cause substantial indirect or cumulative impacts. If the preparer believes the project may cause substantial indirect or cumulative impacts, then the preparer should contact ES for guidance in evaluating and documenting the indirect and cumulative impacts.

Information

If the project is not likely to cause substantial indirect or cumulative impacts, make a note in the remarks box and explain how this conclusion was reached (for example, this project adds capacity in an area that is already fully developed). If there are substantial indirect or cumulative effects resulting from the project, describe the impacts in the remarks box and explain why the impacts are not considered significant.

Return to the Table of Contents

IV.C.7.c. Public Facilities and Services

Background
Highway projects have the ability to impact a number of public services. The impacts may be direct impacts, such as taking right-of-way from a school, library or fire station, or indirect impacts to these facilities by affecting their ability to provide services. For example, a new freeway facility may impact the response time for emergency services due to the change to limited access and the closing of some local roads. These types of changes also can impact schools by requiring changes to their transportation plans associated with school bus routes. Maintenance of traffic decisions can also affect the response times of emergency services.

Process
Determine what effect the project could have on public utilities; fire, police, emergency services; health, educational or public service facilities; religious institutions; airports; and pedestrian and bicycle facilities by working with the appropriate local officials. Emergency service providers should be contacted to determine changes in emergency routes and travel times or possible response delays. Public transit impacts and school bus routes (including pick-up points) should be coordinated with the proper authorities.

Information
In the remarks box, summarize any impacts to public facilities and services and the coordination that occurred with the appropriate local officials. Note any efforts to minimize or mitigate impacts to public facilities and services.

Return to the Table of Contents

IV.C.7.d. Environmental Justice

Background
An environmental justice (EJ) analysis is required for any project that may result in disproportionately high and adverse impacts on a minority or low-income population in or near the project area. Federal agencies are required by legislation and executive order to conduct their programs, policies and activities that substantially affect human health or the environment in a manner that ensures that such programs, policies and activities do not have the effect of excluding persons from participation in, denying persons the benefits of, or subjecting persons to discrimination under, such programs, policies and activities because of their race, color or national origin.

Process
The requirements for an EJ analysis depend on the level of document and the type of impacts. The preparer determines whether the project's effects are substantial enough to warrant demographic analysis by examining the extent of relocation and acreage impacts. In CE level documents, no analysis is required for projects that have fewer than two relocations or less than

0.5 acre of additional permanent right-of-way. A full analysis is required for projects that have two or more relocations or 0.5 acre or more of additional permanent right-of-way.

If the number of relocations or the amount of additional acres of right-of-way exceeds one of the thresholds the preparer must analyze the demographics of the impacted community or communities in an attempt to detect concentrations of low-income populations and/or minority populations. **In the special case of a property being purchased for a mitigation site, the standard demographic analysis will be required. However, since the purchase will be from a willing seller at fair market price, this acquisition will not be considered an adverse effect on the property owner.**

Potential EJ impacts are detected by locating minority populations and low-income populations in and near the project area, calculating their percentage in the area relative to a reference population, and determining whether there will be adverse impacts to them.

The reference community is typically a county, city, or town that contains the project and is called the community of comparison (COC). The community that overlaps the project limits is called the affected community (AC). Affected communities which are more than 50 percent minority or low-income are automatically considered EJ populations. For all other affected communities, an EJ population exists if the low-income population or minority population is 25 percent higher than the population in the community of comparison.

The preparer defines the appropriate COC and ACs and downloads US Bureau of the Census decennial data for the appropriate analytical units (instructions for downloading this data is available on request from ES). The percent minority and percent low-income is computed for the COC and the ACs. The preparer then determines whether any of the ACs have a percent minority or percent low-income that is larger than that of the COC by 25 percent or more. The preparer also notes those populations that are 50 percent or more low-income or minority. These ACs are considered to be communities of concern for EJ impacts.

If the project has communities of concern for EJ impacts, the preparer of the EJ analysis should consult with ES to discuss whether there is a disproportionate adverse impact. If a project has unavoidable impacts on an EJ population, ES will consult with the FHWA on the appropriate mitigation. Any disproportionate impact on an EJ population also requires notification of INDOT's Equal Opportunity Division.

Information

EJ populations may also be located through the public involvement process and through early coordination. Local elected officials or planning organizations should be contacted to help identify minority or low-income populations that may be affected by the project. County human services departments, the Indiana Department of Economic Development, regional planning organizations, and public libraries have demographic and community information to aid in identifying minority or low-income populations within the study area. As part of executing the public involvement plan, the preparer should identify and work with any minority and low-income populations that might be affected by the project.

If EJ populations are identified, the preparer analyzes the activities that will take place in each community to determine whether any identified EJ populations will experience disproportionate negative effects. If any disproportionate negative impacts are found, such as relocations or right-of-way acquisitions that are concentrated in a low-income neighborhood, the project sponsor should determine whether the impacts can be avoided by modifying the design or scope.

The remarks box should explain whether the project meets the acreage and/or relocation threshold. If the project meets either threshold, the preparer describes efforts to identify EJ populations in and near the project area, including analysis of Census data, individuals, and community organizations. If EJ populations were identified, the remarks box must explain whether the project has a disproportionately high or adverse effect on these populations. If so, the remarks must describe actions that were taken, or will be taken, to avoid these effects. If mitigation is required, the remarks must describe all efforts taken to solicit and incorporate feedback from EJ populations. The remarks should summarize the consultation with FHWA and the appendices should contain the correspondence from FHWA confirming that appropriate mitigation is included in the project.

Return to the Table of Contents

IV.C.7.e. Relocation of People, Businesses, or Farms

Background

Some highway projects require the acquisition of right-of-way resulting in the relocation of residential or commercial buildings, farming operations, or other institutions. All federal, state and local government agencies, as well as others receiving federal financial assistance for public programs and projects, that require the acquisition of real property, must comply with the policies and procedures set forth in 49 CFR 24 the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and amended in 1987. This law is commonly referred to as the "Uniform Act." The rules of the Uniform Act encourage acquiring agencies to negotiate with property owners in a prompt and amicable manner so that litigation can be avoided.

A Business Information Survey (BIS) is used during planning stages to gather information about businesses that are likely to be impacted by a project. This includes both businesses that will be relocated and businesses that are in or near the project area. A Conceptual Stage Relocation Study (CSRS) is used to assess the likely effects of relocations on businesses and residences. Guidelines for these studies are provided by INDOT's Office of Real Estate, and apply to anyone that could be relocated by the project. A CSRS is the more encompassing document than the BIS and that contains the results of the BIS should both be prepared for a project. However, depending on the number and types of the probable relocations, a BIS could be prepared as a standalone document.

Process
The preparer should work with the engineers to determine the right-of-way requirements for the project to identify any likely relocations of people, businesses, farms, or any other structures in the project area. If it is anticipated that the project will have more than 10 relocations, the ES should be contacted to determine whether a CSRS is required. The ES will consult with the FHWA if there is controversy associated with relocations to determine if the project should be elevated to an EA or EIS.

In addition, a BIS is required for all projects that require the relocation of 10 or more businesses. For communities with 40 or fewer businesses, a BIS will be required when 25% or more of the businesses will be relocated. See table below for general guidance. See the *Procedural Manual for Preparing Environmental Documents* for more information regarding BISs and CSRSs. The following table provides guidance on when a BIS should be prepared for smaller communities:

Table 6: Business Information Survey Minimum Relocation Requirements

Number of Businesses in Community	Minimum Number of Relocations
1-4	1
5-8	2
9-12	3
13-16	4
17-20	5
21-24	6
25-28	7
29-32	8
33-36	9
37-40	10

A BIS can be performed even though the 25% threshold is not met if at least one of the businesses to be relocated is a major employer relative to the size of the community. Since there are no formal guidelines as to what are the requirements of a major employer, a discussion with the ES regarding a particular situation should be had.

In the larger metropolitan areas, a CSRS should be prepared if a particular community within the city is going to be adversely impacted by numerous relocations. In these situations, the ES should be contacted to determine an appropriate area of review.

Information
If there will be no relocations as a result of the project, make a note of it in the remarks box. If there are to be relocations, describe the number and type of the probable relocations in the remarks box. Note any efforts to avoid or minimize relocations. Note early coordination with Utilities and any known conflicts between the project and existing utility locations, or any proposed relocation of a known utility. If a CSRS or a BIS is required, provide a summary of the study in the CE. Include the following statement when relocations are required as part of the proposed project:

> *The acquisition and relocation program will be conducted in accordance with 49 CFR 24 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended. Relocation resources are available to all residential and business relocatees without discrimination. No person displaced by this project will be required to move from a displaced dwelling unless comparable replacement housing is available to that person.*

Relocations should be identified in attached graphics, to the extent that they are known at the time of environmental document approval. During plan review, relocations should be compared with the environmental document and discrepancies will need to be addressed with further environmental documentation. If there are relocations that result only in the demolition of structures on state right-of-way, the owners will have the opportunity to buy back the remainder of the property after demolition is complete. Changes may occur during the right-of-way acquisition process that may require additional environmental review in a subsequent environmental document.

Return to the Table of Contents

IV.C.7.f. Joint Development

Background

Although rare joint development can be made part of any size project. Joint development involves an effort by a public agency (e.g. INDOT, Local Public Agency (LPA)) and a separate developer (e.g. parks department, refuge, concessionaire) to undertake projects which integrate transportation infrastructure and non-highway uses. Since these facilities are usually developed independently, considerable coordination is required to achieve mutual goals.

Highway projects incorporating joint development can be integrated with the development of bikeways, public buildings, apartments, parks, and other public or private undertakings, and may fit better into the overall community than if they were developed separately. Joint development can also be carried out within approaches such as context-sensitive solutions, and can serve as an impetus for economic revitalization and redevelopment.

Process

Joint development arrangements must be executed through a legally binding agreement between the parties. The public must be kept informed throughout the project. Joint development plans require approval by both INDOT and the Federal Highway Administration (FHWA).

Information
The CE should discuss how the implementation of joint development projects will preserve or enhance the community's social, economic, and visual values. This discussion should include information on commercial and residential opportunities, and opportunities for increasing community accessibility and economic development. It may be presented separately or combined with the land use, and/or social impacts presentations. The benefits to be derived, those who will benefit, and the entities responsible for maintaining the measures should be identified.

Return to the Table of Contents

IV.C.8. Section H - Hazardous Materials and Regulated Substances

Background
Management of hazardous materials is regulated by the Resource Conservation and Recovery Act (RCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as well as applicable state laws. These laws apply to wastes (such as contaminated soil) generated by construction and must be considered when developing transportation projects. Even if no wastes are expected to be generated on a project, workers must be protected from health risks presented by hazardous materials (solvents, gases for welding, etc.) that they may encounter as part of their work.

Process
A Red Flag Investigation must be performed for all INDOT sponsored projects and non LPA projects must be reviewed by ES. The purpose of this investigation is to highlight areas of concern which appear on the state and federal databases. If no areas of concern are found either in the Red Flag Investigation or during the site visit, the hazardous materials investigation requirements have been fulfilled. If known or potential waste sites are identified, further assessment will need to be conducted, generally in the form of a Phase I, Environmental Site Assessment (ESA).

A Phase I, ESA is a review of state and federal databases to determine whether environmental concerns are already known by resource agencies to be present on the property in question. The ESA is conducted generally in accordance with the standard established by the American Society for Testing and Materials (ASTM E1527-05). The ESA should be submitted to the Hazardous Materials Unit of ES as soon as it is completed so that any corrections may be made, and recommendations may be evaluated prior to submittal of the full CE for INDOT sponsored projects. If no further work is recommended, then hazardous materials obligations have been satisfied.

If a physical investigation of the site is warranted then ES will recommend the preparation of a Phase II Environmental Site Assessment (ESA). These Phase IIs are conducted in general accordance with the Indiana Department of Environmental Management's Risk Integrated System of Closure (RISC) Technical Remediation Closure Guide (RCG) and may include

subsurface borings to collect soil and water samples for laboratory analysis. While it is preferable to conduct this work prior to completion of the CE, so that as much information as possible may be incorporated, this is not always possible due to site access restrictions or other considerations. If Phase II work is to be carried out after completion of the CE, this requirement should be noted as a required commitment on the commitment spreadsheet.

If the ESA concludes that complicated hazardous material issues exist (such as anything requiring a Remedial Investigation (RI)/Feasibility Study (FS)), then ES should be contacted to determine how to proceed.

After all investigations are completed, (Red Flag Investigation, Phase I and/or Phase II), copies of the reports should be distributed by the preparer as per the Hazardous Materials Unit Operating Manual (Hazardous Materials Operating Manual 2009).

For LPA projects, submittal of the Red Flag Investigation or other hazardous material documentation in advance of the environmental document is optional. The local agency or their consultant should submit the Red Flag Investigation and all hazardous materials documentation with the completed environmental document.

Information
If hazardous materials and/or regulated substances are not found to be present in the project area, check the "No" box. If, hazardous materials and/or regulated substances are present and will affect the project, check the "Yes" box. On the Categorical Exclusion/ Environmental Assessment Document Form, check the box(es) (Red Flag Investigation, Phase I, Phase II) of the studies which have been completed and indicate the date that each was accepted by ES.

If there are known or potential hazardous waste sites within the project area, then describe the site(s) of concern in relation to the alternatives that may be affected in the remarks box of Section I. If additional documentation (special provisions, pay quantities etc.) will be needed, these should be indicated here as well. It is not necessary to incorporate full hazardous materials reports into the CE or even in the appendix. Executive summaries of Red Flag Investigations and/or Phase I and Phase II reports are generally adequate. Maps showing the locations of any properties of concern should be included as well, indicating the properties in relation to the alternatives under consideration. Information on how to prepare hazardous materials documentation can be found in the INDOT *Hazardous Materials Unit Operating Manual*.

Return to the Table of Contents

IV.C.9. Section I - Permits

Background
A permit allows specific impacts to a regulated environmental resource, such as air, water, or land. Of these, water permits are the most common for transportation projects. These permits

often contain conditions or other provisions that must be fulfilled or obeyed by the permittee in order to remain in compliance, and a violation of a permit is a violation of law.

Major regulatory agencies that issue permits are the US Army Corps of Engineers (USACE), the Indiana Department of Environmental Management (IDEM), the Indiana Department of Natural Resources (IDNR), the US Fish and Wildlife Service (USFWS), the US Coast Guard (USCG), and the US Environmental Protection Agency (USEPA). Other agencies with jurisdiction may include county drainage boards and the National Oceanic and Atmospheric Administration (NOAA). The permits that may be required for a project depend on the impacted resource, the severity of the impact to the resource, and the type of project. The following is a very brief description of the permits that may be required for various impacted resources:

- Threatened or endangered species or migratory birds: May require Section 7 from USFWS.
- Karst feature receiving runoff: May require Class V injection well permit from IDEM.
- Land disturbance: May require a Rule 5 erosion control permit from IDEM if at least one acre of land is disturbed.
- Jurisdictional stream, waterway, or wetland: May require Section 404 from USACE and Section 401 from IDEM.
- Non-jurisdictional stream or waterway: May require Section 401 from IDEM.
- Isolated wetland: May require isolated wetland permit from IDEM.
- Navigable waterway: May require Section 9 and/or Section 10 from USCG.
- Any other waters of the State: May require Section 401 from IDEM, navigable waterways, lake preservation, or ten acre lake permits from DNR.
- Floodplain or floodway: Construction in a floodway may require permit from DNR.
- Regulated drain: May require permit from county drainage board.
- Levee: May require levee permit from USACE.
- Coastal zone: May require consistency determination from DNR and NOAA.
- Point discharges to any waterbody: May require Section 402 (NPDES) from IDEM.

A full explanation of permit requirements is available in the *Indiana Waterway Permit Manual*.

Process

Permits are usually obtained during the design phase but may be obtained at any time during the project development process as long as they will not expire before they are used. For a list of time frames it takes to obtain a specific permit, refer to the Waterways Permitting Manual.

For projects sponsored by INDOT, ES obtains all necessary permits after the CE process is concluded. The designer submits permit applications for projects sponsored by local public agencies.

Prior to the submission of the CE for review, the preparer documents the characteristics and locations of all wetlands and waterways within and near the project area in a waters report. This information is collected within a waters report which will be reviewed by ES and then submitted to the USACE in support of a Jurisdictional Determination (JD). The requirements for a waters report are available from the Ecology and Permitting Unit of ES.

As part of the NEPA process, the preparer should make a preliminary determination of necessary permits. The purpose of this preliminary permit determination (PPD) is to identify the permits that might be required based on the resources that will be impacted by the project to the extent they have been identified at this stage. The PPD is not a full Permit Determination, which is made by ES's Ecology/Permitting Unit later in project development. The PPD is important at this stage because it may show that the project as documented in the CE will likely require permits that are difficult or time-consuming to obtain. In some cases it will be more expedient to make design changes to avoid these resources than to seek the permits likely required for the original design.

Information
The results of the PPD, including the waters report and other resources, should be discussed in the remarks box. Anticipated permit requirements should be indicated in the checkboxes. Any permits which are not listed should be added under "Other".

For INDOT projects
It will be the responsibility of the designer to submit plans to ES to process permits.

For LPA projects
It will be the responsibility of the project sponsor or designer on behalf of the project sponsor to obtain the necessary permits.

Return to the Table of Contents

IV.C.10. Section J - Environmental Commitments

Background
Environmental commitments are made by the project sponsor to ensure that the design and construction of the project contains specific features and avoids or minimizes particular environmental impacts. The commitments may also identify certain undesirable or illegal activities that must not occur. Environmental commitments may be formulated at any time during project development but are often initially compiled from resource agency responses to early coordination and from the preparer's knowledge of resources that must be avoided. In some cases, commitments may be made to avoid a resource which, if impacted, would change the level of required documentation.

Environmental commitments may be classified as either firm commitments or as recommendations for further consideration. Firm commitments must be implemented as written. Commitments marked as recommendations for further consideration are goals that the designer or contractor should try to implement, subject to other goals of the project.

Commitments may be added at any point in the project development process, generally as a result of public involvement, design, and real estate activities. A commitment may not be removed without consulting the party that made the original commitment. The designer must

confirm that each firm commitment was incorporated into the project and must record the disposition of each commitment for further consideration.

The commitments are included in the construction contract to control contractor activities and communicate with the project engineer. The commitments supplement the standard specifications that INDOT includes in construction contracts. They are not intended to duplicate or replace existing standards, specifications or provisions.

Process

The preparer examines all responses to early coordination, including both resource agencies and local public officials. Commitments may also be generated by the project sponsor and during public involvement on the environmental document. This should include known mitigation requirements, such as a Section 106 MOA and time-limited activities, such as tree-clearing activities. In addition to listing commitments to do certain activities, the preparer should also commit to avoid resources which are known to be present but are not currently impacted by the project. Changes to the project which affect these resources will often trigger an Additional Information document or require additional permitting.

Careful thought should be given to the assignment of commitments to the firm and for further consideration categories. Incorrect assignment may lead to unnecessary complications in design or to a violation of legal requirements. For resource agency commitments, the distinction between advisory and directive language will usually be obvious. Long or involved language should be paraphrased such that the direction to the designer or contractor is clear. Prior to committing to any mitigation efforts, the preparer should coordinate with the project manager and construction personnel to ensure constructability.

In addition, care should be taken not to duplicate existing compliance mechanisms. It is not necessary to repeat commitments which are already addressed by standard specifications or standard drawings. This does not improve compliance and may distract design and construction personnel from more important considerations that are unique to a given project. Guidance on typical agency requests and commitments, as well as their appropriate disposition, can be found in Attachment 4.

The preparer will put the commitments into a commitments spreadsheet. The preparer also provides the commitments to INDOT for upload into the commitments database by the Project Manager. INDOT staff may upload commitments directly to the database. Attachment 4 contains a copy of the commitments upload spreadsheet and instructions for its use.

Information

The preparer records the commitments in the Environmental Commitments section of the CE form. Commitments should be consecutively numbered. It is required that the origin of the commitment (e.g. the resource agency name) be provided in parentheses after the language to aid in tracking and subsequent coordination. Each commitment should be identified as being Firm or For Further Consideration. The commitments should also be separated into a Firm section and a For Further Consideration section in the discussion.

In the appendices, the preparer should include any agency correspondence that requests special consideration of impacts or protection of sensitive areas during construction.

Return to the Table of Contents

IV.C.11. Section K – Early Coordination

Background
The purpose of early coordination is to request feedback from resource agencies and local officials on potential impacts before significant time or effort has been invested in the project. Agencies are consulted on the project's impacts to resources under their jurisdiction and local officials are consulted to obtain information on impacts to communities, community facilities, and local infrastructure. Avoidance of resources and mitigation of impacts can then be undertaken from the beginning of design rather than in the forms of revisions later. These revisions can often delay the project or add cost. Re-coordination may be required for an Additional Information document. Contact ES to determine the agencies that will need re-coordination.

Process
Guidelines for preparing early coordination are provided in Appendix I and the *Procedural Manual for Preparing Environmental Documents* (Section I.F). These should be reviewed carefully, since the nature and type of coordination will vary by agency and by project type. Programmatic agreements exist for some circumstances that make formal letters unnecessary, and some agencies have developed forms or questionnaires to streamline their review. In addition to resource agencies, INDOT's Office of Public Involvement should be included in the list of early coordination recipients. This will allow them to begin developing a public involvement plan that is appropriate for the project.

The early coordination letter should provide the project description, but should *not* identify the level of CE for the project. A sample early coordination letter may be found in Appendix I as well.

Information
The remarks box should provide the date on which the letter was sent and list all agencies contacted, whether a response was received, and the date of response. This information is most effectively presented in table format. All correspondence that was received should be included as an attachment to the CE, along with a copy of the early coordination letter.

Return to the Table of Contents

Attachments

Attachment 1
CE 1 Form

CATEGORICAL EXCLUSION LEVEL 1 FORM	**Date:** June 14, 2013

☐ **Initial Version** ☐ **Additional Information to CE Level 1 Dated:** _____

Purpose of this document:

☐ CE Level 1 documentation for exempted projects ☐ State-funded categorical exemption documentation

Approval CE Level 1 or State-Funded CE: _____ _____

Environmental Scoping Manager or Environmental Policy Manager — Date

PROJECT INFORMATION			
County, Route		**Des Number**	
Purpose and Need:			
Project Description:			
Other Alternatives Considered:			
Project Termini:			
Funding Source(s):	☐ Federal ☐ State ☐ Local ☐ Other	**Estimated Cost**	
Project Sponsor:		**Project Length**	

Name and organization of CE Level 1 Preparer: _____

INDOT ES/District Env. Reviewer Signature: _____ Date: _____

SCOPE OF THE PROPOSED ACTION				
Public Involvement*		No:	Yes:	Possible:
Comments:				
Right-of-way (permanent and temporary, in acres)		No:	Yes:	Possible:
Comments:				
Disruption to public facilities/services (such as schools, emergency service)		No:	Yes:	Possible:
Comments:				
Involvement with existing bridge(s) (Include structure number(s)		No:	Yes:	Possible:
Comments:				

** Limited public involvement, CE-1 level projects will typically have no public hearing opportunity offered.*

INVOLVEMENT WITH RESOURCES				
Streams, Rivers, and Watercourses Impacted (linear feet)		No:	Yes:	Possible:
Comments:				
Wetlands (acres)		No:	Yes:	Possible:
Comments:				
Disturbance of Terrestrial Habitat (acres)		No:	Yes:	Possible:
Comments:				
Karst Features		No:	Yes:	Possible:
Comments:				
Threatened and Endangered Species		No:	Yes:	Possible:
Comments:				
Drinking Water Resources		No:	Yes:	Possible:
Comments:				
Flood Plains (note transverse or longitudinal impact)		No:	Yes:	Possible:
Comments:				

INVOLVEMENT WITH RESOURCES			
Farmland (acres)	No:	Yes:	Possible:
Comments:			
Cultural Resources	No:	Yes:	Possible:
Comments:			
Section 4(f) and Section 6(f) Resources	No:	Yes:	Possible:
Comments:			
Air Quality Impacts	No:	Yes:	Possible:
Comments:			
Community/Economic Impacts	No:	Yes:	Possible:
Comments:			
Hazardous Materials	No:	Yes:	Possible:
Comments:			
Permits	No:	Yes:	Possible:
Comments:			

ENVIRONMENTAL COMMITMENTS:

THE CATEGORICAL EXCLUSION CANNOT BE PROCESSED AS A LEVEL ONE IF YES IS SELECTED FOR ANY OF THE FOLLOWING ITEMS*:		
Formal noise analysis required?	No:	Yes:
Environmental Justice analysis required?	No:	Yes:
Right-of-Way acquisition greater than 0.5 acre?	No:	Yes:
Relocation of residences/businesses/etc.?	No:	Yes:
Added through-traffic lanes?	No:	Yes:
Facility on new location or realignment?	No:	Yes:
Permanent alteration of local traffic pattern?	No:	Yes:
Section 4(f) and Section 6(f) resource impacts?	No:	Yes:
Sole Source Aquifer Groundwater Assessment required?	No:	Yes:
Is the project "Likely to Adversely Affect" Threatened and Endangered Species?	No:	Yes:
Stream impacts greater than 300 linear feet, or work beyond 75 feet from pavement?	No:	Yes:
Wetland impacts greater than 0.1 acre?	No:	Yes:
Does the project have historic bridge involvement, or a Section 106 finding of No Adverse Effect / Adverse Effect?	No:	Yes:

** Please note, this table is not applicable for state funded CE's.*

Attachment 2
CE/EA Form

Indiana Department of Transportation

County _____ Route _____ Des. No. _____

FHWA-Indiana Environmental Document

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM

GENERAL PROJECT INFORMATION

Road No./County:	
Designation Number:	
Project Description/Termini:	

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):

	Categorical Exclusion, Level 2 – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager)
	Categorical Exclusion, Level 3 – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services Division)
	Categorical Exclusion, Level 4 – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA
	Environmental Assessment (EA) – 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

_____ _____ _____ _____
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: _____

County _____ Route _____ Des. No. _____

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.**

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

**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:

Public Controversy on Environmental Grounds

	Yes	No
Will the project involve substantial controversy concerning community and/or natural resource impacts?	☐	☐

Remarks:

County _____ Route _____ Des. No. _____

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

Sponsor of the Project: _____ INDOT District: _____
Local Name of the Facility: _____

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

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

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)

PROJECT DESCRIPTION (PREFERRED ALTERNATIVE):

County: _____ Municipality: _____

Limits of Proposed Work: _____

Total Work Length: _____ Mile(s) Total Work Area: _____ Acre(s)

	Yes[1]	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?	Date:	

[1]*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.

OTHER ALTERNATIVES CONSIDERED:

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

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

It would not correct existing capacity deficiencies;	☐
It would not correct existing safety hazards;	☐
It would not correct the existing roadway geometric deficiencies;	☐
It would not correct existing deteriorated conditions and maintenance problems; or	☐
It would result in serious impacts to the motoring public and general welfare of the economy.	☐
Other (Describe)	☐

County _____ Route _____ Des. No. _____

ROADWAY CHARACTER:

Functional Classification: _____
Current ADT: _____ VPD (20--) Design Year ADT: _____ VPD (20--)
Design Hour Volume (DHV): _____ Truck Percentage (%) _____
Designed Speed (mph): _____ Legal Speed (mph): _____

	Existing		Proposed	
Number of Lanes:				
Type of Lanes:				
Pavement Width:		ft.		ft.
Shoulder Width:		ft.		ft.
Median Width:		ft.		ft.
Sidewalk Width:		ft.		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): _____ Sufficiency Rating: _____
(Rating, Source of Information)

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

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

	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.

County _____ Route _____ Des. No. _____

MAINTENANCE OF TRAFFIC (MOT) DURING CONSTRUCTION:

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

Remarks:

ESTIMATED PROJECT COST AND SCHEDULE:

Engineering: $ _____ (20--) Right-of-Way: $ _____ (20--) Construction: $ _____ (20--)

Anticipated Start Date of Construction: _____

Date project incorporated into STIP _____

	Yes	No
Is the project in an MPO Area?		

If yes,

Name of MPO _____

Location of Project in TIP _____

Date of incorporation by reference into the STIP _____

RIGHT OF WAY:

	Amount (acres)	
Land Use Impacts	Permanent	Temporary
Residential		
Commercial		
Agricultural		
Forest		
Wetlands		
Other:		
Other:		
TOTAL		

County _____ Route _____ Des. No. _____

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 there impacts on the environmental analysis should be discussed.

Remarks:

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

SECTION A – ECOLOGICAL RESOURCES

	Presence	Impacts	
		Yes	No
Streams, Rivers, Watercourses & Jurisdictional Ditches			
Federal Wild and Scenic Rivers			
State Natural, Scenic or Recreational Rivers			
Nationwide Rivers Inventory (NRI) listed			
Outstanding Rivers List for Indiana			
Navigable Waterways			

Remarks:

	Presence	Impacts	
		Yes	No
Other Surface Waters			
Reservoirs			
Lakes			
Farm Ponds			
Detention Basins			
Storm Water Management Facilities			
Other: _____			

Remarks:

County _____ Route _____ Des. No. _____

	Presence	Impacts	
		Yes	No
Wetlands	☐	☐	☐

Total wetland area: _____ acre(s) Total wetland area impacted: _____ acre(s)

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

Wetland No.	Classification	Total Size (Acres)	Impacted Acres	Comments

Wetlands (*Mark all that apply*)	Documentation	ES Approval Dates
Wetland Determination	☐	
Wetland Delineation	☐	
USACE Isolated Waters Determination	☐	
Mitigation Plan	☐	

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

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

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

Remarks:

County _____ Route _____ Des. No. _____

	Presence	Impacts	
		Yes	No
Terrestrial Habitat			
Unique or High Quality Habitat			

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

Remarks:

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	Yes	No
Is the proposed project located within or adjacent to the potential Karst Area of Indiana?		
Are karst features located within or adjacent to the footprint of the proposed project?		
If yes, will the project impact any of these karst features?		

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:

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

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

Remarks:

SECTION B – OTHER RESOURCES

Drinking Water Resources	**Presence**	**Impacts**	
		Yes	**No**
Wellhead Protection Area			
Public Water System(s)			
Residential Well(s)			
Source Water Protection Area(s)			
Sole Source Aquifer (SSA)			

If a SSA is present, answer the following:

	Yes	**No**
Is the Project in the St. Joseph Aquifer System?		
Is the FHWA/EPA SSA MOU Applicable?		
Initial Groundwater Assessment Required?		
Detailed Groundwater Assessment Required?		

Remarks:

Flood Plains	**Presence**	**Impacts**	
		Yes	**No**
Longitudinal Encroachment			
Transverse Encroachment			
Project located within a regulated floodplain			
Homes located in floodplain within 1000' up/downstream from project			

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

Remarks:

Farmland	**Presence**	**Impacts**	
		Yes	**No**
Agricultural Lands			
Prime Farmland (per NRCS)			

Total Points (from Section VII of CPA-106/AD-1006* _____

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

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

County _____ Route _____ Des. No. _____

Remarks:

SECTION C – CULTURAL RESOURCES

	Category	Type	INDOT Approval Dates	N/A
Minor Projects PA Clearance				

Results of Research

	Eligible and/or Listed Resource Present
Archaeology	
NRHP Buildings/Site(s)	
NRHP District(s)	
NRHP Bridge(s)	

Project Effect

No Historic Properties Affected ☐ No Adverse Effect ☐ Adverse Effect ☐

Documentation (mark all that apply)

	Documentation Prepared	ES/FHWA Approval Date(s)	SHPO Approval Date(s)
Historic Properties Short Report			
Historic Property Report			
Archaeological Records Check/ Review			
Archaeological Phase Ia Survey Report			
Archaeological Phase Ic Survey Report			
Archaeological Phase II Investigation Report			
Archaeological Phase III Data Recovery			
APE, Eligibility and Effect Determination			
800.11 Documentation			

		MOA Signature Dates (List all signatories)
Memorandum of Agreement (MOA)		

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.

County _____ Route _____ Des. No. _____

Remarks:

Area of Potential Effect (APE):

Coordination with Consulting Parties:

Archaeology:

Historic Properties:

Documentation, Findings:

Public Involvement:

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

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

	Presence	Use	
Parks & Other Recreational Land		Yes	No
Publicly owned park	☐	☐	☐
Publicly owned recreation area	☐	☐	☐
Other (school, state/national forest, bikeway, etc.)	☐	☐	☐

	Evaluations Prepared	FHWA Approval date
Programmatic Section 4(f)*	☐	
"De minimis" Impact*	☐	
Individual Section 4(f)	☐	☐

	Presence	Use	
Wildlife & Waterfowl Refuges		Yes	No
National Wildlife Refuge	☐	☐	☐
National Natural Landmark	☐	☐	☐
State Wildlife Area	☐	☐	☐
State Nature Preserve	☐	☐	☐

	Evaluations Prepared	FHWA Approval date
Programmatic Section 4(f)*	☐	
"De minimis" Impact*	☐	
Individual Section 4(f)	☐	☐

County _____ Route _____ Des. No. _____

	Presence	Use	
Historic Properties		**Yes**	**No**
Sites eligible and/or listed on the NRHP	☐	☐	☐

	Evaluations Prepared	FHWA Approval date
Programmatic Section 4(f)*	☐	
"De minimis" Impact*	☐	
Individual Section 4(f)	☐	☐

**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:

	Presence	Use	
Section 6(f) Involvement		**Yes**	**No**
Section 6(f) Property	☐	☐	☐

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

Remarks:

SECTION E – Air Quality

Air Quality

Conformity Status of the Project	**Yes**	**No**
Is the project in an air quality non-attainment or maintenance area?	☐	☐
If YES, then:		
Is the project in the most current MPO TIP?	☐	☐
Is the project exempt from conformity?	☐	☐
If the project is NOT exempt from conformity, then:		
Is the project in the Transportation Plan (TP)?	☐	☐
Is a hot spot analysis required (CO/PM)?	☐	☐

County _____ Route _____ Des. No. _____

Level of MSAT Analysis required?

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

Remarks:

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**
ES Review of Noise Analysis		

Remarks:

SECTION G – COMMUNITY IMPACTS

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

Remarks:

County _____ Route _____ Des. No. _____

Indirect and Cumulative Impacts

	Yes	No
Will the proposed action result in substantial indirect or cumulative impacts?	☐	☐

Remarks:

Public Facilities & Services

	Yes	No
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.*	☐	☐

Remarks:

Environmental Justice (EJ) (Presidential EO 12898)

	Yes	No
During the development of the project were EJ issues identified?	☐	☐
Does the project require an EJ analysis?	☐	☐
If YES, then:		
Are any EJ populations located within the project area?	☐	☐
Will the project result in adversely high or disproportionate impacts to EJ populations?	☐	☐

Remarks:

Relocation of People, Businesses or Farms

	Yes	No
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?	☐	☐

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

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

Remarks:

SECTION H – HAZARDOUS MATERIALS & REGULATED SUBSTANCES

Hazardous Materials & Regulated Substances (Mark all that apply)	**Documentation**
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**
ES Review of Investigations		

Include a summary of findings for each investigation.

Remarks:

SECTION I – PERMITS CHECKLIST

Permits (mark all that apply)	**Likely Required**
Army Corps of Engineers (404/Section10 Permit)	
Individual Permit (IP)	☐
Nationwide Permit (NWP)	☐
Regional General Permit (RGP)	☐
Pre-Construction Notification (PCN)	☐
Other	☐
Wetland Mitigation required	☐
Stream Mitigation required	☐
IDEM	
Section 401 WQC	☐
Isolated Wetlands determination	☐
Rule 5	☐
Other	☐
Wetland Mitigation required	☐
Stream Mitigation required	☐
IDNR	
Construction in a Floodway	☐
Navigable Waterway Permit	☐
Lake Preservation Permit	☐
Other	☐
Mitigation Required	☐
US Coast Guard Section 9 Bridge Permit	☐
Others (Please discuss in the remarks box below)	☐

County _____ Route _____ Des. No. _____

Remarks:

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:

For Further Consideration:

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:

Attachment 3
Environmental Consultation Form

ENVIRONMENTAL CONSULTATION FORM
To be submitted at Design Stage 3

(1) County: **(2) Route:** **(3) Designation Number:**

(4) Date of Plan Submission:

(5) Funding Source(s): ☐ Federal ☐ State ☐ Local ☐ Private

(6) Project Description:

(7) Need for Improvement:

(8) Right-of-Way Data:
Existing:
Proposed Permanent:
Temporary:
Number of Relocations:

(9) Type of Environmental Document:
☐ Exempt ☐ CE-1 ☐ CE-2 ☐ CE-3 ☐ CE-4 ☐ EA / FONSI ☐ EIS / ROD

Date of Environmental Approval:

Environmental Reevaluation Screening:
(10) Are the scope and impacts still consistent with the approved CE/EA and all subsequent re-evaluations (if any)? ☐ Yes ☐ No
(11) If Yes, what is the date of the last CE or Reevaluation approval?
(12) If a Reevaluation was completed, were there changes to the environmental commitments? ☐ Yes ☐ No
If Yes, the changes should be addressed in the Project Commitments Database.

Impact Data:
(13) Is the roadway being horizontally realigned? ☐ Yes ☐ No
(14) Number of bridge spans and lengths:
(15) Width of vegetation clearing at corners of structure:
(16) Channel impacts:
(17) Is the channel being relocated? ☐ Yes ☐ No
(18) Wetland impacts:
(19) Is a causeway planned? ☐ Yes ☐ No

(20) Is mitigation expected to be required? ☐ Yes ☐ No

(21) If the type of approval was an EIS / ROD:
Most recent date of an FHWA authorization (final design, right-of-way acquisition):

Have more than three years passed between federal approvals? ☐ Yes ☐ No
If Yes, when was the NEPA Reevaluation approved?

Has the funding been switched from 100% state and/or local, to now include federal participation or need a federal action, such as permit approval? ☐ Yes ☐ No
If Yes, does the current environmental document and approval address all of the applicable federal regulatory requirements? ☐ Yes ☐ No

(22) Public Involvement:
Opportunity for public hearing offered? ☐ Yes ☐ No
Was a public hearing held? ☐ Yes ☐ No
If Yes, public comments are as follows:

(23) Commitments:
A printout from the Project Commitments Database is attached.

(24) Waterway Permit Information:

Permit Type		Required?	Date Obtained	Expiration Date	Incorporated Into Contract?
US Army Corps of Engineers 404 / Section 10	Individual (IP)	☐ Yes ☐ No			☐ Yes ☐ No
	Nationwide (NWP)	☐ Yes ☐ No			☐ Yes ☐ No
	Regional General (RGP)	☐ Yes ☐ No			☐ Yes ☐ No
	Pre-Construction Notification (PCN)	☐ Yes ☐ No			☐ Yes ☐ No
IDEM	Section 401	☐ Yes ☐ No			☐ Yes ☐ No
	Isolated Wetlands Determination	☐ Yes ☐ No			☐ Yes ☐ No
	Wetlands Mitigation required	☐ Yes ☐ No			☐ Yes ☐ No
	Stream Mitigation required	☐ Yes ☐ No			☐ Yes ☐ No
	Rule 5	☐ Yes ☐ No			☐ Yes ☐ No
	Pre-Construction Notification (PCN)	☐ Yes ☐ No			☐ Yes ☐ No
IDNR	Construction in a Floodway	☐ Yes ☐ No			☐ Yes ☐ No
	Lake Preservation	☐ Yes ☐ No			☐ Yes ☐ No
US Coast Guard Section 9 Bridge		☐ Yes ☐ No			☐ Yes ☐ No
Others		☐ Yes ☐ No			☐ Yes ☐ No

INDOT has reviewed the original Environmental Document and all subsequent reevaluations, if any, and hereby finds that the Document remains valid.

(25) Prepared by: _____ Date:
Designer

Approved by: _____ Date:
District ESM / DPD or ES

cc: , IDNR
, USFWS
, IDEM
File

Instructions for Completing the Environmental Consultation Form

1. The county in which the project is located. If the project is located in more than one county, list all counties beginning with the starting terminus of the project.
2. The State, US, or Interstate route, or local road name or number for which the project is programmed.
3. The seven-digit designation number for which the project is programmed.
4. The date of submission for the current set of plans.
5. The type(s) of funding sources for the project. Indicate all applicable types.
6. The facility improvement that is planned at the time of this submittal.
7. The transportation problem which the project is intended to address.
8. The acres or hectares of land to be acquired, including reacquisition of apparent right of way, if necessary. Also indicate the number of relocations anticipated.
9. The specific type of environmental document that was prepared. Indicate only one type.
10. Subsequent to a comparison of the current design plans with the project footprint addressed in the approved environmental documentation, indicate whether or not the project remains as essentially discussed in the approved environmental documentation.
11. If Yes is checked, list all of the environmental-approval dates and reevaluation dates associated with the project. If No is checked, a project reevaluation is required before the completion of this form.
12. Based on the just-completed reevaluation, were there changes required for the environmental commitments? If Yes is checked, address changes on the attached Commitment Summary Form.
13. State whether the roadway is being moved from its existing horizontal alignment.
14. Indicate total length of the bridge and the length of each span, if applicable.
15. Indicate clearing which will be necessary at the corners of the structure. Repeat for multiple structures.
16. List the extent of channel length in linear feet or meters which will be impacted, both upstream and downstream of the structure. Repeat if there are multiple structures.
17. State whether channel relocation will be necessary.
18. Indicate the estimated acres or hectares of impacts to wetlands due to the project work.
19. If it is known that a temporary causeway will be used during construction, it should be indicated here.
20. State whether it is anticipated that mitigation for channel or wetland impacts will be necessary.
21. This is not applicable to an EA / FONSI or CE level project.
22. Summarize public involvement activities and results to date.
23. This should include all commitments marked Active at the current time.
24. The information required here is whether a specific type of permit is required for this project, when the permit was obtained, what is the expiration date of the permit is, and whether the stipulations and the requirements of the permit been incorporated into the construction contract.

This table is to be completed by the project manager for an INDOT-sponsored project, or the design consultant for an LPA-sponsored project.

25. The form should be completed by the project designer and reviewed by the district scoping manager or Central Office Environmental Services, as appropriate.

Attachment 4
Commitments Database Import Spreadsheet and Instructions

DESIGNATION_NUMBER	COMMITMENT_NUMBER	COMMITMENT_DATE	COMMITMENT_TEXT	CONSULTANT_SUBMIT_COMMITMENT	FIRST_NAME_CONSULTANT	LAST_NAME_CONSULTANT	CONSULTANT_PHONE_NUMBER	OFFICE_DOCUMENTING_COMMITMENT
Required	Not Required	Not Required	Required	Required	Required	Required	Required	Not Required
Required	Not Required	Not Required	Required	Required	Required	Required	Required	Not Required
Required	Not Required	Not Required	Required	Required	Required	Required	Required	Not Required
Required	Not Required	Not Required	Required	Required	Required	Required	Required	Not Required
Required	Not Required	Not Required	Required	Required	Required	Required	Required	Not Required

1. Copy this file and rename it - you will then use that one for importing.

2. Be sure on the renaming you keep the file extension (.xls) on the end of the file name (ie. Somefilename.xls)

3. Do not rename column names - Do not rename Sheet below (Sheet1) - Make sure leading zeros are on the des number - Phone numbers format = xxx-xxx-xxxx

4. Take note of the Required and Not Required fields above (black column names Not Required).

5. The last three Required fields require you to select from a dropdown list, just click in the cell and you'll see the dropdown lists.

6. Delete rows 2 thru 8 and enter your commitment data, then you will be ready to import.

DOCUMENTER_FIRST_NAME	DOCUMENTER_LAST_NAME	DOCUMENTER_PHONE_NUMBER	AGENCY_REQUIRING_COMMITMENT	CONTACT_FIRST_NAME	CONTACT_LAST_NAME	CONTACT_PHONE_NUMBER	REQUIRED_OR_FOR_CONSIDERATION	IMPLEMENT_DURING_PROJ_DEVELOP	ATTENTION_TO_CONSTRUCTION	RESOLUTION
Not Required	Not Required	Required	Required	Required	Required	Required	Required	Required	Required	Not Required
Not Required	Not Required	Required	Required	Required	Required	Required	Required	Required	Required	Not Required
Not Required	Not Required	Required	Required	Required	Required	Required	Required	Required	Required	Not Required
Not Required	Not Required	Required	Required	Required	Required	Required	Required	Required	Required	Not Required
Not Required	Not Required	Required	Required	Required	Required	Required	Required	Required	Required	Not Required

Using the Commitments Database
June 2013

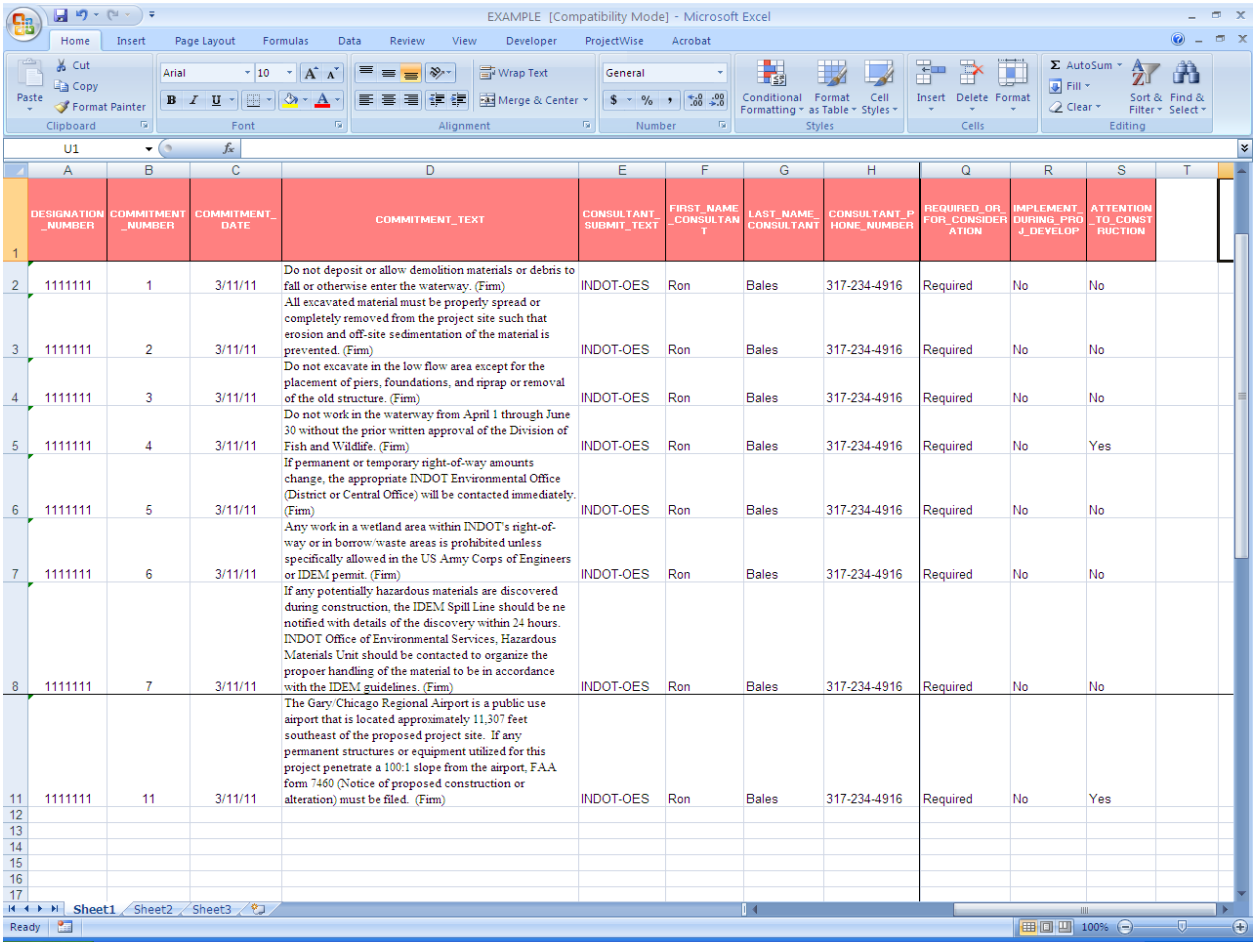
I. INDOT Users

INDOT users may access the commitments database through the INDOT Web Portal on the INDOT Intranet. Internal users may enter commitments individually through data entry screens or they may use the upload process described below for non-INDOT users.

II. Non-INDOT Users

Non-INDOT users, such as LPAs and consultants, may provide project commitments for the database using a preformatted spreadsheet. The project manager then uploads the commitments into the database. The upload will fail if certain columns are blank or if the spreadsheet contains blank formatted rows, so preparers must follow these instructions carefully to avoid revisions. The columns that are required for a successful upload are indicated below. Deletion of the columns will not allow the file to upload correctly. The columns that are not required can be left unedited.

The spreadsheet allows many commitments to be placed in the database at one time rather than by adding each commitment individually. The spreadsheet looks like this, with some detail columns removed:



	A	B	C	D	E	F	G	H	Q	R	S	T
1	DESIGNATION_NUMBER	COMMITMENT_NUMBER	COMMITMENT_DATE	COMMITMENT_TEXT	CONSULTANT_SUBMIT_TEXT	FIRST_NAME_CONSULTANT	LAST_NAME_CONSULTANT	CONSULTANT_PHONE_NUMBER	REQUIRED_OR_FOR_CONSIDERATION	IMPLEMENT_DURING_PROJ_DEVELOP	ATTENTION_TO_CONSTRUCTION	
2	1111111	1	3/11/11	Do not deposit or allow demolition materials or debris to fall or otherwise enter the waterway. (Firm)	INDOT-OES	Ron	Bales	317-234-4916	Required	No	No	
3	1111111	2	3/11/11	All excavated material must be properly spread or completely removed from the project site such that erosion and off-site sedimentation of the material is prevented. (Firm)	INDOT-OES	Ron	Bales	317-234-4916	Required	No	No	
4	1111111	3	3/11/11	Do not excavate in the low flow area except for the placement of piers, foundations, and riprap or removal of the old structure. (Firm)	INDOT-OES	Ron	Bales	317-234-4916	Required	No	No	
5	1111111	4	3/11/11	Do not work in the waterway from April 1 through June 30 without the prior written approval of the Division of Fish and Wildlife. (Firm)	INDOT-OES	Ron	Bales	317-234-4916	Required	No	Yes	
6	1111111	5	3/11/11	If permanent or temporary right-of-way amounts change, the appropriate INDOT Environmental Office (District or Central Office) will be contacted immediately. (Firm)	INDOT-OES	Ron	Bales	317-234-4916	Required	No	No	
7	1111111	6	3/11/11	Any work in a wetland area within INDOT's right-of-way or in borrow/waste areas is prohibited unless specifically allowed in the US Army Corps of Engineers or IDEM permit. (Firm)	INDOT-OES	Ron	Bales	317-234-4916	Required	No	No	
8	1111111	7	3/11/11	If any potentially hazardous materials are discovered during construction, the IDEM Spill Line should be ne notified with details of the discovery within 24 hours. INDOT Office of Environmental Services, Hazardous Materials Unit should be contacted to organize the propoer handling of the material to be in accordance with the IDEM guidelines. (Firm)	INDOT-OES	Ron	Bales	317-234-4916	Required	No	No	
11	1111111	11	3/11/11	The Gary/Chicago Regional Airport is a public use airport that is located approximately 11,307 feet southeast of the proposed project site. If any permanent structures or equipment utilized for this project penetrate a 100:1 slope from the airport, FAA form 7460 (Notice of proposed construction or alteration) must be filed. (Firm)	INDOT-OES	Ron	Bales	317-234-4916	Required	No	Yes	

The spreadsheet consists of 20 columns that must be completed, as follows:

Columns 1-4: Commitment Text

DESIGNATION_ NUMBER	COMMITMENT_ NUMBER	COMMITMENT_ DATE	COMMITMENT_ TEXT
1111111	1	06/19/2013	< text > (Firm)
1111111	2	06/19/2013	< text > (For further consideration)
1111111	3	06/19/2013	< text > (Firm)

DESIGNATION_NUMBER is the seven-digit INDOT project designation number. This must be entered as text to preserve leading zeros (e.g. "0123456", not "123456"). This is required.

COMMITMENT_NUMBER should be entered as consecutive numbers starting with 1 as shown above. These numbers may not match the numbers in the database because there may already be existing commitments against the project. The application will number the commitments consecutively starting from the next commitment number not used. This may be left blank.

COMMITMENT_DATE can be entered as any date; however, the date entered into the database will be the actual date the commitments are imported. This may be left blank.

COMMITMENT_TEXT is the commitment as it appears in the environmental document or other source document. Some discretion should be used when copying large blocks of text (such as entire legal agreements). If a commitment will require more than 1000 characters, it should be broken into logical pieces between text boxes. This is required.

Columns 5-8: Consultant Information

CONSULTANT_ SUBMIT_ COMMITMENT	FIRST_ NAME_ CONSULTANT	LAST_ NAME_ CONSULTANT	CONSULTANT_ PHONE_ NUMBER
Acme CE Services, LLC	Brighton	Early	317-111-1111
Acme CE Services, LLC	Brighton	Early	317-111-1111
Acme CE Services, LLC	Brighton	Early	317-111-1111

These columns document the name of the consultant's firm and the contact person at that firm. If commitments are prepared internally, this is the INDOT office that is uploading the commitments. These are required.

Columns 9-12: Documenter Information

OFFICE_ DOCUMENTING_ COMMITMENT	DOCUMENTER_ FIRST_NAME	DOCUMENTER_ LAST_NAME	DOCUMENTER_ PHONE_ NUMBER
Environmental Services	Justin	Case	317-222-2222
Environmental Services	Justin	Case	317-222-2222
Environmental Services	Justin	Case	317-222-2222

These columns document the INDOT office and the name of the INDOT employee who is uploading the commitments. If the commitments are prepared internally, this information is the same as the consultant information. These may be left blank.

Columns 13-16: Requesting Agency Information

AGENCY_ REQUIRING_ COMMITMENT	CONTACT_ FIRST_ NAME	CONTACT_ LAST_ NAME	CONTACT_ PHONE_ NUMBER
IDEM	Auto-response	Auto-response	317-555-5555
IDNR	Moe	Skeeto	317-111-3333
USFWS	Ariel	Hassle	812-111-1111

These columns document the agency that requires the commitment and the contact person for that agency. If essentially identical commitments are received from two different agencies, combine them into one commitment and provide contact information for both agencies. Contact information for the secondary agency can be provided in the commitment text. These are required.

Columns 17-20: Commitment Status

REQUIRED_OR_FOR _CONSIDERATION	IMPLEMENT_DURING _PROJ_DEVELOP	ATTENTION_TO_ CONSTRUCTION	RESOLUTION
Required	Yes	No	INDOT Standard Spec. 3.36
For Consideration	Yes	Yes	Not a permit condition -IDNR
Required	No	No	INDOT Standard Spec. 1.27

REQUIRED_OR_FOR_CONSIDERATION Required / For Consideration will be from a drop down list in the database spreadsheet. "Required" indicates that the commitment is due to a legal requirement. "For Consideration" indicates the commitment is desirable but is not required by law. This is required.

IMPLEMENT_DURING_PROJ_DEVELOP indicates whether or not the commitment should be taken into account during the design of a project for eventual inclusion in the contract document. If it is determined that a required commitment will not be implemented, then that originally made commitment is recorded in the database. This is required.

ATTENTION_TO_CONSTRUCTION The default value for this field is "No". The field may only be changed to "Yes" by the Project Manager, if attention to the commitment by construction personnel at the preconstruction conference is warranted. This is required.

RESOLUTION Once a commitment has been reviewed and it has either been implemented in design for inclusion in the contract documents or determined to be not applicable then the Project Manager will; input a summary of the action taken into the Resolution Field and update the commitment database. This may be left blank.

INDIANA DEPARTMENT OF TRANSPORTATION
Driving Indiana's Economic Growth

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204

PHONE: (317) 232-5135
FAX: (317) 232-5349

Mitchell E. Daniels, Jr., Governor
Michael B. Cline, Commissioner

September 13, 2010

To: Environmental Staff
Environmental Consultants

From: mba Michelle Allen, Director
Office of Environmental Services

Re: Environmental Commitments Guidelines

Through the project development process, INDOT seeks input from a variety of resource agencies and stakeholders. Many provide standardized responses, or operate under programmatic agreements which contain a list of typical conditions. A need has been identified to sort these standardized conditions and improve focus on those which are not covered by existing INDOT Standard Specifications, the Indiana Design Manual (IDM), or standard drawings.

The purpose of this document is to provide guidance to those preparing or reviewing environmental documents (Categorical Exclusions, Environmental Assessments or Environmental Impact Statements) and environmental permits. Each of the following tables lists a set of standard responses that may be received from a resource agency or other stakeholder, and explains when each should be carried forward in the environmental document and/or Project Commitments Database.

A certain level of professional judgment should be exercised when using these tables. For example, an agency comment regarding scour protection around bridge piers is appropriate to include in environmental documentation and the commitment database only for projects that actually include bridge work. The same commitment should be eliminated for projects that involve only paving. In addition, recommendations in early coordination letter responses from an agency may become conditions if a permit is required from that agency. Use professional judgment to determine whether a commitment is for consideration or required assuming that a permit will be needed.

All bracketed citations reference the 2010 Indiana Standard Specifications unless otherwise noted. Citations from the Indiana Design Manual (IDM) reference the version that is active on or after January 1, 2010. This guidance document will be updated as necessary to reflect changes in INDOT or resource agency policies. The most current version can always be found on the Office of Environmental Services- Environmental Policy web page (http://www.in.gov/indot/3338.htm).

If you have any questions, please contact Ben Lawrence at (317) 233-1164 or blawrence@indot.in.gov.

List of Tables

Table 1: US Fish and Wildlife Memorandum of Understanding Conditions*			
Item	**Insert into**		**Notes**
	Environmental Document?	**Commitment Database?**	
Post DO NOT DISTURB signs at the construction zone boundaries and do not clear trees or understory vegetation outside the boundaries. [101.10, 201.01, 201.02]	Y	N	Addressed by specifications.
Restrict below-water work to placement of piers, pilings and/or footings, shaping of the spill slopes around the bridge abutments, and placement of riprap.	Y	Y	
Restrict channel work and vegetation clearing to within the width of the normal approach road right-of-way. [201.01, 201.02]	Y	N	Addressed by specifications.
Minimize the extent of artificial bank stabilization.	Y	Y	
If riprap is utilized for bank stabilization, extend it below low-water elevation to provide aquatic habitat.	Y	Y	
Implement temporary erosion and siltation control devices such as placement of straw bales in drainage ways and ditches, covering exposed areas with burlap, jute matting or straw, and grading slopes to retain runoff in basins. [205]	Y	N	Addressed by specifications.
Revegetate all disturbed soil areas immediately upon project completion. [108.04]	Y	N	Addressed by specifications.
Avoid all work within the inundated part of the stream channel during the fish spawning season (April 1 through June 30), except for work within sealed structures such as caissons or cofferdams that were installed prior to the spawning season (as applicable).	Y	Y	

*All items from the US Fish and Wildlife MOU should be marked "for consideration".

Table 2: Department of Natural Resources Commitments/Conditions			
Item	**Insert into**		**Notes**
	Environmental Document?	**Commitment Database?**	
Minimize and contain within the project limits inchannel disturbance and the clearing of trees and brush. [201.01, 201.02]	Y	N	Addressed by specifications.
Do not work in the waterway from April 1 through June 30 without prior written approval of the Division of Fish and Wildlife	Y	Y	
Post "Do Not Mow or Spray" signs along the right-of-way. [622.20]	Y	N	Addressed by specifications.
Seed and protect all disturbed streambanks and slopes that are 3:1 or steeper with erosion control blankets (follow manufacturer's recommendations for installation); seed and apply mulch on all other disturbed areas. [205]	Y	N	Addressed by specifications.
Revegetate "low maintenance" 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; low endophyte tall fescue may be used in "high maintenance" areas only. [621]	Y	N	Addressed by specifications.
Do not cut any trees suitable for Indiana bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark) from April 1 through September 30. [RSP 107-B-040]	Y	Y	
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. [205]	Y	N	Addressed by specifications.
Do not excavate in the low flow area except for the placement of piers, foundations, and riprap, or removal of the old structure.	Y	Y	
Do not work in salmonid waterways from March 15 through June 15 and from July 15 through November 30 without the prior written approval of the Department of Natural Resources, Division of Fish and Wildlife.	Y	Y	
Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids.	Y	Y	
The project must not create conditions that are less favorable for wildlife passage under the structure compared to current conditions. This includes maintaining land under the bridge unarmored with riprap to allow for wildlife passage.	Y	Y	
If any archaeological artifacts or human remains are uncovered during construction, work must stop and the discovery must be reported within 2 business days. [104.07]	Y	N	Addressed by specifications.

Permit must be posted and maintained at the project site until the project is completed.	N	Y	
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. [108.04]	Y	N	Addressed by specifications.
Place all excavated material landward of the floodway. [206.07]	Y	N	Addressed by specifications.
Do not leave felled trees, brush, or other debris in the floodway. Remove all construction debris from the floodway. [210.02, 108.04]	Y	N	Addressed by specifications.
Keep the bridge waterway opening free of debris and sediment at all times. [108.04]	Y	N	Addressed by specifications.
Plant five trees, at least 2 inches in diameter-at-breast height, for each tree which is removed that is ten inches or greater in diameter-at-breast height.	Y	Y	
Riprap placed for bank stabilization must conform to streambank. Riprap or other bank stabilization materials must be used only at the toe of the sideslopes up to the ordinary high water mark (ohwm). Riprap must not be placed in a manner that precludes fish or aquatic organism passage. [IDM Fig 17-5J]	N	N	
Dewatering must be limited to one side or streambank of the creek/bridge construction site at a time so at least half of the creek is always flowing naturally; on larger streams, both sides can be dammed at once as long as the center of the channel is allowed to flow naturally	N	Y	
Do not dewater directly into the stream; dewater into a sediment bag into a roll off box and onto a riprap apron or similar system. Filters must incorporate filters or bypasses to avoid injuring or killing fish and other aquatic organisms.	N	Y	
Anchor the bridge deck to prevent dislodging and/or flotation during high water events	N	Y	

Table 3: Indiana Department of Environmental Management Commitments			
Item	**Insert into**		**Notes**
	Environmental Document?	**Commitment Database?**	
A Section 404 permit is required before discharging dredged or fill materials into any wetlands or other waters, such as rivers, lakes, streams, and ditches. [IDM 9-2.02]	N	N	
In the event a Section 404 wetlands permit is required, you also must obtain a Section 401 Water Quality Certification. [IDM 9-2.03]	N	N	
A state isolated wetland permit from IDEM's Office of Water Quality is required for any activity that results in the discharge of dredged or fill materials into isolated wetlands. [IDM 9-2.04]	N	N	
If your project will impact more than 0.5 acres of wetland, stream relocation, or other large-scale alterations to bodies of water such as the creation of a dam or a water diversion, you should seek additional input from the Office of Water Quality, Wetlands staff. [IDM 9-2.04]	N	N	
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. [201.01, 201.02]	Y	N	Addressed by specifications.
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, a Rule 5 permit will be required. [205]	N	N	
If your project is located in an IDEM-approved MS4 area, please contact the local MS4 program about meeting their storm water requirements. [IDM 9-2.05]	N	N	
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. [205]	Y	N	Addressed by specifications.
For projects involving impacts to fish and botanical resources, contact the Department of Natural Resources for additional project input. [RSP 107-B-040]	N	N	Addressed by Early Coordination.
For projects involving water main construction, water main extensions, and new public water supplies, contact IDEM regarding the need for permits.	N	N	
For projects involving effluent discharges to waters of the State of Indiana, contact IDEM regarding the need for a National Pollutant Discharge Elimination System (NPDES) permit. [IDM 9-3.09]	N	N	
For projects involving the construction of wastewater facilities and sewer lines, contact IDEM regarding the need for permits. [IDM 9-2.03]	N	N	

Open burning regulations must be observed. [201.03]	N	N	Addressed by specifications.
Reasonable precautions must be taken to minimize fugitive dust emissions from construction and demolition activities. Dirt tracked onto paved roads from unpaved areas should be minimized. [107.08(b)]	Y	N	Addressed by specifications.
If construction or demolition is conducted in an area where birds or bats have roosted, measures should be taken to avoid an outbreak of histoplasmosis.	N	N	Not relevant to highway projects.
The U.S. EPA and the U.S. Surgeon General recommend that people not have long-term exposure to radon at levels above 4 pCi/L.	N	N	Not relevant to highway projects.
All facilities slated for renovation or demolition must be inspected by an Indiana-licensed asbestos inspector prior to renovation or demolition activities. If regulated asbestos-containing material (RACM) that may become airborne is found, demolition, renovation, or asbestos removal activities must be performed in accordance with notification and emission control requirements. [202.07]	Y	N	Addressed by specifications.
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. [202.07]	Y	N	Addressed by specifications.
IDEM encourages all efforts to minimize human exposure to lead-based paint chips and dust. [619.07]	Y	N	Addressed by specifications.
The use of cutback asphalt, or asphalt emulsion containing more than seven percent (7%) oil distillate, is prohibited during the months of April through October. [902.01]	Y	N	Addressed by specifications.
If your project involves a new source of air emissions or modification of an existing source of air emissions or air pollution control equipment, it will need to be reviewed by IDEM.	N	N	Not relevant to highway projects.
If the site is found to contain any areas used to dispose of solid or hazardous waste, contact IDEM. [104.06]	N	N	Addressed by specifications.
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. [104.06]	N	N	Addressed by specifications.
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. [202.08]	N	N	Addressed by specifications.
The permittee shall deposit any dredged material in a contained upland disposal area to prevent sediment runoff to any water body. [206.07]	N	N	Addressed by specifications.
The permittee shall allow the commissioner or an authorized representative of the commissioner (including an authorized contractor), to inspect the site and verify	N	N	Covered by other contract

compliance.			documents.
All stream pump-around activities must be discharged in a manner that does not cause erosion at the outlet. [206.09]	N	N	Addressed by specifications.
Install erosion control methods prior to any soil disturbance to prevent soil from leaving the construction site. Monitor and maintain erosion control structures and devices regularly, especially after rain events, until all soils disturbed by construction activities have been permanently stabilized. [108.04, 205]	N	N	Addressed by specifications.
Install silt fence or other erosion control measures around the perimeter of any wetlands and/or other waterbodies to remain undisturbed at the project site. [IDM 37-3.01(01)]	Y	N	Addressed by specifications.
Complete all approved discharges no later than the expiration date of the Section 401 Water Quality Certification.	N	N	Covered by other contract documents.
Post do not disturb signs at the construction zone boundaries and do not clear trees or understory vegetation outside the boundaries. [101.10, 201.01, 201.02]	N	N	Addressed by specifications.
Stabilize all disturbed areas upon completion of land disturbing activities. [104.08, 203.09, 621.11]	Y	N	Addressed by specifications.
Remove any temporary causeway or other approved temporary structures used to facilitate construction or access upon completion of construction activities. [104.08]	N	N	Addressed by specifications.
When cyanide or cyanogen compounds are used in any of the processes at a facility regulated under this article, the person responsible for that facility shall provide approved facilities for the containment of any losses of these compounds in accordance with the requirements under 327 IAC 2-2-1.	N	N	Not relevant to highway projects.
Persons regulated by this article shall have all wastewater treatment facilities, if any, under the direct supervision of a certified operator.	N	N	Not relevant to highway projects.
Sediment-laden water which otherwise would flow from the project site shall be treated by erosion and sediment control measures appropriate to minimize sedimentation. [108.04]	Y	N	Addressed by specifications.
Wastes and unused building materials shall be managed and disposed of in accordance with all applicable statutes and regulations. [107.01, 108.04(b), 108.04(c)]	Y	N	Addressed by specifications.
A stable construction site access shall be provided at all points of construction traffic ingress and egress to the project site. [205.03]	Y	N	Addressed by specifications.
Public or private roadways shall be kept cleared of accumulated sediment that is a result of run-off or tracking. [107.08, 205.03]	Y	N	Addressed by specifications.
Storm water run-off leaving a project site must be discharged in a manner that is consistent with applicable state or federal law. [108.04]	N	N	Addressed by specifications.
The project site owner shall post a permit notice near the main entrance of the project site.	N	Y	

For linear project sites, such as a pipeline or highway, the notice must be placed in a publicly accessible location near the project field office. The notice must be maintained in a legible condition.			
The project site owner shall inform all general contractors, construction management firms, grading or excavating contractors, utility contractors, and the contractors that have primary oversight on individual building lots of the terms and conditions of permits. [107.01]	N	N	Addressed by specifications.
Phasing of construction activities shall be used, where possible, to minimize disturbance of large areas. [108.04]	N	N	Addressed by specifications.
Appropriate measures shall be planned and installed as part of an erosion and sediment control system. [108.04, 205]	N	N	Addressed by specifications.
All storm water quality measures must be designed and installed under the guidance of a trained individual. [108.04]	N	N	Addressed by specifications.
Collected run-off leaving a project site must be either discharged directly into a well-defined, stable receiving channel or diffused and released to adjacent property without causing an erosion or pollutant problem to the adjacent property owner. [108.04]	N	N	Addressed by specifications.
Drainage channels and swales must be designed and adequately protected so that their final gradients and resultant velocities will not cause erosion in the receiving channel or at the outlet. [IDM 45-3.02(03)]	N	N	Addressed by specifications.
Natural features, including wetlands and sinkholes, shall be protected from pollutants associated with storm water run-off. [108.04]	N	N	Addressed by specifications.
Unvegetated areas that are scheduled or likely to be left inactive for fifteen (15) days or more must be temporarily or permanently stabilized with measures appropriate for the season to minimize erosion potential. [203.09]	N	N	Addressed by specifications.
During the period of construction activities, all storm water quality measures necessary to meet the requirements of this rule shall be maintained in working order. [108.04]	N	N	Addressed by specifications.
A self-monitoring compliance program must be implemented. [108.04, 205.04]	N	N	Addressed by specifications.
Proper storage and handling of materials, such as fuels or hazardous wastes, and spill prevention and clean-up measures shall be implemented to minimize the potential for pollutants to contaminate surface or ground water or degrade soil quality. [108.04]	N	N	Addressed by specifications.

Table 4: Corps of Engineers Nationwide Permit General Conditions			
Item	**Insert into**		**Notes**
	Environmental Document?	**Commitment Database?**	
No activity may cause more than a minimal adverse effect on navigation. [107.11]	N	N	Addressed by specifications.
Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States. [107.11]	N	N	Addressed by specifications.
No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. Culverts placed in streams must be installed to maintain low flow conditions. [Design Memo 09-27]	N	N	Addressed by Design Memo.
Activities in spawning areas during spawning seasons must be avoided to the maximum extent practicable. [RSP 107-B-040]	N	Y	
Activities in waters of the United States that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable.	N	Y	
No activity may occur in areas of concentrated shellfish populations.	N	Y	
No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts. [203.08]	N	N	Addressed by specifications.
No activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent bank stabilization.	N	Y	
If the activity creates an impoundment of water, adverse effects to the aquatic system due to accelerating the passage of water, and/or restricting its flow must be minimized to the maximum extent practicable. [206.09]	N	N	Addressed by specifications.
To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-	N	N	Addressed by Design Manual.

construction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities). [Design Memo 09-27, IDM 31-3]			
The activity must comply with applicable FEMA approved state or local floodplain management requirements. [107.02]	N	N	Addressed by specifications.
Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.	N	Y	
Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. [205]	N	N	Addressed by specifications.
Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The affected areas must be revegetated, as appropriate. [104.08, 108.04]	N	N	Addressed by specifications.
No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while the river is in an official study status.	N	Y	
Discharges of dredged or fill material into waters of the United States are not authorized by NWPs 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, 44, 49, and 50 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters.	N	Y	
For NWPs 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with general condition 27, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters.	N	Y	
The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States to the maximum extent practicable at the project site (i.e., on site). [108.04]	N	N	Addressed by specifications.

Attachment 5
CE Level Threshold Table

Categorical Exclusion Level Thresholds

	Level 1	Level 2	Level 3	Level 4
Relocations	None	≤ 2	> 2	> 10
Right-of-Way[1]	< 0.5 acre	< 10 acres	≥ 10 acres	≥ 10 acres
Length of Added Through Lane	None	None	Any	Any
Permanent Traffic Pattern Alteration	None	None	Yes	Yes
New Alignment	None	None	< 1 mile	≥ 1 mile[2]
Wetlands	< 0.1 acre	< 1 acre	< 1 acre	≥ 1 acre
Stream Impacts*	≤ 300 linear feet of stream impacts, no work beyond 75 feet from pavement	> 300 linear feet impacts, or work beyond 75 feet from pavement	N/A	N/A
Section 4(f)	None	None	None	Any impacts
Section 6(f)	None	None	Any impacts	Any impacts
Section 106*	"No Historic Properties Affected" or falls within guidelines of Minor Projects PA	"No Adverse Effect" or "Adverse Effect"	N/A	If ACHP involved Or Historic Bridge Involvement[7]
Noise Analysis Required	No	No	Yes[3]	Yes[3]
Threatened/Endangered Species	"Not likely to Adversely Affect", or Falls within Guidelines of USFWS 9/8/93 Programmatic Response	N/A	N/A	"Likely to Adversely Affect" [4]
Sole Source Aquifer Groundwater Assessment	Detailed Assessment Not Required	Detailed Assessment Not Required	Detailed Assessment Not Required	Detailed Assessment Required
Approval Level • **ESM**[5] • **ES**[6] • **FHWA**	Yes	Yes	Yes Yes	Yes Yes Yes

*These thresholds have changed from the March 2011 Manual.

[1]Permanent and/or temporary right-of-way.

[2]If the length of the new alignment is equal to or greater than one mile, contact the FHWA's Air Quality/Environmental Specialist.

[3]In accordance with INDOT's Noise Policy.

[4] If the project is considered Likely to Adversely Affect Threatened and/or Endangered Species, INDOT and the FHWA should be consulted to determine whether a higher class of document is warranted.

[5]Environmental Scoping Manager

[6]Environmental Services Division

[7] Any involvement with a bridge processed under the Historic Bridge Programmatic Agreement

Appendices

Appendix A
Glossary

Glossary

A

Abutment: A substructure supporting the ends of a single span or the extreme ends of a multi-span bridge or small structure. An abutment usually retains or supports the approach embankment.

Additional Information: An update to an existing approved environmental document prepared whenever changes occur over time to single or cumulative project conditions that might cause new or more severe environmental impacts or to evaluate a project with respect to new or changed environmental rules, regulations or laws.

Adjacent Wetlands: Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, etc. (33 CFR 328.3(c)).

Advisory Council for Historic Preservation (ACHP): An independent federal agency responsible for the federal review process to ensure that cultural resources are considered during federal project planning and implementation.

Affected Environment: The physical features, land, area or areas to be influenced, impacted or created by a transportation improvement under consideration; also includes various social and environmental factors and conditions pertinent to an area.

Alternative: One of a number of specific transportation improvement proposals, alignments, options, design choices, etc. in a study. The alternative chosen for implementation is called the preferred alternative.

Alternative Analysis: A systematic review and evaluation of alternatives to determine the one that best meets purpose and need while minimizing impacts to resources. The analysis can include avoidance, minimization and/or compensatory mitigation for impacts to a wetland, historic property or other type of resource.

Approving Authority: The individual or agency that approves a categorical exclusion.

Archaeological Investigations: Studies of prehistoric and historic locales which provide understanding of past human behavior, culture change, and related topics through scientific and scholarly techniques such as literature research, excavation, analysis and interpretation.

Archaeological Resource: The location of a building, structure, district, site, or objects constructed or deposited at least 50 years ago where the location itself possesses research value.

Area of Potential Effect (APE): Under 36 CFR Part 800.16(d) “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist.”

Average Daily Traffic (ADT): The number of vehicles that pass a point each day averaged over a specified period of time.

B

Biological Diversity (Biodiversity): The variability of genes, organisms, species, and interactions within or between habitats, communities, and ecosystems. Biological diversity may be measured at the level of genes, species, and ecosystems. In general usage, biodiversity refers to the number of species supported by an ecosystem weighted by relative abundance of each species.

Biological Opinion: A document which is issued as a result of consultation under Section 7 of the federal Endangered Species Act. It includes: (1) the opinion of the Fish and Wildlife Service or the National Marine Fisheries Service as to whether or not a federal action likely to jeopardize the continued existence of listed species("jeopardy" or "no jeopardy"), or result in the destruction adverse modification of designated critical habitat ("adverse modification" or "no adverse modification"); (2) a summary of the information which the opinion is based; and (3) a detailed discussion of the effects of the action species or designated critical habitat. (50 CFR 402.02, 50 CFR 402.14(h)).

Bridge: A structure, including supports, erected over a depression or an obstruction such as water, highway, or a railway having a track or passageway for carrying traffic or other moving loads, and having a length measured along the center of the roadway of more than 20 ft (6.1 m) between undercopings of abutments or extreme ends of openings for multiple boxes.

Burial Ground: A graveyard or other area set aside for burial of the dead; a common burying ground of a church or community.

Business Information Survey: A survey that gathers information about businesses that are likely to be relocated or otherwise impacted by a project.

C

Capacity: The maximum number of vehicles (average daily traffic, or ADT) that can reasonably be expected to pass over a lane of roadway during a given time period under prevailing roadway and traffic conditions.

Categorical Exclusion: The environmental document prepared for federal actions that do not have a significant effect on the environment either individually or cumulatively.

Categorical Exclusion Level 1: The lowest level of environmental documentation for a categorical exclusion.

Categorical Exemption: The minimal environmental document prepared for projects that Indiana agencies have agreed are anticipated to have little or no impact on the human and natural environment.

Commitments: Promises made during the environmental evaluation and study process to moderate or lessen impacts from the proposed action. These measures may include planning and development commitments, environmental measures, right-of-way improvements, and agreements with resource or other agencies to effect construction or post construction action. Commitments are documented in the environmental document as well as the commitment database.

Community Advisory Committee (CAC): A group of representatives of public and private community organizations that are convened at the outset of the NEPA process and meets periodically to discuss issues and concerns related to the project. CAC's are required for all EIS-level projects and are considered on EA projects based on public interest or potential for controversy. They are unusual for CE level projects.

Comprehensive Plan: The general, inclusive, long-range statement of the future development of a unit of local government, such as a municipality or county. The plan is typically a map accompanied by description and supplemented by policy statements that direct future capital improvements in an area.

Conceptual Stage Relocation Study (CSRS): A study performed to the likely effects of relocations on businesses and residents.

Conformity: The U.S. Clean Air Act stipulates that any approved transportation project, plan, or program must conform to the State Implementation Plan (SIP), a document which prescribes procedures for the implementation, maintenance and enforcement of primary and secondary pollutants.

Constraints: Significant resources, facilities or other features of a study area located in or adjacent to an existing or proposed transportation corridor that serve to restrain, restrict, or prevent the ready implementation of proposed transportation improvements in a given area; may include natural or physical resources, important structures, manner of payment and various administrative requirements which must be met.

Constructed or Created Wetland: A man-made wetland constructed where one did not formerly exist.

Construction Limits: The farthest limits of construction as measured perpendicular to a base line (e.g., toe of slope, top of ditch backslope). The construction limits are usually the farthest extent of ground disturbance at a project site.

Consultant: An individual, partnership or firm with expertise in engineering, environmental, or public involvement disciplines that is contracted by the originating office to provide technical services. Expertise is determined by comparison to consultant prequalification criteria.

Consultation: The process of seeking, discussing, and considering the views of other participants, and where feasible, seeking agreement with them regarding matters arising in the Section 106 process.

Consulting Party: An individual or entity identified in the Section 106 process that has expressed an interest in the effects of the undertaking on historic resources. Consulting parties are invited to participate in the consultation process.

Context Sensitive Solutions (CSS): A collaborative, interdisciplinary approach to design that considers the total context within which a transportation improvement project will exist. CSS involves all stakeholders to develop a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic, and environmental resources, while maintaining safety and mobility.

Contributing Resource: A building, site, structure, or object that adds to the historic significance of a property or district.

Criteria Pollutants: Six pollutants (Carbon monoxide, ozone, particulate matter, lead, nitrogen dioxide, and sulfur dioxide) defined under the Clean Air Act that adversely affect human health and safety.

Critical Habitat: Geographic areas that are essential to the conservation of an endangered species. Specifically, critical habitat is: (1) The specific areas within the geographical area currently occupied by a species, at the time it is listed in accordance with the Endangered Species Act, on which are found those physical or biological features essential to the conservation of the species, and that may require special management considerations or protection; and (2) Specific areas outside the geographical are occupied by a species at the time it is listed in accordance with the Endangered Species Act, upon a determination by the Secretary of the US Department of the Interior, that such areas are essential for the conservation of the species.

Cultural Resource: Any archaeological, historical, or architectural resource, e.g., a building, object, structure, or site.

Culvert: A structure not classified as a bridge which provides an opening under the roadway.

Cumulative Impact: The total impact on the environment from the incremental impact of a specific action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

D

Data Recovery: Excavation of an archaeological site to obtain information from the site.

Design Approval: An administrative action taken by either INDOT or by the FHWA at the conclusion of the preliminary design phase to officially certify the route location and major design features of a highway.

Design Criteria: Established state and national standards and procedures that guide the establishment of roadway layouts, alignments, geometry, and dimensions for specified types of highways in certain defined conditions. The principal design criteria for highways are traffic volume, design speed, the physical characteristics of vehicles, the classification of vehicles, and the percentage of various vehicle classification types that use the highway.

Design Exception: An approval issued by a state or federal agency to permit certain deviation from a specified, accepted design criteria granted on the basis of a report explaining the need for the exception and the consequences that will result from the action.

Design Manual: An INDOT publication defining criteria, processes and procedures for the evaluation, assessment, engineering design and development of highway and bridge projects.

Designated Use: Classification in Indiana's water quality standards for each watercourse or body of water that defines its optimal purpose. Examples are drinking water use and aquatic life use.

Determination of Eligibility: The process of rendering a professional evaluation of the historical significance of a property. FHWA, in consultation with the State Historic Preservation Officer, applies National Register of Historic Places criteria when deciding matters of historical significance.

Direct Effects: Environmental effects which are caused by a specific action and occur at the same time as the action. Changes in noise levels, traffic volumes or visual conditions are some examples of direct effects generated by transportation improvements.

District Office: One of six INDOT offices throughout Indiana responsible for administering project development, design, construction and maintenance activities within a specified geographic region.

Ditch: A long, narrow excavation made in the ground by removing material or opening an existing passage or trench, such as a natural channel or waterway.

Drinking Water: Ground or surface water which is of a high enough quality either to drink directly from the source or with some amount of filtration and/or chemical treatment.

E

Ecological Survey Report: A report summarizing the ecological field studies done to inventory ecological resources and the impacts of various project alternatives.

Effect Finding: A finding made by FHWA that a proposed project has an effect on a property included on or eligible for the National Register of Historic Places. The three findings of effect are "No Historic Properties Affected," "No Adverse Effect," and "Adverse Effect".

Eligible for Inclusion on the NRHP: Includes both properties formally determined as such in accordance with the regulations of the Secretary of the Interior and all other properties that meet the National Register criteria.

Endangered Species: Any species which is in danger of extinction throughout all or a significant portion of its range as per Section 4 of the Endangered Species Act, 16 U.S.C.A. 1531 et seq., as amended.

Environmental Assessment (EA): A document prepared for an action where the significance of the environmental impact is not clearly established. The primary purpose of an EA is to help FHWA decide whether or not an environmental impact statement is needed.

Environmental Consultation Form: The document completed as design is finished to verify that the project as designed is consistent with the approved environmental document.

Environmental Document: Any document prepared to satisfy the requirements of the National Environmental Policy Act, such as an environmental impact statement, an environmental assessment, a categorical exclusion, and any reevaluation of these documents.

Environmental Impact Statement (EIS): The environmental document prepared for projects or actions which are known to have a significant effect on the environment.

Environmental Justice (EJ): An approach to undertakings that considers impacts to minority populations and low-income populations. Environmental justice requires efforts to avoid disproportionately high and adverse impacts on minority and low-income populations with respect to human health and the environment (Executive Order 12898).

Environmental Scoping Manager: A professional in each of INDOT's six district offices who oversees and coordinates district efforts related to environmental issues, operations and evaluations.

Environmental Site Assessment (Phase I): A review of environmental database records related to the project area and immediately surrounding environment. The Phase I Site Assessment is designed to determine whether past uses of a property represent a concern to the project. Depending on the results of the Phase I Site Assessment, a Phase II Site Assessment may also be needed.

Environmental Site Assessment (Phase II): A Phase II Site Assessment involves subsurface investigations and lab analysis of soil and/or water samples to determine whether contamination is present, and if so, to what extent.

Ephemeral Stream: A stream with flowing water only during, and for a short duration after, precipitation events in a typical year. The streambed is located above the water table year-round and precipitation is the primary source of water for stream flow.

Erosion and Sedimentation Control Plan: A detailed plan developed to minimize accelerated erosion and prevent sedimentation damage.

F

Farmland: Under the Farmland Protection Policy Act, any land not already in or committed to urban development or water storage.

Feasibility Study: A systematic evaluation of the desirability or practicality of further developing a proposed action that is performed during the planning stage or very early in the preliminary development phase.

Federal Action: A highway or transit project proposed for FHWA or FTA funding. It also includes actions such as joint and multiple use permits, other federal permits and approvals, changes in access control, etc., which may or may not involve a commitment of Federal funds.

Federal Highway Administration (FHWA): The agency of the U.S. Department of Transportation responsible for carrying out federal highway and transportation mandates through regional offices and a Division Office in each state.

Federal Transit Administration (FTA): An agency of the U.S. Department of Transportation tasked with administering the federal transit program.

Field Investigation: A survey that describes the type, location and condition of properties or resources in a specific geographic area combined with background research.

Field Review: A site visit conducted by INDOT to gather or verify data, define scopes of work, perform analyses, and make decisions for specific projects.

Final Design: The development of detailed working drawings, specifications, and estimates for transportation projects. Final Design follows the receipt of necessary design and/or environmental approval, and it includes right-of-way acquisition, utility relocation, and contract advertisement and award.

Finding of No Significant Impact (FONSI): A determination by a federal agency that briefly presents the reasons why an action or project documented as an environmental assessment will not have a significant effect on the human environment and why an environment impact statement will not be prepared.

Floodplain: The relatively level land next to a stream or river channel that is periodically submerged by flood waters. It is composed of alluvium deposited by the present stream or river when it floods.

Forested Wetland: A wetland class characterized by woody vegetation that is 20 feet or taller.

G

Ground Water: Water that occurs beneath the surface of the ground, regardless of location or form. Most ground water exists in small pores between rock particles and in narrow fractures in rock formations

H

Habitat: The sum of the physical, chemical, and biological environment occupied by individuals of a particular species, population, or community.

Hazardous Material: A classification under CERCLA given to hazardous wastes and other dangerous materials regulated under a variety of other environmental regulations, such as the Clean Air Act (CAA) and Clean Water Act (CWA)**.**

Hazardous Waste: A waste with properties that make it dangerous, as defined under the Resource Conservation and Recovery Act (RCRA). Wastes may either be classified as hazardous due to direct listing (by substance) or they may be hazardous because they possess one or more of the characteristic traits of hazardous substances.

Headwaters: Non-tidal rivers, streams, and their lakes and impoundments, including adjacent wetlands, that are part of a surface tributary system to an interstate or navigable water of the U.S. upstream of the point on the river or stream at which the average annual flow is less than five cubic feet per second.

Historic Bridge: Bridges included in or eligible for inclusion in the National Register of Historic Places; or considered a contributing element within a listed or eligible historic district.

Historic District: An area that possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan of physical development.

Historic Property: Any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This includes artifacts, records, and remains that are related to and located within such properties.

Historical/Architecture Investigations: Studies that result in identification of resources (buildings, structures, and sites) constructed over fifty years ago or of recent construction and demonstrably significant based on National Register of Historic Places guidelines, via literature research, photo documentation, analysis, and interpretation.

Hot Spot Analysis: An estimation of likely future localized particulate matter or carbon monoxide concentrations and a comparison of those concentrations to relevant air quality standards.

Human Environment: Interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment. This means that economic or social effects are not intended by themselves to require preparation of an environmental impact statement.

I

Impacts: Positive or negative effects upon the natural or human environment resulting from transportation projects.

Indian Tribe: A tribe, band, nation, or other organized group or community, that is recognized by the federal government as eligible for the special programs and services provided by the United States because of their status as Indians.

Indirect effects or impacts: Effects that are caused by an action and occur later in time or farther removed in distance, but are still reasonably foreseeable, including changes in land use patterns, population density or growth rates, and related effects on air and water and other natural systems.

Injection Well: A well constructed for the purpose of injecting treated water, often wastewater, directly into the ground.

Interested Community: The persons or groups affected by or interested in a specific transportation project. Contact information for the interested community is gathered and maintained by INDOT or LPAs during the course of transportation project studies.

Intermittent Stream: A stream that has flowing water during certain times of the year, when groundwater supports stream flow. During dry periods, intermittent streams may not have flowing water. Precipitation is a supplemental source of water for stream flow. (Fed. Reg./Vol. 65, No 47, 3/9/00).

Intermodal Surface Transportation Efficiency Act (ISTEA): The 1991 US Department of Transportation authorizing act, which established the policy of developing an economic, efficient, and environmentally sound national transportation system. ISTEA initiated transportation enhancement activities and required transportation policy to advance the objectives of regional and metropolitan planning by considering the "overall social, economic, energy and environmental effects" of transportation projects.

Invasive Species: A species that is non-native (or alien) to the ecosystem under consideration and whose introduction causes or is likely to cause economic or environmental harm or harm to human health. Invasive species can be plants, animals, and other organisms (e.g., microbes). Human actions are the primary means of invasive species introductions.

Isolated Wetlands: Wetlands that have no surface water connection to a surface water of the state, are outside of, and not contiguous to, any one hundred-year floodplain and have no contiguous hydric soil between the wetland and any surface water of the state.

J

Joint Development: The conception, planning and execution of improvements in the uses of land outside the normal right-of-way for a transportation facility.

Jurisdictional Determination (JD): A site survey or document review performed by the U.S. Army Corps of Engineers to officially determine whether or not a given parcel of land is subject to regulation as waters of the United States, and if so, the extent of the area.

Jurisdictional Water: A waterbody over which the US Army Corps of Engineers has jurisdiction because it meets certain criteria, such as a wetland, stream, river, or other water feature.

K

Karst: Landscape features caused by patterns of dissolved bedrock, typically limestone or dolomite, and often marked by underground drainage channels. Karst features include sinkholes, swallowholes, caves, springs, and sinking streams

L

Lead Agency: A state or federal agency taking primary responsibility for preparing an engineering or environmental document.

Legal Notice: A formal announcement published according to legal requirements in a periodical or newspaper to provide official public notice of an action or approval of interest to the public.

Level of Service (LOS): A commonly used indicator of a highway's performance. Levels of service range from A, which indicates unrestricted free flow conditions, to F which indicates high congestion and generally restricted operating speeds.

Local Government: A city, county, parish, township, municipality or other general purpose political subdivision of a State.

Local Public Agency Project: Any highway improvement project or enhancement project that is funded wholly or in part by a local government entity.

Location Map: A graphic drawing used in study reports and meeting presentations to show the orientation and the relationship of the project with its study area in comparison with existing roadways, features, developments, municipalities, and principal land uses nearby. The graphic typically will be large enough to show all major roadways, major cities, and principal topographic controls in the region.

Logical Termini: Connecting points with known features (land uses, economic areas, population concentrations, cross route locations, etc.) at either end of a proposed transportation route that enhance good planning and which serve to make the route usable. Logical termini are considered rational end points for a transportation improvement.

M

Memorandum of Agreement and Memorandum of Understanding: Documents that record terms and conditions negotiated between parties with a common interest, goal, or procedure. A Memorandum of Agreement (MOA) focuses on general areas of agreement in which the activities of one party depend on the activities of another. A Memorandum of Understanding (MOU) focuses on defining relationships in which the activities of one party do not depend on the activities of another.

Metropolitan Planning Organization (MPO): The organization designated by the governor and local elected officials as responsible, together with the state, for transportation planning in an urbanized area.

Mitigation: The restoration, creation, enhancement or, in exceptional circumstances, preservation of resources expressly for the purpose of compensating for impacts.

Mobile Source Air Toxics (MSAT): Any of the 21 compounds identified by the Environmental Protection Agency as hazardous air pollutants from mobile sources.

Moving Ahead for Progress in the 21st Century (MAP 21): MAP-21, was signed into law (P.L. 112-141) on July 6, 2012. Funding surface transportation programs for fiscal years (FY) 2013 and 2014, MAP-21 creates a streamlined and performance-based surface transportation program and builds on many of the highway, transit, bike, and pedestrian programs and policies established in 1991.

N

National Environmental Policy Act (NEPA): The federal legislation requiring states to document the environmental impact of transportation projects. The NEPA process is enforced by regulations of the Council on Environmental Quality (CEQ).

National Historic Landmark: A historic property evaluated and found to have significance at the national level and designated as such by the Secretary of the Interior.

National Historic Preservation Act: The primary legislation that governs historic and archaeological preservation in the United States and outlines the Section 106 process..

National Register of Historic Places (NRHP): The national list of districts, sites, buildings, structures and objects significant in American history, architecture, archaeology, engineering, or culture.

Nationwide Rivers Inventory (NRI): is a listing of more than 3,400 free-flowing river segments in the United States that are believed to possess one or more "outstandingly remarkable" natural or cultural values judged to be of more than local or regional significance. Under a 1979 Presidential Directive, and related Council on Environmental Quality procedures, all federal agencies must seek to avoid or mitigate actions that would adversely affect one or more NRI segments.

Native Species: A species which, by scientific evidence, was present in Indiana just prior to European exploration and settlement.

No-Build Alternative or No-Action Alternative: Option of maintaining the status quo by not building transportation improvements. The no-build serves as a baseline for comparison of build alternatives.

Non-attainment Areas: Counties that do not meet national ambient air quality standards for the criteria pollutants; ranked by the severity of their problem as marginal, moderate, serious, severe or extreme. In accordance with the Clean Air Act Amendments of 1990, these areas must take specific emission reduction measures.

Non-native Species: A species which, by scientific evidence, was not present in Indiana just prior to European exploration and settlement.

O

Ordinary High Water Mark (OHWM): As defined by federal regulation, "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas."

Originating Office: The lead District, or LPA responsible for administering, developing, and implementing a given project.

Outstanding River: A high-quality scenic or recreational river designated by the Indiana Department of Natural Resources under one or more of 22 categories.

P

Plans, Specifications, and Estimates Submission (PS&E): The final set of plans, specifications, and estimates for the project as it will be let for construction. This transmittal includes all written material and engineering data necessary to place a highway construction project under contract. These submissions are reviewed for accuracy and completeness prior to bid, and, for major federal aid projects, may be provided to the Federal Highway Administration for final approval.

Perennial Stream: A stream that has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow and precipitation is a supplemental source of water for stream flow. (Fed. Reg./Vol. 65, No 47, 3/9/00)

Phase I Cultural Resource Survey: Documentation and analysis of the cultural resource investigations in a specific survey area.

Phase II Cultural Resource Survey: Documentation and analysis of a detailed investigation of a specific property, properties, or site(s).

Phase III Cultural Resource Survey: Documentation and analysis of archaeological investigations as they pertain to data recovery.

Practicable: Available and capable of being executed with existing technology and without significant adverse effect on the economic feasibility of the project in light of the overall project purposes and in consideration of the relative environmental benefit.

Pre-Construction Notification (PCN): A document, generally a completed 404 Application, which must be submitted to the U.S. Army Corps of Engineers prior to commencing an activity authorized by a Section 404 Nationwide Permit.

Preferred Alternative: The alternative that will be implemented by the project.

Permit Determination: Identification of permits that are required based on resources impacted by a project. Permit determinations performed during the drafting of the environmental document are considered preliminary and those performed at the time of permitting are final.

Pre-qualified Consultant: Those individuals or firms who meet the criteria and have been approved by INDOT for pre-qualification for archaeological or and/or history/architecture or other types of environmental investigations under INDOT's Consultant Prequalification Requirements and Procedures. The individual or firm should be listed by INDOT as pre-qualified at the time investigations are undertaken.

Primary Consultant: An individual, partnership or firm with qualified expertise in engineering, environmental or public involvement disciplines who is contracted by the originating office to provide technical services.

Programmatic Agreement: An agreement between agencies on policy and procedure that is designed to accomplish mutual goals efficiently.

Programming: A general term to refer to a series of activities carried out by a project sponsor (typically INDOT), including data assessment, appraisal of identified planning needs and consideration of available or anticipated fiscal resources to result in the drawing up, scheduling and planning.

Project Area: That area involved in a highway improvement that will be directly impacted by the project. This area can either be within existing right-of-way or include new right-of-way.

Project Development Process: Indiana's procedures for advancing a transportation improvement project from concept to construction.

Project File: A compilation of all data and study materials associated with environmental documents, including all pertinent information gathered during the environmental evaluation, supporting reports, telephone memorandums and pertinent correspondence.

Public Hearing: A meeting that provides the public the fullest opportunity to comment on the record about a proposed transportation project.

Public Information Meeting: A meeting conducted by transportation officials designed to provide information to the public about a proposed project.

Public Involvement: Coordination events and informational materials geared toward public participation in the Transportation Development Process.

Purpose and Need: A written description of the transportation problem or other need that the proposed project is intended to address.

Q

Qualified Cultural Resource Personnel: Those persons who meet the professional qualification standards published in 36 CFR 61 and the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation published in the Federal Register, 1983, Part IV, 48(190:44738-44739).

Qualitative Analysis: The systematic comparison of one or more factors that cannot be measured in monetary terms, have no apparent common denominators, or are not readily quantifiable, using sound judgment.

Qualitative Habitat Evaluation Index (QHEI): An index designed to provide a measure of habitat that generally corresponds to those physical factors affecting fish communities and which are generally important to other aquatic life (e.g. invertebrates).

Quantitative Analysis: The comparison of one or more factors using measurable data. Certain mathematical models, formulas, numerical indices, rankings, and value matrices may be used.

R

Red Flag Investigation: A review resources and features in the project area to determine whether any of a range of potential environmental concerns are present. This information is used as a first-step screening tool to identify and eliminate any alternatives which may be fatally flawed on environmental grounds.

Red Flags: Identified points of concern, including environmental and engineering issues, within the project study area.

Reevaluation: Reevaluations should be thought of as a continuation of the NEPA project development process and are necessary at certain key points in the overall process to establish whether or not the NEPA document, determination or final project decision remains valid for the subsequent federal action. During a reevaluation, attention is given to determining what changes have occurred in the project and the study including changes in the design or scope of a project, new or modified laws and regulations, circumstances or project area changes or new information in general. The finding or conclusion of a reevaluation is that the NEPA decision or documentation is valid or that additional analysis is required. A reevaluation provides evidence for the FHWA in determining whether or not the preparation of a new CE, EA, supplemental EIS, or AI is necessary in order to advance the project to the next stage. [23 CFR § 771.129(c)]

Regulated drain: A drainage structure subject to the authority of a county drainage board under IC 36-9-27-33.

Regulatory Agency: An agency empowered to issue permits or recommend approval or denial of a permit or action.

Relocation (Displacement): Removal of a structure from the right of way of a transportation facility, either by movement or by demolition; formerly called displacement.

Remedial Investigation (RI): An investigation of a site with known contamination to determine an appropriate course of action to remove or reduce health and safety hazards on the site.

Resource Agency: An agency with regulatory authority over an environmental resource, including IDEM, USEPA, USFWS, USACE, NRCS, and IDNR. Resource agencies review environmental technical documents and reports generated for proposed development projects, including early coordination information.

Right-of-Way: Land occupied by or intended to be occupied by certain transportation and public use facilities, such as roadways, railroads, and utility lines. Permanent right of way is owned outright by the agency. Temporary right of way is returned to the owner after being used during construction of the transportation facility.

Riparian: Areas next to or substantially influenced by water, including areas adjacent to rivers, lakes, or estuaries, which may or may not be wetlands.

River: A large natural stream of water emptying into an ocean, lake or other body of water and usually fed along its course by converging tributaries.

S

SAFETEA-LU: The acronym for Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, which is the federal transportation bill passed in 2005. SAFTEA-LU authorizes federal transportation programs and contains provisions to streamline compliance with environmental laws and regulations.

Scope of Work: A detailed, written listing of tasks prepared in advance of engineering and environmental work to define requirements of studies.

Scoping Field Review: A site visit conducted by the originating office and other appropriate parties to define a project's scope of work and to evaluate a variety of circumstances involved with the proposed project.

Section 106: The provision of the National Historic Preservation Act of 1966 that requires federal agencies to take into account the effect of their undertakings on properties included in or eligible for inclusion in the National Register of Historic Places, and to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings.

Section 4(f): The provision of the US Department of Transportation Act of 1966 (Title 49, USC, Section 303) that 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 National Register of Historic Places.

Section 6(f): The provision of the Federal Land and Water Conservation Fund Act of 1965 that protects public recreational properties developed or enhanced using federal funding supplied to states or municipalities under the act by requiring replacement of lands converted to non-recreational uses.

Sensitive Receiver: In noise analysis, an area of frequent human use for which noise impacts are analyzed. These may include any location for which noise may be an impact.

Sensitive Species: Plant or animal species which are (1) Federal listed or proposed threatened or endangered species; (2) bird species protected under the Migratory Bird Treaty Act; (3) species protected under State endangered species laws and regulations, plant protection laws and regulations; Fish and Game codes, or species of special concern listings and policies, or (4) species recognized by national, state, or local environmental organizations (e.g. The Nature Conservancy).

Significant Impacts: An impact that is meaningful, major, important, or large, when both context and intensity are considered. Significant impacts may occur on small or large scales, over the long or short term, may be incidental or cumulative, and may be direct or indirect. Any project that has significant impacts to the human or natural environment cannot be documented as a categorical exclusion. See 40 CFR 1508.27 (http://ceq.hss.doe.gov/nepa/regs/ceq/1508.htm#1508.27) for a detailed definition of context and intensity.

Small Structure: A small structure is any crossing which is shorter than exactly twenty feet. Structures that are twenty feet or longer are considered bridges.

Sole Source Aquifer: As defined by the federal Safe Drinking Water Act, a groundwater source that represents the principle source of a water supply for a community or region that, if contaminated, would create a significant hazard to public health.

Special Aquatic Sites: Geographic areas, large or small, which possess special ecological characteristics of productivity, habitat, wildlife protection, or other important and easily disrupted ecological values, such as sanctuaries and refuges, wetlands, mud flats, vegetated shallows, coral reefs, and riffle and pool complexes.

State Historic Preservation Officer (SHPO): The Governor or his/her appointed representative responsible for directing the State Office of Historic Preservation.

State Categorical Exemption: The environmental document completed for a project that is entirely state funded and that does not require preparation of a state environmental assessment. Common projects that qualify as state categorical exemptions are listed in Table 4 in this manual.

Stream: Any channel, which carries water for at least a minimal period of time and has an Ordinary High Water Mark.

Structure Number: A permanent number assigned to a bridge. This is the identification number for the data on a particular structure.

Study Area: The area that will be studied for environmental effects. The study area contains both the project area (also called the project footprint) and the project vicinity. It must be large enough to address all pertinent project impacts.

Surface Water: Any body of water that has some exposure at the surface, such as rivers, creeks, ditches, lakes, reservoirs, ponds, open wells, detention/retention basins, and some wetlands.

T

Terrestrial Habitat: The local environment in which land animals and plants live.

Threatened Species: any plant or animal species that is native to Indiana or that migrates or is otherwise reasonably likely to occur within the state and which has been listed as threatened pursuant to Section 4 of the Endangered Species Act (16 U.S.C.A. 1531 et seq., as amended, or by Indiana.

Type 1 Project: Any project that requires a noise study because it will add capacity, e.g. as new alignment, through significant changes in the horizontal or vertical elevation of an existing road, or an increase in the number of through traffic lanes.

U

Undertaking: A project, activity, or program funded in whole or part under the direct or indirect jurisdiction of a federal agency, including those carried out by or on behalf of a federal agency; those carrier out with federal assistance; those requiring a federal permit, license, or approval; and those subject to state or local regulations administrated pursuant to a delegation or approval by a federal agency.

Upland: Any area that does not qualify as wetland because the associated hydrologic regime is not sufficiently wet to elicit development of vegetation, solid and/or hydrologic characteristics associated with wetlands, or is defined as open waters.

Utility Clearance: Before construction projects can proceed the right of way must be cleared of affected utilities or the utilities must be scheduled for relocation/abandonment. This is typically accomplished through the certification of right of way.

V

W

Watercourse: A natural or artificial channel through which water flows.

Waters of the State: Accumulations of water, surface and underground, natural and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon this state. The term does not include any private pond, or any pond, reservoir, or facility built for reduction or control of pollution or cooling of water prior to discharge unless the discharge there from causes or threatens to cause water pollution.

Waters of the United States: Bodies of water subject to the jurisdiction of the US Army Corps of Engineers under Section 404 of the Clean Water Act. This includes all interstate waters such as lakes, rivers, streams (including intermittent streams) and wetlands. Water of the United States us a broader term than navigable waters of the U.S. A detailed definition can be found in 33 CFR 328.3(a).

Waters of the U.S. Determination Report: The document prepared to request a jurisdictional determination of Waters of the U.S. and/or the State of Indiana in support of a permit request. The report identifies all waterways and water bodies that may be impacted by the project and includes data relevant to assessing their jurisdictional status.

Watershed: A watershed is all of the landscape that drains to a specific point.

Well Head Protection Area: The surface and subsurface area surrounding a water well, well field, spring or infiltration gallery supplying a public water system, through which contaminants are reasonably likely to move toward and reach the water well or well field.

Wetland: Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas that are delineated in accordance with the 1987 the USACE Wetland Delineation Manual.

Wetland Delineation: An investigation that defines the boundaries of those topographic features within a study area and which meet the federal definition of “wetland” as contained in 33 CFR 328.3(b).

Wetland Determination: In investigation that identifies probable wetlands within a study area.

Wetland Finding: A finding made FHWA that there are no practicable alternatives to the impacting one or more acres of wetland. The finding is part of the CE and FHWA approval of the CE is also approval of the wetland finding.

Wetland Restoration: An activity returning a wetland from a disturbed or altered condition with lesser acreage or functions to a previous condition with greater wetland acreage or functions.

Wild and Scenic Rivers Act: Establishes the policy that certain rivers of the nation which, with their immediate environments, possess outstandingly remarkable scenic, recreational, geological, fish and wildlife, historic, cultural, or other similar values, shall be preserved in free-flowing condition, and that they and their immediate environments shall be protected for the benefit and enjoyment of present and future generations. (16 USC 1271 et seq.)

Wildlife Crossing: A structure either above or below a roadway that allows wildlife to cross the roadway.

Appendix B
Acronyms

ACRONYMS

AADT	Annual Average Daily Traffic
ACHP	Advisory Council of Historic Preservation
ADT	Average Daily Traffic
APE	Area of Potential Effect
BA	Biological Assessment
BIS	Business Information Survey
BMCMPO	Bloomington/Monroe County Metropolitan Planning Organization
BMP	Best Management Practices
BO	Biological Opinion
CAA	Clean Air Act
CAAA	Clean Air Act Amended
CAC	Community Advisory Committee
CAPA	Critical Aquifer Protection Area
CAMPO	Columbus Area Metropolitan Planning Organization
CE	Categorical Exclusion
CEQ	Council on Environmental Quality
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CIA	Community Impact Assessment
CMAQ	Congestion & Air Quality Improvement Program
CMS	Congestion Management System
CO	Carbon Monoxide
CRO	Cultural Resources Office
CSD	Context Sensitive Design
CSRS	Conceptual Stage Relocation Study
dBA	Decibel (A-weighted)
DEIS	Draft Environmental Impact Statement
DHPA	Division of Historic Preservation and Archaeology
DHV	Design Hourly Volume
DMMPC	Delaware-Muncie Metropolitan Plan Commission
DOT	Department of Transportation
DPA	District Planning Administrator
EA	Environmental Assessment
EIS	Environmental Impact Statements
EJ	Environmental Justice
EMPO	Evansville Metropolitan Planning Organization
EO	Executive Order
ER	Emergency Relief
ES	Environmental Services Division
ESA	Environmental Site Assessment
ESM	Environmental Scoping Manager
EUTS	Evansville Urban Transportation Study
FCIR	Farmland Conversion Impact Rating
FEMA	Federal Emergency Management Agency

FHWA	Federal Highway Administration
FHWA-IN	Federal Highway Administration, Indiana Division
FIRM	Flood Insurance Rate Map
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
FRA	Federal Railroad Administration
FS	Feasibility Study
FTA	Federal Transit Administration
FWPCA	Federal Water Pollution Control Act (1972 – See Section 404)
GIS	Geographical Information Systems
GWIA	Groundwater Impact Assessment
HC	Hydrocarbons
HGM	Hydrogeomorphic
HHEI	Headwaters Habitat Evaluation Index
HUD	United States Department of Housing and Urban Development
IAC	Indiana Administrative Code
IBI	Index of Biological Integrity
IC	Indiana Code
ICI	Invertebrate Community Index
IDEM	Indiana Department of Environmental Management
IDNR	Indiana Department of Natural Resources
IJS	Interchange Justification Study
IMPO	Indianapolis Metropolitan Planning Organization
IMS	Interchange Modification Study
INDOT	Indiana Department of Transportation
INWRAP	Indiana Wetlands Rapid Assessment Protocol
IP	USACE Section 404 Individual Permit
IR	Indiana Register
ISA	Initial Site Assessments
ISTEA	Intermodal Surface Transportation Efficiency Act
JD	Jurisdictional Determination
KHCGCC	Kokomo/Howard County Governmental Coordinating Council
KIPDA	Kentuckiana Regional Planning and Development Agency
LEDPA	Least Environmentally Damaging Practicable Alternative
Leq(h)	Equivalent Hourly Sound Level
LOS	Level of Service
LPA	Local Public Agency
LWCF	Land and Water Conservation Fund Act
MACOG	Michiana Area Council of Governments
MAP-21	Moving Ahead for Progress in the 21st Century
MCCOG	Madison County Council of Governments
MOA	Memorandum of Agreement (Agreement with agency outside DOT)
MOT	Maintenance of Traffic
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
N/A	Not Applicable

NAAQS	National Ambient Air Quality Standards
NAC	Noise Abatement Criteria
NEPA	National Environmental Policy Act
NIRCC	Northeastern Indiana Regional Coordinating Council
NIRPC	Northwestern Indiana Regional Planning Commission
NO_2	Nitrogen Dioxide
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NRI	Nationwide Rivers Inventory
NRIS	National Register Information System
NWI	National Wetland Inventory
NWP	USACE Section 404 Nationwide Permit
O_3	Ozone
OHWM	Ordinary High Water Mark
OKI	Ohio-Kentucky-Indiana Regional Council of Governments
Pb	Lead
PCN	USACE Section 404 Permit Pre-Construction Notification
PD	Permit Determination
PDP	Project Development Process
PIP	Public Involvement Plan
$PM_{2.5}$ and PM_{10}	Particulate Matter
PS&E	Plans, Specifications & Estimates
PSI	Preliminary Site Investigation
QHEI	Quality Habitat Evaluation Index
RCRA	Resource Conservation and Recovery Act
RI	Remedial Investigation
RGP	USACE Section 404 Regional General Permit
ROD	Record of Decision
R/W or ROW	Right-of-Way
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy of Users
SCORP	Statewide Comprehensive Outdoor Recreation Plan
SEIS	Supplemental EIS
SHPO	Indiana State Historic Preservation Officer
SIP	State Implementation Plan
SO_2	Sulfur Dioxide
SSA	Sole Source Aquifer
STIP	Statewide Transportation Improvement Program
TCAPC	Tippecanoe County Area Plan Commission
TCM	Transportation Control Measures
TIP	Transportation Improvement Program
TNM	Traffic Noise Model
TP	Transportation Plan
UA	Urbanized Area

USACE/ ACOE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USDOI	United States Department of Interior
USDOT	United States Department of Transportation
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	United States Geologic Survey
UTM	Universal Transmercator Grid
VMT	Vehicle Miles Traveled
VPD	Vehicles per Day
VPH	Vehicles per Hour
WCIEDD	West Central Indiana Economic Development District
WHPA	Wellhead Protection Area
WQC	Section 401 Water Quality Certificate

Appendix C
References

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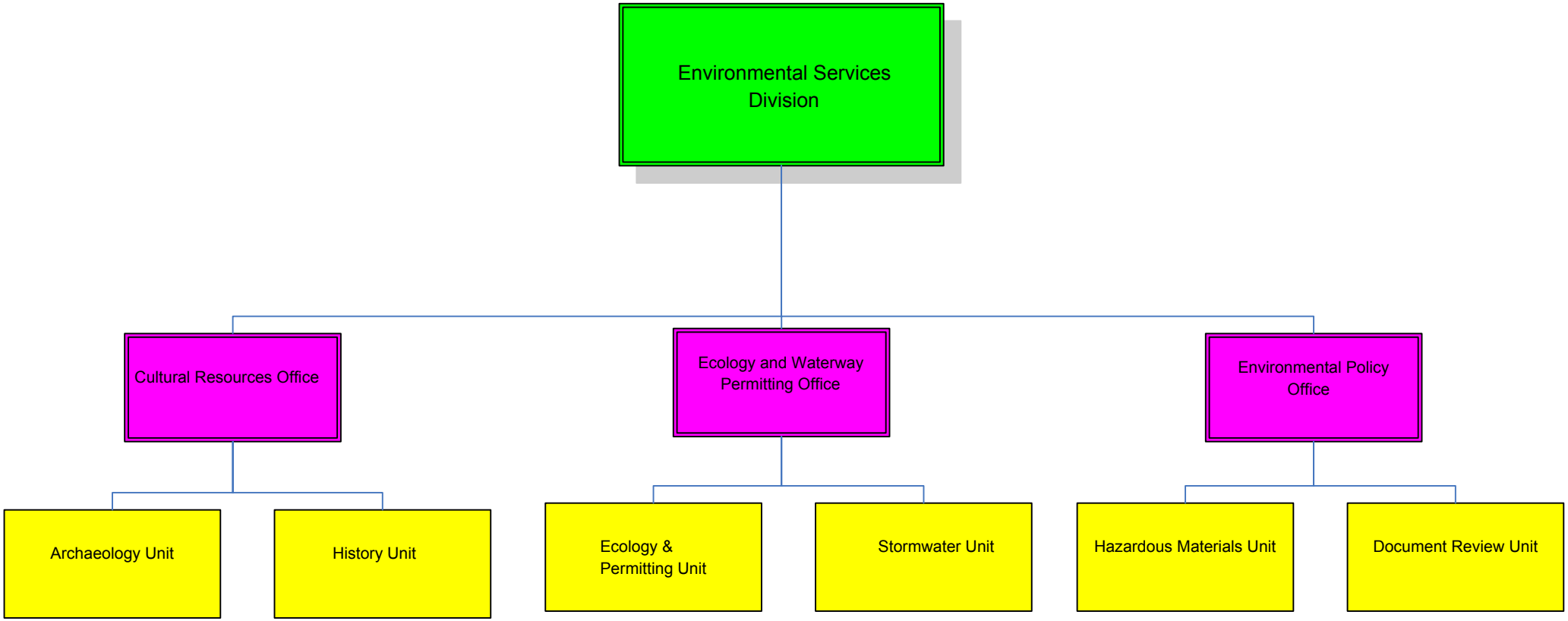
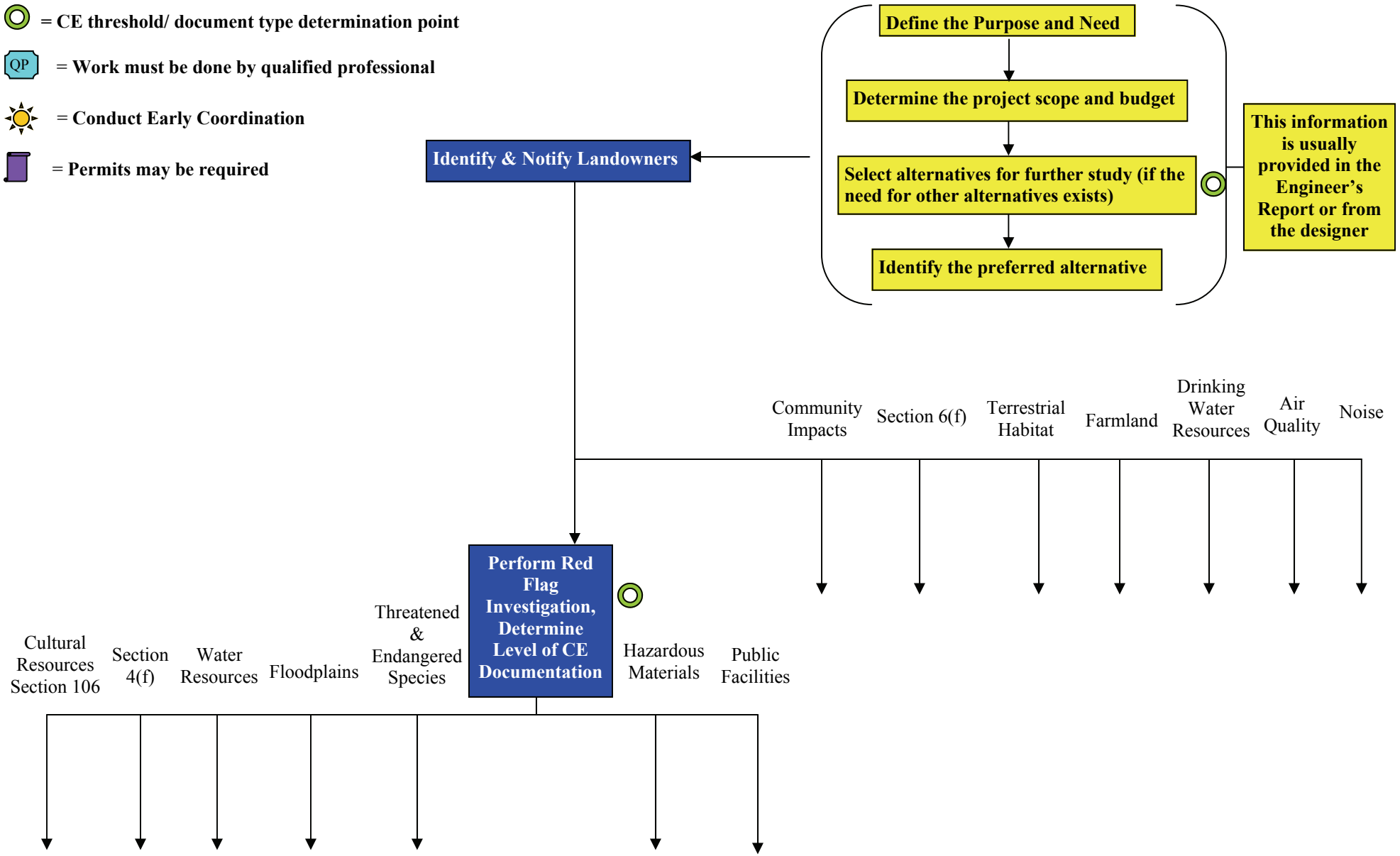
Appendix D
ES Organizational Chart

Environmental Services Division
Organizational Chart

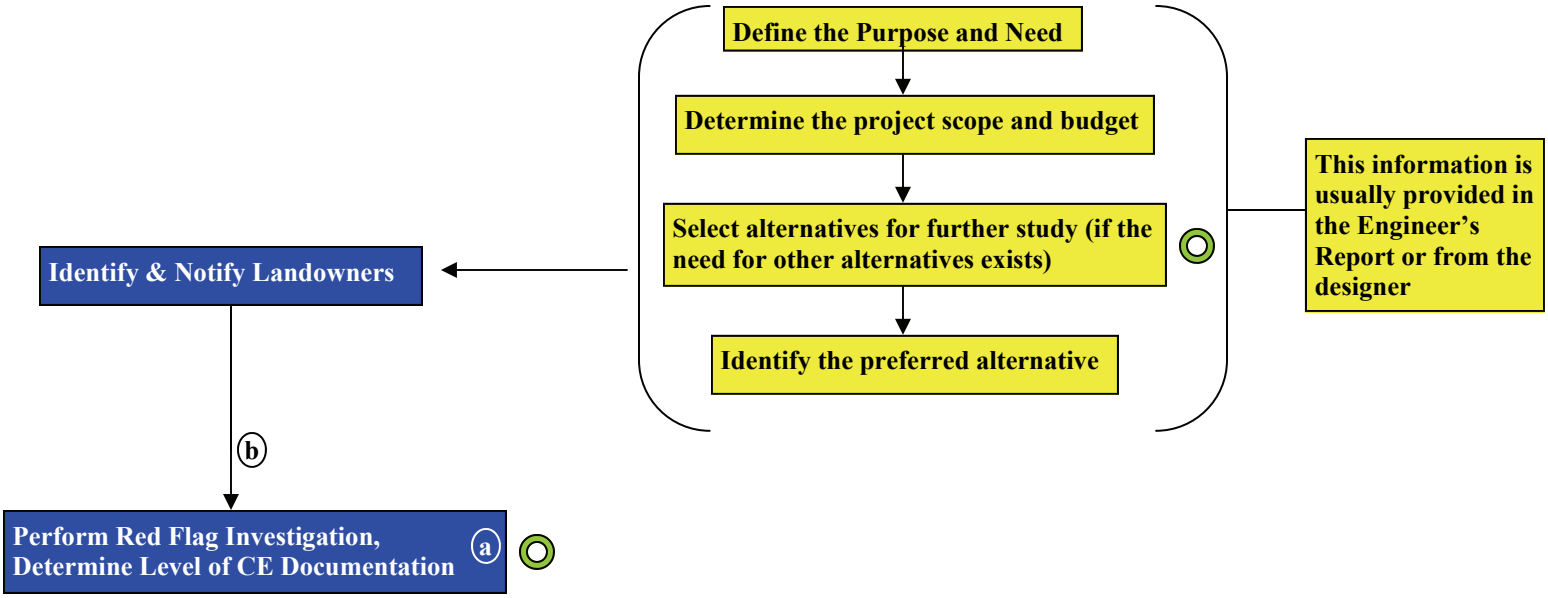


Appendix E
CE Process Flowchart

The Process for Preparing a Categorical Exclusion (CE)



Flowchart 1: (Introduction) The Process for Preparing a Categorical Exclusion (CE)



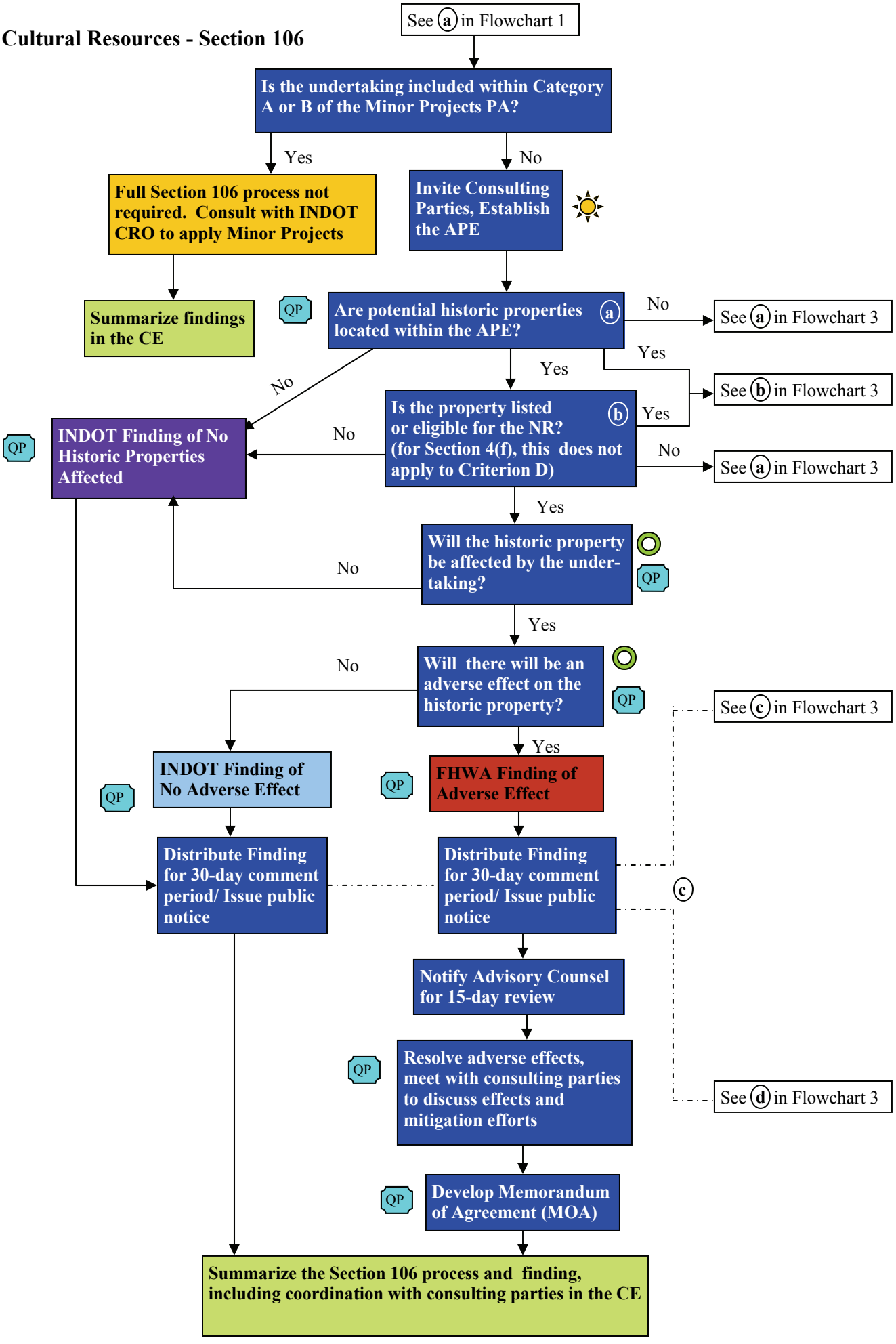
= CE threshold/ document type determination point

= Conduct Early Coordination

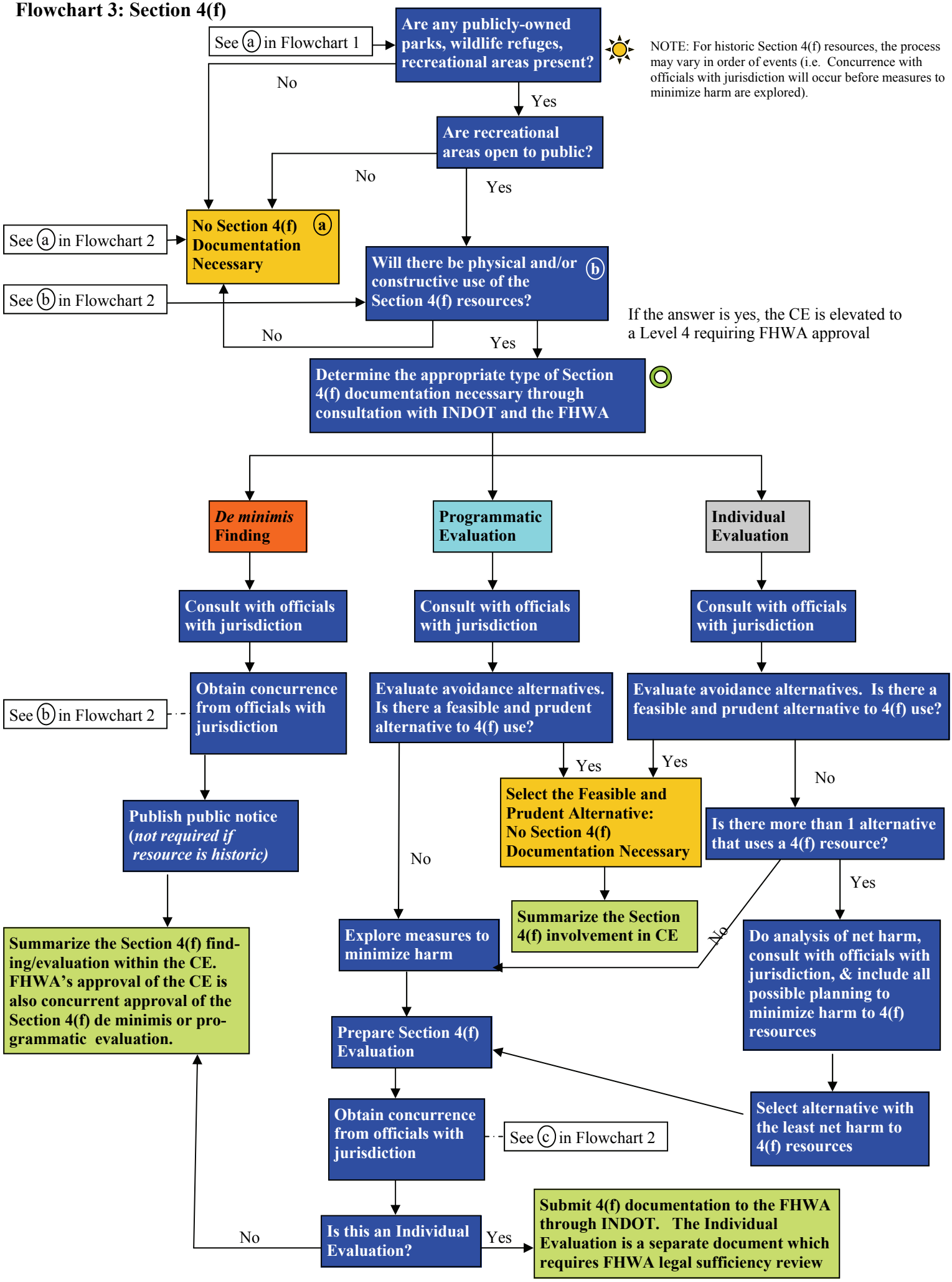
QP = Work must be done by qualified professional

= Permits may be required

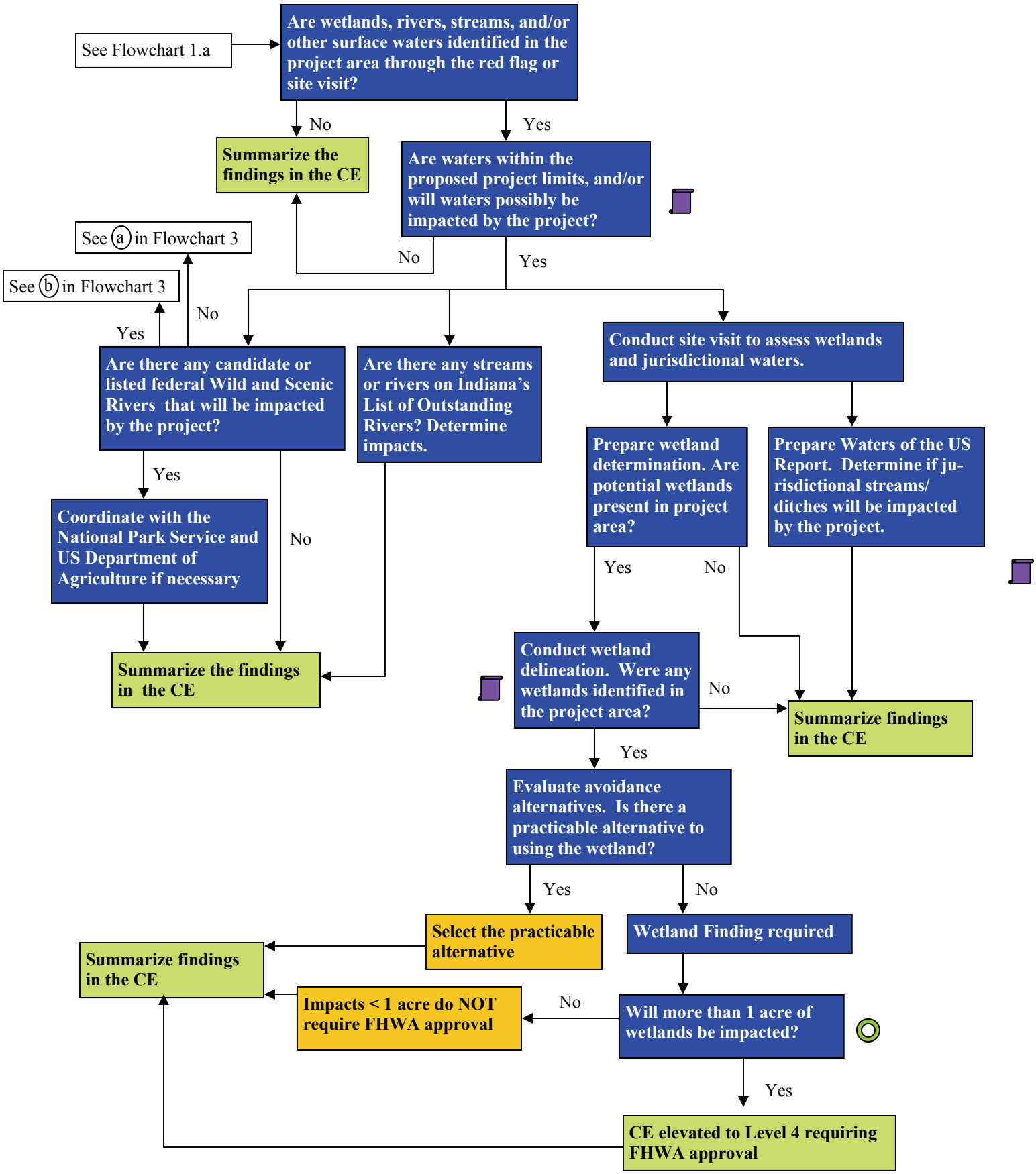
Flowchart 2: Cultural Resources - Section 106



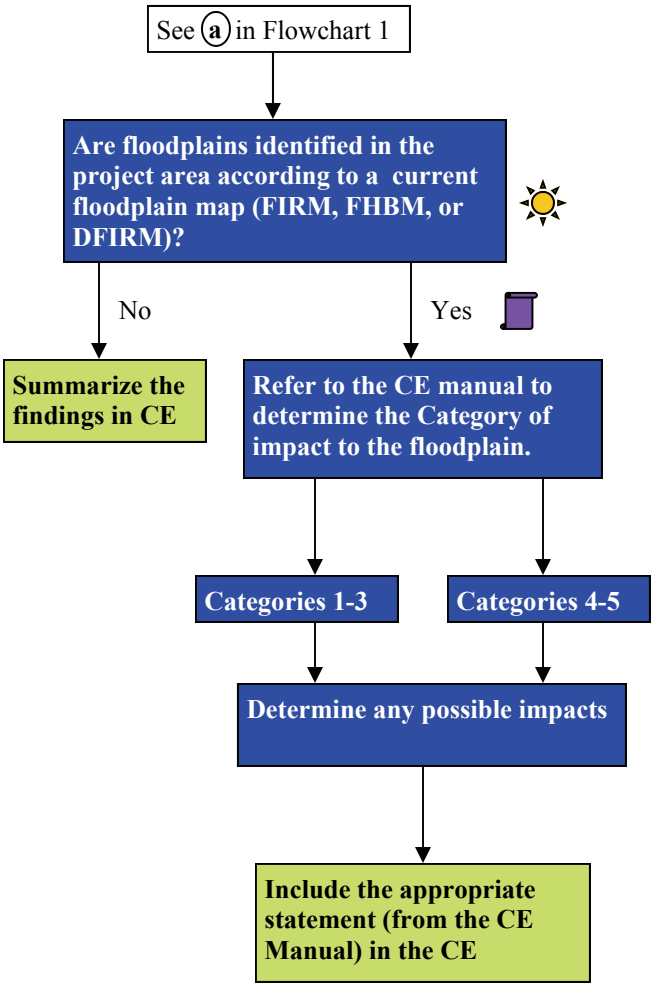
Flowchart 3: Section 4(f)



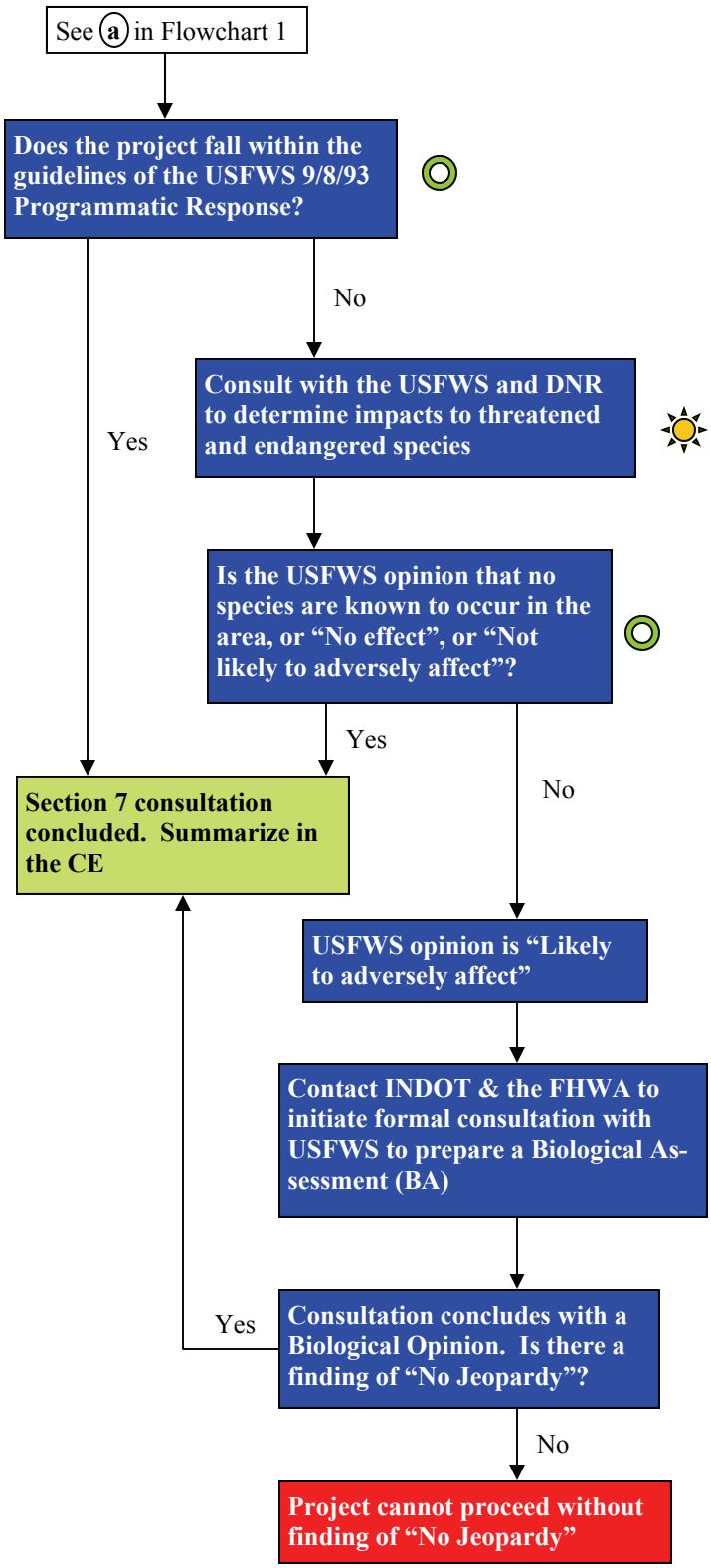
Flowchart 4: Water Resources



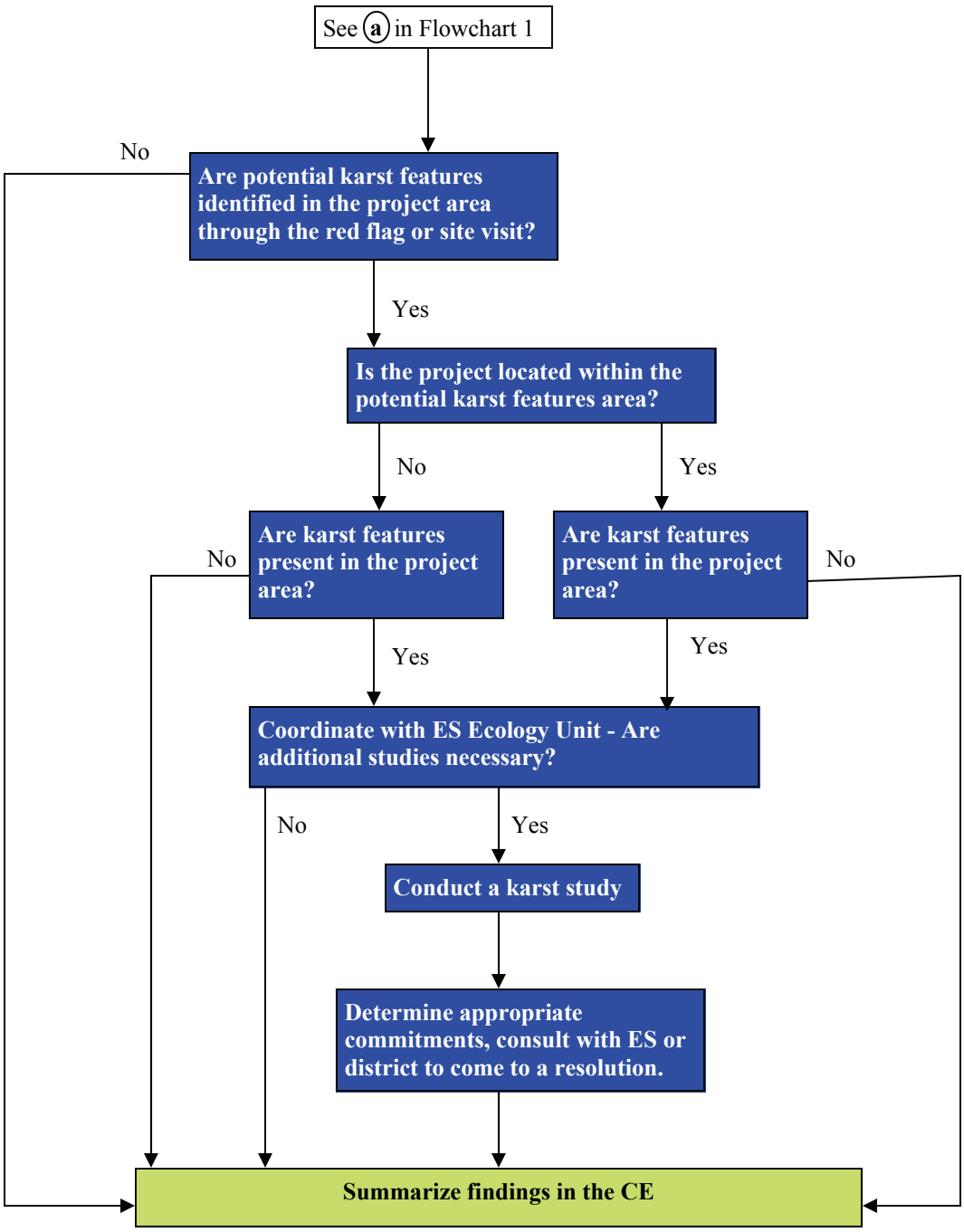
Flowchart 5: Floodplains



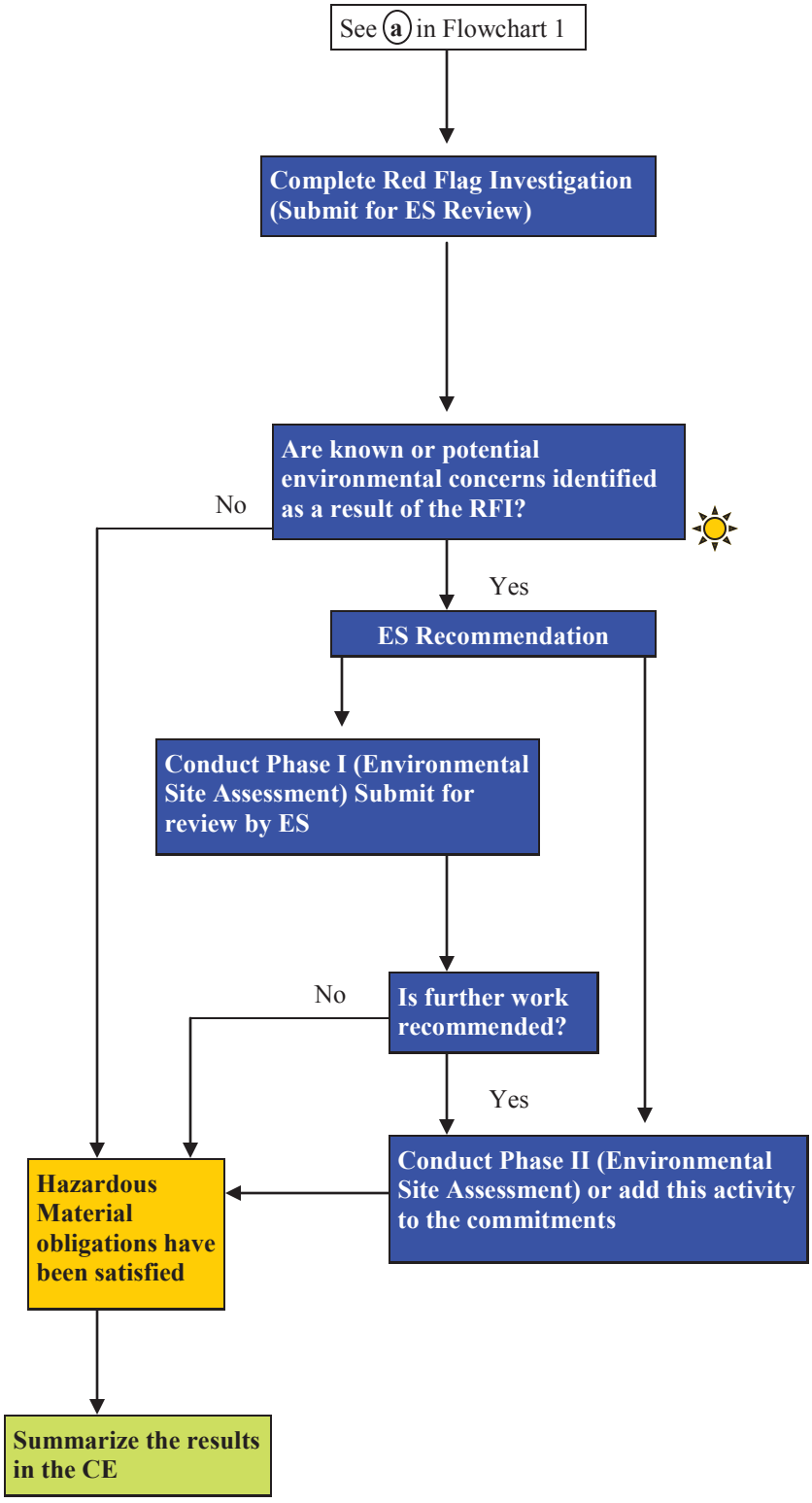
Flowchart 6: Threatened or Endangered Species



Flowchart 7: Karst Features

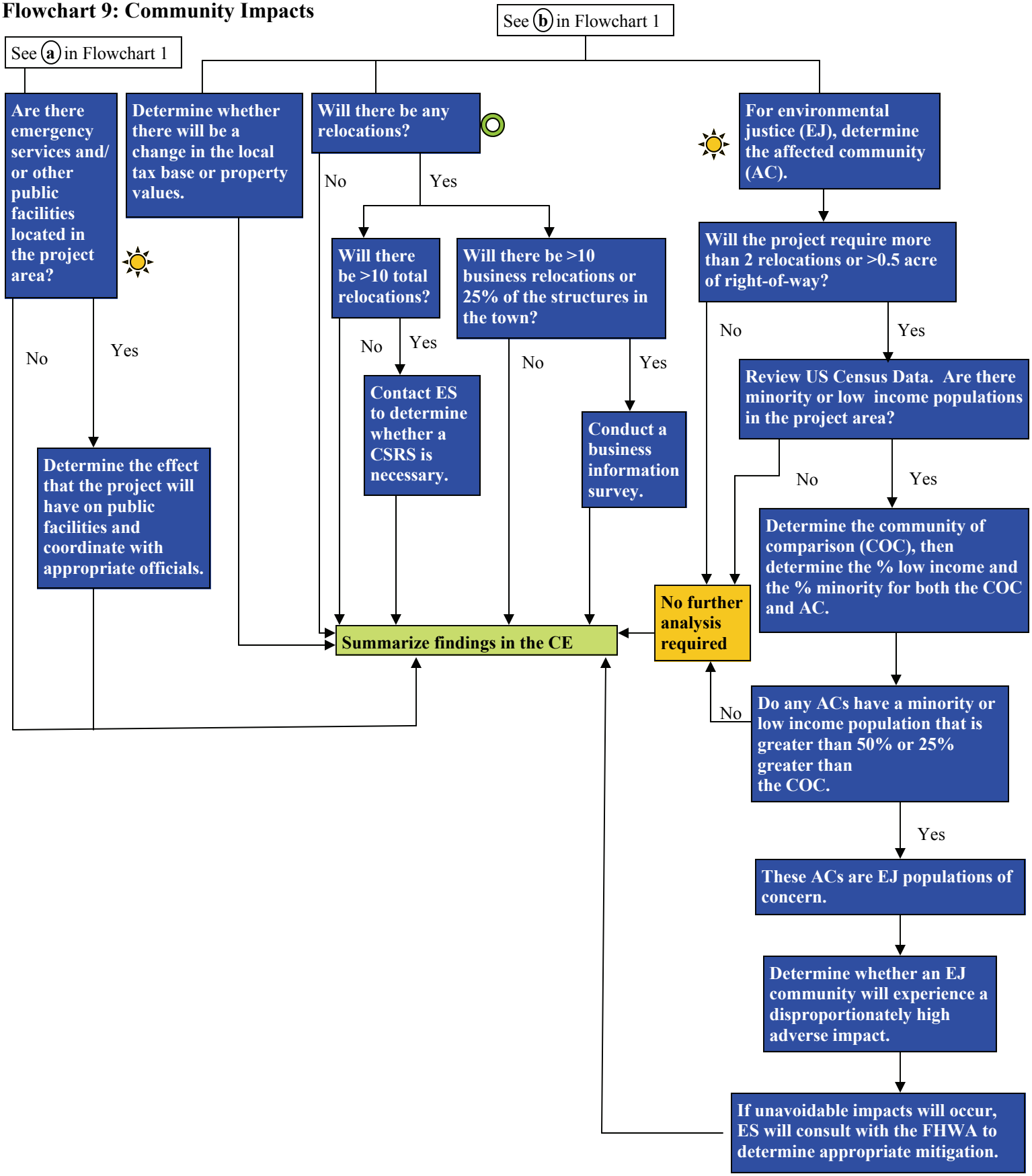


Flowchart 8: Hazardous Materials

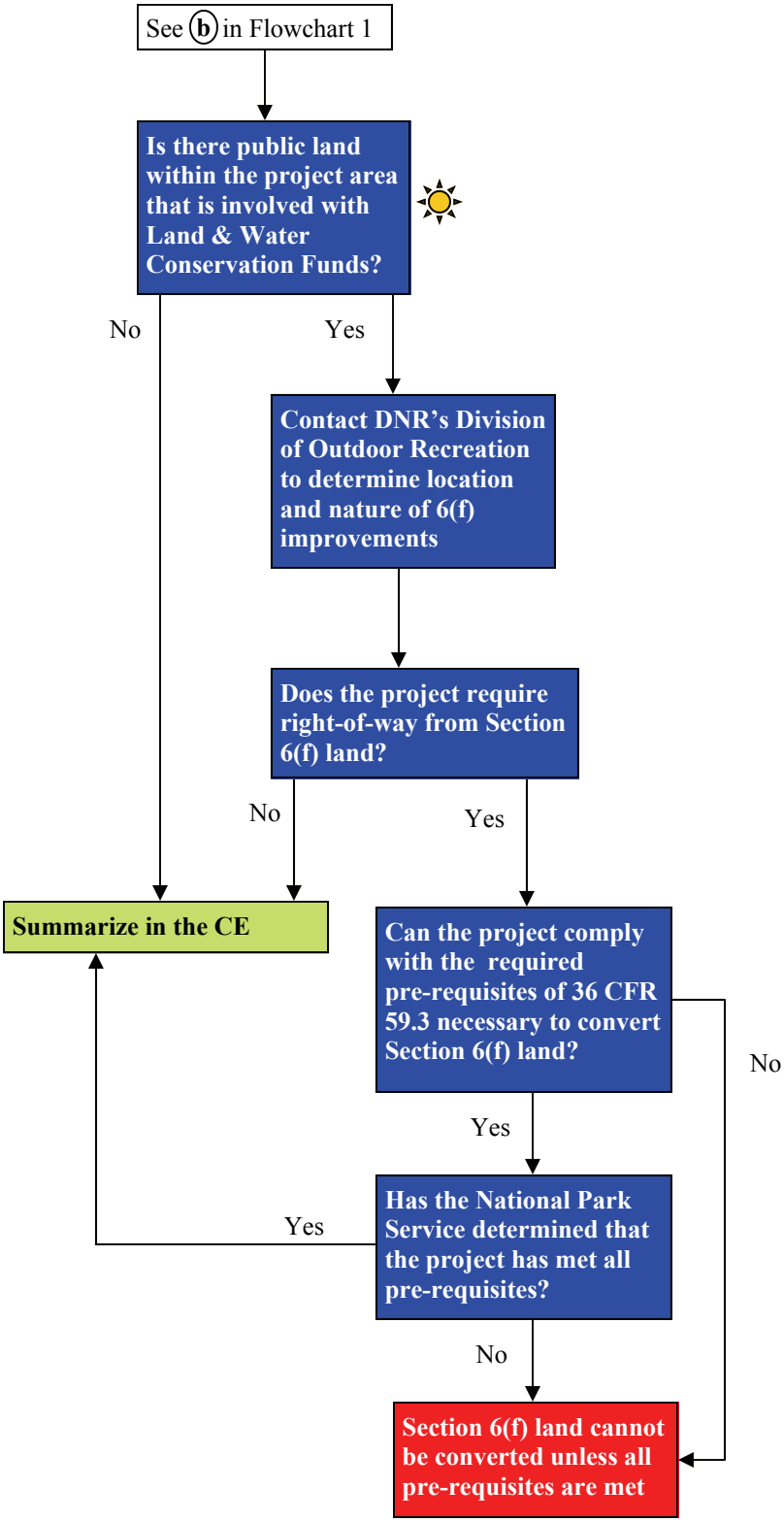


Note: ES Review not necessary for LPA projects

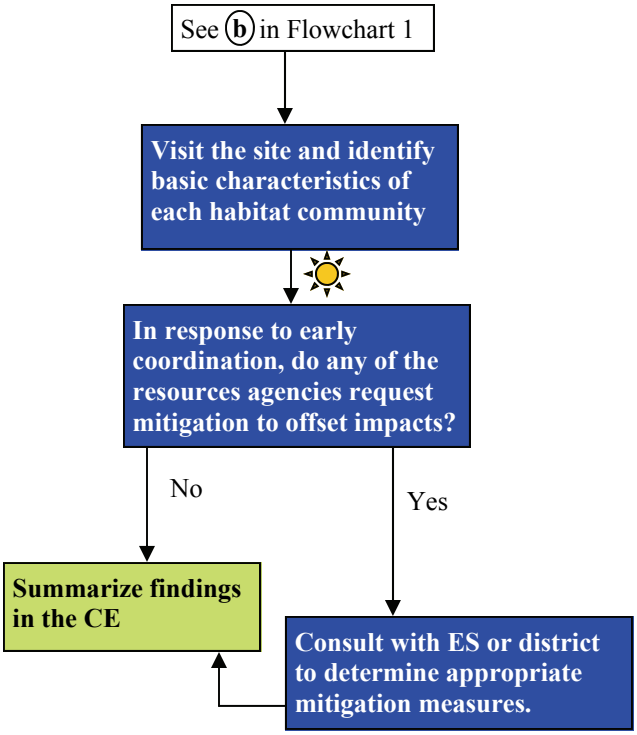
Flowchart 9: Community Impacts



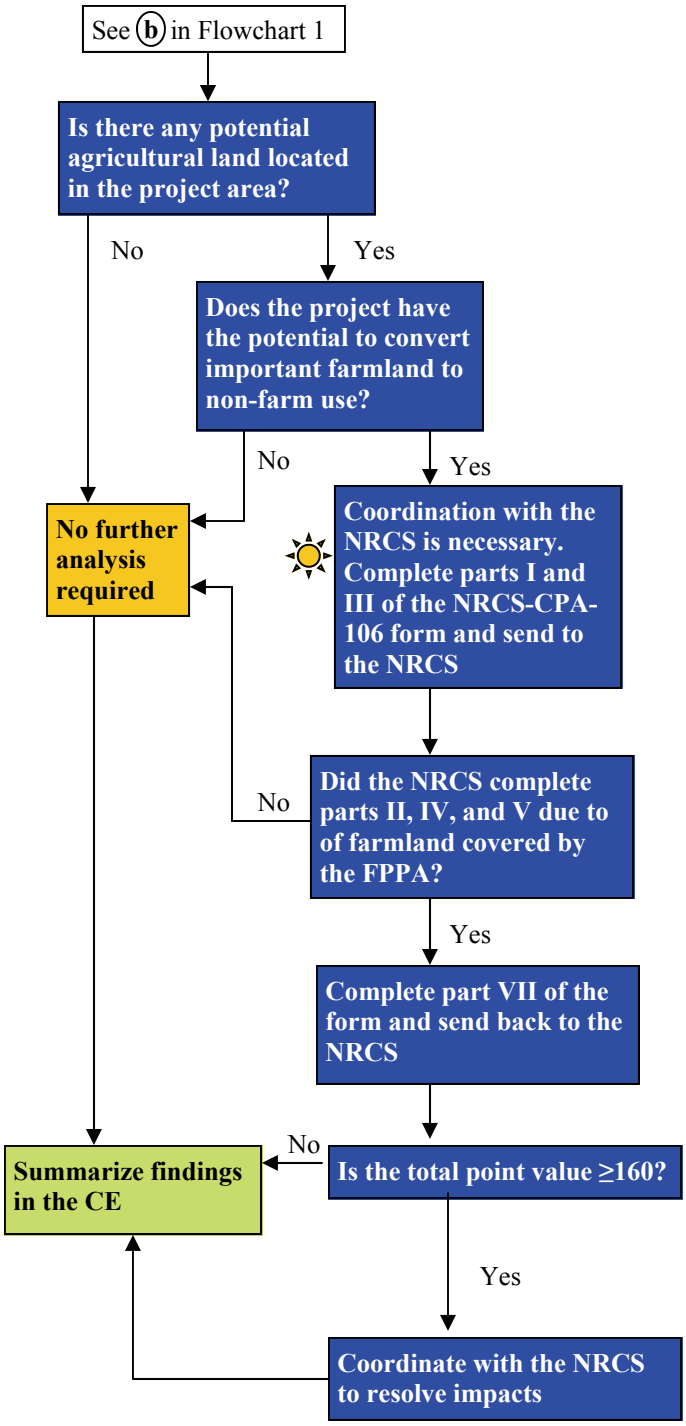
Flowchart 10: Section 6(f)



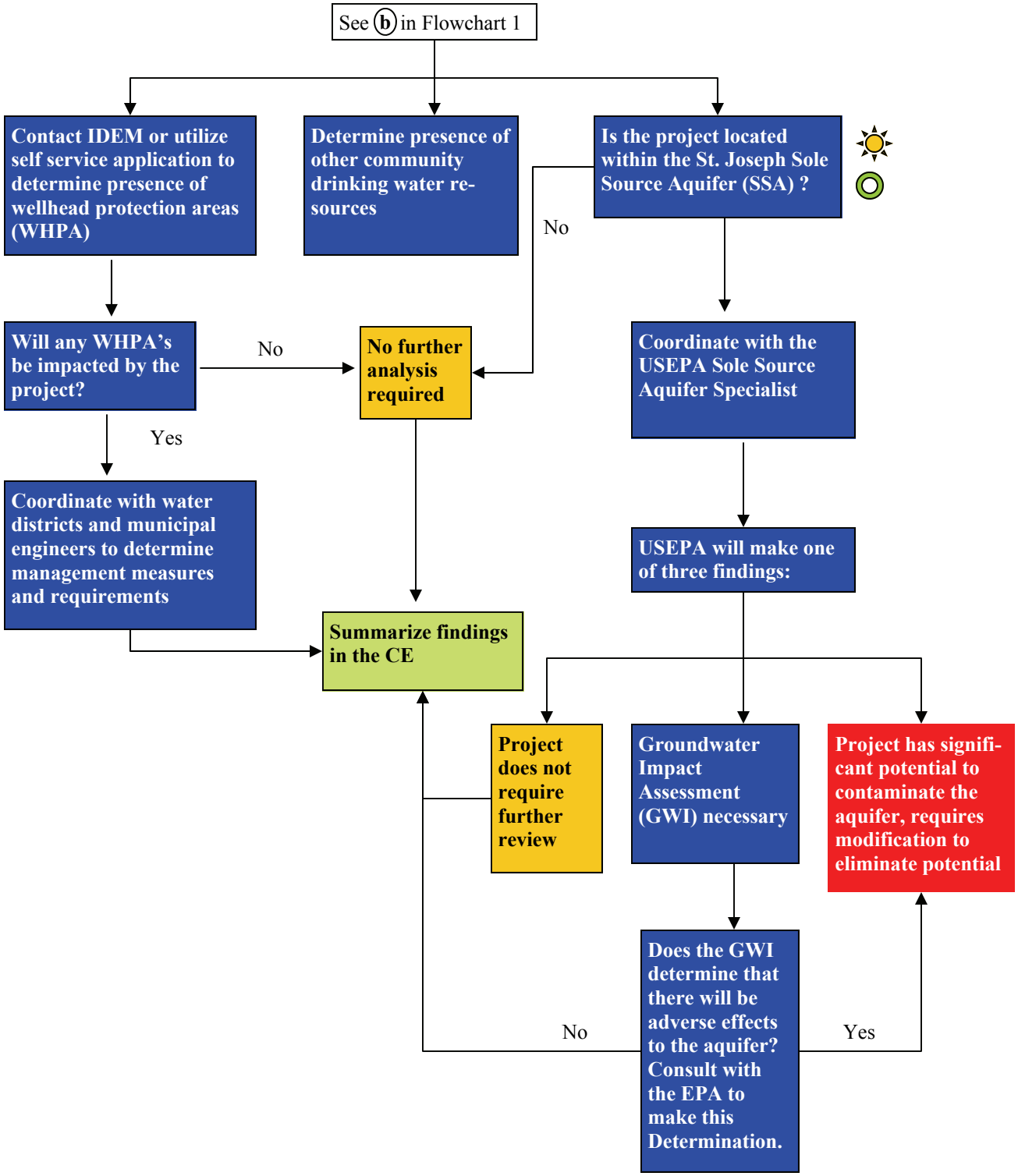
Flowchart 11: Terrestrial Habitat



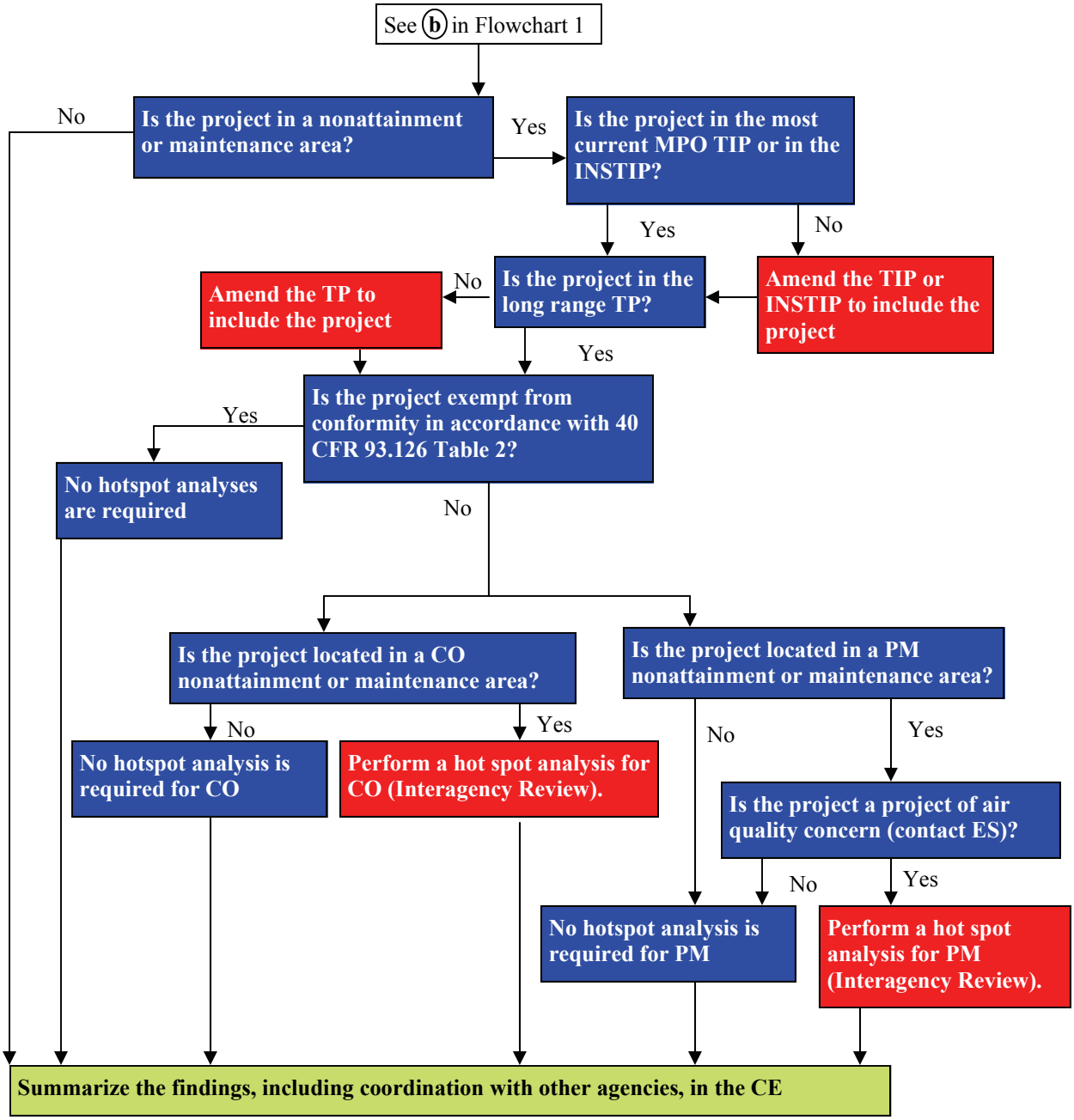
Flowchart 12: Farmland



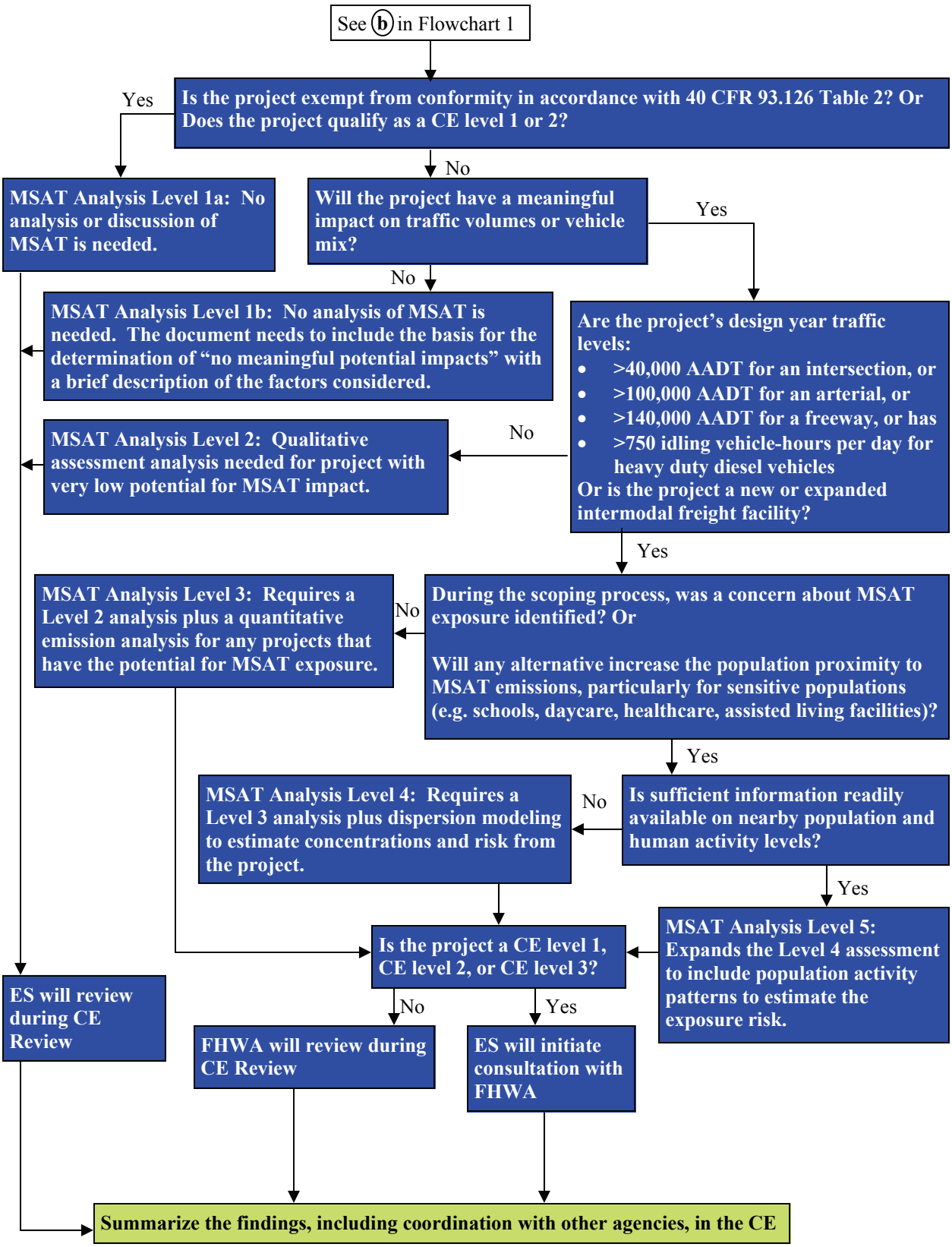
Flowchart 13: Drinking Water Resources



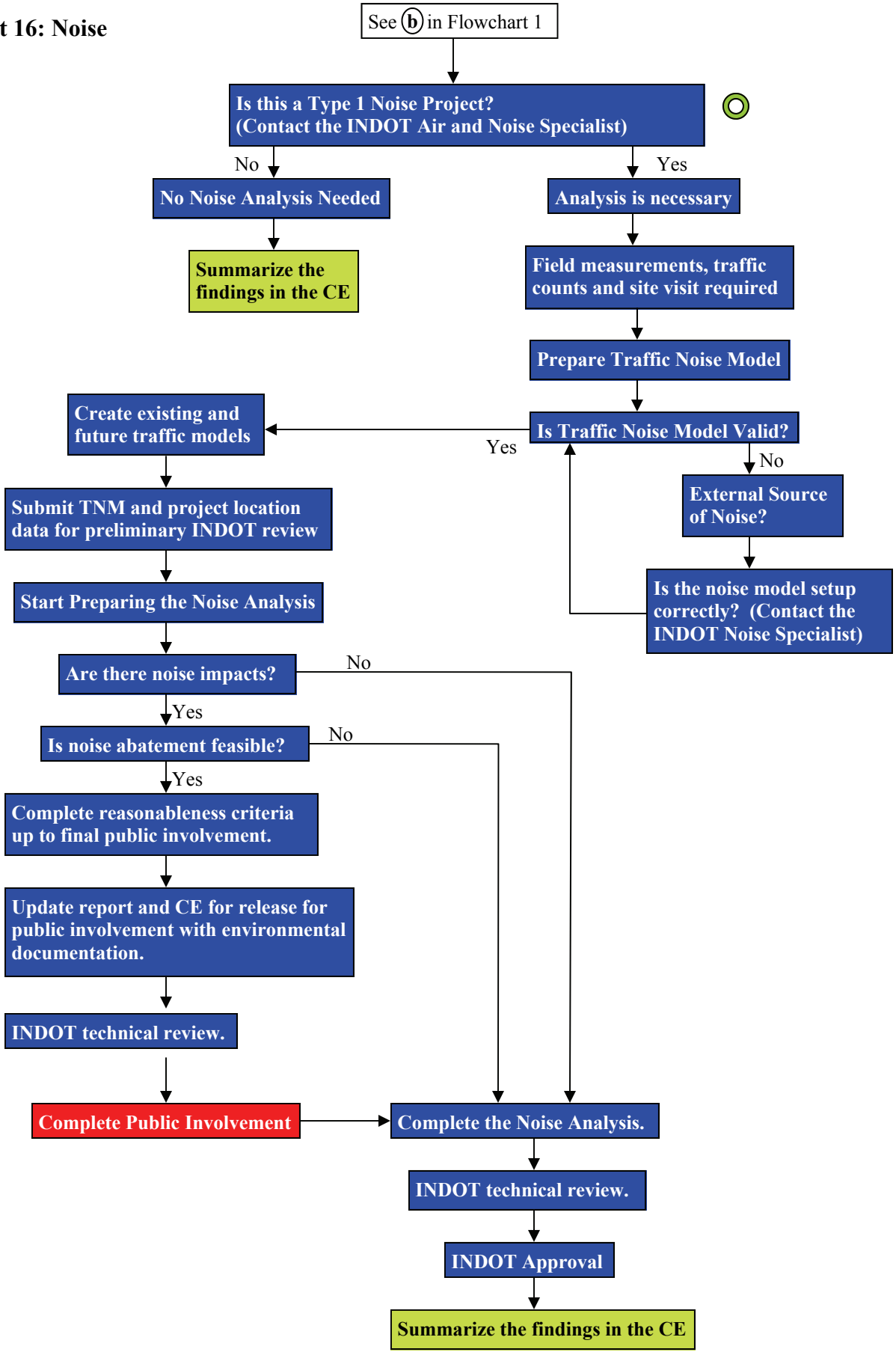
Flowchart 14: Air Quality Conformity



Flowchart 15: Air Quality-MSATs



Flowchart 16: Noise



Appendix F
How to Assemble the CE Document

Categorical Exclusion Document Organization

An organized CE document facilitates timely review of the document. The CE document should be organized in the following manner. Not all of the appendices listed will be included in every project. Appendix pages should be numbered for easy reference.

CE/EA Document Form

Table of Contents for Appendix Items

- Appendix A: INDOT Supporting Documentation
  - Threshold Chart

- Appendix B: Graphics
  - Maps of the project area
  - Road Map
  - Aerials and Topographic Maps
  - Photographs of the project area
  - Plans

- Appendix C: Early Coordination
  - One copy of the early coordination letter sent to resource agencies
  - All early coordination responses

- Appendix D: Section 106 of the NHPA
  - Section 106 documentation
  - Approved APE
  - Finding
  - Executive summaries of all reports and studies
  - One copy of all letters sent to consulting parties
  - Consulting parties response letters
  - Supporting graphics
  - Affidavit of publication of legal notice

- Appendix E: Red Flag and Hazardous Materials
  - Red Flag Investigation
  - Site Assessment Form
  - Any hazardous materials investigations

- Appendix F: Water Resources:
  - NWI maps
  - Waters report
  - Wetland delineation
  - Supporting graphics
  - Floodplain maps

- Appendix G: Public Involvement
    - Public Involvement Plan
    - A copy of any public notices issued
    - Any pertinent correspondence with locals, agencies and others
    - Information that was distributed to the public at public hearings, information meetings, etc.
    - Summary of public comments received in response to public notice, at a public hearing, or at a public information meeting.
    - Summaries of other meetings with stakeholders, including Community Advisory Committee meetings.

- Appendix H: Air Quality
    - Copy of page from TP and/or TIP/STIP with project listed
    - Hot spot analysis
    - Any other air studies completed for the project

- Appendix I: Noise
    - Projects with no impacts, provide the executive summary of the noise study
    - Projects with impacts, provide the entire noise study
    - Approval or technical sufficiency received for the noise study
    - Any correspondence received.

- Appendix J: Additional Studies
    - Any additional studies that are completed for the project (Karst study,
    - Business Needs Survey, etc) should be included in its own appendix.

Should you have any questions concerning the organization of the NEPA document, please contact INDOT, Environmental Services Division. Please note, if the CE/EA form is used for an Environmental Assessment, the document organization described above should be followed. Additionally, the CE-1 form should also follow the document organization while omitting sections that are not applicable.

Appendix G-1
CE Programmatic Agreement

Categorical Exclusion Programmatic Agreement Between the Federal Highway Administration And the Indiana Department of Transportation

Introduction

The Indiana Department of Transportation (INDOT) and the Federal Highway Administration (FHWA) are both committed to addressing environmental requirements under the National Environmental Policy Act (NEPA) and doing so in a streamlined and efficient manner. In accordance with FHWA regulations (23 CFR Part 771), Categorical Exclusions (CEs) are actions which meet the definition contained in the Council on Environmental Quality (CEQ) regulations, 40 CFR 1508.4, and, based on past experience with similar actions, do not involve significant environmental impacts. Most projects developed by INDOT do not have significant environmental impacts and therefore qualify as CEs. The INDOT and FHWA hereby establish this Agreement in order to address the development and approval of CEs in a streamlined and efficient manner. The agreement provides for the following:

- Establishment of four levels of Categorical Exclusions based on measurable environmental impact thresholds.
- Delegation of authority to the Indiana Department of Transportation (INDOT) to approve Categorical Exclusions for projects with minimal environmental impacts as identified by this Agreement.
- Establishment of INDOT signature authority for each level of Categorical Exclusion.
- Establishment of a monitoring program to ensure the appropriate implementation of the terms of the Agreement.

The Agreement has been developed to be in conformance with policies and procedures for Class II – Categorical Exclusion (CE) Actions as defined in Section 23 CFR 771.117. INDOT and FHWA concur in advance with the classification of the four levels of CEs as shown on the following page which normally are found to have no significant social, economic and environmental effect.

Four Levels of CE Documentation

INDOT and the FHWA hereby agree to four levels in which a project may qualify as a CE. The appropriate level of a CE is based on the type of action and the anticipated impacts of the project. All Federal-aid projects developed or reviewed by INDOT in accordance with this Agreement must have an approved CE Form. Initial screening will assist in determining the appropriate level of NEPA class, as well as the appropriate level of CE. Table 1 provides CE Level thresholds.

Table 1: Categorical Exclusion Level Thresholds

	Level 1	Level 2	Level 3	Level 4
Relocations	None	≤ 2	> 2	> 10
Right of way[1]	< 0.5 acres	< 10 acres	≥ 10 acres	≥ 10 acres
Length of added through lane	None	< 1 miles	≥ 1 mile	≥ 1 mile
Traffic pattern alteration	None	None	Yes	Yes
New alignment	None	None	< 1 mile	≥ 1 mile[2]
Wetlands	< 0.1 acres	< 1 acre	< 1 acre	≥ 1 acre
Stream Impacts*	≤ 300 linear feet of stream impacts, no work beyond 75 feet from pavement	> 300 linear feet impacts, or work beyond 75 feet from pavement	N/A	N/A
Section 4(f)*	None	None	None	Any Impacts
Section 6(f)	None	None	Any impacts	Any impacts
Section 106	"No Historic Properties Affected" or falls within guidelines of Minor Projects PA	"No Adverse Effect" or "Adverse Effect"	N/A	If ACHP involved
Noise Analysis Required	No	No	Yes[3]	Yes[3]
Threatened/Endangered Species*	"Not likely to Adversely Affect", or Falls within USFWS 9/8/93 Programmatic Response	N/A	N/A	"Likely to Adversely Affect"[4]
Sole Source Aquifer Groundwater Assessment	Detailed Assessment Not Required	Detailed Assessment Not Required	Detailed Assessment Not Required	Detailed Assessment Required
Approval Level • **ESM**[5] • **ES**[6] • **FHWA**	Yes	Yes	Yes Yes	Yes Yes Yes

*These thresholds have changed from the March 2009 Manual.
[1]Permanent and/or temporary right of way.
[2]If the length of the new alignment is equal to or greater than one mile, contact the FHWA's Air Quality/Environmental Specialist.
[3] In accordance with INDOT's Noise Policy.
[4] If the project is considered Likely to Adversely Affect Threatened and/or Endangered Species, INDOT and the FHWA should be consulted to determine whether a higher class of document is warranted.
[5]Environmental Scoping Manager
[6]Environmental Services

CE Level 1 Projects

INDOT and the FHWA have identified specific project scopes that may qualify as CE Level 1 projects, provided the project impacts do not exceed the thresholds identified in Table 1. While state and federal laws and regulations still apply, less coordination and review may be required due to lower risk of impact to protected resources. Among these, there are two groups of project scopes that qualify for this level of documentation. The first, listed in Table 2 below, contains projects that are defined in 23 CFR 771.117(c) as CEs.

While certain project types are specifically defined as CEs, 23 CFR 771.117(d) also allows the FHWA to propose additional project types for management as CEs. INDOT and the FHWA-IN have agreed to seven project scopes under this provision. The project scopes in Table 3 are commonly minor road improvements that will not result in any significant impacts to the human or natural environment, based on INDOT and FHWA past experience.

Table 2: CE Level 1 Projects Pursuant to 23 CFR 771.117(c)

1	Activities which do not involve or lead directly to construction, such as planning and research activities; grants for training; engineering to define the elements of a proposed action or alternatives so that social, economic, and environmental effects can be assessed; and Federal-aid system revisions which establish classes of highways on the Federal-aid highway system.
2	Approval of utility installations along or across a transportation facility.
3	Construction of bicycle and pedestrian lanes, paths, and facilities.
4[1]	Activities included in the State's highway safety plan under 23 U.S.C. 402.
5	Transfer of Federal lands pursuant to 23 U.S.C. 317 when the subsequent action is not an FHWA action.
6	The installation of noise barriers or alterations to existing publicly owned buildings to provide for noise reduction.
7	Landscaping.
8[2]	Installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur.
9	Emergency repairs under 23 U.S.C. 125.
10	Acquisition of scenic easements.
11	Determination of payback under 23 U.S.C. 156 for property previously acquired with Federal-aid participation.
12	Improvements to existing rest areas and truck weigh stations.
13	Ridesharing activities.
14	Bus and rail car rehabilitation.
15	Alterations to facilities or vehicles in order to make them accessible for elderly and handicapped persons.
16	Program administration, technical assistance activities, and operating assistance to transit authorities to continue existing service or increase service to meet routine changes in demand.
17	The purchase of vehicles by the applicant where the use of these vehicles can be accommodated by existing facilities or by new facilities which themselves are within a CE.
18	Track and railbed maintenance and improvements when carried out within the existing right-of-way.
19	Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant impacts off the site.
20	Promulgation of rules, regulations, and directives.

[1] These activities are non-infrastructure programs, such as educational programs to encourage seatbelt use.

[2] These activities may include general pavement markings, line painting, and installation of raised pavement markers, maintenance of signs, and maintenance of fencing.

Table 3: INDOT/FHWA CE Level 1 Projects

A	Culvert and pipe replacement/reconstruction. (All permits and coordination are still required.)
B	Modernization of a highway by resurfacing/reconstruction of pavement/sidewalks.
C	Guardrail projects where no new bank stabilization is required (except for end treatment areas) as long as work is within previous construction limits.
D	The replacement of traffic signals within existing rights-of-way.
E	Bridge deck overlays, bridge deck replacements, bridge painting projects and other bridge maintenance activities, within existing rights-of-way.
F	Herbicidal spraying within existing right-of-way.
G	Mowing or brush removal/trimming within existing right-of-way.

There may be other types of projects that qualify as a CE Level 1 based upon meeting the threshold limits, but are not listed above. Decisions as to the proper level of CE documentation will be made on these types of projects on a project-by-project basis.

For Level 1 projects, the CE-1 Form (Attachment 1) completes the environmental documentation. For higher-level CEs, the CE-1 Form can provide an overview of potential issues that must be investigated and documented in the CE 2-4 Form. The CE-1 Form is not required if the project is clearly a Level 2 or higher project due to known resource impacts, although it may still be useful as a screening tool.

Programmatic Categorical Exclusions

INDOT and FHWA have identified certain types of projects which are routinely classified as a CE-1 and which require little or no environmental review and resource agency coordination. For these types of projects, it may be appropriate to provide environmental clearance at a programmatic level rather than through an individual assessment of each project.

For this to be appropriate, the project type must meet all of the following criteria:

- Require no new Right of Way
- Require no resource agency permits
- Require no excavation in undisturbed soils
- Require no coordination with the US Fish and Wildlife Service (USFWS) under the most current programmatic coordination agreement between INDOT, FHWA and the USFWS
- Fit into "Category A" under the most current *Programmatic Agreement (PA) Among the Federal Highway Administration ,the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana* ("the Minor Projects PA"), demonstrating that the project type has no potential to impact properties protected by Section 106 of the Historic Preservation Act

These project types will be proposed by ES and reviewed by FHWA for appropriateness. If accepted by FHWA, ES will prepare a Programmatic CE-1 which describes the work type and outline standard conditions and commitments for the proposed work type. Projects which cannot comply with the conditions of the programmatic CE will require an individual Categorical Exclusion.

Programmatic CEs will be prepared by ES. They will be signed by the Environmental Policy Manager and FHWA. They will be effective through the end of the fiscal year, at which time they will be reviewed by ES and FHWA to determine whether they should be renewed.

CE Levels 2 Through 4

The regulations (23 CFR 771.117 (d)) allow for CEs beyond those which INDOT has designated as CE-1s. However, these require additional analysis and review to verify that a CE is appropriate. The CE/EA Form should be used for any project which appears to be a CE but which exceeds the thresholds for a CE-1. The CE/EA Form covers the same resource categories as the CE-1 form, but in greater depth.

For some projects the level of documentation may change as environmental investigations progress. This may result in elevation to a higher-level of CE (or higher class of environmental document), or may result in a lesser level document if the size and/or anticipated impacts of the project decrease. The preparer should assess the project against the thresholds as information becomes available. At any time, the ES or the FHWA may elevate a CE to a higher level or different NEPA class based on considerations outside those in the thresholds chart.

Signature Authority

Table 4 lists the signature authority for each CE level.

Table 4: Signature Authority for CEs

	CE Level 1	CE Level 2	CE Level 3	CE Level 4
Signature Authority	ESM	ESM	ESM, ES	ESM, ES, FHWA

Monitoring

Compliance with this agreement will be determined through an annual quality assurance review to be jointly conducted by FHWA, INDOT ES and INDOT District staff. The results of such reviews will be used to determine what agreement modifications, if any, will be made. The INDOT Districts will be reviewed every two years (three Districts each year). A random sample

of CE projects on upcoming lettings will be sampled annually to assure that each District has an approved CE document on file for the associated Federal-aid projects.

Wetland Finding for CEs Impacting Less Than 1 Acre

Introduction - This wetland finding is made on a program-wide basis and has been prepared for CEs that impact less than one acre of wetlands. It satisfies the requirements of Executive Order 11990 (EO) entitled Protection of Wetlands and U.S. Department of Transportation Order 5660.1A (DOT Order) entitled Preservation of the Nation's Wetlands. No individual wetland finding needs to be prepared for projects that have been coordinated with the IDNR and USFWS, where they have expressed no significant concern over the proposed use of the wetlands. An individual wetland finding will be included in all CE-4 projects impacting one acre or more of wetlands.

Finding – FHWA hereby finds, for Federal-aid CE projects impacting less than one acre of wetlands, where IDNR and USFWS have expressed no significant concern over the proposed use of the wetlands, that:

(1) there is no practicable alternative to the proposed construction in wetlands, and

(2) the proposed project includes all practicable measures to minimize harm to the involved wetlands.

APPROVAL

INDOT agrees that all the conditions stated in this Programmatic CE Agreement will be satisfied for all projects processed under this Agreement. This Agreement supersedes all previous CE processing agreements held between FHWA and INDOT.

It is hereby determined that projects that fall within the bounds of this Agreement are actions which meet the definition contained in 40 CFR 1508.4, and, based on past experience with similar actions, do not involve significant environmental impacts. They are actions which do not:

- induce significant impacts to planned growth or land use for the area;
- require the relocation of significant numbers of people,
- have a significant impact on any natural, cultural, recreational, historic, or other resource,
- involve significant air, noise or water quality impacts,
- have significant impacts on travel patterns,
- otherwise, either individually or cumulatively, have any significant environmental impacts.

Therefore, projects that fall within the bounds of this Agreement are excluded from the requirement to prepare an Environmental Assessment or Environmental Impact Statement.

Michelle Allen 3-15-11

Michelle Allen date
Environmental Program Manager
Indiana Federal Highway Administration

3-8-11

Ben Lawrence, PE date
Environmental Policy Manager
Indiana Department of Transportation

Appendix G-2
Programmatic Categorical Exclusion

PROGRAMMATIC CE FORM	Date: January 23, 2012

☐ **Initial Version** ☒ **Revision to Version Dated: September 17, 2010**

Purpose of this document: Statewide Programmatic Categorical Exclusion

Approval of Programmatic CE:
This document supersedes all previous versions.

Environmental Policy Manager — Date: 1-23-12

FOR ROBERT F. TALLY, JR. — Date: 2-2-2012
Federal Highway Administration
DIVISION ADMINISTRATOR

PROJECT INFORMATION			
Project Number, County, Route	Various Locations	**Des Number**	Various
Project Description	Projects including: **Repair, Rehabilitation and Reconstruction of Roadways, Sidewalks and Curbs** – This includes work on existing asphalt or concrete pavement within areas previously disturbed by construction where the net pavement thickness increases by no more than 3 inches. This may include but is not limited to: crack sealing, chip sealing, microsurfacing, milling/resurfacing, pavement overlay, ultrathin bonded wearing course (UBWC), and wedge and level projects. This may include replacement, repair or installation of curbs or sidewalks if the Cultural Resource Office (CRO) has confirmed that the work is not adjacent to or within a National Register listed or eligible bridge, property or historic district. Work on curbs or sidewalks within historic districts or on historic properties may be included if a qualified professional (QP) historian has determined, and CRO has confirmed, that the curbs/sidewalks/steps/etc. do not contribute to the site's historic characteristics. **Bridge Deck Overlays (in previously disturbed soils)** – This includes pavement overlay similar to what is described above (no greater than 3 inches, on existing asphalt or concrete surface) and may include milling and partial or full depth patching. If the bridge is on or eligible for listing on the National Register of Historic Places, this work must be limited to the roadway cross-section only; there may be no work on curbs, sidewalks or structural members on eligible bridges. **Repair or Replacement In-Kind of Bridge Elements, Including Superstructure Work** – Includes work on individual bridge elements or replacement/widening/elevation of the superstructure of an existing bridge. The work must take place in previously disturbed soils, must not be adjacent to or within a historic district or eligible property, and the bridge must have been determined not to be individually eligible for the National Register of Historic Places. This does not include full replacement, horizontal realignment, or any work requiring a waterway permit. **Painting of Bridges** – This applies only to bridges less than 45 years old or determined not to be listed on or eligible for the National Register. Includes blasting off old paint and repainting any exposed steel. **Pavement Marking** – Installing new pavement markings (paint, thermoplastic, epoxy, etc.) either directly over the existing markings or in a different location/orientation after removal of the old markings via grinding. All markings remain within existing paved limits. This will be done		

within areas previously disturbed by construction where replacement, repair, or installation of curbs or sidewalks will not be required.

Installation, Repair, Replacement or Upgrades of Existing Traffic Control Devices and Safety Appurtenances (in previously disturbed soils)– Removing or repairing damaged or outdated signs and posts, lighting, signals, and safety appurtenances (guardrail, barrier, glare screens, crash attenuators), and replacing those removed with the same type of features in the same location that meet current specifications. This category may include upgrades to meet current design standards as long as the new installation remains within disturbed soils, and installation of new features is included if a qualified professional (QP) historian has confirmed that the work will not take place adjacent to or within a National Register listed or eligible bridge, property or historic district.

Rail Crossing Safety Features: Railway crossing signs and signal installation or modification and surface improvement in previously disturbed areas.

Congestion Mitigation and Air Quality (CMAQ) Vehicle Purchases and Upgrades: This includes the purchase of vehicles or equipment through the Congestion Mitigation and Air Quality (CMAQ) program to improve air quality. This may include purchase of hybrid or alternative-fuel vehicles and vehicle upgrades or retrofits.

Non-Infrastructure Safety Projects: This includes funding for safety programs which do not involve construction. These may include such things as training, bike helmets, vests and other personal safety equipment.

Property Acquisition for Preservation: This includes funding for acquisition of property which will be preserved in its existing, undeveloped condition. It may include acquisition of preservation easements or fee simple acquisition for such things as preservation of forest or other habitat. It does not include acquisition which is a precursor to construction of any kind.

Planting in Medians and Interchanges: This includes highway beautification or general landscaping within previously-disturbed soils in existing highway medians and interchange ramp infields.

Vegetation Removal: This includes funding for removal of vegetation from rights-of-way by physical or mechanical removal as well as chemical spraying. Herbicide spraying must be conducted by properly licensed personnel, and the herbicide used must be appropriate for the area being sprayed. This clearance does not apply to the Karst area of the state.

All assessments of historic protection status must be carried out in accordance with the most recent Minor Projects Programmatic Agreement for implementation of Section 106 of the Historic Preservation Act in Indiana, and/or the Indiana Historic Bridge Programmatic Agreement.

Programmatic CE Form	Project:	Various Safety, Preservation & Maintenance Projects	Des No:	Various

Purpose and Need for Action:	The needs for these projects are as follows: Roadway and Structure Maintenance: There is a need to preserve the pavement and bridge structures to extend the life of these transportation elements. By preserving the pavement and structures, roadways will last longer and delay the need for replacement and thus, save funds. The purpose of these projects is to fulfill this need of longer lasting pavement, existing signs and guardrails, and bridge structures. Safety: There is a need to preserve and upgrade a variety of safety features along the transportation system. By maintaining and improving signs, signals, guardrail, railroad crossings and other safety features, hazards to the motoring public can be reduced. The purpose of these projects is to reduce injuries, property damage and fatalities by maintaining or improving existing safety measures. Air Quality: There is a need to assist local jurisdictions in their efforts to meet air quality goals and improve compliance with state plans. The purpose of these projects is to provide benefits to air quality by reducing transportation-related air pollution. Habitat Preservation: Various types of projects may require acquisition and preservation of habitat as mitigation for construction impacts. The purpose of this acquisition is to meet the mitigation requirements for those primary projects. Planting in existing Medians and Interchanges: It is INDOT and Federal Highway Administration policy to implement landscaping and other highway beautification where it can be done safely and cost-effectively. The purpose of these projects may be to improve the appearance of the roadway, to control erosion, and/or to reduce mowing costs. Vegetation Removal: Various types of projects may require the removal of vegetation from state-owned rights-of-way. This may be to maintain sight distance, to control invasive species or for aesthetic reasons. The purpose of these projects is to meet the identified vegetation control needs of the department.		
Alternatives Considered:	The do-nothing alternative was considered, but rejected since it would not meet the purpose and need of the projects.		
Project Termini:	Varies		
Funding Source(s):	_x_ Federal _x_ State ___ Local	**Estimated Cost**	Varies
Project Sponsor:	INDOT or Local Agency	**Project Length**	Varies

SCOPE OF THE PROPOSED ACTION:	No	Possible	Comments
Public Involvement		X	No public controversy is expected. Any applicable public involvement procedures will be followed.
Relocation of residences/businesses/etc.	X		No structures will be acquired under this programmatic categorical exclusion. No relocations will be necessary.

Right-of-way in acres (permanent and temporary)		X	Property will only be purchased from willing sellers. Applicable Federal regulations will be followed.
Added through-traffic lanes – length	X		No through-lanes will be added.
Permanent alteration of local traffic pattern	X		There will be no alteration of local traffic patterns. No new roads or changes in access are planned.
Facility on new location or realignment	X		There will be no new alignment or realignment of existing roads.
Disruption to public facilities/services (such as schools, emergency service)	X		Any disruption will be temporary, and public service providers will be notified. Traffic will be appropriately maintained.
Involvement with existing bridge(s) (Include structure number(s)	X		Existing bridges will not be modified except as allowed by the most current versions of the Programmatic Agreements for Historic Bridges and/or Minor Projects, as applicable.

INVOLVEMENT WITH RESOURCES:	**No**	**Possible**	**Studies, Coordination, and Comments**
Watercourses Impacted (linear feet)	X		There will be no construction in waterways as part of these projects.
Other Surface Waters (such as ponds, lakes, reservoirs, in acres)	X		There will be no construction in water bodies as part of these projects.
Wetlands (acres)	X		There will be no adverse impacts to wetlands as part of these projects. Some removal of invasive species from wetlands may be involved in certain projects, providing a net benefit to the wetland.
Disturbance of Terrestrial Habitat (acres)	X		There will be no construction which adversely affects habitat as part of this project. Removal of invasive species will produce a net benefit to the habitat values of some areas. Any landscaping included with these projects will be designed to maintain or improve habitat within the affected area.

Programmatic CE Form | Project: Various Safety, Preservation & Maintenance Projects | Des No: Various

INVOLVEMENT WITH RESOURCES:	No	Possible	Studies, Coordination, and Comments
Karst Features	X		If karst fissures are present in pavement to be rehabilitated, this programmatic Categorical Exclusion may not be used. If these features are discovered during project development, Environmental Services (ES) shall be contacted to coordinate with the US Fish and Wildlife Service and manage preparation of a separate environmental document. If unexpected karst features are discovered during construction, work shall cease immediately in the affected area and ES will be contacted. ES will coordinate with USFWS to determine appropriate protective measures.
Threatened and Endangered Species Present/Impacted	X		These projects are included under the September 1993 MOU which exempts such projects from coordination with the United States Fish and Wildlife Service. No endangered species should be impacted.
Impacts to Sole Source Aquifer	X		Though some projects may be located in the St. Joseph Sole Source Aquifer, the projects are of types which will not impact the aquifer.
Flood Plains (note transverse or longitudinal impact)	X		These projects will not alter flood elevations.
Farmland (acres)	X		These projects are not of types which will affect farmland. Any property which is acquired will be maintained in its present undeveloped state.
Cultural Resources (Section 106)	X		Full Section 106 coordination is not required for these projects, in accordance with the relevant category of the Minor Projects PA, and/or the project has been determined to be of a nature which has no potential to adversely affect resources protected by Section 106 of the Historic Preservation Act.
Section 4(f) and Section 6(f) Resources	X		Although there may be Section 4(f) or 6(f) resources near the project, none of the resources will be adversely affected.
Air Quality Non-attainment Area	X		These projects are exempt from air quality analysis in accordance with 40 CFR Part 93.126 Table 2. These projects are not projects of air quality concern and therefore will have no significant impact on air quality.

INVOLVEMENT WITH RESOURCES:	No	Possible	Studies, Coordination, and Comments
Noise Analysis Required	X		These projects are not Type I projects. In accordance with 23 CFR 772 and the INDOT Traffic Noise Policy (FHWA concurrence on February 26, 2007), these actions do not require formal noise analysis.
Community/Economic Impacts	X		No negative impacts are anticipated for the established communities.
Environmental Justice	X		Any property to be acquired will be purchased from willing sellers, and there will be no relocations as part of this project. No disproportionate adverse impacts to protected populations are expected.
Hazardous Materials	X		Any property to be purchased will be appropriately assessed for hazardous materials concerns. All herbicides sprayed will be used in accordance with manufacturer instructions and applicable regulations.
Permits	X		No bare ground or jurisdictional waters/wetlands will be disturbed. If any permits are required, this CE does not apply.

Programmatic CE Form	Project:	Various Safety, Preservation & Maintenance Projects	Des No:	Various

ENVIRONMENTAL COMMITMENTS:

If permanent or temporary right of way amounts change, the Environmental Services will be contacted immediately.

Any work in a wetland area within INDOT's right of way or in borrow/waste areas is prohibited unless specifically allowed in the US Army Corps of Engineers or IDEM permit.

If any archaeological artifacts or human remains are uncovered during construction, federal law and regulations (16 USC 470, et seq.; 36 CFR 800.11, et al.) and State Law (IC 14-21-1) require that work must stop immediately and that the discovery must be reported to the Division of Historic Preservation and Archaeology in the Indiana Department of Natural Resources within 2 business days. INDOT's Cultural Resources Office shall also be notified.

If any potential hazardous materials are discovered during construction the IDEM Spill Line should be notified with details of the discovery within 24 hours. INDOT's Hazardous Materials Unit should then be contacted to organize the proper handling of the material to be in accordance with the IDEM guidelines.

If a project involving replacement of existing signs is located near an airport, the INDOT Office of Aviation will be contacted to determine whether it is necessary to complete FAA form 7460-1 (Notice of Proposed Construction or Alteration) for equipment or permanent structures utilized for the project.

Reasonable precautions shall 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 will be minimized.

With respect to lead-based paint removal, all efforts to minimize human exposure to lead-based paint chips and dust should be practiced.

Asphalt paving plants will be permitted to operate properly. The use of cutback asphalt, or asphalt emulsion containing more than 7% oil distillate, is prohibited and will not occur during the months of April through October.

Appendix H
Sample Notice of Entry Letter

INDIANA DEPARTMENT OF TRANSPORTATION
Driving Indiana's Economic Growth

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204

Michael R. Pence, Governor
Michael B. Cline, Commissioner

<<owner_name>>
<<owner_address>>
<<owner_city>>, <<owner_state>> <<owner_zip>>

RE: Des. No. xxxxxxx, <Project Name>

Notice of Entry for Survey or Investigation
<DATE>

Dear Property Owner,

Our information indicates that you own property near the above proposed transportation project. Representatives of the Indiana Department of Transportation will be conducting environmental surveys of the project area in the near future. It may be necessary for them to enter onto your property to complete this work. This is permitted under Indiana Code § 8-23-7-26. Anyone performing this type of work has been instructed to identify him or herself to you, if you are available, before they enter your property. If you no longer own this property or it is currently occupied by someone else, please let us know the name of the new owner or occupant so that we can contact them about the survey.

Please read the attached notice to inform you of what the "Notice of Entry for Survey or Investigation" means. The survey work may include the identification and mapping of wetlands, archaeological investigations (which may involve the survey, testing, or excavation of identified archaeological sites), and various other environmental studies. The information we obtain from such studies is necessary for the proper planning and design of this highway project. It is our sincere desire to cause you as little inconvenience as possible during this survey.

If any problems do occur, please contact the field crew or contact <contact name> at xxx-xxx-xxxx or xxxx@indot.in.gov. You may also call or write to Shaun Miller (317-233-6795) at INDOT. Their address is: Environmental Services, Indiana Department of Transportation, Indiana Government Center North, Room 642, 100 North Senate Avenue, Indianapolis, IN, 46204.

Please be aware that Indiana Code § 8-23-7-27 and 28 provides that you may seek compensation form INDOT for damages occurring to your property (land or water) that result from INDOT's entry for the purposes mentioned above in Indiana Code § 8-23-7-26. In this case, a basic procedure that may be followed is for you and/or and INDOT employee or representative to present an account of the damages to one of the two 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 xxx xxxx, the xxxx District Real Estate Manager (xxx-xxx-xxxx). His/her address is: xxxxxx. The District Real Estate Manager (DREM) can provide you with a form to request compensation for damages. After filling out the form, you can return it to the DREM for consideration, and the DREM may be contacted if you have questions regarding the matter, rights, and procedures.

If you are not satisfied with the compensation that INDOT determines is owed you, Indiana Code § 8-23-7-8 provides the following:

> The amount of damages shall be assessed by the county agricultural extension educator of the county in which the land or water is located and two (2) disinterested residents of the county, one (1) appointed by the aggrieved party and one (1) appointed by the department. A written report of the assessment of the damages shall be mailed to the aggrieved party and the department by first class United States mail. If either the department or the aggrieved party is not satisfied with the assessment of damages, either or both may file a petition, not later than fifteen (15) days after receiving the report, in the circuit or superior court of the county in which the land or water is located.

It our sincere desire to cause as little inconvenience as possible during our work, and we thank you in advance for your cooperation.

Sincerely,

Manager
Environmental Policy Office
Environmental Services Division

Attachment

INDIANA DEPARTMENT OF TRANSPORTATION
Driving Indiana's Economic Growth

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204

Michael R. Pence, Governor
Michael B. Cline, Commissioner

Indiana Department of Transportation
Notice of Entry for Survey or Investigation
Indiana Department of Transportation

If you have received a "Notice of Entry for Survey or Investigation" from INDOT or an INDOT representative, you may be wondering what it means. In the early stages of a project's development, INDOT must collect as much information as possible to ensure that sound decisions are made in designing the proposed project. Before entering onto private property to collect that data, INDOT is required to notify landowners that personnel will be in the area and may need to enter onto their property. Indiana Code, Title 8, Article 23, Chapter 7, Section 26 deals with the department's authority to enter onto any property within Indiana.

Receipt of a Notice of Entry for Survey or Investigation does not necessarily mean that INDOT will be buying property from you. It doesn't even necessarily mean that the project will involve your property at all. Since the Notice of Entry for Survey or Investigation is sent out in the very early stages and since we want to collect data within AND surrounding the project's limits more landowners are contacted than will actually fall within the eventual project limits. It may also be that your property falls within the project limits but we will not need to purchase property from you to make improvements to the roadway. Another thing to keep in mind is that when you receive a Notice of Entry for Survey or Investigation, very few specifics have been worked out and actual construction of the project may be several years in the future.

Before INDOT begins a project that requires them to purchase property from landowners, they must first offer the opportunity for a public hearing. If you were on the list of people who received a Notice of Entry for Survey or Investigation, you should also receive a notice informing you of your opportunity to request a public hearing. These notices will also be published in your local newspaper so interested individuals who are not adjacent to the project will also have the opportunity to request a public hearing. If a public hearing is to be held, INDOT will publicize the date, location, and time. INDOT will present detailed project information at the public hearing, comments will be taken from the public in spoken and written form, and question and answer sessions will be offered. Based on the feedback INDOT receives from the public, a project can be modified and improved to better serve the public.

So, if you have received a "Notice of Entry for Survey or Investigation", remember:

1. You do not need to take any action at this time. It is merely letting you know that people in orange/lime vests are going to be in your neighborhood.
2. The project is still in its very early planning stages.
3. You will be notified of your opportunity to comment on the project at a later date.

Appendix I
Early Coordination Information

INDIANA DEPARTMENT OF TRANSPORTATION
Driving Indiana's Economic Growth

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204

Michael R. Pence, Governor
Michael B. Cline, Commissioner

June 1, 2013

«Title1» «First_Name» «Last_Name»
«Title»
«Company_Name»
«Address_Line_1»
«Address_Line_2»
«City», «State» «ZIP_Code»

Re: Des. Nos.: 9999999, Small Structure Project over Tributary to Sample Creek on SR 00, 1.5 Miles South of US 99, Indiana County.

Dear «Title1» «Last_Name»:

The Indiana Department of Transportation intends to proceed with a project involving the aforementioned small structure in Indiana County. This letter is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. **Please use the above designation numbers and description in your reply.** We will incorporate your comments into a study of the project's environmental impacts.

This project is located on SR 00, 1.5 miles south of US 99, in Indiana County. This section of SR 00 is a two lane *Rural Major Collector*. The existing SR 00 approach cross section consists of two 11' lanes bordered by 2' gravel, usable shoulders. V-ditches exist in the vicinity of the structure. The existing small structure is an 8.5' span by 3.5' rise reinforced concrete encased I-beam culvert, under shallow fill (<2'). I-beams are severely rusted, there are areas of significant leaching, and there is substantial cracking of the deck. No guardrail or other standard safety features exist at the structure. The approximate existing right-of-way is 30' each side of centerline throughout the project.

The proposed project will replace the small structure over a tributary to Sample Creek and include an estimated 482' of guardrail installation. The project requires the acquisition of 0.64 acre of permanent right-of-way. Proposed right-of-way widths along SR 00 are 50' from centerline. The project will be approximately 700' in length. The preferred method of traffic maintenance is an official state detour; a temporary runaround will not be used.

Land use in the vicinity of the project is primarily agricultural and includes one residence. The INDOT Ecology & Permits Office will perform waters and wetlands determinations and a Biological Assessment to identify any ecological resources that may be present. The INDOT Cultural Resources Office will investigate the areas of additional right-of-way for archaeological and historic resources for compliance with Section 106 compliance. The results of this investigation will be forwarded to the State Historic Preservation Officer for review and concurrence.

Should we not receive your response **within thirty (30) calendar days** from the date of this letter, it will be assumed that your agency feels that there will be no adverse effects incurred as a result of the proposed project. However, should you find that an extension to the response time is necessary; a reasonable amount may be granted upon request. If you have any questions regarding this matter, please feel free to contact (Preparer's Name), of the Environmental Policy Office, at (XXX) XXX-XXXX. Thank you in advance for your input.

Sincerely,

Manager
Environmental Policy Office
Environmental Services Division
Indiana Department of Transportation

WWW/YYY
Attachment-
Maps (Location, Aerial, Topographic)
Photographs

*Please note that any attachments provided should be listed on the early coordination letter along with a list of early coordination recipients. This can either be provided as an attachment (see next page) or provided as a CC list within the early coordination letter. (i.e. CC: US Fish and Wildlife Service, Indiana Department of Natural Resources, etc.)

The following agencies received Early Coordination Letters:

Indiana Department of Transportation
Office of Aviation
Room N955, IGC North
100 North Senate Avenue
Indianapolis, IN 46204

Chief, Environmental Resources
Department of the Army
Louisville District, Corps of Engineers
Attn: CEPMP-P-E
P.O. Box 59
Louisville, KY 40201-0059

Field Environmental Officer
Chicago Regional Office
US Department of Housing and Urban Development
Metcalf Federal Building
77 West Jackson Boulevard, Room 2401
Chicago, IL 60604

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

State Conservationist
Natural Resources Conservation Service
6013 Lakeside Blvd.
Indianapolis, IN 46278

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

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

INDOT – Office of Communication
(Electronic Coordination)

Field Supervisor
U.S. Fish & Wildlife Service
Bloomington Field Office
620 South Walker St.
Bloomington, IN 47403

Federal Highway Administration
Room 254, Federal Office Building
575 North Pennsylvania Street
Indianapolis, IN 46204

Indiana Department of Environmental Management
(Electronic Coordination)

Chief, Groundwater Section
Indiana Department of Environmental Management
100 N. Senate Avenue
Indianapolis, IN 46204

Indiana County Council Members
Courthouse Room 200
Sample, IN 47404

Indiana County Commissioner Members
Courthouse Room 150
Sample, IN 47XXX

Indiana County Director/Engineer
Courthouse Room 100
Sample, IN 47XXX

Indiana County Highway Supervisor
2400 S. Sample Road
Sample, IN 47XXX

Indiana County Surveyor
100 W. 5th Street, 2nd Floor
Butterfly Building
Sample, IN 47XXX

Sample/Indiana County MPO
200 N. Sample St. Ste 160
P.O. Box 200
Sample, IN 47XXX

Agencies to Be Contacted As Part of Early Coordination Efforts for All Projects:

ADDRESSES	INFORMATION TO BE SENT	TYPICAL RESPONSE
Field Supervisor U.S. Fish and Wildlife Service Bloomington Indiana Field Office 620 South Walker Street Bloomington, Indiana 47403-2121	1. Early coordination letter 2. Photos 3. Graphics	1. "No Effect", 2. "Not Likely to Adversely Affect", or 3. "Likely to Adversely Affect"
State Conservationist Natural Resources Conservation Service 6013 Lakeside Boulevard Indianapolis, Indiana 46278	1. Early coordination letter 2. Photos 3. Graphics 4. CPA-106 form (Appendix V)* partially completed	CPA-106 form with Section V completed
Indiana Geological Survey Send information electronically (PDF format) to IGSenvir@indiana.edu	1. Early coordination letter 2. Questionnaire (Appendix R)* 3. Graphics	Questionnaire completed
Indiana Department of Transportation Office of Aviation Send information electronically (PDF format) to jkinder2@indot.in.gov	1. Early coordination letter 2. Questionnaire (Appendix Q)* 3. Graphics	Questionnaire completed
Regional Environmental Coordinator Midwest Regional Office National Park Service 601 Riverfront Drive Omaha, Nebraska 68102	1. Early coordination letter 2. Graphics	Response letter
Federal Highway Administration Federal Office Building, Room 254 575 North Pennsylvania Street Indianapolis, Indiana 46204	1. Early coordination letter 2. Graphics	None
Environmental Coordinator Indiana Department of Natural Resources Division of Fish and Wildlife 402 West Washington St., Room W273 Indianapolis, Indiana 46204	1. 2 Early coordination letters 2. 2 Sets of photos 3. 2 Sets of graphics	Letter stating possible permits and mitigation
Field Environmental Officer Chicago Regional Office US Department of Housing & Urban Development Metcalf Fed. Bldg. 77 W. Jackson Blvd. Room 2401 Chicago, IL 60604	1. Early coordination letter 2. Graphics	Response letter

ADDRESSES	INFORMATION TO BE SENT	TYPICAL RESPONSE
Indiana Department of Environmental Management Automatic website Early Coordination: http://www.in.gov/idem/enviroreview/hwy_earlyenviroreview.html	1. Short project description on website submission	Response letter will appear immediately after web submission
Chief, Groundwater Section Indiana Department of Environmental Management 100 N. Senate Avenue Indianapolis, IN 46204 -or Utilize The Indiana Department of Environmental Management's Wellhead Proximity Determinator website	1. Wellhead Protection Proximity Request Form http://www.in.gov/idem/4289.htm#proxdet -or Wellhead Proximity Determinator website (http://idemmaps.idem.in.gov/whpa/)	Wellhead Protection Proximity Determination -or Provide pertinent printouts of the project area.
Manager, Public Hearings Indiana Department of Transportation 100 N. Senate Avenue, Rm. 642 Indianapolis, IN 46204	1. Early coordination letter 2. Photos 3. Graphics	Public involvement template provided.

*Questionnaires are found in the appendix of the *Procedural Manual for Preparing Environmental Documents*

Any known local organization, Metropolitan Planning Organizations (MPOs), county highway department, county drainage boards, historical societies, etc.) with a specific interest in the project's development should be contacted. For projects sponsored by Local Public Agencies, the appropriate INDOT District Office should also receive an early coordination letter with all attachments (addresses listed below). If a project is located within a corporation limit, the mayor and town/city council should be contacted.

Environmental Scoping Manager	Environmental Scoping Manager
INDOT – Crawfordsville District Office	INDOT – Fort Wayne District Office
41 West CR 300 North	5333 Hatfield Rd
Crawfordsville, IN 47933	Fort Wayne, IN 46808

Environmental Manager	Environmental Scoping Manager
INDOT – LaPorte District Office	INDOT – Seymour District Office
PO Box 429	185 Agrico Lane
LaPorte, IN 46352	Seymour, IN 47274

Environmental Scoping Manager	Environmental Scoping Manager
INDOT – Greenfield District Office	INDOT – Vincennes District Office
32 S Broadway St	3650 US 41 South
Greenfield, IN 46140	Vincennes, IN 47591

If the project is in the following northern counties then contact the northern USFWS office at the address listed below; Allen, DeKalb, Elkhart, Fulton, Huntington, Jasper, Kosciusko, LaGrange, Lake, LaPorte, Marshall, Newton, Noble, Porter, Pulaski, St. Joseph, Starke, Steuben, Wabash, Whitley.

ADDRESSES	INFORMATION TO BE SENT	TYPICAL RESPONSE
U. S. Fish and Wildlife Service Northern Indiana Suboffice P.O. Box 2616 Chesterton, IN 46304	1 Early coordination letter 2. Photos 3. Graphics	1. "No Effect", 2. "Not Likely to Adversely Affect", or 3. "Likely to Adversely Affect"

If the project is located in the southern portion of the state, contact US Forest Service at:

ADDRESSES	INFORMATION TO BE SENT	TYPICAL RESPONSE
Forest Supervisor Hoosier National Forest US Forest Service 811 Constitution Avenue Bedford, Indiana 47421	1. Early coordination letter 2. Questionnaire (Appendix S) 3. Graphics	Response letter

If the project will directly affect the shoreline of Lake Michigan, contact the National Oceanic and Atmospheric Administration Office of Program Planning and Integration:

ADDRESSES	INFORMATION TO BE SENT	TYPICAL RESPONSE
NOAA NEPA Coordinator Program Planning & Integration 1315 East-West Highway, Room 15603 Silver Spring, MD 20910	1. Early coordination letter 2. Graphics	Response letter

If a project involves a sole source aquifer, contact USEPA:

ADDRESSES	INFORMATION TO BE SENT	TYPICAL RESPONSE
Sole Source Aquifer Coordinator Ground Water and Drinking Water Branch USEPA, Region 5 77 West Jackson Boulevard, WG-15J Chicago, Illinois 60604	1. Early coordination letter 2. Graphics	Response letter

If the project involves the crossing of a stream, contact the appropriate Corps of Engineers District Office(s), as determined by the project location:

ADDRESSES	INFORMATION TO BE SENT	TYPICAL RESPONSE
Environmental Analysis Branch, CENCE-PL-E Department of the Army Detroit District, Corps of Engineers 477 Michigan Ave. Detroit, Michigan 48226-2550	1. Early coordination letter 2. Graphics 3. Photos	Response letter

ADDRESSES	INFORMATION TO BE SENT	TYPICAL RESPONSE
Chief, Environmental Resources Department of the Army Louisville District, Corps of Engineers ATTN: CEPMP-P-E P. O. Box 59 Louisville, Kentucky 40201-0059	1. Early coordination letter 2. Graphics 3. Photos	Response letter
Chief, Environmental Resources Department of the Army Chicago District, Corps of Engineers 111 N Canal Suite 600 Chicago, Illinois 60606	1. Early coordination letter 2. Graphics 3. Photos	Response letter

If the project involves one of the following waterways, contact the appropriate Coast Guard District Office. Projects north of the 41st parallel are covered by the Ninth Coast Guard District. All others are covered by the Eighth District:

- Miami River (Great) from mile 0.5 to mile 1.5.
- Indian Creek from mile 0.0 to mile 4.8.
- Ohio River in its entirety.
- Wabash River from mile 441.9.
- Junction of the East and West Forks of the White River from mile 51.6.
- Crooked Creek from mile 7.7.
- Little Blue River from mile 17.6.
- Anderson River from mile 6.0.
- McFadden Creek from mile 2.3.
- Pigeon Creek from mile 5.9.
- Little Oil Creek from mile 4.4
- Little River from mile 20.2
- Patoka River from mile 8.0.

ADDRESSES	INFORMATION TO BE SENT	TYPICAL RESPONSE
Chief, Bridge Program Section Ninth Coast Guard District 1055 E. Ninth Street Cleveland, OH 44114-1092	1. Early coordination letter 2. Questionnaire (Appendix T) 3. Graphics	Questionnaire completed
Chief, Bridge Program Section Eighth Coast Guard District 1222 Spruce St St. Louis, Missouri 63103-2832	1. Early coordination letter 2. Questionnaire (Appendix T) 3. Graphics	Questionnaire completed

Appendix J
Roster of Indiana Waters Declared Navigable or Non-navigable

Roster of Indiana Waters Declared Navigable or Non-navigable
(Listed By Waterway Name)

Anderson River (including Middle Fork): Navigable in Spencer County from its junction with the Ohio River for 28.4 river miles to the Perry-Spencer County Line. The Middle Fork is navigable from its junction with the Anderson River for 3.3 river miles.
Armuth Ditch: See Black Creek.
Arnold Creek: Navigable in Ohio County from its junction with the Ohio River for 4.4 river miles.
Baker Creek: Navigable in Spencer County from its junction with Little Pigeon Creek 1.8 river miles.
Bald Knob Creek: Navigable in Perry County from its junction with Oil Creek for 0.5 river miles.
Banbango Creek: See Baugo Creek.
Baugo Creek: Navigable from its junction with the St. Joseph River in South Bend for 15.2 river miles to the main forks (near Wakarusa).
Bayou Creek: Navigable in Vanderburgh County from its junction with the Ohio River for 1.5 river miles.
Beanblossom Creek: Navigable in Monroe County from its junction with the West Fork of the White River for 17.7 river miles to Griffy Creek.
Bear Creek: Navigable in Perry County from its junction with the Ohio River for 1.6 river miles.
Big Blue River: Navigable from its junction with Sugar Creek (to form the Driftwood River) for 55.46 river miles to the Henry-Rush County Line.
Big Blue River: See, also, Blue River.
Big Creek: Navigable in Posey County from its junction with the Wabash River for 25.4 river miles (near Cynthiana). See, also, Little Fork of Big Creek.
Big Deer Creek: See Deer Creek.
Big Indian Creek: See Indian Creek (Morgan County).
Big Oil Creek: Navigable in Perry County from its junction with the Ohio River for 10.6 river miles.
Big Poison Creek: Navigable in Perry County from its junction with the Ohio River for 6.3 river miles.
Big Raccoon Creek: Navigable from its junction with the Wabash River for 42.35 river miles to the Parke-Putnam County Line (now Cecil M. Harden Lake). The dam for Harden Lake is located at river mile 33.7.
Big Saluda Creek: Navigable in Jefferson County from its junction with the Ohio River for 1.0 river miles.
Big Sandy Creek: See Sandy Creek.
Big Vermillion River: Navigable from its junction with the Wabash River for 10.8 river miles to the Illinois State Line. (This river is navigable to Carmargo, Illinois.)
Black Creek: Navigable from its junction with the West Fork of the White River (near Edwardsport) for 11.8 river miles (near Marco).
Blue River: Navigable from its junction with the Ohio River for 57.15 river miles to Fredricksburg.
Blue River: See, also, Big Blue River.

Bryant Creek: Navigable in Switzerland County from its junction with the Ohio River for 2.6 river miles.
Buck Creek: Navigable in Harrison County from its junction with the Ohio River for 5.8 river miles.
Buck Creek: Navigable in Perry County from its junction with the Ohio River for 0.7 river miles.
Buck Run: Navigable in Ohio County from its junction with the Ohio River for 1.1 river miles.
Bull Creek: Navigable in Clark County from its junction with the Ohio River for 1.1 river miles.
Bull Hollow: Navigable in Perry County from its junction with Big Oil Creek for 0.7 river miles.
Burns Ditch: See Portage Burns Waterway
Burns Waterway Harbor: Navigable as an extension of Lake Michigan for 1.3 river miles to the Little Calumet River.
Busseron Creek: Navigable from its junction with the Wabash River in Knox County for 20.96 river miles. A channelization and relocation of Busseron Creek is navigable from its junction with the Wabash River in Sullivan County (near Rogers Ditch) for 2.85 river miles to its junction with the original channel.
Busserou Creek: See Busseron Creek.
Cagles Mill Lake: See Eel River, and see Mill Creek.
Calumet River: See Grand Calumet River; also Little Calumet River.
Calumet River Canal: See Indiana Harbor Canal.
Cammie Thomas Ditch: Navigable for 7.45 river miles as a channelization of the Muscatatuck River.
Camp Creek: Navigable in Clark County from its junction with the Ohio River for 1.7 river miles.
Caney Branch: Navigable in Perry County from its junction with Big Poison Creek for 0.2 river miles.
Caney Branch: Navigable in Perry County from its junction with Little Deer Creek for 0.8 river miles.
Caney Creek: Navigable in Spencer County from its junction with the Ohio River for 2.8 river miles.
Carman's Creek: See Turman Creek.
Cecil M. Harden Lake: See Big Raccoon Creek.
Clear Creek: Navigable in Monroe County from its junction with Salt Creek for 2.55 river miles (near Harrodsburg).
Clear Creek: Navigable from its junction with Little Pigeon Creek for 2.4 river miles.
Clover Lick Creek: Navigable in Perry County from its junction with Big Oil Creek for 0.7 river miles.
Conns Creek: Navigable (although with private ownership of the creek bed) from its junction with the Flatrock River for 11.5 river miles to the Rush-Shelby County Line.
Crooked Creek: Navigable in Spencer County from its junction with the Ohio River for 7.7 river miles.
Cypress Creek (including Cypress Creek Diversion Channel): Navigable in Warrick County from its junction with the Ohio River for 6.6 river miles. (The original bed of

Cypress Creek is also navigable west of Cypress Creek Diversion Channel for 1.95 river miles, except where the creek bed has emerged and is no longer inundated.)
Deer Creek: Navigable in Perry County from its junction with the Ohio River for 5.9 river miles.
Driftwood River: Navigable from its junction with the East Fork of the White River (near Columbus) 15 river miles to its junction with the Big Blue River (near Edinburgh).
Dry Run Creek: Navigable in Crawford County from its junction with the Big Blue River for 1.4 river miles.
East Calumuck River: See Little Calumet River.
East Deer Creek: Navigable in Perry County from its junction with Deer Creek for 0.6 river miles.
East Fork of the White River: Navigable from its junction with the White River 189 river miles to its junction with the Flatrock and Driftwood Rivers (near Columbus).
East Fork of the Whitewater River: Navigable from its junction with the Whitewater River for 26.25 river miles to the Union-Wayne County Line.
Eel River: Navigable from its junction with the West Fork of the White River for 51.2 river miles to its junction with Mill Creek (now within Cagles Mill Lake).
Elk Creek: Navigable in Washington County from its junction with the Cammie Thomas Ditch for 3.0 river miles.
Fanny Creek: Navigable in Perry County from its junction with the Ohio River for 0.8 river miles.
Fawn River: Navigable for 13.45 river miles within Indiana. The Fawn River has two navigable segments in Indiana, separated by segments in Michigan. Navigability commences at the Indiana-Michigan state line (near Gilmore Lake and two miles south of Sturgis, Michigan) and continues downstream. The Fawn River has been found to be non-navigable at Greenfield Mills (river mile 32).
Flat Creek: Navigable from its junction with the Patoka River for 12.0 river miles (near Otwell).
Flatrock River: Navigable from its junction with the East Fork of the White River (Columbus) 93 river miles to its uppermost point in Henry County (near Mooreland).
Fourteen Mile Creek: Navigable in Clark County from its junction with the Ohio River for 2.9 river miles.
Garrett Creek: Navigable in Spencer County from its junction with the Ohio River for 2.2 river miles.
Goose Creek: Navigable in Switzerland County from its junction with the Ohio River for 1.5 river miles.
Grand Calumet River: Navigable from the Illinois State Line (near Hammond) for 15.4 river miles to Marquette Park. (The river is also navigable in Illinois.)
Grants Creek: Navigable in Switzerland County from its junction with the Ohio River for 2.5 river miles.
Great Miami River: Navigable for 1.4 river miles in Dearborn County. (Most of this river lies within Ohio; and the Great Miami River has been determined to be navigable from its junction with the Ohio River for 117 river miles. The waterway enters Indiana at two locations.)
Harden Lake: See Big Raccoon Creek.

Harris Ditch: Navigable in Posey County from its junction with the Ohio River for 0.9 river miles to Little Pitcher Lake.
Hogan Creek (including North Fork and South Fork): (The Main Stem of) Hogan Creek is navigable in Dearborn County from the junction on the Ohio River for its entire length of 0.4 river miles. The North Fork is navigable from the junction with Hogan Creek for 4.9 river miles. The South Fork is navigable from the junction with Hogan Creek for 5.0 river miles.
Honey Creek: Navigable in Spencer County from its junction with the Ohio River for 1.8 river miles.
Houchins Ditch: See Patoka River.
Hurricane Fork: See Little Fork of Big Creek.
Independence Creek: See Indian Creek (Harrison County).
Indian Creek: Navigable in Harrison County from its junction with the Ohio River for 4.8 river miles.
Indian Creek: Navigable in Martin County from its junction with the East Fork of the White River for 15.0 river miles to the Lawrence-Martin County Line.
Indian Creek: Navigable in Morgan County from its junction with the West Fork of the White River for 3.3 river miles (near Martinsville).
Indian Creek: Navigable in Switzerland County from its junction with the Ohio River for 4.1 river miles.
Indian Fork: Navigable in Perry County from its junction with Big Oil Creek for 1.4 river miles.
Indian-Kentuck Creek: Navigable in Jefferson County from its mouth on the Ohio River for 3.8 river miles.
Indiana Harbor and Ship Canal (including Calumet River Branch and Lake George Branch): The (Main Stem of the) Indiana Harbor and Ship Canal is navigable in Lake County for 3.0 river miles from the Indiana Harbor to where it branches into the Calumet River Canal and the Lake George Canal. The portion of the Main Stem that is ordinarily referred to as the "Indiana harbor" is lakeward of the historic shoreline of Lake Michigan and is surrounded by manmade land comprising LTV Steel and Inland Steel. The "Ship Canal" (also called the "Indiana Harbor Canal") is the portion of the Main Stem landward of the historic shoreline. The Calumet River Canal is navigable in Lake County from the Indiana Harbor Canal for 1.95 river miles to the Grand Calumet River. The Lake George Canal is navigable in Lake County from the Indiana Harbor Canal for 0.85 river miles (near White Oak Avenue if extended southerly).
Iroquios River: Navigable from the Indiana-Illinois State Line for 39 river miles to the Dexter Ditch (near Parr).
Island Branch: Navigable in Ohio County from its junction with the Ohio River for 1.0 river miles.
Jackson Creek: Navigable in Spencer County from its junction with the Ohio River for 1.8 river miles.
Kankakee River: Navigable from the Indiana-Illinois State Line for 86.3 river miles to the Indiana-Michigan State Line. (This river is also navigable downstream in Illinois.)
Kelly Bayou: Navigable in Sullivan County from its downstream junction with an oxbow of the Wabash River for 5.8 river miles to its upstream junction with the Wabash River.

Kelly Hollow: Navigable in Perry County from its junction with Millstone Creek for 1.0 river miles.
Kemper Ditch: See Little Calumet River.
Kingly Creek: Navigable in Perry County from its junction with the Ohio River for 0.2 river miles.
Knob Creek: Navigable in Perry County from its junction with the Ohio River for 0.2 river miles.
Lake Drain: Navigable in Spencer County from its junction with the Ohio River for 1.6 river miles.
Lake George Canal: See Indiana Harbor and Ship Canal.
Lake Michigan: Navigable throughout Indiana.
Lancassange Creek: Navigable in Clark County from its junction with the Ohio River for 0.3 river miles.
Laughery Creek: Navigable from its junction with the Ohio River for 10.8 river miles (near Milton).
Lick Creek: Navigable in Orange County from its junction with the Lost River for 19.5 river miles to Old Spring Mill (near Paoli).
Little Blue River: Navigable in Crawford County from its junction with the Ohio River (near Alton) for 10.6 river miles.
Little Blue River: Navigable from its junction with the Big Blue River (Shelbyville) for 25.6 river miles to its junction with Ball Run.
Little Calumet River: Navigable from the Indiana-Illinois State Line for 21.24 river miles to Burns Waterway Harbor; and navigable for an additional 17.75 river miles to its junction (as Kemper Ditch) with Interstate 94. (The river is also navigable in Illinois.)
Little Creek: See Little Fork of Big Creek.
Little Deer Creek: Navigable from its junction with Deer Creek for 3.9 river miles.
Little Fork of Big Creek: Navigable in Posey County from its junction with Big Creek for 5.1 river miles.
Little Oil Creek: Navigable from its junction with Big Oil Creek for 4.4 river miles.
Little Pigeon Creek: Navigable from its junction with the Ohio River for 15.8 river miles.
Little Pitcher Lake: Navigable in Posey County as an extension of Harris Ditch.
Little Raccoon Creek: Navigable in Parke County from its junction with Big Raccoon Creek for 5.3 river miles (Nevins Covered Bridge).
Little River: Navigable from its junction with the Wabash River 20.2 river miles to Ellison Road (near Fort Wayne).
Little Sandy Creek: Navigable in Spencer County from its junction with the Ohio River for 2.0 river miles.
Little Wabash River: See Little River.
Locust Creek: Navigable in Vanderburgh County from its junction with Pigeon Creek for 1.5 river miles.
Log Lick Creek: Navigable in Switzerland County from its junction with the Ohio River for 2.3 river miles.
Lost River: Navigable from its junction with the East Fork of the White River for 48.87 river miles (near Orangeville).

McFadden Creek: Navigable in Posey County from its junction with the Ohio River for 2.3 river miles.
Marble Powers Ditch: See Kankakee River.
Maumee River: Navigable from the Indiana-Ohio State Line 27.05 river miles to the Hosey Dam, Fort Wayne. (The river is also navigable in Ohio; and the river may be alternatively described as navigable to total river mile 134.9. The Indiana-Ohio State Line is located at total river mile 107.85.)
Middle Fork of Anderson River: See Anderson River.
Mill Creek: Navigable from its junction with the Eel River (now Cagles Mill Lake) for 32.45 river miles to the Hendricks-Morgan County Line. See, also, Mill Creek Ditch.
Mill Creek: Navigable in Crawford County from its junction with the Little Blue River for 1.4 river miles.
Mill Creek Ditch: Navigable from its junction with Mill Creek upstream for 1.35 river miles to the Hendricks-Morgan County Line.
Millstone Creek: Navigable in Perry County from its junction with the Ohio River for 1.4 river miles.
Mississinewa River: Navigable from its junction with the Wabash River for 109.75 river miles to the Indiana-Ohio State Line.
Monroe Lake: See Salt Creek.
Mosquito Creek: Navigable in Harrison County from its junction with the Ohio River for 2.8 river miles.
Mud Creek: Navigable from its junction with Mill Creek (near Little Point) for 5.6 river miles to Tudor Road (near Hazelwood).
Muscatatuck River: Navigable from its junction with the East Fork of the White River for 24.25 river miles to the main forks. See, also, Vernon Fork of Muscatatuck River and South Fork of Muscatatuck River, and Cammie Thomas Ditch.
Neglie Creek: Navigable in Perry County from its junction with Little Deer Creek for 0.5 river miles.
North Fork of Hogan Creek: See Hogan Creek.
North Fork of Muscatatuck River: See Vernon Fork of Muscatatuck River.
North Fork of Salt Creek: Navigable from its junction with Salt Creek for 36.7 river miles to its junction with David Branch (near Nashville).
Ohio River: Navigable throughout the state (from total river mile 491.34 to total river mile 848.0).
Oil Creek: See Big Oil Creek.
Patoka River: Navigable from its junction with the Wabash River for 146.6 river miles (within Greenfield Township, Orange County).
Pickamink River: See Iroquois River.
Pigeon Creek: Navigable from its junction with the Ohio River for 5.9 river miles.
Plum Creek: Navigable in Switzerland County from its junction with the Ohio River for 2.9 river miles.
Poison Creek: See Big Poison Creek.
Portage Burns Waterway: Navigable in its entirety (1.3 river miles) as a connection between the Little Calumet River and Lake Michigan. (The point at which Portage Burns Waterway connects with the Little Calumet River is now considered the separation between the East Branch and the West Branch of the Little Calumet River.)

Potato Run: Navigable in Harrison County from its junction with the Ohio River for 0.4 river miles.
Raccoon Creek: See Big Raccoon Creek.
Rock River: See Sugar Creek.
Rider Ditch: Navigable in Jackson County as a channelization of the Vernon Fork of the Muscatatuck River.
St. Joseph River: Navigable throughout Indiana (Elkhart and St. Joseph Counties) for 39.57 river miles. The river enters Indiana from Michigan and returns to Michigan. (The river is also navigable downstream in Michigan; and the river may be alternatively described as navigable from total river mile 49.93 to total river mile 89.5.)
Salt Creek: Navigable from its junction with the East Fork of the White River into Monroe Lake. See also the North Fork of Salt Creek.
Sample Run: Navigable in Perry County from its junction with the Ohio River for 0.2 river miles.
Sand Creek: Navigable in Switzerland County from its junction with Bryant Creek for 0.9 river miles.
Sand Run: See Sand Creek.
Sandy Creek: Navigable in Spencer County from its junction with the Ohio River for 2.6 river miles.
Silver Creek: Navigable in Clark County from its junction with the Ohio River for 3.0 river miles.
Smart Ditch: Navigable in Jackson County as a channelization of the Muscatatuck River (and the Vernon Fork of the Muscatatuck River).
South Fork of Big Creek: See Little Fork of Big Creek.
South Fork of Hogan Creek: See Hogan Creek.
South Fork of Muscatatuck River: Navigable from its junction with the Muscatatuck River 28.1 river miles to its junction with Graham Creek.
Sugar Creek: Navigable from its junction with the Big Blue River (to form the Driftwood River) for 24.4 river miles (near Boggstown).
Sugar Creek: Navigable from its junction on the Wabash River (near West Union) for 56.83 river miles to the Montgomery-Boone County Line.
Tanners Creek: Navigable from its junction with the Ohio River in Lawrenceburg for 10.6 river miles.
Tate's Hollow: Navigable in Perry County from its junction with the Ohio River for 0.3 river miles.
Thomas Ditch: See Cammie Thomas Ditch.
Tippecanoe River: Navigable from its junction with the Wabash River in Tippecanoe County to the Pulaski County-Fulton County line at mile 86.47.
Trail Creek: Navigable in LaPorte County from its junction with Lake Michigan for 1.0 river miles. For purposes of this delineation, the shoreline of Lake Michigan is identified at the approximate site of the Franklin Street “Draw” Bridge.
Turman Creek: Navigable in Sullivan County from its junction with the Wabash River for 7.9 river miles (near Dodds Bridge).
Turtle Creek: Navigable in Switzerland County from its junction with the Ohio River for 1.3 river miles.

Twin Creek: Navigable in Washington County from its junction with the East Fork of the White River for 7.98 river miles to the Cox Ferry Road Bridge near the Jefferson-Brown Township Line.
Vermillion River: See Big Vermillion River.
Vernon Fork of Muscatatuck River: Navigable from its junction with the Muscatatuck River for 39.3 river miles to Vernon (S.R. 7). See also Rider Ditch.
Wabash River: Navigable from its junction with the Ohio River for 441.9 river miles to the Wells-Adams County Line.
Webb Branch: Navigable in Perry County from its junction with Big Oil Creek for 0.9 river miles.
West Fork of the White River: Navigable from its junction with the White River 277 river miles to Smithfield, Delaware County.
West Fork of the Whitewater River: Navigable from its junction with the Whitewater River for 64.3 river miles to the three forks (near Connersville).
White River: Navigable from its junction with the Wabash River for 49.5 river miles to where it branches into the East Fork of the White River and the West Fork of the White River.
Whitewater River: Navigable from the Ohio State Line for 29.65 river miles to where it branches into the East Fork of the Whitewater River and the West Fork of the Whitewater River. (The river is also navigable downstream in Ohio; and the river may be alternatively described as navigable from total river mile 7.9 to total river mile 96.9.)
Wilson Creek: Navigable in Dearborn County from its junction with the Ohio River for 1.9 river miles.
Yellow River: Navigable from its junction with the Kankakee River for 41.0 river miles to Plymouth.

Source of Information:
Indiana Natural Resources Commission (NRC)
http://www.in.gov/nrc/2392.htm
Data accessed on February 28, 2013 by INDOT-ES

Appendix K-1
Listing of Outstanding Rivers and Streams

NATURAL RESOURCES COMMISSION
Information Bulletin #4
(Second Amendment)

SUBJECT: Outstanding Rivers List for Indiana

I. INTRODUCTION

To help identify the rivers and streams that have particular environmental or aesthetic interest, a special listing has been prepared by the Division of Outdoor Recreation of the Department of Natural Resources. The listing is a corrected and condensed version of a listing compiled by American Rivers and dated October 1990. There are about 2,000 river miles included on the listing, a figure that represents less than 9% of the estimated 24,000 total river miles in Indiana. The Natural Resources Commission has adopted the listing as an official recognition of the resource values of these waters.

A river included in the listing qualifies under one or more of the following 22 categories. An asterisk indicates that all or part of the river segment was also included in the "Roster of Indiana Waterways Declared Navigable", 15 IR 2385 (July 1992). In 2006, the commission updated this citation, and Information Bulletin #3 (Second Amendment) was posted in the Indiana Register at 20061011-IR-312060440NRA. A river designated "EUW" is an exceptional use water. A river designated "HQW" is a high quality water, and a river designated "SS" is a salmonoid stream.

1. Designated national Wild and Scenic Rivers. Rivers that Congress has included in the National Wild and Scenic System pursuant to the National Wild and Scenic River Act, Public Law 90-452.
2. National Wild and Scenic Study Rivers. Rivers that Congress has determined should be studied for possible inclusion in the National Wild and Scenic Rivers System.
3. Federally Protected Rivers other than Wild and Scenic. Rivers subject to federal legal protection other than pursuant to the National Wild and Scenic Rivers Act, such as National Rivers and Waterways and National Recreation Areas.
4. State designated Scenic Rivers. Rivers included in state river conservation systems or otherwise protected pursuant to an act of the state legislature.
5. Nationwide Rivers Inventory Rivers. The 1,524 river segments identified by the National Park Service in its 1982 "Nationwide Rivers Inventory" as qualified for consideration for inclusion in the National Wild and Scenic Rivers System.
6. Hydro Ban Rivers. Rivers on which Congress has prohibited future hydropower development.
7. Rivers Identified in State Inventories or Assessments. Outstanding rivers from state inventories or assessments, i.e., rivers identified as having statewide or greater significance.
8. Atlantic Salmon Restoration Rivers. Rivers undergoing active Atlantic salmon restoration efforts and identified by the U.S. Fish and Wildlife Service for planned restoration.
9. Federal Public Lands Rivers. Rivers identified in U.S. Forest Service and Bureau of Land Management resource planning as potential additions to the National Wild and Scenic Rivers System.
10. State Fishing Rivers. Rivers identified by states as having outstanding fishing values, such as Blue Ribbon Trout Streams.
11. State Heritage Program Sites. Rivers identified by state natural heritage programs or similar state programs as having outstanding ecological importance.
12. Priority Aquatic Sites. Rivers identified in "Priority Aquatic Sites for Biological Diversity Conservation", published by the Nature Conservancy in 1985.
13. Canoe Trails. State-designated canoe/boating routes.
14. Outstanding Whitewater Streams. Rivers listed in the American Whitewater Affiliation's 1990 Inventory of American Whitewater.
15. Locally Protected Rivers. Rivers protected through local and private protection strategies.
16. State Park Rivers. Rivers protected by inclusion in a state park or state preserve.
17. Other Rivers. Miscellaneous rivers identified as having outstanding ecological, recreational, or scenic importance.
18. High Water Quality Rivers. "Outstanding Resources Waters" designated by states and other rivers identified by states as having outstanding water quality.
19. National Natural Landmark Rivers. Rivers designated as, or included within, National Natural Landmarks.
20. State Study Rivers. Rivers that have been formally proposed for state protection or designation.
21. BOR Western Rivers. Rivers listed in the Bureau of Outdoor Recreation's 1982 "Western U.S. Water Plan" proposal as exhibiting identified free-flowing values.
22. State legislated Wabash River Heritage Corridor.

II. LISTING OF OUTSTANDING RIVERS AND STREAMS

River	Significance	County	Segment
Bear Creek River	11, 18, EUW	Fountain	C.R. 250W to confluence with the Wabash
Big Blue*	5, 11	Johnson, Rush, Shelby	Flatrock River to Carthage
Big Creek	17	Jefferson	East side of Jefferson Military Reservation boundary to Graham Creek
Big Pine Creek	7, 11, 13, 18, 20, EUW	Warren	S.R. 18 to confluence with Wabash River
Big Walnut Creek	5, 7, 11, 13, 19, 20	Putnam	Hendricks/Putnam Co. Line to Greencastle
Black River	11	Posey	Confluence with Higginbotham Ditch to confluence with Wabash River
Blue*	4, 5, 7, 11, 13	Crawford, Harrison, Washington	Confluence of Middle Fork Blue to confluence with Ohio River
Blue, South Fork	11, EUW	Washington	S.R. 135 to confluence with Blue River
Buck Creek*	11	Harrison	Headwaters to confluence with Ohio River
Cedar Creek	4, 7, 11, 18, HQW	Allen, Dekalb	Dekalb C.R. 68 to St. Joseph River
Clifty Creek	11, 18, EUW	Montgomery	Headwaters to confluence with Indian Creek
Cypress Slough Creek	11	Posey	Confluence with Castleberry Creek to Southwind Maritime Center
Deep	13, 17	Lake, Porter	1 mile south of U.S. 30 to Little Calumet River
Driftwood	11, 13	Bartholomew	Atterbury Fish and Wildlife Area to Columbus
Eel, North	13	Miami, Wabash	South Whitley to Logansport
Elkhart	13	Elkhart, Noble	S.R. 13 to Island Park in Elkhart
Elkhart, South Branch	7, 11, 13, 20	Noble	C.R. 100N to U.S. 6
Fall Creek	11, 18, EUW	Warren	U.S. 41 to confluence with Big Pine Creek
Fawn*	11, 13	LaGrange, Steuben	Nevada Mills to Indiana/Michigan Line and Indiana/Michigan to Indiana/Michigan line
Fish Creek	11	Dekalb, Steuben	Ohio/Indiana line to Indiana/Ohio Line
Flatrock*	13	Bartholomew, Shelby	S.R. 9 to East Fork White River
Fourteen-Mile Creek*	11	Clark	Confluence of East and West Forks to confluence with Ohio River
Graham Creek	17	Jefferson, Jennings, Ripley	New Marion to confluence with Big Creek
Indian Creek*	11	Harrison	Floyd/Harrison Co. Line to confluence with Ohio River
Indian Creek	11, 18, EUW	Montgomery	C.R. 475W to confluence with Sugar Creek
Indian-Kentuck Creek*	17	Jefferson, Ripley	Confluence with Vestal Branch to confluence with Ohio River
Iroquois*	13	Newton	S.R. 16 to Indiana/Illinois line
Kankakee*	11, 13	LaPorte, Newton, Porter	Upstream boundary of Kingsbury Fish and Wildlife Area through LaSalle State Fish and Wildlife Area to Indiana/Illinois line
Kilmore Creek	17	Clinton	U.S. 421 to confluence with South Fork Wildcat Creek
Laughery Creek*	5, 9, 11	Dearborn, Ohio, Ripley	Source just east of Morris in Ripley Co. to confluence with Ohio River
Little Blue*	5, 11	Crawford	Town of English to confluence with Ohio
Little Calumet East Fork	10, 13, SS	Porter	C.R. 600E to S.R. 249
Little Creek	17	Jefferson	Kent to Big Creek
Little Indian Creek	11	Harrison	Pfrimmer Church to confluence with Indian Creek
Little Mosquito	11	Harrison	Headwaters to confluence with Mosquito Creek

Little Pine Creek	11	Warren	Bridge SW of Green Hill to confluence with Wabash River
Little River*	22	Allen, Huntington	Source to confluence with the Wabash River
Lost River*	9, 11, 19, EUW	Martin, Orange	Potato Road to confluence with East Fork White River
Mosquito Creek*	11	Harrison	Buena Vista to confluence with East Fork White River
Mississinewa*	17	Miami	Mississinewa Reservoir to confluence with Wabash River
Mud Pine Creek	11, 18, EUW	Warren	S.R. 352 to confluence with Big Pine Creek
Muscatatuck*	5	Jackson, Jennings, Scott	Confluence of Graham Creek and Big Washington Creek to confluence with East Fork White River
Muscatatuck, Vernon	11, 13	Jackson, Jennings	Zenas to confluence with Muscatatuck Fork*
Oil Creek*	11	Perry	St. Croix to confluence with Ohio River
Otter Creek	17	Jennings, Ripley	Covered Bridge North of Holton to confluence with Vernon Fork Muscatatuck
Patoka River	17	Dubois, Gibson, Pike	Patoka Reservoir to confluence with Wabash River
Pigeon	11, 13	LaGrange	S.R. 327 to Indiana/Michigan Line
Rattlesnake Creek	18, EUW	Fountain	C.R. 350W to confluence with Bear Creek
Rattlesnake Creek	11	Parke	C.R. 400/450S to confluence with Sugar Creek
Roaring Creek	11	Parke	1 mile upstream of S.R. 41 to confluence with Sugar Creek
Sand Creek	17, 20	Bartholomew, Decatur, Jackson, Jennings	Confluence with Cobbs Fork to confluence East Fork of White River
Stinking Fork	11	Crawford	Headwaters to confluence with Little Blue River
Sugar Creek	5, 7, 11, 13, 16, 20	Montgomery, Parke	Darlington Covered Bridge to confluence with Wabash River
Sugar Creek*	11	Johnson, Shelby	Inclusive within Johnson and Shelby counties
Sugar Mill Creek	17	Fountain, Parke	Wallace to confluence with Sugar Creek
Tippecanoe	5, 13, 16	Carroll, Fulton, Kosciusko, Marshall, Pulaski, Tippecanoe, White	Source (Lake Tippecanoe) to Norway and from Oakdale Dam to the confluence with Wabash River
Turkey Fork	11	Crawford	I-64 to confluence with Little Blue River
Wabash*	22	Adams, Allen, Carroll, Cass, Fountain, Gibson, Huntington, Jay, Knox, Miami, Parke, Posey, Sullivan, Tippecanoe, Vermillion, Vigo, Wabash, Warren, Wells	Indiana/Ohio Line to confluence with the Ohio River including the Little River and the portage between the Little River and the Maumee River
West Branch Mosquito	11	Harrison	Headwaters to confluence with Mosquito Creek
White, East Fork	5, 11, 13	Bartholomew, Daviess, Dubois, Jackson, Lawrence, Martin, Pike	Columbus to confluence with West Fork White River
White, West Fork*	5, 11, 13	Daviess, Delaware, Gibson, Knox, Greene, Hamilton, Madison, Marion, Morgan, Owen, Randolph	Farmland to confluence with Wabash River
Whitewater*	7, 11, 13, 20	Dearborn, Fayette, Franklin	Cambridge City to Indiana/Ohio line Wayne (West Harrison, OH)
Wildcat Creek	4, 7, 13, 17, 18, HQW	Carroll, Tippecanoe	S.R. 29 to confluence with Wabash River
Wildcat Creek, Middle	17	Clinton, Tippecanoe	S.R. 26 (Edna Mills) to confluence with Fork Wildcat, South Fork
Wildcat Creek,	4, 7, 11, 13, 17,	Clinton, Tippecanoe	U.S. 421 to confluence with Wildcat Creek Fork

South	18, HQW		

III. HISTORY

In 1993, the Natural Resources Commission adopted its "Outstanding Rivers List for Indiana". The listing was published in the Indiana Register on March 1 of that year as Information Bulletin #4 (16 IR 1677). The listing has also been specifically incorporated by reference into statutes and rules. Notably, the listing is referenced in the standards for utility line crossings within floodways, at 312 IAC 10-5-0.3, 312 IAC 10-5-0.6, and 312 IAC 10-5-2 through 312 IAC 10-5-4. See, also, the general permit for logjam removals at 312 IAC 10-5-6 and 312 IAC 10-5-7. Except where incorporated into a statute or rule, the listing is intended to provide guidance rather than to have regulatory application.

Posted: 05/30/2007 by Legislative Services Agency
An html version of this document.

Appendix K-2
Nationwide Rivers Inventory for the State of Indiana

Nationwide Rivers Inventory for the State of Indiana

River	County	Reach	Length	Year	Potential Classification	ORVs	Description	Other States
Big Blue River	Johnson, Shelby, Rush	Edinburgh to Shelbyville (21 river miles); Shelbyville to Freeport Dam (21 river miles); Freeport Dam to Carthage (13 river miles)	55	1982		R, F, W	A central Indiana River located near the Indianapolis SMSA. Flows through area predominantly in agriculture. Has good recreation potential with heavy existing fishing and floating use. Recommended by the state for study for State Natural Scenic and Recreation Rivers System. The river banks and adjacent lands are ideal for wildlife. Known habitat of Indiana bat. Popular hunting area.	
Big Pine Creek	Warren	From S.R. 55 crossing near mouth to Pine Village (20 miles) considered with Mud Pine Creek to Benton-Warren County Line (10 miles)	30	1982		S, R, G	Winds through an area of interesting glacial geology activity with deeply cut channels in sandstone creating steep cliffs. Several species of plants on state rare and endangered species list, relict stands of white pine and hemlock and remnant prairie. Abundant fish and wildlife populations. Good recreational values. Under study by the state for possible inclusion in State Natural, Scenic and Recreational River System.	
Big Walnut Creek	Putnam, Hendricks	From Rte. 43 (U.S. 231) above Green Castle in Putnam County to Rte. 236 Hendricks County	26	1982		S, R, G	Passes through a glaciated landscape with scenery varying from dense forests to open pastures. Passes through Big Walnut Canyon National Natural Landmark. Relict stands of hemlock and some of the nations largest hardwood are located nearby. Exceptional hunting, fishing and other recreational activities. Recommended by the State for inclusion in State Natural, Scenic and Recreation Rivers System.	

River	County	Reach	Length	Year	Potential Classification	ORVs	Description	Other States
Blue Creek	Crawford, Harrison	Confluence with Ohio River to the Washington County line	42	1982		S, R	A highly scenic stretch of river through the spectacular Indiana hill country with good floating and fishing potential. Receives moderate use. Flows through Wyandotte State Recreation Area and Harrison Crawford State Forest. Watershed is mostly forested with some bottomland farming. A designated component of State Natural, Scenic and Recreation Rivers System.	
Laughery Creek	Dearborn, OH, Ripley	From confluence with Ohio River to the source, just east of Morris in Ripley County (entire river)	79	1982		S, R	Flows through scenic southeastern Indiana hill country and Versailles State Park. Offers good fishing and floating opportunity. The corridor and watershed are generally wooded with some bottomland farming. Recommended by the state for study for inclusion in State Natural, Scenic and Recreational Rivers System.	
Little Blue River	Crawford	From confluence with Ohio River to R.M. 27 at bridge crossing SW of village of English	27	1982		S, R	High gradient, spring fed stream flowing over sand, gravel and rubble. Many aquatic habitats, great diversity of flora and fauna. Flows through Hoosier National Forest. Recommended by the state for inclusion in State Natural, Scenic and Recreation Rivers System.	
Little Blue River	Crawford	From intersection of the flood pool (from Cannelton Navigation Dam on the Ohio River) with the river bottom at mile 7.65 up the river from its outlet on the Ohio to river channel terminus at the town of English, Indiana	28	1982 1993	S, R	S, R, G, O	Meanders through wooded, rolling hills occasionally adjacent to rock bluffs. The river banks are tree lined, although small fields can be seen along the valley through the trees. River banks are mostly mud and may extend as much as 8 feet above the stream. Logs across the river and shallows at low water levels preserve the natural atmosphere and provide a challenging experience.	

River	County	Reach	Length	Year	Potential Classification	ORVs	Description	Other States
Lost River	Martin, Orange	From rivers mouth at the East Fork of the White River to the junction of the North and South Forks of the Lost River 78.5 miles upstream	78	1993	S, R	G, H, O	The river is an internationally known example of karst topography. Water enters the system through literally thousands of sinkholes. In addition, the surface river loses water into a system of swallow holes draining portions of the surface river. About 22 miles is then dry except during periods of flooding. With the exception of the dry bed portion, the entire river is canoeable. Frequent log jams and slow meandering flow make for a challenging experience.	
Muscatatuck River	Jackson, Washington, Scott, Jefferson	From confluence with Vernon River (12d boundary) approximately 5 miles west of Millport to confluence with Graham Cr. and Big Creek	21	1982		S, R, F, W	See initial comments.	
Muscatatuck River	Jackson	From mouth (confluence) with East Fork White River to confluence with Vernon River (12d boundary) approximately 5 miles west of Millport	20	1982		S, R, F, W	Meanders through a scenic, heavily wooded corridor in southern Indiana hill country. Agricultural lands often lie adjacent to the river providing excellent wildlife habitat. Considered to be a good fishing stream and offers a highly scenic floating experience. Recommended for study for State Rivers System.	
Plum Creek	Lake	Goodenow to Dyer, IN	15	1982		R	Flows east through northern Illinois farm country into Indiana. A small stream used for fishing and floating, but is somewhat limited due to size. Some archaeological and historic value.	IL

River	County	Reach	Length	Year	Potential Classification	ORVs	Description	Other States
St. Joseph River	St. Joseph, Elkhart	From the MI/IN boundary to the I-80/90 and HWY 31/33 Interchange (3 river miles); from the City of South Bend eastern limit to the MI/IND boundary in Elkhart County (30 river miles)	33	1982		R	Flows through two major metropolitan areas in northern Indiana. Offers good boating and sportfishing. Historical significance relating to early French explorer, LaSalle. Indiana and Michigan are working on joint projects to run coldwater species to Mishawaka metro area.	
Sugar River	Parke, Montgomery	From its confluence with Wabash River to State Rte. 32 at Crawfordsville	32	1982		S, R, G	This popular canoe stream flows through Shades and Turkey Run State Parks on its way to Wabash River. Area is noted for stands of glacial relict hemlock forest and steeply dissected topography. Recommended by the state for designation in State Natural, Scenic and Recreational River System.	
Tippecanoe River	Kosciusko, Marshall, Fulton, Pulaski, Starks, White	Lake Shafer (Norway) to Winamac (36rm) to channelization near Monoquet (118rm); Monoquet to source (Lake Tippecanoe) (7 river miles)	161	1982		R, F, W	A northern Indiana tributary of the Wabash River flowing through a heavily farmed portion of the state. Banks are generally wooded with some forested areas in corridor. Tippecanoe State Park is located on river. Upper half recommended by the state for inclusion in State Natural, Scenic and Recreational Rivers System. Has great value as a fishing (particularly small mouth bass), floating and swimming stream.	
Tippecanoe River	Tippecanoe, White, Carroll	From mouth at Wabash River to Oakdale dam	32	1982		R, F, W	See initial comments.	

River	County	Reach	Length	Year	Potential Classification	ORVs	Description	Other States
Wabash River	Posey, IN, White, IL, Gallatin, IL	From its confluence with Ohio River to I-64 bridge crossing in Posey County (includes part of river in 11a-d)	54	1982		R, F	River forms boundary between Illinois and Indiana. It meanders sluggishly through a valley which averages six miles in width. Pastoral scenes interspersed with occasional timber stands are common along the river. Drains a large portion of the Indiana and the Illinois.	
Wabash River	Gibson, Knox , Sullivan, Vigo, Vermillion, Fountain	From confluence with White River to Sullivan/Knox County line; Merom to the city of Terre Haute's southern limit; from the city of Terre Haute's northern limit to Covington (excluding approximately 10 mi within city)	103	1982			The Wabash has the largest watershed in the state draining 73 of the 92 counties. It starts in the NE part of the state and empties into the Ohio River in the extreme SW on the Illinois border. One of the largest rivers in eastern U.S. Has very little overall cultural impact. Supports a rich diversity of fish species. Many parks and other shoreline activities. Flows through predominately agricultural areas of Indiana but has wooded sections in corridor and has been proposed for designation for a State Scenic River. Receives heavy fishing and floating use. Several rock outcroppings along river. Merom bluff rises 200' above water, providing picturesque views. Rich in history; it was the site of many military campaigns including the Battle of Tippecanoe.	IL
White, East Fork	Daviess, Pike, Jackson, Bartholomew	From confluence with W. Fork White River to just east of Hudsonville (11ad boundary) (15 river miles); New Elizabethtown to Columbus (40 river miles)	55	1982		S, R, G, F, H	A fairly large river tributary of the White River flowing through very scenic south central portion of state in a 1-2 mile wide valley bordered by hills. Fairly well wooded banks and some heavily wooded areas along corridor. Recommended by the state for inclusion in State Natural, Scenic and Recreational Rivers System. Good recreation potential. Rare blue ordovician limestone outcroppings. Segments pass through Hoosier National Forest near Beaver Bluff and McBrides Bluffs. An outstanding canoe route. Excellent fishing.	

River	County	Reach	Length	Year	Potential Classification	ORVs	Description	Other States
White, West Fork	Randolph, Delaware, Madison, Hamilton, Marion, Johnson, Morgan, Monroe, Owen, Green, Daviess	From confluence with E. Fork R (boundary of Daviess/Pike/Knox Co) to HW 50-150 near Washington(10 river miles) to Edwardsport(24 river miles) to Spencer(82 river miles) to Martinsville(24 river miles) to Bluff Ridge(9 river miles) to Hapgood/S Port Rd(24 river miles); N River Rd to Noblesville(15 river miles) to Riverwood PP(7 river miles) to E Anderson(21 river miles)	216	1982		F, W, H, O	A large tributary of the Wabash River covering a large portion of south central Indiana. A broad river which flows through heavily farmed rolling to hilly watershed. Used extensively for fishing. Excellent fish production potential. Banks generally wooded with farming to waters edge in some places. Some forested area along the corridor. Recommended by the state for study in State Natural, Scenic and Recreational Rivers System. Flows through Indianapolis SMSA. Several historic sites such as Old Town Hall, an early Indian settlement, Rees Cemetery and Mounds State Park. State planning 11,000-acre recreation area near Indianapolis.	

Scenery (S): The landscape elements of landform, vegetation, water, color, and related factors result in notable or exemplary visual features and/or attractions. When analyzing scenic values, additional factors -- such as seasonal variations in vegetation, scale of cultural modifications, and the length of time negative intrusions are viewed -- may be considered. Scenery and visual attractions may be highly diverse over the majority of the river or river segment.

Recreation (R): Recreational opportunities are, or have the potential to be, popular enough to attract visitors from throughout or beyond the region of comparison or are unique or rare within the region. Visitors are willing to travel long distances to use the river resources for recreational purposes. River-related opportunities could include, but are not limited to, sightseeing, wildlife observation, camping, photography, hiking, fishing and boating.

- Interpretive opportunities may be exceptional and attract, or have the potential to attract, visitors from outside the region of comparison.
- The river may provide, or have the potential to provide, settings for national or regional usage or competitive events.

Geology (G): The river, or the area within the river corridor, contains one or more example of a geologic feature, process or phenomenon that is unique or rare within the region of comparison. The feature(s) may be in an unusually active stage of development, represent a "textbook" example, and/or represent a unique or rare combination of geologic features (erosional, volcanic, glacial, or other geologic structures).

Fish (F): Fish values may be judged on the relative merits of either fish populations, habitat, or a combination of these river-related conditions.

- *Populations:* The river is nationally or regionally an important producer of resident and/or anadromous fish species. Of particular significance is the presence of wild stocks and/or federal or state listed (or candidate) threatened, endangered or sensitive species. Diversity of species is an important consideration and could, in itself, lead to a determination of "outstandingly remarkable."
- *Habitat:* The river provides exceptionally high quality habitat for fish species indigenous to the region of comparison. Of particular significance is habitat for wild stocks and/or federal or state listed (or candidate) threatened, endangered or sensitive species. Diversity of habitats is an important consideration and could, in itself, lead to a determination of "outstandingly remarkable."

Wildlife (W): Wildlife values may be judged on the relative merits of either terrestrial or aquatic wildlife populations or habitat or a combination of these conditions.

- *Populations:* The river, or area within the river corridor, contains nationally or regionally important populations of indigenous wildlife species. Of particular significance are species considered to be unique, and/or populations of federal or state listed (or candidate) threatened endangered or sensitive species. Diversity of species is an important consideration and could, in itself, lead to a determination of "outstandingly remarkable."
- *Habitat:* The river, or area within the river corridor, provides exceptionally high quality habitat for wildlife of national or regional significance, and/or may provide unique habitat or a critical link in habitat conditions for federal or state listed (or candidate) threatened, endangered or sensitive species. Contiguous habitat conditions are such that the biological needs of the species are met. Diversity of habitats is an important consideration and could, in itself, lead to a determination of "outstandingly remarkable."

Prehistory (P): The river, or area within the river corridor, contains a site(s) where there is evidence of occupation or use by Native Americans. Sites must have unique or rare characteristics or exceptional human interest value(s). Sites may have national or regional importance for interpreting prehistory; may be rare and represent an area where a culture or cultural period was first identified and described; may have been used concurrently by two or more cultural groups; and/or may have been used by cultural groups for rare sacred purposes. Many such sites are listed on the National Register of Historic Places, which is administered by the NPS.

History (H): The river or area within the river corridor contains a site(s) or feature(s) associated with a significant event, an important person, or a cultural activity of the past that was rare or one-of-a-kind in the region. Many such sites are listed on the National Register of Historic Places. A historic site(s) and/or features(s) is 50 years old or older in most cases.

Cultural (C): The river or area within the river corridor contains archaeological sites or areas significant to traditional cultures. Examples might be American Indian burial grounds, petroglyphs, the oldest known human use site in a region, or streams that support traditional agriculture, subsistence fishing, or religious ceremonies.

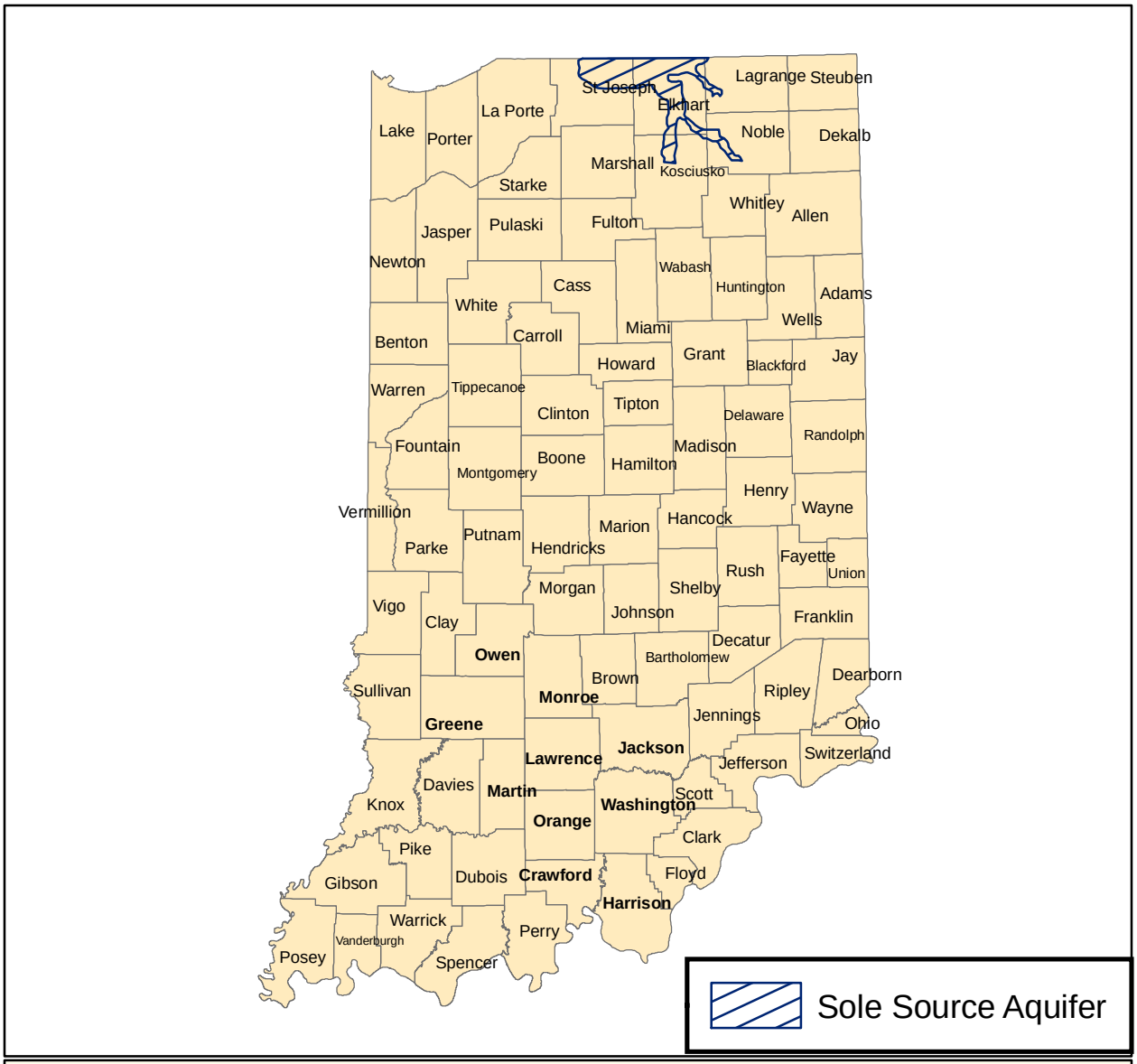
Other Values (O): While no specific national evaluation guidelines have been developed for the "other similar values" category, assessments of additional river-related values consistent with the foregoing guidance may be developed -- including, but not limited to, hydrology, paleontology and botany resources.

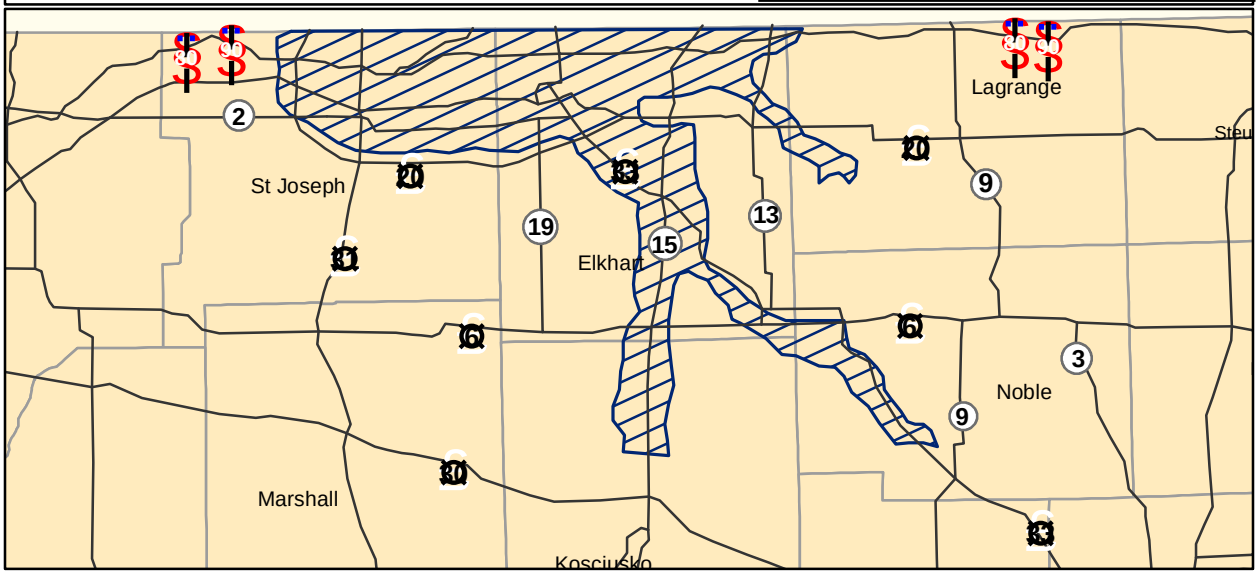
Reference Source: http://www.nps.gov/ncrc/programs/rtca/nri/index.html Data Accessed February 27, 2013 by INDOT Environmental Services

For more information Contact: Hector Santiago, National Park Services, Midwest Regional Office, 601 Riverside Drive, Omaha, Nebraska, 68102
(402) 661-1848

Appendix L
Sole Source Aquifer Map

Sole Source Aquifer Map





Appendix M
U.S. Fish & Wildlife Letter
(September 8, 1993)

United States Department of the Interior

FISH AND WILDLIFE SERVICE
BLOOMINGTON FIELD OFFICE (ES)
620 South Walker Street
Bloomington, Indiana 47403-2121
(812) 334-4261 FAX 334-4273

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:

September 8, 1993

Mr. James E. Juricic
Environmental Assessment Section
Department of Transportation
100 North Senate Avenue, Room N808
Indiana Government Center North
Indianapolis, Indiana 46204-2249

Dear Mr. Juricic:

The U.S. Fish and Wildlife Service (FWS) has determined that certain projects subject to Federal Highway Administration funding result in minimal impacts to fish and wildlife resources. Our review of such projects typically results in a response letter with a standard set of conditions to mitigate environmental impacts. To expedite the early coordination process, the FWS is providing a programmatic review for all such projects, as defined in this letter. The programmtic response applies only to projects with minimal impacts to fish and wildlife resources and no adverse effects on federally endangered or threatened species, as defined in this document.

For all projects to which this programmatic response applies, the following standard set of conditions will be in effect, and the FWS will not send an individual response to early coordination letters. For all projects in the "Programmatic Coordination" category of the accompanying Memorandum of Understanding (MOU), we request to be sent an early coordination letter; for projects in the "No Coordination Required" category, no letter will be sent.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

Standard Conditions

1. Post DO NOT DISTURB signs at the construction zone boundaries and do not clear trees or understory vegetation outside the boundaries.

2. Restrict below low-water work to placement of piers, pilings and/or footings, shaping of the spill slopes around the bridge abutments, and placement of riprap.

3. Restrict channel work and vegetation clearing to within the width of the normal approach road right-of-way. In rural areas this should be feasible under current Indiana Natural Resources Commission policy, whereby it is not necessary

for a new bridge in a rural area to reduce the amount of headup compared to the existing bridge (when replaced on essentially the same alignment).

4. Minimize the extent of artificial bank stabilization.

5. If riprap is utilized for bank stabilization, extend it below low-water elevation to provide aquatic habitat.

6. Implement temporary erosion and siltation control devices such as placement of straw bales in drainage ways and ditches, covering exposed areas with burlap, jute matting or straw, and grading slopes to retain runoff in basins.

7. Revegetate all disturbed soil areas immediately upon project completion.

8. Avoid all work within the inundated part of the stream channel during the fish spawning season (April 1 through June 30), except for work within sealed structures such as caissons or cofferdams that were installed prior to the spawning season.

Projects for which Programmatic Coordination Applies

This programmatic coordination letter applies to all projects which are within the criteria described in the "Programmatic Coordination" section of the attached MOU. In general, it applies to all projects for which coordination is required, but which are not in any of the prohibited categories described in the MOU.

If information becomes available concerning federally endangered/threatened species, or other significant fish and wildlife resources, which might preclude the programmatic response for a specific project, it will be the responsibility of the FWS to inform INDOT within 60 days of receiving the early coordination letter that additional consultation will be necessary. If new endangered species information which would affect the project becomes available between early coordination and construction, the FWS will inform INDOT as soon as possible.

A permit under Section 404 of the Clean Water Act may be needed for the proposed project. We would probably not object to issuance of such a permit if the applicable aforementioned recommendations are incorporated into final project plans as currently proposed.

If you have any questions about our recommendations, please call (812) 334-4261.

Sincerely yours,

David C. Hudak,
Supervisor

Appendix N
Memorandum of Understanding, Streamlining, and Reducing the Flow of Early Coordination Letters/Responses with the U.S. Fish & Wildlife Service

September, 1993

MEMORANDUM OF UNDERSTANDING

Re: Streamlining and reducing the flow of early coordination letters/responses with the U.S. Fish and Wildlife Service

The goal for these revisions is the streamlining and reduction of early coordination responses needed from the USFWS for both INDOT and local public agency transportation projects. The potential to impact natural areas will be the guiding criteria on when and how coordination is to be done for USFWS. Any revisions to the current early coordination method must meet U.S. Fish and Wildlife's as well as the Indiana Department of Transportation's regulatory and legal needs, such as permitting, the Endangered Species Act, and various federal regulations and review authority.

There will be three types of coordination with the U.S. Fish and Wildlife Service - no coordination needed based upon the potential impacts of the project, programmatic coordination, and standard early coordination. As additional information becomes available concerning endangered species and other significant resources, the following data is subject to revision.

No Coordination Required

1. Bridge rehabilitation, widening and reconstruction projects within existing right-of-way. *

2. Improving railroad grade crossings. *

3. Small structure replacements. *

4. Access control (consolidation or elimination of access points). *

5. Road resurfacing, restoration, rehabilitation, reconstruction added shoulders, or added auxiliary lanes (e.g. parking, weaving, turning, climbing) within existing permanent right-of-way. *

6. Intersection improvements. *

7. Erosion control projects. *

8. Modernization of a highway by resurfacing, restoration, rehabilitation, reconstruction, adding shoulders, or adding auxiliary lanes that requires additional right-of-way if all of the right-of-way is currently in urban land usage. *

9. Highway safety or traffic operations improvement projects including installation of ramp metering control devices as long as within existing right-of-way. *

10. Acquisition of land for hardship or protective purposes. *

*All criteria discussed below in the programmatic coordination section must also be satisfied for no coordination to be necessary.

Programmatic Coordination

Certain types of impacts would allow a project to fall under a programmatic coordination where programmatic early coordination would occur, but the coordination would normally elicit no individual response. The programmatic response would be included in the Procedural Manual for Preparing Environmental Studies. This programmatic response from the U.S. Fish and Wildlife Service would supply generalized conditions, etc. required for the project as well as Section 7 clearance (see attached programmatic response). Should special, unforeseen circumstances occur requiring a response from the U.S. Fish and Wildlife Service, they will respond within 60 days. The following permit projects would be one criteria or "red button". The following list of criteria would disallow a project being programmatically coordinated and thus would require standard early coordination:

Projects requiring a Section 404 Permit (individual or nationwide) with jurisdictional wetlands contiguous to the roadway.
-The disturbance of natural areas in certain geographical regions (see attached list) - possible rare, threatened, and endangered species habitat.
-Any project that is located in the Karst region (see attached map)
-Any channel work below low water beyond that actually necessary for the installation of the structure.
Any channel work above low water greater than 70' from the edge of the structure.
-Any new road alignment affecting more than one acre of natural habitat.
-Any project requiring a Section 4(f) (except for historic or archaeological 4(f)'s).

These criteria would apply only to those types of projects that fall under a regular categorical exclusion or require an Environmental Assessment/Finding of No Significant Impacts. Projects requiring a DEIS/FEIS would require standard early coordination.

INFORMATION NEEDED IN THE EARLY COORDINATION BY USFWS

Early coordination often includes too much of the wrong information and too little of the right information. To rectify this the following guidelines should be met:

-do not include engineer's reports or unnecessary engineering details.
-do include a biological report that minimally includes:
- description of the habitats of the project area.
- Dominant species for each habitat type.
- any possible rare or endangered species habitat.
- photographs of the project site.
- aerial photography of the site at such a scale that existing and proposed right-of-way and natural features can be shown.
- any unique, sensitive or unusual biological features or conditions that exist at the site.
- describe any water features present.

do include a basic description of the proposed project:
- type of project.
- length of project
- existing and proposed right-of-way width.
- maintenance of traffic
- any impacts to surface waters or drainage of the project - work in or near streams, lakes, ditches, etc.

do include past, current and proposed land uses in the proximity of the project.
do include adequate graphics - U.S.G.S. quadrangle maps, aerial photographs, well labeled photographs of the site and NWI and County Soil maps if available.

David C. Hudak 9/17/93

Mr. David C.Hudak, Field Supervisor
U.S. Fish and Wildlife Service

James E. Juricic 9/28/93

Mr. James E. Juricic, Manager
Environmental Assessment Section
Indiana Department of Transportation

List of Geographic Locations Excluded from Programmatic Coordination Between the Indiana Department of Transportation and the U.S. Fish and Wildlife Service

County Locations

Lake, Porter, LaPorte (all locations within Lake Michigan watershed)
Clark (all locations within Silver Creek watershed)
Ohio, Ripley, Switzerland (bottomland meadows)

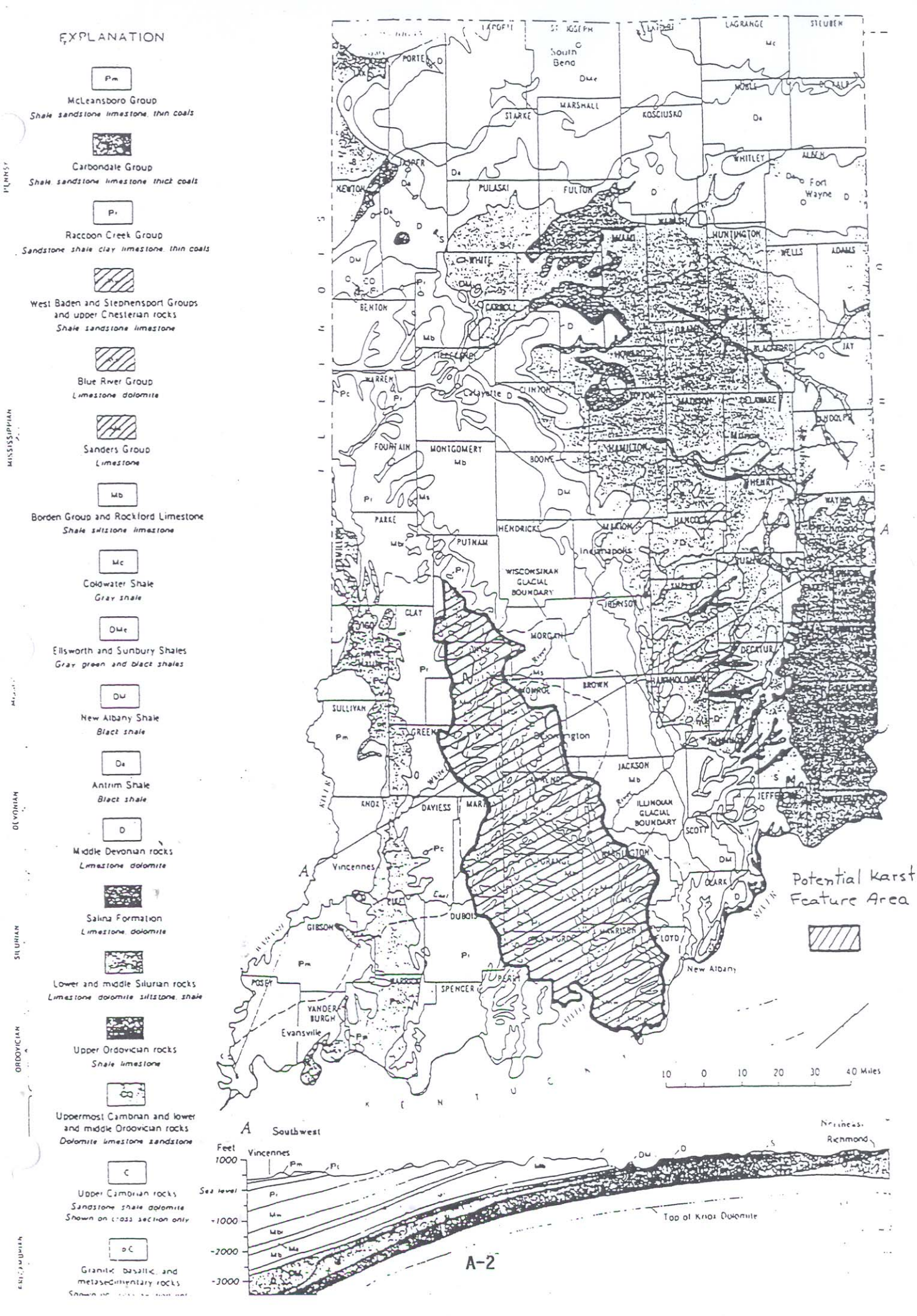
Streams and Rivers

Bear Creek and tributaries (Fountain County)
Big Walnut Creek (Putnam, Hendricks Counties)
Big Creek (Jefferson County)
Big Pine Creek (Warren County)
Big Blue River (Johnson, Rush, Shelby Counties)
Black River (Posey County)
Blue River, including South Fork (Crawford, Harrison, Washington Counties)
Buck Creek (Harrison County)
Cedar Creek (Allen, Dekalb Counties)
Clifty Creek (Montgomery County)
Cypress Slough Creek (Posey County)
Deep River (Lake, Porter Counties)
Driftwood River (Bartholomew County)
Eel River (Miami, Wabash Counties)
Elkhart River (Elkhart, Noble Counties)
Fall Creek (Warren County)
Fawn Creek (Lagrange, Steuben Counties)
Fish Creek (Dekalb, Steuben Counties)
Flatrock River (Shelby County)
Graham Creek (Jefferson, Jennins, Ripley County)
Grand Calumet River (Lake County)
Indian Creek (Harrison County)
Indian Creek (Montgomery County)
Indian-Kentuck Creek (Jefferson, Ripley Counties)
Iroquois River (Newton County)
Kankakee River
Kilmore Creek (Clinton County)
Laughery Creek (Dearborn, Ohio, Ripley Counties)
Little Blue River (Crawford County)
Little River (Allen, Huntington Counties)
Little Mosquito Creek (Harrison County)
Little Pine Creek (Warren County)
Little Indian Creek (Harrison County)
Little Calumet River East Fork (Porter County)
Little Creek (Jefferson County)
Lost River (Martin, Orange Counties)
Mississinewa River
Mosquito Creek, including West Branch (Harrison County)

Mud Pine Creek (Warren County)
Muscatatuck River, including Vernon Fork
Ohio River
Oil Creek (Perry County)
Otter Creek (Jennings, Ripley County)
Patoka River (Gibson, Pike Counties)
Pigeon River (Lagrange County)
Rattlesnake Creek (Fountain County)
Rattlesnake Creek (Parke County)
Roaring Creek (Parke County)
Sand Creek (Barrtholomew, Decatur, Jackson, Jennings Counties)
South Branch Elkhart River (Noble County)
St. Joseph River (Elkhart, St. Joseph County)
Stinking Fork (Crawford County)
Sugar Mill Creek (Fountain, Parke Counties)
Sugar Creek (Montgomery, Parke Counties)
Sugar Creek (Johnson, Shelby Counties)
Tippecanoe River
Turkey Fork (Crawford County)
Wabash River
White River Mainstem (Gibson, Pike, Knox Counties)
White River West Fork
White River East Fork
Whitewater River (Fayette, Franklin Counties)
Wildcat Creek, all branches (Carroll, Clinton, Tippecanoe Counties)

Karst areas

See accompanying map


EXPLANATION
Pm
McLeansboro Group
Shale sandstone limestone thin coals
Carbondale Group
Shale sandstone limestone thick coals
Pr
Raccoon Creek Group
Sandstone shale clay limestone thin coals
West Baden and Stephensport Groups and upper Chesterian rocks
Shale sandstone limestone
Blue River Group
Limestone dolomite
Sanders Group
Limestone
Mb
Borden Group and Rockford Limestone
Shale siltstone limestone
Mc
Coldwater Shale
Gray shale
DMe
Ellsworth and Sunbury Shales
Gray green and black shales
DM
New Albany Shale
Black shale
Da
Antrim Shale
Black shale
D
Middle Devonian rocks
Limestone dolomite
Salina Formation
Limestone dolomite
Lower and middle Silurian rocks
Limestone dolomite siltstone shale
Upper Ordovician rocks
Shale limestone
Uppermost Cambrian and lower and middle Ordovician rocks
Dolomite limestone sandstone
C
Upper Cambrian rocks
Sandstone shale dolomite
Shown on cross section only
pC
Granite basaltic and metasedimentary rocks
PENNSY
MISSISSIPPIAN
DEVONIAN
SILURIAN
ORDOVICIAN
CAMBRIAN
LAPORTE
ST JOSEPH
South Bend
LAGRANGE
STEUBEN
PORTER
STARKE
MARSHALL
KOSCIUSKO
NOBLE
DEKALB
LAKE
NEWTON
JASPER
PULASKI
FULTON
WHITLEY
ALLEN
Fort Wayne
WABASH
HUNTINGTON
WELLS
ADAMS
WHITE
CARROLL
BENTON
GRANT
BLACKFORD
JAY
WARREN
Lafayette
CLINTON
RANDOLPH
FOUNTAIN
MONTGOMERY
BOONE
HAMILTON
MADISON
DELAWARE
HENRY
WAYNE
PARKE
HENDRICKS
HANCOCK
RUSH
PUTNAM
Indianapolis
WISCONSINAN GLACIAL BOUNDARY
JOHNSON
CLAY
MORGAN
DECATUR
BROWN
SULLIVAN
GREENE
JACKSON
KNOX
DAVIESS
MARTIN
ILLINOIAN GLACIAL BOUNDARY
SCOTT
JEFFERSON
Vincennes
CLARK
Potential Karst Feature Area
GIBSON
DUBOIS
CRAWFORD
HARRISON
FLOYD
New Albany
POSEY
SPENCER
PERRY
VANDERBURGH
Evansville
10 0 10 20 30 40 Miles
A
A Southwest
Northeast
Richmond
Feet
1000
Vincennes
Sea level
-1000
-2000
-3000
Top of Knox Dolomite
A-2

Potential Karst Area of Indiana

1. Approximate Boundaries:

North: southern boundary of Wisconsin glaciation
East: Spickert Knob Formation (Borden group)
South: Ohio River
West: Western edge of Mw (West Baden and Stephensport Groups and upper Chesterian rocks) outcrop area

2. Counties Included: (13)

Putnam	Greene	Dubois	Crawford
Morgan	Martin	Washington	
Owen	Lawrence	Floyd	
Monroe	Orange	Harrison	

Note: Four (4) counties (Clay, Jackson, Spencer and Perry) which have either Ms or Mw mapped within their borders are not included in the potential karst are for mainly two (2) reasons. The first is that no caves are listed in them in the 1961, Caves of Indiana by Richard Powell. The second is that Clay, Jackson and Spencer counties also had but very small intrusions of these rocks at the bedrock surface.

Although the Mw rocks do not contain the massive limestones in which karst features typically develop, it was selected as the western map boundary because it matched up very well with the cave location map included in the Caves of Indiana report.

Appendix O
Karst Memorandum of Understanding

Memorandum of Understanding

(Retyped of original text 3/14/2007)

This Memorandum of Understanding is made and entered into this thirteenth day of October, 1993, between the Indiana Department of Transportation (INDOT), the Indiana Department of Natural Resources (IDNR), the Indiana Department of Environmental Management (IDEM) and the U.S. Fish and Wildlife Service (USFWS) for the purpose of delineating guidelines for construction of transportation projects in karst regions of the State.

Whereas, INDOT, IDNR, IDEM and the USFWS wish to cooperate in the identification, study and treatment of drainage in karst regions related to the construction of transportation projects and

Whereas, INDOT, IDNR, IDEM and the USFWS accept responsibility to ensure the transportation needs of Indiana are met in an environmentally sensitive manner that protects the habitat of all species and

Whereas, design and construction practices must protect ground water quality, public health and safety, and the environment.

Whereas, the Indiana Department of Natural Resources will conform to the terms and conditions within this MOU for their transportation projects. Likewise, it will be IDNR's responsibility to provide standard biological review for projects in the karst region.

Therefore, in consideration of the terms and conditions set forth herein the INDOT, IDNR, IDEM and USFWS agree as follows:

1. INDOT in cooperation with the IDNR, IDEM and USFWS shall determine the location of sinkholes, caves, underground streams, and other related karst features and their relationship prior to proposed alterations or construction in karst regions of the state, a consultant with expertise in karst geology/hydrology may assist in the identification and characterization of the karst features. The choice of the consultant retained by INDOT will be subject to the review of IDNR, USFWS and IDEM.

2. Tasks to accomplish this work will include:

   Research public and private information sources for information relative to karst features.

   Conduct field check karst and cave features that appear from the first task and identify any additional karst features.

   Prepare a draft report, with photographs and maps, drainage areas, and land use of that drainage area for each sinkhole or karst feature, dye-tracing and/or other geotechnical information to determine subsurface flow of water in the project area

and surface water drainage patterns of the area. Calculations of estimates of annual pollutant loads from the highway and drainage with the right-of-way will be made, including prior to, during and post construction estimates. The design of the treatment of the karst features will take into consideration treatments necessary to meet the standards of the monitoring and maintenance plan.

That report will be used as a tool to assist in determining the proposed highway alignment. The intent of INDOT is to avoid karst areas and use alternate drainage where possible.

3. IDNR, IDEM and USFWS will be requested to review and comment on the findings at the early coordination phase of project development.

4. INDOT, using the input from IDNR, IDEM and USFWS will begin to formulate appropriate measures to offset unavoidable impacts to the karst features. It is understood by all parties that some of the methods proposed at this time will be generic and could be applied throughout the length of the corridor. Other methods may be specific to a particular cave or karst feature. Some of the approaches may require additional investigations to determine their necessity and/or their feasibility. A revised draft report will be prepared by INDOT's consultant and provided to the IDNR, IDEM and the USFWS as part of the design review process.

5. Drainage entering from beyond the right-of-way will be treated according to the same process as drainage generated by the project.

6. As the project progresses further into the design phase, the IDNR, IDEM and USFWS will be invited and will attend field checks and meetings dealing with efforts to negate or minimize adverse impacts.

7. Hazardous materials traps (HMT's) will be constructed at storm water outfalls and other locations that will protect karst features from spill contamination.

8. INDOT agrees to develop a monitoring and maintenance plan for the affected karst features. IDNR, IDEM and USFWS will be provided an opportunity to review this plan. The establishment of water quality and a point at which a standard is established for remediation will be a part of each monitoring plan. The results of the monitoring will be submitted to IDNR, USFWS and IDEM on a regular basis.

9. A low salt and no spray strategy will be developed for each future project. A signing strategy for these items will also be developed for each project.

10. Prior to acceptance of the final design plans an agreement will be developed which will set out t6he appropriate and practicable measures to offset unavoidable impacts to karst features. This agreement will be signed by the Department Director of IDNR, the Commissioner of the IDEM, the Commissioner of INDOT and the Supervisor of the USFWS Bloomington, Indiana Field Office. The agreement will become a part of

the contract documents for the project, will be discussed at the pre-construction conference and will be on file at the office of the project administrator.

11. INDOT will assure that the terms of the agreement will be completed with all safeguards given to the karst area. Special provisions, which are binding provisions that are a part of the contract, will be included outlining the precautions to be taken. Construction and design strategies for handling karst features will be discussed with the contractor(s) and project administrator during the pre-construction conference. Project administrator shall ensure that the contractor is following the new erosion control standards that meet Rule 5 of 327 IAC 13 and any special precautions outlined in the design plans that the sinkhole treatment is being handled correctly. The erosion control plan must be available at the project administrator's office. An emergency response plan will be made a part of the contract documents. In addition, the contract documents will contain a strategy for signing to alert the public to the fact that all types of spills are potentially hazardous to the karst environment. For INDOT, this plan would be procedure 20 of the Field Operations Manual dated 6/24/1992. [Currently in the Construction Activities Environmental Manual].

12. The location and nature of the sinkholes and drainage schematic will be provided to the IDEM. They will provide the information to the appropriate local authorities and the Hazmat teams. An emergency response plan will be followed. This constitutes procedure 20. Included in this information is an understanding that all types of spills are potentially hazardous to karst regions.

13. IDNR, IDEM and USFWS personnel will monitor construction and maintenance to the agreed upon terms, as deemed necessary.

14. If during construction it is found that the mitigation agreement must be altered, all of the agencies will be contacted and agreement reached prior to work continuing in that specific area of the project. In order to not unduly delay projects, a two working days response time is needed from the resource agencies.

15. Treatments will be maintained during construction by means of a visual inspection on a weekly basis or after every rain. Corrective action will be taken as needed.

16. If after the above procedure is followed and a state/federal endangered/threatened species is found during construction, work in that area of the project will stop. The IDNR and USFWS will be immediately notified. The IDNR and USFWS will promptly investigate the situation, advise the project administrator and assume responsibility for protecting the endangered species and taking the appropriate action.

17. This document will be reviewed annually or more frequently at the request of any of the foregoing agencies.

MR. FREDERICK C. P'POOL, COMMISSIONER
INDIANA DEPARTMENT OF TRANSPORTATION

MR. PATRICK R. RALSTON, DIRECTOR
INDIANA DEPARTMENT OF NATURAL RESOURCES

MS. KATHY PROSSER, COMMISSIONER
INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

MR. DAVID C HUDAK, FIELD SUPERVISOR, BLOOMINGTON FIELD OFFICE
U. S. FISH AND WILDLIFE SERVICE

Appendix P
Potential Karst Features Area Map


St Joseph
Elkhart
Lagrange
Steuben
Lake
Porter
La Porte
Noble
Dekalb
Marshall
Kosciusko
Starke
Whitley
Allen
Jasper
Pulaski
Fulton
Newton
Wabash
Huntington
Adams
Cass
White
Wells
Carroll
Miami
Benton
Grant
Howard
Blackford
Jay
Warren
Tippecanoe
Tipton
Clinton
Delaware
Randolph
Fountain
Madison
Boone
Hamilton
Montgomery
Henry
Vermillion
Wayne
Hancock
Putnam
Marion
Parke
Hendricks
Fayette
Rush
Union
Morgan
Shelby
Vigo
Johnson
Franklin
Clay
Decatur
Owen
Bartholomew
Brown
Dearborn
Sullivan
Monroe
Ripley
Jennings
Greene
Ohio
Jackson
Switzerland
Lawrence
Jefferson
Davies
Martin
Scott
Knox
Washington
Orange
Clark
Pike
Floyd
Gibson
Dubois
Crawford
Harrison
Warrick
Perry
Vanderburgh
Posey
Spencer
Potential Karst Features Region

Appendix Q
FHWA Guidance on *de minimis* Section 4(f) Impacts

U.S. Department of Transportation
Federal Highway Administration

Memorandum

Sent Via E-mail

Subject: **ACTION**: Guidance for Determining *De Minimis* Impacts to Section 4(f) Resources

Date: December 13, 2005

Original Signed by:
From: Cynthia J. Burbank
Associate Administrator, Planning, Environment and Realty, FHWA
Brigid Hynes-Cherin, Associate Administrator for Planning and Environment, FTA

Reply to Attn. of: HEPE

To: FHWA Division Administrators
FTA Regional Administrators

Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59, amended existing Section 4(f) legislation at Section 138 of Title 23 and Section 303 of Title 49, United States Code, to simplify the processing and approval of projects that have only *de minimis* impacts on lands protected by Section 4(f). This is the first substantive revision of Section 4(f) legislation since passage of the U.S. Department of Transportation Act of 1966. This revision provides that once the U.S. Department of Transportation (DOT) determines that a transportation use of Section 4(f) property, after consideration of any impact avoidance, minimization, and mitigation or enhancement measures, results in a *de minimis* impact on that property, an analysis of avoidance alternatives is not required and the Section 4(f) evaluation process is complete.

Section 6009(c) of SAFETEA-LU requires the U.S. DOT to conduct a study and issue a report on the implementation of the new Section 4(f) provisions. The study will include evaluation of: 1) the implementation processes developed and the resulting efficiencies; 2) the post-construction effectiveness of any impact mitigation and avoidance commitments adopted as part of the projects; and 3) the number of projects determined to have *de minimis* impacts, including information on the location, size, and cost of the projects. The initial study and report will address the first three years of implementation. The Federal Highway Administration (FHWA) Division and Federal Transit Administration (FTA) Regional Offices should maintain a record of the projects for which *de minimis* findings were made and track the progress of those projects in order to facilitate the future evaluation of the post construction effectiveness of any commitments of mitigation made as part of the *de minimis* finding. Additional guidance and information regarding the study and report will be provided in the future.

Questions and Answers on the Application of the Section 4(f) *De Minimis* Impact Criteria

Introduction

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) amendment to the Section 4(f) requirements allows the U.S. Department of Transportation (DOT) to determine that certain uses of Section 4(f) land will have no adverse effect on the protected resource. When this is the case, and the responsible official(s) with jurisdiction[1] over the resource agrees in writing, compliance with Section 4(f) is greatly simplified, as explained in this guidance.

The *de minimis*[2] impact criteria and associated determination requirements specified in Section 6009(a) of SAFETEA-LU[3] are different for historic sites than for parks, recreation areas, and wildlife and waterfowl refuges. *De minimis* impacts related to historic sites are defined as the determination of either "no adverse effect" or "no historic properties affected" in compliance with Section 106 of the National Historic Preservation Act (NHPA)[4]. *De minimis* impacts on publicly owned parks, recreation areas, and wildlife and waterfowl refuges are defined as those that do not "adversely affect the activities, features and attributes" of the Section 4(f) resource.

The following questions and answers provide information and guidance on the process of determining *de minimis* impacts of highway and transit projects that propose the use of Section 4(f) property. A diagram of the determination process for parks, recreation areas, and wildlife and waterfowl refuges is included for illustration following the questions and answers.

1. General Information Regarding Application of the *De Minimis* Impact Criteria.

Question A. Are *de minimis* impact findings limited to any particular type of project or National Environmental Policy Act (NEPA) document?

Answer: No. The *de minimis* impact criteria may be applied to any project, as appropriate, regardless of the type of environmental document required by the NEPA process as described in the FHWA and FTA Environmental Impact and Related Procedures[5].

Question B. What effect does the *de minimis* impact provision have on the application of the existing FHWA nationwide programmatic evaluations?

Answer: Existing FHWA programmatic Section 4(f) evaluations[6] remain in effect and may be applied, as appropriate, to the use of Section 4(f) property by a highway project. However, since FTA does not have its own or share FHWA's programmatic evaluations, the programmatic option applies only to FHWA projects and to multimodal projects in which FHWA and FTA are co-lead agencies.

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[1] "Official(s) with jurisdiction" means the SHPO, THPO and ACHP, if participating in the consultation, for historic resources, and is defined in Question 3C for other Section 4(f) resources.

[2] Black's Law Dictionary (8th ed. 1999) defines de minimis as 1. Trifling, minimal. 2. (Of a fact or thing) so insignificant that a court may overlook it in deciding an issue or case. 3. *De Minimis Non Curat Lex, The law does not concern itself with trifles.*

[3] Section 6009 amends 49 U.S.C. § 303 and 23 U.S.C § 138; see specifically 49 U.S.C. § 303(d) and 23 U.S.C §138(b)

[4] 16 U.S.C. 470f, with implementing regulation at 36 CFR part 800

[5] 23 CFR 771.115

[6] http://environment.fhwa.dot.gov/projdev/4fnspeval.htm

Question C. Is it appropriate to apply the *de minimis* impact criteria to projects that are already in the project development process?

Answer: Yes. The Section 4(f) statutory amendment was effective immediately upon enactment of SAFETEA-LU and the *de minimis* impact criteria may be applied to projects currently in the project development process, where the requirements of a *de minimis* impact finding have been or will be satisfied. The decision to apply the *de minimis* impact criteria to those projects is a matter of agency choice and professional judgment. The factors that should be considered in decisions to apply the *de minimis* impact criteria to projects in the "pipeline" include, but are not limited to: 1) the stage of the NEPA or project development process the project is in; 2) the benefits to the project delivery schedule realized by applying the *de minimis* impact criteria; 3) the impact to the project delivery schedule due to other agency (e.g., SHPO and/or THPO and park authorities) or public concern; 4) the overall benefit to the project realized by the reevaluation of a more viable alternative through a *de minimis* impact finding; 5) the degree and type of controversy and/or public scrutiny related to the project; and 6) the resulting benefits realized to a Section 4(f) resource by the *de minimis* impact finding.

While the *de minimis* impact criteria may be applied to any project meeting the specified requirements, Section 6009(a) of SAFETEA-LU does not require the U.S. DOT to re-open decisions already made concerning Section 4(f) impacts of individual projects. Project sponsors are encouraged to examine projects currently in the environmental process to see if any would benefit from application of the *de minimis* impact criteria, but the decision must be made on a case-by-case basis.

Question D. Can a *de minimis* impact finding be made for a project as a whole, where multiple Section 4(f) resources are involved?

Answer: No. Where multiple Section 4(f) resources are present in the study area and potentially used by a transportation project, *de minimis* impact findings must be made for the individual Section 4(f) resources. The impacts to Section 4(f) resources and any impact avoidance, minimization, and mitigation or enhancement measures must be considered on an individual resource basis and *de minimis* impact findings made individually for each Section 4(f) resource. However, when there are multiple resources for which *de minimis* impact findings are appropriate, the procedural requirements of Section 4(f) can and should be completed in a single process, document and circulation, so long as it is clear that distinct determinations are being made. Also in these cases, the written concurrence of the official(s) with jurisdiction may be provided for the project as a whole, so as long as the *de minimis* impacts findings have been made on an individual resource basis.

Question E. What role does mitigation play in the *de minimis* impact finding?

Answer: The *de minimis* impact finding is based on the degree or level of impact including any avoidance, minimization, and mitigation or enhancement measures that are included in the project to address the Section 4(f) use. The expected positive effects of any measures included in a project to mitigate the adverse effects of a Section 4(f) resource must be taken into account when determining whether the impact to the Section 4(f) resource is *de minimis*. The purpose of taking such measures into account is to encourage the incorporation of Section 4(f) protective measures as part of the project[7]. *De minimis* impact findings must be expressly conditioned upon the implementation of any measures that were relied upon to reduce the impact to a *de minimis* level. The implementation of such measures will become the responsibility of the project sponsor, with FHWA or FTA oversight[8].

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[7] Conference Report of the Committee of Conference on H.R. 3, Report 109-203, page 1057.

[8] 23 CFR 771.109(b)

Question F. How should the *de minimis* impacts to Section 4(f) resources be considered in the alternative selection process when all feasible and prudent alternatives result in Section 4(f) use?

Answer: For those situations in which multiple Section 4(f) resources will be used by a project and it has been determined that no feasible and prudent avoidance alternatives exist, the *de minimis* impacts of Section 4(f) resources must be factored into the analysis to determine which alternative results in the least overall harm as described in the FHWA Section 4(f) Policy Paper[9].

In most cases, the *de minimis* impacts will have little or no influence on the determination of overall harm because the activities, features and attributes of the Section 4(f) resources will not be adversely affected. Also, because potential adverse impacts to the Section 4(f) resources will be completely mitigated or enhanced by inclusion of such measures as part of the project in making *de minimis* impact findings, the Section 4(f) benefit should be included in the least harm analysis. Where it is not clear which alternative results in the least overall harm, consultation with the FHWA or FTA Headquarters or the FHWA or FTA Office of the Chief Counsel is recommended.

Question G. Can a *de minimis* impact finding be made for a "constructive use" of Section 4(f) property?

Answer: No. A *de minimis* impact finding can only be made where the transportation use would not adversely affect the activities, features, and attributes that qualify a property for protection under Section 4(f). Constructive use, by definition, involves impacts to a Section 4(f) resource such that the protected activities, features, and attributes would be substantially impaired[10]. Therefore, a *de minimis* impact finding would not be appropriate where there is a constructive use. Furthermore, if a potential constructive use can be reduced below a substantial impairment, with the inclusion of mitigation measures, then Section 4(f) would not apply.

Question H. Can a *de minimis* impact finding be made for a "temporary occupancy" of Section 4(f) property?

Answer: Yes. As long as the *de minimis* impact criteria are met, the impacts associated with a temporary occupancy of a Section 4(f) resource could be determined to be *de minimis*. It should be noted, however, that Section 4(f) does not apply to the temporary occupancy of Section 4(f) property when the conditions set forth in the FHWA and FTA Environmental Impact and Related Procedures[11] are satisfied. Therefore, application of the *de minimis* impact provision for these situations should only be considered when the project does not meet the temporary occupancy exception criteria.

Question I. Who makes the *de minimis* impact findings?

Answer: The FHWA Division Administrator or FTA Regional Administrator makes the *de minimis* impact findings. In the determination, FHWA or FTA shall consider any impact avoidance, minimization, and mitigation or enhancement measures that are included in the project to address the impacts and adverse effects on the Section 4(f) resource. The FHWA Division Administrator or FTA Regional Administrator must consider the facts supporting the determination of a *de minimis* impact, the record that was compiled in the coordination that must precede the determination of *de minimis* impact, the concurrence of the official(s) with jurisdiction, and use his or her own best judgment in making the *de minimis* impact finding. It is ultimately the

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[9] March 1, 2005, pages 6, 7; http://www.environment.fhwa.dot.gov/projdev/4fpolicy.htm

[10] 23 CFR 771.135(p)(2)

[11] 23 CFR 771.135(p)(7)

responsibility of the FHWA or FTA to ensure that *de minimis* impact findings and required concurrences are reasonable.

Coordination with the FHWA or FTA Headquarters or the FHWA or FTA Office of the Chief Counsel is not required for routine *de minimis* impact findings but is recommended for controversial projects and complex situations.

2. *De Minimis* Impact Findings for Section 4(f) Uses of Historic Properties.

Question A. What are the requirements for a finding of *de minimis* impact on a historic site?

Answer: A finding of *de minimis* impact on a historic site may be made when:

1) The process required by Section 106 of the National Historic Preservation Act[12] results in the determination of "no adverse effect" or "no historic properties affected" with the concurrence of the SHPO and/or THPO, and ACHP if participating in the Section 106 consultation;
2) The SHPO and/or THPO, and ACHP if participating in the Section 106 consultation, is informed of FHWA's or FTA's intent to make a *de minimis* impact finding based on their written concurrence in the Section 106 determination; and
3) FHWA or FTA has considered the views of any consulting parties participating in the Section 106 consultation.

Question B. How should the concurrence of the SHPO and/or THPO, and ACHP if participating in the Section 106 determination, be documented when the concurrence will be the basis for a *de minimis* finding?

Answer: Section 4(f)[13] requires that the SHPO and /or THPO, and ACHP if participating, must concur in writing in the Section 106 determination of "no adverse effect" or "no historic properties affected." The request for concurrence in the Section 106 determination should include a statement informing the SHPO or THPO, and ACHP if participating, that the FHWA or FTA intends to make a *de minimis* finding based upon their concurrence in the Section 106 determination.

Under the Section 106 regulation, concurrence by a SHPO and/or THPO may be assumed if they do not respond within a specified timeframe, but Section 4(f) explicitly requires their written concurrence. It is recommended that transportation officials share this guidance with the SHPOs and THPOs in their States so that these officials fully understand the implication of their concurrence in the Section 106 determinations and the reason for requesting written concurrence.

Question C. Certain Section 106 programmatic agreements (PAs) allow the lead agency to assume the concurrence of the SHPO and/or THPO in the determination of "no adverse affect" or "no historic properties affected" if response to a request for concurrence is not received within a period of time specified in the PA. Does such concurrence through non-response, in accordance with a written and signed Section 106 PA, constitute the "written concurrence" needed to make a *de minimis* finding?

Answer: In accordance with the provisions of a written and signed programmatic agreement, if the SHPO and/or THPO does not respond to a request for concurrence in the Section 106

[12] 16 U.S.C. 470f, with implementing regulation at 36 CFR part 800

[13] 49 U.S.C 303(d)(2)

determination within the specified time, the non-response together with the written agreement, will be considered written concurrence in the Section 106 determination that will be the basis of the *de minimis* finding by FHWA or FTA.

FHWA or FTA must inform the SHPOs and THPOs who are parties to such PAs, in writing, that a non-response that would be treated as a concurrence in a "no adverse effect" or "no historic properties affected" determination will also be treated as the written concurrence for purposes of the FHWA or FTA *de minimis* impact finding. It is recommended that this understanding of the parties be documented by either appending the written notice to the existing PA, or by amending the PA itself.

Question D. For historic properties, will a separate public review process be necessary for the determination of a *de minimis* impact?

Answer: No. Section 6009(a) of SAFETEA-LU requires the U.S. DOT to consult with the parties participating in the Section 106 process but does not require additional public notice or opportunity for review and comment. Documentation of consulting party involvement is recommended. For projects requiring the preparation and distribution of a NEPA document, the information supporting a *de minimis* impact finding will be included in the NEPA documentation and the public will be afforded an opportunity to review and comment during the formal NEPA process.

3. *De Minimis* Impact Findings for Parks, Recreation Areas, and Wildlife and Waterfowl Refuges

Question A. What constitutes a *de minimis* impact with respect to a park, recreation area, or wildlife and waterfowl refuge?

Answer: An impact to a park, recreation area, or wildlife and waterfowl refuge may be determined to be *de minimis* if the transportation use of the Section 4(f) resource, including consideration of impact avoidance, minimization, and mitigation or enhancement measures, does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f). Language included in the SAFETEA-LU Conference Report[14] provides additional insight on the meaning of *de minimis* impact.

> "The purpose of the language is to clarify that the portions of the resource important to protect, such as playground equipment at a public park, should be distinguished from areas such as parking facilities. While a minor but adverse effect on the use of playground equipment should not be considered a *de minimis* impact under section 4(f), encroachment on the parking lot may be deemed *de minimis*, as long as the public's ability to access and use the site is not reduced."

This simple example helps to distinguish the activities, features, and attributes of a Section 4(f) resource that are important to protect from those which can be used without resulting adverse effects. Playground equipment in a public park may be central to the recreational value of the park that Section 4(f) is designed to protect. When impacts are proposed to playground equipment or other essential feature, a *de minimis* impact finding will, at a minimum, require a commitment to replace the equipment with similar or better equipment at a time and in a location that results in no adverse effect to the recreational activity. A parking lot encroachment or other similar type of land use, on the other hand, could result in a *de minimis* impact with minimal mitigation, as long as there are no adverse effects on public access and the official(s) with jurisdiction agree.

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[14] Conference Report of the Committee of Conference on H.R. 3, Report 109-203, page 1057.

Question B. What are the requirements for a finding of *de minimis* impact with respect to a park, recreation area, or wildlife and waterfowl refuge?

Answer: The impacts of a transportation project on a park, recreation area, or wildlife and waterfowl refuge that qualifies for Section 4(f) protection may be determined to be *de minimis* if:

1) The transportation use of the Section 4(f) resource, together with any impact avoidance, minimization, and mitigation or enhancement measures incorporated into the project, does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f);
2) The official(s) with jurisdiction over the property are informed of FHWA's or FTA's intent to make the *de minimis* impact finding based on their written concurrence that the project will not adversely affect the activities, features, and attributes that qualify the property for protection under Section 4(f); and
3) The public has been afforded an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the Section 4(f) resource.

Question C. What officials are considered to be "officials with jurisdiction" over a park, recreation area, or wildlife or waterfowl refuge for the purposes of the *de minimis* impact finding?

Answer: The officials with jurisdiction are the officials of an agency or agencies that own or administer a Section 4(f) property and who are empowered to represent that agency on related matters. In some cases, the agency that owns or administers the land has either delegated or relinquished its authority to another agency. In those cases, FHWA or FTA should review the applicable agreements to determine which agency or agencies have the authority to concur in the assessment of impacts to the property.

Question D. How should Section 6(f) of the Land and Water Conservation Fund Act (LWCFA) or other U.S. Department of Interior (DOI) grants-in-aid programs be treated in *de minimis* impact findings?

Answer: *De minimis* impact findings will satisfy Section 4(f) requirements only. For projects that propose the use of land from a property or site purchased or improved with funds under the LWCFA, the Federal Aid in Fish Restoration Act (Dingell-Johnson Act), the Federal Aid in Wildlife Act (Pittman-Robertson Act), or other similar law, or the lands are otherwise encumbered with a Federal interest, coordination with the appropriate Federal agency is required to ascertain the agency's position on the land conversion or transfer. Other federal requirements that may apply to the Section 4(f) land should be determined through consultation with the officials with jurisdiction or appropriate DOI or other federal official. These federal agencies may have regulatory or other requirements for converting land to a different use. These requirements are independent of the *de minimis* impact finding and must be satisfied.

Question E. Is consultation with DOI routinely required for *de minimis* impact findings?

Answer: No. As a routine matter, FHWA and FTA do not need to consult with the DOI on *de minimis* impact findings. Where the Section 4(f) resource involved is owned or administered by the DOI, FHWA or FTA will need the written concurrence of the appropriate DOI official as the official with jurisdiction. If the Section 4(f) resource is encumbered with a Federal interest as a result of a DOI grant, then the answer to Question D applies.

Question F. Does the concurrence of the official(s) with jurisdiction over the Section 4(f) resource need to be in writing?

Answer: Yes. The concurrence of the official(s) with jurisdiction that the protected activities, features, and attributes of the resource are not adversely affected must be in writing. The written

concurrence can be in the form of a signed letter on agency letterhead, signatures in concurrence blocks on transportation agency documents, agreements provided via e-mail or other method deemed acceptable by the FHWA Division Administrator or FTA Regional Administrator. Obtaining these agreements in writing is consistent with effective practices related to preparing project administrative records.

Question G. What constitutes compliance with the public notice, review and comment requirements related to *de minimis* impact findings?

Answer: Information supporting a *de minimis* impact finding should be included in the appropriate NEPA document prepared for the project. This information includes, at a minimum, a description of the involved Section 4(f) resource(s), the impact(s) to the resources and any impact avoidance, minimization, and mitigation or enhancement measures that are included in the project as part of the *de minimis* impact finding. The public involvement requirements related to the specific NEPA document and process will, in most cases, be sufficient to satisfy the public notice and comment requirements for the *de minimis* impact finding.

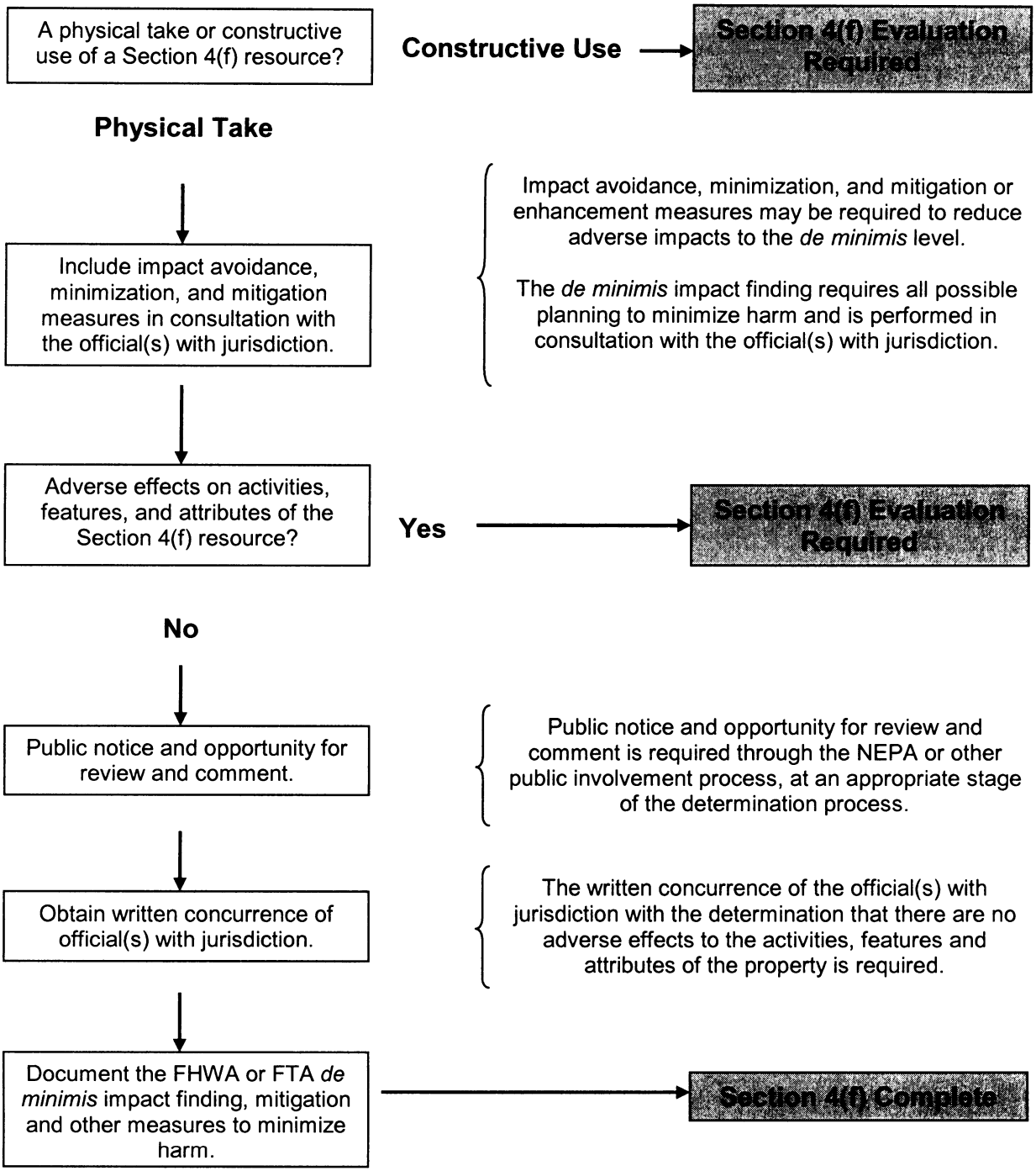
In general, for highway projects, the public notice and comment process related to *de minimis* impact findings will be accomplished through the State DOT's approved public involvement process[15].

For those actions that do not routinely require public review and comment (e.g., certain categorical exclusions and reevaluations) but for which a *de minimis* impact finding will be made, a separate public notice and opportunity for review and comment will be necessary. In these cases, appropriate public involvement should be based on the specifics of the situation and commensurate with the type and location of the Section 4(f) resource(s), impacts and public interest.

All comments received and responses thereto, shall be documented in the same manner that other comments on the proposed action would be handled. Where public involvement was initiated solely for the purpose of a *de minimis* impact finding, responses or replies to the public comments may not be required, depending on the substantive nature of the comments. All comments and responses shall be documented in the administrative record.

[15] 23 CFR 771.111(h)(1))

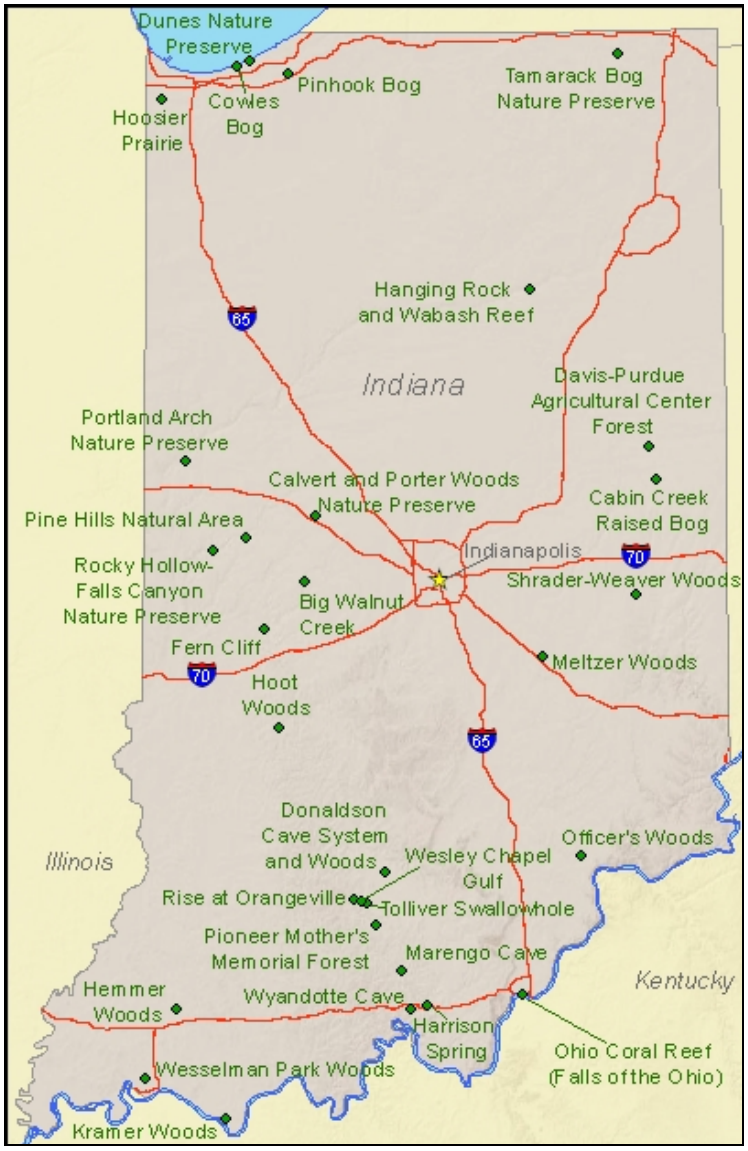
Suggested Section 4(f) *De Minimis* Impact Determination Process for Parks, Recreation Areas, and Wildlife and Waterfowl Refuges



Appendix R
National Natural Landmarks

NATIONAL NATURAL LANDMARKS

Big Walnut Creek
Cabin Creek Raised Bog
Calvert and Porter Woods Nature Preserve
Cowles Bog
Davis-Purdue Agriculture Center Forest
Donaldson Cave System and Woods
Dunes Nature Preserve
Fern Cliff
Hanging Rock and Wabash Reef
Harrison Spring
Hemmer Woods
Hoosier Prairie
Hoot Woods
Kramer Woods
Marengo Cave
Meltzer Woods
Officer's Woods
Ohio Coral Reef (Falls of the Ohio)
Pine Hills Natural Area
Pinhook Bog
Pioneer Mother's Memorial Forest
Portland Arch Nature Preserve
Rise at Orangeville
Rocky Hollow-Falls Canyon Nature Preserve
Shrader-Weaver Woods
Tamarack Bog Nature Preserve
Tolliver Swallowhole
Wesley Chapel Gulf
Wesselman Park Woods
Wyandotte Cave



Appendix S
National Historic Landmarks

NATIONAL HISTORIC LANDMARKS SURVEY

NATIONAL PARK SERVICE
1849 C Street, N.W. Room NC-400
Washington, DC 20240

LISTING OF NATIONAL HISTORIC LANDMARKS BY STATE

INDIANA (39)

AKIMA PINŠIWA AWIIKI (CHIEF JEAN-BAPTISTE DE RICHARDVILLE HOUSE) 03/02/12
FORT WAYNE, ALLEN COUNTY, INDIANA

ALLEN COUNTY COURTHOUSE 07/31/03
FORT WAYNE, ALLEN COUNTY, INDIANA

ANGEL MOUNDS 01/29/64
VANDERBURGH COUNTY, INDIANA

AUBURN CORD DUESENBERG AUTOMOBILE FACILITY 04/05/05
AUBURN, DEKALB COUNTY, INDIANA

BAILLY, JOSEPH, HOMESTEAD 12/29/62
PORTER COUNTY, INDIANA

BROAD RIPPLE PARK CAROUSEL 02/27/87
INDIANAPOLIS, MARION COUNTY, INDIANA

BUTLER FIELDHOUSE 02/27/87
INDIANAPOLIS, MARION COUNTY, INDIANA

CANNELTON COTTON MILL 07/17/91
CANNELTON, PERRY COUNTY, INDIANA

COFFIN, LEVI, HOUSE 06/23/65
FOUNTAIN CITY, WAYNE COUNTY, INDIANA

DEBS, EUGENE V., HOME 11/13/66
TERRE HAUTE, VIGO COUNTY, INDIANA

DONALD B. (Towboat) **RELOCATED FROM OHIO** 12/20/89
VEVAY, SWITZERLAND COUNTY, INDIANA

ELEUTHERIAN COLLEGE CLASSROOM AND CHAPEL BUILDING 02/18/97
LANCASTER, JEFFERSON COUNTY, INDIANA

FIRST BAPTIST CHURH 05/16/00
COLUMBUS, BARTHOLOMEW COUNTY, INDIANA

FIRST CHRISTIAN CHURCH 01/03/01
COLUMBUS, BARTHOLOMEW COUNTY, INDIANA

GAFF, THOMAS, HOUSE (Hillforest) 10/05/92
AURORA, DEARBORN COUNTY, INDIANA

GROUSELAND 12/19/60
VINCENNES, KNOX COUNTY, INDIANA

HARRISON, BENJAMIN, HOME 01/29/64
INDIANAPOLIS, MARION COUNTY, INDIANA

INDIANA WORLD WAR MEMORIAL PLAZA HISTORIC DISTRICT 10/11/94
INDIANAPOLIS, MARION COUNTY, INDIANA

INDIANAPOLIS MOTOR SPEEDWAY 02/27/87
SPEEDWAY, MARION COUNTY, INDIANA

IRWIN UNION BANK AND TRUST 05/16/00
COLUMBUS, BARTHOLOMEW COUNTY, INDIANA

LANIER MANSION 04/19/94
MADISON, JEFFERSON COUNTY, INDIANA

LINCOLN BOYHOOD HOME 12/19/60
SPENCER COUNTY, INDIANA

MADAME C.J. WALKER MANUFACTURING COMPANY 07/17/91
INDIANAPOLIS, MARION COUNTY, INDIANA

MADISON HISTORIC DISTRICT 03/20/06
MADISON, JEFFERSON COUNTY, INDIANA

McDOWELL, MABEL, ELEMENTARY SCHOOL 01/03/01
COLUMBUS, BARTHOLOMEW COUNTY, INDIANA

MILLER HOUSE 05/16/00
COLUMBUS, BARTHOLOMEW COUNTY, INDIANA

NEW HARMONY HISTORIC DISTRICT 06/23/65
NEW HARMONY, POSEY COUNTY, INDIANA

NORTH CHRISTIAN CHURCH 05/16/00
COLUMBUS, BARTHOLOMEW COUNTY, INDIANA

APPENDIX A

The numerous designations within the National Park System sometime confuse visitors. The names are created in the Congressional legislation authorizing the sites or by the president, who proclaims "national monuments" under the Antiquities Act of 1906. Many names are descriptive -- lakeshores, seashores, battlefields --but others cannot be neatly categorized because of the diversity of resources within them. In 1970, Congress elaborated on the 1916 National Park Service Organic Act, saying all units of the system have equal legal standing in a national system.

National Park [NP]
These are generally large natural places having a wide variety of attributes, at times including significant historic assets. Hunting, mining and consumptive activities are not authorized.

National Monument [NM]
The Antiquities Act of 1906 authorized the President to declare by public proclamation landmarks, structures, and other objects of historic or scientific interest situated on lands owned or controlled by the government to be national monuments.

National Historic Site [NHS]
Usually, a national historic site contains a single historical feature that was directly associated with its subject. Derived from the Historic Sites Act of 1935, a number of historic sites were established by secretaries of the Interior, but most have been authorized by acts of Congress.

National Historic Park [NHP]
This designation generally applies to historic parks that extend beyond single properties or buildings.

National Memorial [NMem]
A national memorial is commemorative of a historic person or episode; it need not occupy a site historically connected with its subject.

National Battlefield [NB]
This general title includes national battlefield, national battlefield park, national battlefield site, and national military park. In 1958, an NPS committee recommended national battlefield as the single title for all such park lands.

Other Designations [OD]
Some units of the National Park System bear unique titles or combinations of titles, like the White House.

APPENDIX B

NATIONAL PARK SYSTEM UNITS AUTOMATICALLY LISTED IN THE NATIONAL REGISTER

INTERNATIONAL HISTORIC SITE	[IHS]
NATIONAL BATTLEFIELD	[NB]
NATIONAL BATTLEFIELD PARK	[NBP]
NATIONAL BATTLEFIELD SITE	[NBS]
NATIONAL HISTORIC SITES	[NHS]
NATIONAL HISTORICAL PARK	[NHP]
NATIONAL MEMORIAL	[NMEM]
NATIONAL MILITARY PARK	[NMP]
NATIONAL MONUMENT	[NM]

INDIANA

GEORGE ROGERS CLARK NHP
LINCOLN BOYHOOD NMEM