

United States Department of the Interior



FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office 620 South Walker Street Bloomington, IN 47403-2121

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

In Reply Refer To: February 04, 2022

Project code: 2022-0003577

Project Name: US 6 Bridge Replacement over Muck Pocket, Des #1900012, Lake County,

Indiana

Subject: Consistency letter for the 'US 6 Bridge Replacement over Muck Pocket, Des

#1900012, Lake County, Indiana' project (no current TAILS record) under the revised

February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for

Transportation Projects within the Range of the Indiana Bat and Northern Long-eared

Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request to verify that the **US 6 Bridge Replacement over Muck Pocket, Des #1900012, Lake County, Indiana** (Proposed Action) may rely on the concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 *et seq.*).

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

This "may affect - not likely to adversely affect" determination becomes effective when the lead Federal action agency or designated non-federal representative requests the Service rely on the PBO to satisfy the agency's consultation requirements for this project.

Please provide this consistency letter to the lead Federal action agency or its designated non-federal representative with a request for review, and as the agency deems appropriate, to submit for concurrence verification through the IPaC system. The lead Federal action agency or

designated non-federal representative should log into IPaC using their agency email account and click "Search by record locator". They will need to enter the record locator **292-109493927**.

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

If the Proposed Action may affect any other federally-listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency accordingly.

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

Monarch Butterfly Danaus plexippus Candidate

Project Description

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

Name

02/04/2022

US 6 Bridge Replacement over Muck Pocket, Des #1900012, Lake County, Indiana

Description

The proposed project is located on US 6/SR 51, 0.84 mile east of SR 51/I-80/94 in located in Section 16, Township 36 North, Range 7 West. Hobart Township, Lake County, Indiana. This project will be using federal and state funds. This section of US 6/SR 51 is listed as an Urban Principal Arterial – Other.

Proposed work includes replacement of the existing structure, a cast-in-place concrete slab 16 span bridge, crossing over Muck Pocket ((6)51-45-01943 B, NBI 018870). The existing bridge will be replaced with a cast-in-place concrete slab superstructure on pile bent substructure units. The roadway is currently experiencing overtopping during storms greater than a 10-year flood event. The roadway profile is anticipated to be raised to provide improvements to the hydraulic performance. The raised profile will result in a longer proposed bridged, extending the proposed structure to the north of the existing bridge limits. It will include raising the approach roadway between US 6/SR 51 bridge over Deep River ((6)51-45-01934 C, NBI 018880) and the bridge over Muck Pocket. Longer bridge spans will be provided to minimize the number of substructure units. The project is anticipated to also include new reinforced concrete bridge approaches, bridge railing, and guardrail. There are two uncatalogued small structures (Str.) south (Str. 1) and to the north of the bridge over Muck Pocket (Str. 2). Str. 1 will be a replacement in kind and Str. 2 will be removed. The function of Str. 2 will be replaced with the lengthening of the bridge over Muck Pocket.

The project will require the acquisition of approximately 2.93 acres of right-of-way (ROW). Work will occur approximately 20 to 100 feet from the edge of pavement throughout the project area. Suitable summer habitat is present within the 0.5 mile search radius. Temporary lighting may be used but is not anticipated, should temporary lighting be required, lighting will be directed away from suitable summer habitat during the active season. No permanent lighting will be added or altered.

Field surveys were conducted on May 17 and June 14, 2021. Approximately 0.35 acre of trees will require removal. Of the total acreage, 0.07 acre is classified as forested, and 0.28 acre is classified as emergent/shrub-scrub wetland. Species of trees to be removed include slippery elm (Ulus rubra), green ash, (Fraxinus pennsylvanica), eastern cottonwood (Populus deltoides), silver maple (Acer saccharinum), and boxelder (Acer negundo).

Estimated timing of work is scheduled to begin Spring 2024, with a standard 8-hour work schedule. Maintenance of traffic will consist of a complete closure with an official detour route of 16 miles utilizing US 6, SR 149, and US 20. A local detour route will be coordinated with the City of Lake Station.

A review of the U.S. Fish and Wildlife Service (USFWS) database of the Indiana Department of Transportation (INDOT) Environmental Services Division (ESD) on June 7, 2021, did not indicate the presence of endangered bat species in or within the 0.5 mile radius of the project area. A bat inspections were conducted on May 17, June 14, and September 25, 2021. No evidence of bats was found during the inspections. Bird nests were observed on the bridge over Muck Pocket ((6)51-45-01943 B, NBI 018870) and the bridge over Deep River ((6)51-45-01934 C, NBI 018880).

Determination Key Result

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

Qualification Interview

- 1. Is the project within the range of the Indiana bat^[1]?
 - [1] See Indiana bat species profile

Automatically answered

Yes

- 2. Is the project within the range of the Northern long-eared bat^[1]?
 - [1] See Northern long-eared bat species profile

Automatically answered

Yes

- 3. Which Federal Agency is the lead for the action?
 - A) Federal Highway Administration (FHWA)
- 4. Are *all* project activities limited to non-construction^[1] activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)
 - [1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting. No
- 5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces^[1]?
 - [1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No

- 6. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum^[1]?
 - [1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

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

- 8. Is there *any* suitable^[1] summer habitat for Indiana Bat or NLEB **within** the project action area^[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)
 - [1] See the Service's summer survey guidance for our current definitions of suitable habitat.
 - [2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the national consultation FAQs.

Yes

- 9. Will the project remove *any* suitable summer habitat^[1] and/or remove/trim any existing trees **within** suitable summer habitat?
 - [1] See the Service's <u>summer survey guidance</u> for our current definitions of suitable habitat. *Yes*
- 10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail? *No*
- 11. Have presence/probable absence (P/A) summer surveys^{[1][2]} been conducted^{[3][4]} **within** the suitable habitat located within your project action area?
 - [1] See the Service's <u>summer survey guidance</u> for our current definitions of suitable habitat.
 - [2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.
 - [3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.
 - [4] Negative presence/probable absence survey results obtained using the <u>summer survey guidance</u> are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

- 12. Does the project include activities **within documented Indiana bat habitat**^{[1][2]}?
 - [1] Documented roosting or foraging habitat for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)
 - [2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

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

Yes

- 14. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented Indiana bat** roosting/foraging habitat or travel corridors occur^[1]?
 - [1] Coordinate with the local Service Field Office for appropriate dates.
 - B) During the inactive season
- 15. Does the project include activities **within documented NLEB habitat**^{[1][2]}?
 - [1] Documented roosting or foraging habitat for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)
 - [2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

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

Yes

- 17. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur?
 - B) During the inactive season
- 18. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces? *Yes*
- 19. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?

20. Are *all* trees that are being removed clearly demarcated?

Yes

21. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?

No

22. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

No

23. Does the project include slash pile burning?

No

- 24. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)? *Yes*
- 25. Is there *any* suitable habitat^[1] for Indiana bat or NLEB **within** 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)
 - [1] See the Service's current <u>summer survey guidance</u> for our current definitions of suitable habitat. *Yes*
- 26. Has a bridge assessment^[1] been conducted **within** the last 24 months^[2] to determine if the bridge is being used by bats?
 - [1] See <u>User Guide Appendix D</u> for bridge/structure assessment guidance
 - [2] Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that bridge/structure in subsequent years.

Yes

SUBMITTED DOCUMENTS

- Combined_InspectionReport_20220204.pdf https://ipac.ecosphere.fws.gov/project/VUUPFQVUJNCYXH5I62LVABOZEY/
 projectDocuments/109493688
- InspectionReport_MuckPocketBridge.pdf https://ipac.ecosphere.fws.gov/project/VUUPFQVUJNCYXH5I62LVABOZEY/
 projectDocuments/109493692
- InspectionReport_DeepRiverBridge.pdf https://ipac.ecosphere.fws.gov/project/VUUPFQVUJNCYXH5I62LVABOZEY/
 projectDocuments/109493693

- 27. Did the bridge assessment detect *any* signs of Indiana bats and/or NLEBs roosting in/under the bridge (bats, guano, etc.)^[1]?
 - [1] If bridge assessment detects signs of *any* species of bats, coordination with the local FWS office is needed to identify potential threatened or endangered bat species. Additional studies may be undertaken to try to identify which bat species may be utilizing the bridge prior to allowing *any* work to proceed.

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

No

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

No

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

No

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

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

Yes

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

No

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

No

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

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

Yes

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

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

Automatically answered

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

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

Automatically answered

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

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

Automatically answered

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

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

Automatically answered

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

40. General AMM 1

Will the project ensure *all* operators, employees, and contractors working in areas of known or presumed bat habitat are aware of *all* FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

Yes

41. Tree Removal AMM 1

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

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

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

Yes

42. Tree Removal AMM 3

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

Yes

43. Tree Removal AMM 4

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

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

Yes

44. Lighting AMM 1

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

Yes

Project Questionnaire

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

N/A

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

N/A

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

[1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number. 0.35

4. Please describe the proposed bridge work:

Proposed work includes replacement of the existing structure, a cast-in-place concrete slab 16 span bridge, crossing over Muck Pocket ((6)51-45-01943 B, NBI 018870). The existing bridge will be replaced with a cast-in-place concrete slab superstructure on pile bent substructure units. The roadway is currently experiencing overtopping during storms greater than a 10-year flood event. The roadway profile is anticipated to be raised to provide improvements to the hydraulic performance. The raised profile will result in a longer proposed bridged, extending the proposed structure to the north of the existing bridge limits. It will include raising the approach roadway between US 6/SR 51 bridge over Deep River ((6)51-45-01934 C, NBI 018880) and the bridge over Muck Pocket. Longer bridge spans will be provided to minimize the number of substructure units. The project is anticipated to also include new reinforced concrete bridge approaches, bridge railing, and guardrail. There are two uncatalogued small structures (Str.) south (Str. 1) and to the north of the bridge over Muck Pocket (Str. 2). Str. 1 will be a replacement in kind and Str. 2 will be removed. The function of Str. 2 will be replaced with the lengthening of the bridge over Muck Pocket.

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

 Estimated timing of work is scheduled to begin Spring 2024, with a standard 8-hour work schedule.
- 6. Please enter the date of the bridge assessment: *May 17, 2021, June 14, 2021, September 25, 2021*

Avoidance And Minimization Measures (AMMs)

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

LIGHTING AMM 1

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

TREE REMOVAL AMM 2

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

TREE REMOVAL AMM 3

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

TREE REMOVAL AMM 4

Do not remove **documented** Indiana bat or NLEB roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or

documented foraging habitat any time of year.

GENERAL AMM 1

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

TREE REMOVAL AMM 1

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

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

This key was last updated in IPaC on January 26, 2022. Keys are subject to periodic revision.

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

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



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office 620 South Walker Street Bloomington, IN 47403-2121 Phone: (812) 334-4261 Fax: (812) 334-4273

In Reply Refer To: October 11, 2022

Project Code: 2022-0003577

Project Name: US 6 Bridge Replacement over Muck Pocket, Des #1900012, Lake County,

Indiana

Subject: List of threatened and endangered species that may occur in your proposed project

location or may be affected by your proposed project

To Whom It May Concern:

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

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

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

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at - http://www.fws.gov/midwest/endangered/section7/

s7process/index.html. This website contains step-by-step instructions which will help you determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process. For all wind energy projects and projects that include installing towers that use guy wires or are over 200 feet in height, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

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

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

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

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

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

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

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

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

Attachment(s):

- Official Species List
- Migratory Birds
- Wetlands

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Official Species List

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

This species list is provided by:

Indiana Ecological Services Field Office 620 South Walker Street Bloomington, IN 47403-2121 (812) 334-4261

Project Summary

Project Code: 2022-0003577

Project Name: US 6 Bridge Replacement over Muck Pocket, Des #1900012, Lake

County, Indiana

Project Type: Bridge - Replacement

Project Description: The proposed project is located on US 6/SR 51, 0.84 mile east of SR 51/

I-80/94 in located in Section 16, Township 36 North, Range 7 West.

Hobart Township, Lake County, Indiana. This project will be using federal and state funds. This section of US 6/SR 51 is listed as an Urban Principal

Arterial – Other.

Proposed work includes replacement of the existing structure, a cast-inplace concrete slab 16 span bridge, crossing over Muck Pocket ((6)51-45-01943 B, NBI 018870). The existing bridge will be replaced with a cast-in-place concrete slab superstructure on pile bent substructure units. The roadway is currently experiencing overtopping during storms greater than a 10-year flood event. The roadway profile is anticipated to be raised to provide improvements to the hydraulic performance. The raised profile will result in a longer proposed bridged, extending the proposed structure to the north of the existing bridge limits. It will include raising the approach roadway between US 6/SR 51 bridge over Deep River ((6)51-45-01934 C, NBI 018880) and the bridge over Muck Pocket. Longer bridge spans will be provided to minimize the number of substructure units. The project is anticipated to also include new reinforced concrete bridge approaches, bridge railing, and guardrail. There are two uncatalogued small structures (Str.) south (Str. 1) and to the north of the bridge over Muck Pocket (Str. 2). Str. 1 will be a replacement in kind and Str. 2 will be removed. The function of Str. 2 will be replaced with the lengthening of the bridge over Muck Pocket.

The project will require the acquisition of approximately 2.93 acres of right-of-way (ROW). Work will occur approximately 20 to 100 feet from the edge of pavement throughout the project area. Suitable summer habitat is present within the 0.5 mile search radius. Temporary lighting may be used but is not anticipated, should temporary lighting be required, lighting will be directed away from suitable summer habitat during the active season. No permanent lighting will be added or altered.

Field surveys were conducted on May 17 and June 14, 2021. Approximately 0.35 acre of trees will require removal. Of the total acreage, 0.07 acre is classified as forested, and 0.28 acre is classified as emergent/shrub-scrub wetland. Species of trees to be removed include slippery elm (Ulus rubra), green ash, (Fraxinus pennsylvanica), eastern cottonwood (Populus deltoides), silver maple (Acer saccharinum), and

boxelder (Acer negundo).

Estimated timing of work is scheduled to begin Spring 2024, with a standard 8-hour work schedule. Maintenance of traffic will consist of a complete closure with an official detour route of 16 miles utilizing US 6, SR 149, and US 20. A local detour route will be coordinated with the City of Lake Station.

A review of the U.S. Fish and Wildlife Service (USFWS) database of the Indiana Department of Transportation (INDOT) Environmental Services Division (ESD) on June 7, 2021, did not indicate the presence of endangered bat species in or within the 0.5 mile radius of the project area. Structure inspections were conducted on May 17, June 14, and September 25, 2021. No evidence of bats was found during the inspections. Bird nests were observed on the bridge over Muck Pocket ((6)51-45-01943 B, NBI 018870) and the bridge over Deep River ((6)51-45-01934 C, NBI 018880).

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@41.57109455,-87.23964682124819,14z



Counties: Lake County, Indiana

Endangered Species Act Species

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

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

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

Mammals

NAME STATUS

Indiana Bat Myotis sodalis

Endangered

There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949

Northern Long-eared Bat Myotis septentrionalis

Threatened

No critical habitat has been designated for this species.

This species only needs to be considered under the following conditions:

• Incidental take of the NLEB is not prohibited here. Federal agencies may consult using the 4(d) rule streamlined process. Transportation projects may consult using the programmatic process. See www.fws.gov/midwest/endangered/mammals/nleb/index.html

Species profile: https://ecos.fws.gov/ecp/species/9045

Insects

NAME STATUS

Monarch Butterfly *Danaus plexippus*

Candidate

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743

Critical habitats

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

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Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described <u>below</u>.

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The <u>Bald and Golden Eagle Protection Act</u> of 1940.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

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

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

NAME	BREEDING SEASON
American Golden-plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Oct 15 to Aug 31

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NAME	BREEDING SEASON
Black-billed Cuckoo <i>Coccyzus erythropthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
Cerulean Warbler <i>Dendroica cerulea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/2974	Breeds Apr 21 to Jul 20
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25
Eastern Whip-poor-will <i>Antrostomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Aug 20
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds elsewhere
Henslow's Sparrow <i>Ammodramus henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941	Breeds May 1 to Aug 31
Hudsonian Godwit <i>Limosa haemastica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds elsewhere
Kentucky Warbler <i>Oporornis formosus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 20
King Rail <i>Rallus elegans</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8936	Breeds May 1 to Sep 5
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere

NAME	BREEDING SEASON
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Ruddy Turnstone <i>Arenaria interpres morinella</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
Short-billed Dowitcher <i>Limnodromus griseus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

Probability Of Presence Summary

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

Probability of Presence (■)

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

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

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (

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

Survey Effort (|)

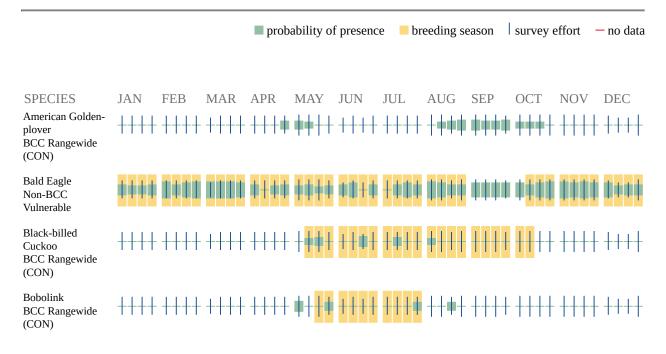
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

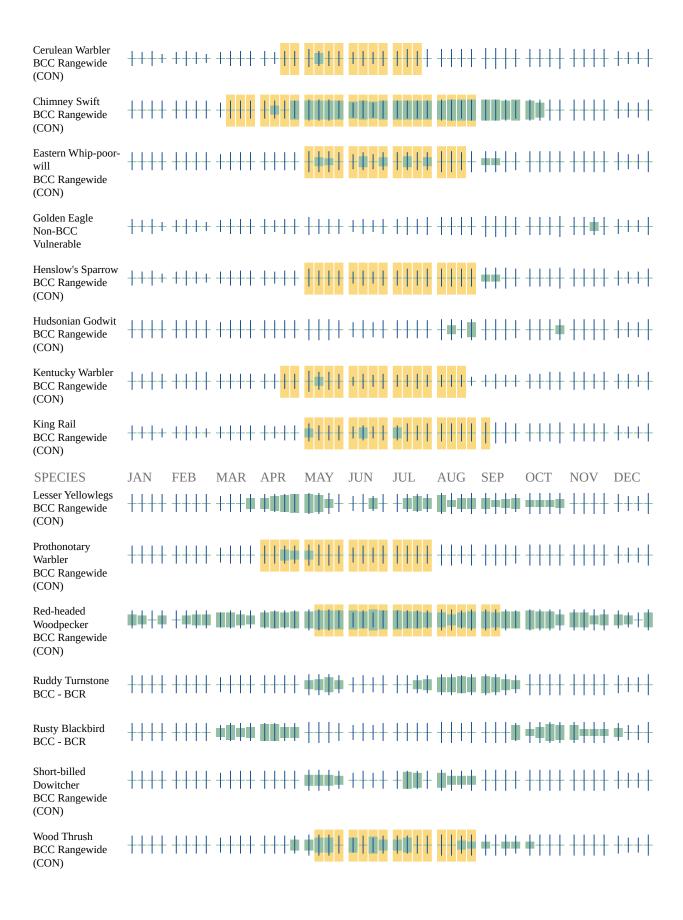
No Data (-)

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

Survey Timeframe

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





Additional information can be found using the following links:

Birds of Conservation Concern https://www.fws.gov/program/migratory-birds/species

- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf

Migratory Birds FAQ

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

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

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

The Migratory Bird Resource List is comprised of USFWS <u>Birds of Conservation Concern</u> (<u>BCC</u>) and other species that may warrant special attention in your project location.

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

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

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

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

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and

how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

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

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

What are the levels of concern for migratory birds?

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

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

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

Details about birds that are potentially affected by offshore projects

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

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

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to <u>obtain a permit</u> to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

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

10/11/2022

Wetlands

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of Engineers District</u>.

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

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

IPaC User Contact Information

Agency: Hanson Professional Services Inc.

Name: Payton Fischer

Address: 6510 Telecom Dr., Ste 210

City: Indianapolis

State: IN Zip: 46278

Email pfischer@hanson-inc.com

Phone: 3172936024

Lead Agency Contact Information

Lead Agency: Federal Highway Administration

Bridge/Structure Bat Assessment Form

Date & Time of Assessment	m DOT Project 1900012	Route/Facility US 6	County Lake County, IN			
Federal Structure ID (6)51-45-01943B	Structure Coordinates 41.57052°, (latitude and longitude) -87.23974°	Structure Height 39.0 feet (approximate)	Structure Length 289.0 feet			
Structure Type (check one)		Structure Material (check	all that apply)			
Bridge Construction Style		Deck Material Beam Materi	al End/Back Wall Material			
Cast-in-place	O Pre-stressed Girder	Metal None	X Concrete			
		X Concrete X Concrete Timber Steel	Timber Stone/Masonry			
Flat Slab/Box	Steel I-beam	Open grid Timber	Other:			
Truss Side View	OCovered	Other: Other:	Creosote Evidence			
Parallel Box Beam	Other:	Culvert Material	O Yes O No Unknown			
Culvert Type	Other Structure	Metal Concrete	Notes:			
Вох		Plastic				
O Pipe/Round		Stone/Masonry]			
Olother:	I that apply)	Other:	volk all that apply)			
Crossings Traversed (check a Bare ground	Open vegetation	Surrounding Habitat (che	Grassland			
Rip-rap	Closed vegetation	X Commercial	Ranching			
Flowing water	Railroad	X Residential-urban	X Riparian/wetland			
X Standing water	Road/trail - Type:	Residential-rural	Mixed use			
Seasonal water	Other:	X Woodland/forested	Other:			
Areas Assessed (check all that	not present in the structure, check the "n	ot present" hoy				
	uring the assessment. Include the specie	•	ocumentation as indicated.			
Area (check if assessed)	Assessment Notes	Evidence of Bats (include				
All crevices and cracks:	Not present		Audible Species			
Bridges/culverts: rough surfaces o	r .	Visual - live # dead #	Odor			
imperfections in concrete	No presence of bats	Guano	Photos			
Other structures: soffits, rafters, at	tic	Staining				
areas	Not present		Audible Species			
Concrete surfaces (open roosting or)	Visual - live # dead #	Odor			
concrete)	No presence of bats	Guano	Photos			
	Not present	Staining	Audible Species			
Spaces between concrete end walls		Visual - live # dead #	Odor			
and the bridge deck	No presence of bats	Guano	Photos			
Overally best and a second and illinous and	Land Tall National and	Staining	Acceptible			
Crack between concrete railings on		Visual - live # dead #	Audible Species Odor			
of the bridge deck Cap Ca	No presence of bats	Guano	Photos			
Railing		Staining				
	Not present	Visual - live # dead #	Audible Species Odor			
Vertical surfaces on concrete I-bean	ns	Guano	Photos			
		Staining				
	Not present	Visual - live # dead #	Audible Species			
X Spaces between walls, ceiling joists	No presence of bats	Visual - live # dead # Guano	Odor Photos			
	•	Staining				
Man halan sayanan darina sad	Not present	North Factor dead to	Audible Species			
Weep holes, scupper drains, and inlets/pipes	No presence of bats	──Visual - live # dead # Guano	Odor Photos			
illiets/pipes	respective or said	Staining	ritotos			
	Not present		Audible Species			
X All guiderails	No presence of bats	Visual - live # dead #	Odor			
	Two production bats	Guano Staining	Photos			
	Not present		Audible Species			
X All expansion joints		Visual - live # dead #	Odor			
- Compandion Jonne	No presence of bats	Guano	Photos			
		Staining				
_{Name:} Payton Fischer		Signature: Payton Lise	her			

Last revised April 2020 Assessment Form



Photo 1. Eastern side of the bridge over Muck Pocket ((6)51-45-01943 B), viewing north, 5/17/2021



Photo 2. Pier of bridge over Muck Pocket ((6)51-45-01943 B), viewing west, 5/17/2021



Photo 3. Bird nest under bridge over Muck Pocket ((6)51-45-01943 B), viewing southwest, 5/17/2021



Photo 4. Conditions under bridge over Muck Pocket ((6)51-45-01943 B), viewing west, 5/17/2021

Bridge/Structure Bat Assessment Form

Date & Time of Assessment	n <u>DOT Project</u> 1900012	Route/Facility US 6	County Lake County, IN				
Federal Structure ID (6)51-45-01934 C	Structure Coordinates 41.57294°, (latitude and longitude) -87.23983°	Structure Height (approximate) 38.5	Structure Length 177 ft.				
Structure Type (check one)		Structure Material (check	all that apply)				
Bridge Construction Style		Deck Material Beam Materia	al End/Back Wall Material				
Cast-in-place	Pre-stressed Girder	Metal None	X Concrete				
		X Concrete Concrete Timber X Steel	Timber Stone/Masonry				
O Flat Slab/Box	Steel I-beam	Open grid Timber	Other:				
Truss Side View	Covered	Other: Other:	Creosote Evidence				
Parallel Box Beam	Other:	Culvert Material	O Yes O No O Unknown				
Culvert Type	Other Structure	Metal	Notes:				
O Box		Concrete Plastic					
O Pipe/Round		Stone/Masonry					
Other:		Other:					
Crossings Traversed (check all		Surrounding Habitat (che	CK all that apply) Grassland				
Bare ground Rip-rap	Open vegetation Closed vegetation	X Commercial	Ranching				
Flowing water	Railroad	X Residential-urban	X Riparian/wetland				
X Standing water	Road/trail - Type:	Residential-rural	Mixed use				
Seasonal water	Other:	X Woodland/forested	Other:				
Areas Assessed (check all that a Check all areas that apply. If an area is no	apply) of present in the structure, check the "no	at present" hov					
Document all bat indicators observed dur			cumentation as indicated.				
Area (check if assessed)	Assessment Notes	Evidence of Bats (include					
All crevices and cracks:	Not present		Audible Species				
Bridges/culverts: rough surfaces or		Visual - live # dead #	Odor				
imperfections in concrete	No presence of bats	Guano	Photos				
Other structures: soffits, rafters, attic		Staining					
areas	Not present		Audible Species				
Concrete surfaces (open roosting on	·	Visual - live # dead #	Odor				
concrete)	No presence of bats	Guano	Photos				
	Not present	Staining	Audible Species				
Spaces between concrete end walls		Visual - live # dead #	Odor				
and the bridge deck	No presence of bats	Guano	Photos				
Crack between concrete railings on to	p Not present	Staining	Audible Species				
of the bridge deck		Visual - live # dead #	Odor				
Railing	No presence of bats	Guano	Photos				
	Not propert	Staining	Audible				
	Not present	Visual - live # dead #	Audible Species Odor				
Vertical surfaces on concrete I-beams		Guano	Photos				
	The state of	Staining					
	Not present	Visual - live # dead #	Audible Species Odor				
X Spaces between walls, ceiling joists	No presence of bats	Guano	Photos				
		Staining					
Weep holes, scupper drains, and	Not present	Visual - live # dead #	Audible Species Odor				
inlets/pipes	No presence of bats	Guano	Photos				
' '	·	Staining					
	Not present	Vioual live # dood #	Audible Species				
X All guiderails	No presence of bats	──Visual - live # dead # Guano	Odor Photos				
	'	Staining	The state of the s				
	Not present		Audible Species				
X All expansion joints	No presence of bats	──Visual - live # dead # Guano	Odor Photos				
	The processing of batter	Staining	I Hotos				
D		Character 16	2.4				
_{Name:} Payton Fischer		Signature: Payton List	hu				

Last revised April 2020 Assessment Form





Photo 1. Under bridge over Deep River ((6)51-45-01934 C) from south bank, viewing north, 6/14/2021



Photo 2. Under bridge over Deep River ((6)51-45-01934 C) from north bank, viewing south, 6/14/2021



Photo 3. Under bridge over Deep River ((6)51-45-01934 C) on south bank, viewing south, 6/14/2021



Photo 4. Under bridge over Deep River ((6)51-45-01934 C) on north bank, viewing north, 6/14/2021

Bridge/Structure Bat Assessment Form

	te & Time Assessment 6/4/2021, 11 am	114	<u>PT Project</u> 1900012 <u>mber</u>	Route/Facility Carried US 6			County Lake County, IN						
Fe Str	<u>deral</u> ucture ID N/A (Str. 1)		ucture Coordinates 41.569589°, itude and longitude) -87.240098°	Structure Height (approximate)					Structure 179 ft.				
St	ructure Type (check one)			Structure Material (check all that ap			at apply)						
Br	idge Construction Style			D	eck Material	Ве	am Material	rial End/Back Wall Material			erial		
\bigcirc	Cast-in-place	\circ	Pre-stressed Girder		Metal		None		Concrete				
\sim				L	Concrete	Н	Concrete	┡	Timber Stone/Masonry				
\circ	Flat Slab/Box	О	Steel I-beam	┝	Timber Open grid		Steel Timber	┝	Other:				
0	Truss Side View	0	Covered	F	Other:		Other:	Creosote Evidence					
0	Parallel Box Beam	0	Other:	C	ulvert Material			Q	Yes	0	No		
Cı	ılvert Type	Ot	her Structure		Metal			O Unknown Notes:					
	- · ·	-		¥	Concrete Plastic								
8	Box Pipe/Round	\bigcirc			Stone/Masonry								
8	Other:	\sim			Other:								
	ossings Traversed (check all th	at	annly)	S	urrounding	Ha	hitat (check	all	that annly)				
	Bare ground	П	Open vegetation	Ĕ	Agricultural	···u	Ditat (Check	<u> </u>	Grassland				
Н	Rip-rap	Ħ	Closed vegetation	$\overline{\mathbf{x}}$					Ranching				
	Flowing water	П	Railroad	×	Residential-urbar	า		\times	Riparian/wetland	t			
	Standing water		Road/trail - Type:		Residential-rural				Mixed use				
	Seasonal water		Other:	X	Woodland/foreste	ed			Other:				
Ar	eas Assessed (check all that ap	ylg)										
	eck all areas that apply. If an area is not			ent	t" box.								
Do	cument all bat indicators observed during	g th	e assessment. Include the species prese	ent,	if known, and p	rov	ide photo docur	ner	ntation as indic	ated	-		
Ar	ea (check if assessed)	As	sessment Notes	E	vidence of E	3at	s (include ph	ot	os if present	t)			
	All crevices and cracks:	Н	Not present						Audible	ĹΠ	Species		
	Bridges/culverts: rough surfaces or		•	_	Visual - live #		dead #	┢	Odor				
X	imperfections in concrete	ΙN	o presence of bats		Guano				Photos				
۳	Other structures: soffits, rafters, attic		-		Staining								
	areas												
		X	Not present						Audible		Species		
П	Concrete surfaces (open roosting on			╘	Visual - live #		dead #		Odor				
Н	concrete)			L	Guano			L	Photos	4			
			INI-t	4	Staining				A 125-1 -	١.	0		
Ц.	Spaces between concrete end walls	Ľ	Not present	\blacksquare] Visual - live #		dead #	┝	Audible Odor	+	Species		
Ш	and the bridge deck				Guano		ασασ π	\vdash	Photos	1			
	and the bridge dook				Staining				i notos				
	Crack between concrete railings on top	×	Not present	F	i i				Audible		Species		
Н	of the bridge deck		·	L	Visual - live #		dead #		Odor				
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	Naming 1				Staining					L.,			
L		Ľ	Not present	┢	Vigual libra #		dood #	L	Audible	\perp	Species		
	Vertical surfaces on concrete I-beams	1		F	Visual - live # Guano		dead #	\vdash	Odor	-			
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	inlets/pipes			\vdash	Guano				Photos	-			
		ΧI	Not present	E	Staining				Audible	\vdash	Species		
Ь.	All and Lavella	۲		Ľ	Visual - live #		dead #		Odor	H	- 200.00		
Ш	All guiderails				Guano				Photos	1			
L					Staining								
		X	Not present	F					Audible		Species		
	All expansion joints			F	Visual - live #		dead #	L	Odor	4			
М				L	Guano			L	Photos	4			
_		<u> </u>		H	Staining								
Na	_{ame:} Payton Fischer			S	ignature: 千	ai	gton Dische	1					

Last revised April 2020 Assessment Form





Photo 1. Outlet of Structure 1 on west side of US 6, viewing east, 6/14/2021



Photo. 2. Looking through Structure 1 at pipe inlet, viewing west, 6/14/2021



Photo 3. Inlet of Structure 1 on east side of US 6, viewing west, 6/14/2021

Bridge/Structure Bat Assessment Form

Da of	<u>ste & Time</u> <u>Assessment</u> 9/25/2021, 12 pm	110	<u>PT Project</u> 1900012 <u>mber</u>	<u> </u>	Carrieu		County Lake County, IN		ınty, IN		
<u>Fe</u> Str	deral ructure ID N/A (Str. 2)		ucture Coordinates 41.571353°, titude and longitude) -87.239658°			Structure Length 78 ft.					
Structure Type (check one)			Structure Material (check all that apply)								
Bridge Construction Style		Deck Material Beam Material		End/Back Wall Material			erial				
0	Cast-in-place	0	Pre-stressed Girder		Metal	П	None		Concrete		
_					Concrete Timber	Н	Concrete Steel	⊢	Timber Stone/Masonry		
O	Flat Slab/Box	O	Steel I-beam	H	Open grid	H	Timber	H	Other:		
0	Truss Side View	0	Covered		Other:		Other:	Cı	reosote Evider	се	
0	Parallel Box Beam	0	Other:	Сι	ılvert Material	í			Yes Unknown	0	No
Сι	ılvert Type	Ot	her Structure	×	Metal Concrete			Ñc	otes:		
\sim	Вох			Н	Plastic			Ir	nlet not four	٦d	, outlet
	Pipe/Round	\bigcirc			Stone/Masonry			С	rushed		
	Other:)			Other:			•			
Cı	rossings Traversed (check all th	at	apply)	Sı	urrounding	На	bitat (check	al	l that apply)		
	Bare ground		Open vegetation		Agricultural		,		Grassland		
	Rip-rap		Closed vegetation	\times	Commercial				Ranching		
	Flowing water	Н	Railroad	×	Residential-urba	n		×	Riparian/wetland		
_	Standing water Seasonal water	Н	Road/trail - Type: Other:	X	Residential-rural Woodland/forest	od		L	Mixed use Other:		
_		<u> </u>		^	vvoodiand/lorest	cu		U	Other.		
	reas Assessed (check all that ap leck all areas that apply. If an area is not			ont	" hav						
	leck all areas that apply. If an area is not ocument all bat indicators observed during		•			rovi	do photo docur	201	atation as indicat	-04	
										eu	-
ΑI	rea (check if assessed)	A	ssessment Notes	Ĺ	/laence of E	sat	s (include pr	101	os if present)	_	
	All crevices and cracks: Bridges/culverts: rough surfaces or	Ш	Not present		Visual - live #		dead #	_	Audible Odor		Species
\overline{v}	imperfections in concrete	Ν	o presence of bats		Guano		ueau #		Photos		
	Other structures: soffits, rafters, attic				Staining				THOUSE		
	areas							4	•		
		X	Not present						Audible		Species
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Ш	concrete)			_	Guano				Photos		
		¥	Not present		Staining			┢	Audible		Species
	Spaces between concrete end walls		TWO PICSCII		Visual - live #		dead #		Odor		Орсско
Н	and the bridge deck				Guano				Photos		
					Staining						
	Crack between concrete railings on top	×	Not present		Visual - live #		dood ##		Audible		Species
	of the bridge deck Gap			F	Guano		dead #	┡	Odor Photos		
	Railing				Staining				i notos		
		X	Not present		,				Audible		Species
П	Vertical surfaces on concrete l-beams			E	Visual - live #		dead #	Ľ	Odor		
				⊢	Guano Staining				Photos		
		×	Not present	E	Stairing				Audible		Species
	Spaces between walls, ceiling joists	Ì		L	Visual - live #		dead #		Odor		
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	<u> </u>				Staining						
		X	Not present		,,,				Audible		Species
	All guiderails			F	Visual - live #		dead #	⊩	Odor		
				H	Guano Staining			<u> </u>	Photos		
		X	Not present	Ħ	y				Audible		Species
	All expansion joints			L	Visual - live #		dead #		Odor		
Н	7 til σχρατισίοτι jointo			Ľ	Guano			L	Photos		
				L	Staining						
Na	_{ame:} Payton Fischer				gnature: 1	ai	fton Eische	1			

Last revised April 2020 Assessment Form





Photo 1. Area of overgrown grasses around Structure 2 inlet, viewing north, 9/25/2021



Photo 2. Riprap covered outlet of Structure 2 west of US 6, viewing north, 9/25/2021



APPENDIX D

Section 106 of the NHPA

Minor Projects PA Project Assessment Form

Date: 6/23/2021

Project Designation Number: 1900012

Route Number: US 6

Project Description: Bridge Project over Muck Pocket; 0.84 mile east of SR 51/I-80/94

Proposed work includes replacement of the existing structure (Bridge #(6)51-45-01943 B, NBI #18870), a cast-in-place concrete slab superstructure on pile bent substructure units, with a structure that is acceptable based on a hydraulics review. The roadway profile will be raised to provide improvements to the hydraulic performance. The project will also include new reinforced concrete bridge approaches, bridge railing, and guardrail.

Acquisition of new right-of-way will be required.

Feature crossed (if applicable): Muck Pocket

City/Township: Lake Station/Hobart Township County: Lake County

Information reviewed (please check all that apply):

General project location map	USGS map	Aerial photog	raph	Interim Report
☐ Written description of project a	rea 🔽 Genera	al project area photos	▼ Sc	il survey data
Previously completed historic p	property reports	Previously co	mplete	d archaeology reports
▼ Bridge Inspection Information	▼ SHAARD	▼ SHAARD GIS	▼ St	reetview Imagery

Other (please specify): Indiana Historic Building, Bridges, and Cemeteries Map (IHBBCM); County GIS data (accessed via https://portico.mygisonline.com/html5/?viewer=lakeinsurveyor); Bridge Inspection Application System (BIAS); 2010 INDOT-sponsored *Historic Bridge Inventory* (HBI); Residential Planning and Development in Indiana, 1940-1973; project information provided by Hanson Professional Services Inc. dated 6/2/2021 on file at INDOT-CRO.

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

B-4. Installation of new safety appurtenances, including but not limited to, guardrails, barriers, glare screens, and crash attenuators, under the following conditions [BOTH Condition A, which pertains to Archaeological Resources, and Condition B, which pertains to Above-Ground Resources, must be satisfied]:

Condition A (Archaeological Resources)

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

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

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

Condition B (Above-Ground Resources)

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

B-12. Replacement, widening, or raising the elevation of the superstructure on existing bridges, and bridge replacement projects (when both the superstructure and substructure are removed), under the following conditions [BOTH Condition A, which pertains to Archaeological Resources, and Condition B, which pertains to Above-Ground Resources, must be satisfied]:

Condition A (Archaeological Resources)

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

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

Condition B (Above-Ground Resources)

The conditions listed below must be met (BOTH Condition i and Condition ii must be satisfied)

- i. Work does not occur adjacent to or within a National Register-listed or National Registereligible district or individual above-ground resource; *AND*
- ii. With regard to the subject bridge, at least one of the conditions listed below is satisfied (AT LEAST one of the conditions a, b or c, must be fulfilled):
 - a. The latest Historic Bridge Inventory identified the bridge as non-historic (see http://www.in.gov/indot/2531.htm);
 - b. The bridge was built after 1945, and is a common type as defined in Section V. of the *Program Comment Issued for Streamlining Section 106 Review for Actions Affecting Post-1945 Concrete and Steel Bridges* issued by the Advisory Council on Historic Preservation on November 2, 2012 for so long as that Program Comment remains in effect AND the considerations listed in Section IV of the Program Comment do not apply;
 - c. The bridge is part of the Interstate system and was determined not eligible for the National Register under the Section 106 Exemption Regarding Effects to the Interstate Highway System adopted by the Advisory Council on Historic Preservation on March 10, 2005, for so long as that Exemption remains in effect.

Are there any commitments associated with Additional Comments Section below.	this project? If yes,	please explain and incl	ude in the
Does the project result in a de minimis impa please explain in the Additional Comments S	ct to a Section 4(f) _I		rce? If yes
Additional comments:			

Above-ground Resources

An INDOT-Cultural Resources Office (CRO) historian who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61 first performed a desktop review, checking

Last revised 9-23-08 Page 2 of 4

the Indiana Register of Historic Sites and Structures (State Register) and National Register of Historic Places (National Register) lists for Lake County. No listed resources are present within 0.15 mile of the project area, a distance that would serve as an adequate area of potential effects (APE) given the scope of the project and the surrounding terrain.

The Indiana Historic Sites and Structures Inventory (IHSSI) and National Register information for Lake County are available in the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) and the Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBCM). All sites were reviewed through the IHBBCM, which contains the most recently updated SHAARD information. The following IHSSI sites are recorded within 0.15 mile of the project:

IHSSI #089-232-01021 (East Gary School; 2480 Putnam Street; c. 1880, c. 1920; "contributing") IHSSI #089-520-01009 (Fabian House; 2417 Putnam Street; 1919; "contributing").

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

Land surrounding the project area is suburban with parks, recreational spaces, and commercial and residential buildings present. The parks and recreational spaces have many mature deciduous and coniferous trees present which limits the viewshed of the project. Additionally, the curve in the roadway further limits the viewshed. Only those properties within 0.15 mile of the project that border US 6 have the potential to be impacted by the project. There are 16 properties that meet these criteria. Of the 16 properties, five (5), including two parks and one covered bridge immediately adjacent to the project area, will not be 50 years old or older by the time of project letting in 2023.

Nine (9) of the remaining properties date to the mid-twentieth century; three (3) are residential properties and six (6) are commercial properties. The houses do not appear to meet the *Residential Planning and Development in Indiana*, 1940-1973 requirements to be individually eligible to the National Register, and a cohesive mid-twentieth century historic district was not identified. Most of the commercial buildings appear to be unaltered but lack architectural distinction. For the purposes of this determination, none of the mid-twentieth century properties appear to possess the cultural significance and/or material integrity necessary to be considered potentially eligible for the National Register.

The remaining two (2) properties are residential houses that date to the early twentieth century. One of the houses has been highly altered with changes to the fenestration, replacement windows, and a garage addition. The other property appears to be largely unaltered, though the north and south elevations display a stucco coating while the west (primary) façade displays brick veneer. It is unclear if these materials are original to the house. However, as a one-story bungalow, it does not appear to possess the cultural significance necessary to be considered eligible. For the purposes of this determination, neither of the early twentieth-century residences are considered eligible to the National Register.

The subject bridge (#(6)51-45-01943 B; NBI #18870) is a reinforced concrete slab bridge built in 1941 and reconstructed in 1984 and 2003. The bridge length is 289 feet and the deck width, out-to-out, is 47 feet. The INDOT-sponsored *Historic Bridge Inventory* determined that this bridge is not eligible for listing in the National Register (Volume 2, Section 2, page 660).

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

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Archaeological Resources

An INDOT-CRO archaeologist who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61 conducted a desktop review of the project area and determined that no archaeological sites have been recorded within or adjacent to it.

The existing ROW consists of land that is either steeply sloping or else has been disturbed by road construction and development. The northern portion, which houses commercial properties, appears to have been artificially built up with fill. Soil in the areas of proposed ROW area consist of very poorly drained and hydric Wallkill silt loam (Wa), indicating that the area would not have been suitable for heavy utilization in the past due to frequent, prolonged wetness (all sites recorded within one mile of the project area are located on well drained sandy soils). The saturated nature of this soil combined with the shallow (50 cm) depth to the C horizon indicate that it does not have the potential to contain buried archaeological deposits. Therefore, the project area does not have the potential to contain significant archaeological resources.

Based upon these factors, there are no archaeological concerns provided the project scope does not change.

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

INDOT Cultural Resources staff reviewer(s): Kelyn Alexander and Matt Coon

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

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APPENDIX E

Red Flag and Hazardous Materials

INDIANA NOLLANDIANA NOLLANDIAN

INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue Room N758-ES Indianapolis, Indiana 46204 PHONE: (855) 463-6848 (855) INDOT4U

Eric Holcomb, Governor Michael Smith, Commissioner

Date: April 7, 2022

To: Site Assessment & Management (SAM)

Environmental Policy Office - Environmental Services Division (ESD)

Indiana Department of Transportation (INDOT)

100 N Senate Avenue, Room N758-ES

Indianapolis, IN 46204

From: Tamra L. Reece

Hanson Professional Services 6510 Telecom Drive, Suite 210

Indianapolis, IN 46278 treece@hanson-inc.com

Re: RED FLAG INVESTIGATION

DES 1900012, State Project

Bridge Project

US 6 at Muck Pocket, 0.84 Mile East of SR 51 I-80/I-94

Lake County, Indiana

PROJECT DESCRIPTION

Brief Description of Project: The project is located on US 6, 0.84 mile east of SR 51 I-80/94 over Muck Pocket, in Hobart Township, Section 16, Township 36 North, Range 7 West in Lake County, Indiana. This section of US 6 is classified as an Urban Principal Arterial and is part of the US National Highway System. The existing US 6, consists of two (2) 12 feet (ft.) travel lanes, 10 ft. (max) paved shoulders, and 10 ft. usable shoulders. The existing bridge is a 289 ft., 16 ft. spans with 19.7 ft. maximum length reinforced concrete slab on reinforced concrete piles. The bridge is located parallel and adjacent to Deep River and is located within the floodplain of Deep River over an area called Muck Pocket. The proposed project is anticipated to replace the existing structure with a 530 ft., cast-in-place concrete slab superstructure on pile bent substructure units. The roadway profile is anticipated to be raised to provide improvements to the hydraulic performance. The raised profile will result in a longer proposed bridge, extending the proposed structure to the north of the existing bridge limits. Longer bridge spans will be provided to minimize the number of substructure units. The project is anticipated to also include new reinforced concrete bridge approaches, bridge railing, and guardrail.

Bridge and/or Culvert Project: Yes \boxtimes No \square Structure # (6)51-45-01943B

Bridge and/or Culvert Project: Yes ⊠ No □ Structure # <u>(6)51-45-01943B</u>
If this is a bridge project, is the bridge Historical? Yes \square No $oxtimes$, Select \square Non-Select \square
(Note: If the project involves a historical bridge, please include the bridge information in the Recommendation
Section of the report).
Proposed right of way: Temporary \square # Acres Permanent \boxtimes # Acres, Not Applicable \square
Type and proposed depth of excavation: The maximum average depth of excavation will be approximately 6.5 ft.
This will include some channel clearing at the north abutment for the new bridge opening and will include some
clearing downstream of the structure to allow water to pass through the new waterway opening into Deep River.

Maintenance of traffic: The maintenance of traffic is anticipated to require a full closure with a detour route of approximately sixteen (16) miles utilizing US 6, SR 149, and US 20, coordination will be ongoing throughout the early coordination process. Access to local businesses and residents shall be maintained. A local detour route will be coordinated with the City of Lake Station.

Work in waterway:	Yes 🗵	No □	Below ordina	ry high-water mark:	Yes $oxtimes$ No $oxtimes$
State Project: ⊠	LPA: □				
Any other factors in	nfluencin	g recon	nmendations:	Not applicable.	

INFRASTRUCTURE TABLE AND SUMMARY

Infrastructure Indicate the number of items of concern found within the 0.5-mile search radius. If there are no items, please indicate N/A:						
Religious Facilities 5* Recreational Facilities 5						
Airports ¹	1	Pipelines	N/A			
Cemeteries	1	Railroads	3			
Hospitals	N/A	Trails	1			
Schools	2	Managed Lands	2			

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

Explanation:

Airports: Although not located within the 0.5-mile search radius, one (1) public-use airport, Hobart Sky Ranch, is located within 3.8 miles (20,000 feet) of the project area. The public use airport is located approximately 1.57 miles southwest of the project area; therefore, early coordination with INDOT Aviation will occur.

Religious Facilities*: Five (5) religious facilities, four (4) mapped and one (1) unmapped, are located within the 0.5 mile search radius. The nearest facility, St. Francis Xavier Church, is located approximately 0.11 mile northwest of the project area. No impact is expected.

Cemeteries: One (1) cemetery is located within the 0.5 mile search radius. St. Francis Xavier Cemetery is located approximately 0.09 mile northwest of the project area. No impact is expected.

Schools: Two (2) schools are located within the 0.5 mile search radius. The nearest school, Central Elementary School, is located approximately 0.22 mile west of the project area. No impact is expected.

Recreational Facilities*: Five (5) recreational facilities are located within the 0.5 mile search radius. Although the icon associated with Thomas A. Edison Junior-Senior High School recreational facility is outside of the 0.5 mile search radius, the facility is actually 0.34 mile northwest of the project area. The nearest facility, Riverview Park, is adjacent to the project area. Coordination with Lake Station Parks and Recreation Department will occur.

Railroads: Three (3) railroad segments, two (2) active and one (1) non – active, were located within the 0.5 mile search radius. The nearest railroad segment, CSX RR, is located approximately 0.24 mile north of the project area. No impact is expected.

Trails: One (1) trail segment was located within the 0.5 mile search radius. Riverview Park Trail is adjacent to the project area. Coordination with Lake Station Parks and Recreation Department will occur.

Managed Lands: Two (2) managed lands are located within the 0.5 mile search radius. Riverview Community Park is adjacent to the project area. Coordination with Lake Station Parks and Recreation Department will occur.

WATER RESOURCES TABLE AND SUMMARY

Water Resources Indicate the number of items of concern found within the 0.5-mile search radius. If there are no items, please indicate N/A:							
NWI - Points N/A Canal Routes - Historic N/A							
Karst Springs	N/A	NWI - Wetlands	14				
Canal Structures – Historic	N/A	Lakes	1				
NPS NRI Listed	N/A	Floodplain - DFIRM	8				
NWI-Lines	N/A	Cave Entrance Density	N/A				
IDEM 303d Listed Streams and Lakes (Impaired)	N/A	Sinkhole Areas	N/A				
Rivers and Streams							

Explanation: Due to the proximity to Deep River, it is likely that additional water resources, such as unnamed tributaries, regulated drains, wetlands, and roadside ditches are located in the project area. A Waters of the US Report will be prepared and coordination with INDOT Environmental Services Division (ESD) Ecology and Waterway Permitting Office (EWPO) will occur.

Rivers and Streams: Four (4) river and stream segments are located within the 0.5 mile search radius. One (1) river and stream, Deep River, is adjacent to the project area. A Waters of the US Report will be prepared and coordination with INDOT Environmental Services Division (ESD) Ecology and Waterway Permitting Office (EWPO) will occur.

NWI – Wetlands: Fourteen (14) wetland polygons are located within the 0.5 mile search radius. The nearest wetland is adjacent to the project area. A Waters of the US Report will be prepared and coordination with INDOT ESD, EWPO will occur.

Lakes: One (1) lake is located within the 0.5 mile search radius. The lake is approximately 0.04 mile east of the project area. No impact is expected.

Floodplain – DFIRM: Eight (8) floodplain polygons are located within the 0.5 mile search radius. The project area is located within two (2) of the floodplain polygons. Coordination with INDOT ESD and the EWPO will occur.

MINING AND MINERAL EXPLORATION TABLE AND SUMMARY

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

Explanation: No mining and mineral resources were identified within the 0.5 mile search radius.

HAZARDOUS MATERIAL CONCERNS TABLE AND SUMMARY

Hazardous Material Concerns

Indicate the number of items of concern found within the 0.5-mile search radius. If there are no items, please indicate N/A:

Superfund	N/A	Manufactured Gas Plant Sites	N/A
	-		N/A
RCRA Generator/ TSD	2	Open Dump Waste Sites	N/A
RCRA Corrective Action Sites	N/A	Restricted Waste Sites	N/A
State Cleanup Sites	1	Waste Transfer Stations	N/A
Septage Waste Sites	N/A	Tire Waste Sites	N/A
Underground Storage Tank (UST) Sites	9	Confined Feeding Operations (CFO)	N/A
Voluntary Remediation Program	N/A	Brownfields	5
Construction Demolition Waste	N/A	Institutional Controls	4
Solid Waste Landfill	2	NPDES Facilities	1
Infectious/Medical Waste Sites	N/A	NPDES Pipe Locations	N/A
Leaking Underground Storage (LUST) Sites	8	Notice of Contamination Sites	N/A

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

Explanation:

RCRA Generator/TSD: Two (2) RCRA generators (Atlas of Lake Station Painting and Discount Transmissions Incorporated), are located within the 0.5 mile search radius. The nearest facility, Discount Transmission Incorporated, Agency ID# 16688, is located at 3615 Central Avenue approximately 0.15 mile north of the project area. The latest correspondence from November 26th and 27th, 2002 in the VFC indicates an updated Hazardous Waste Generator Status of Conditionally Exempt Small Quantity and a "Dismissal of Notice of Violation". No impact is expected.

State Cleanup Sites: One (1) state cleanup site located within the 0.5 mile search radius. Luke Oil Company Incorporated, Agency ID# 24723, is located approximately 0.37 mile north of the project area. No documents were found in the VFC for this site. No impact is expected.

Underground Storage Tanks (UST): Nine (9) USTs are located within the 0.5 mile search radius. The nearest tank is located at City of Lake Station Water & Sewage, Agency ID# 20515, 3699 Fairview Ave, and is approximately 0.12 mile northeast of the project area. The UST was removed in 1998 and achieved No Further Action (NFA) approval determination pursuant to Risk Integrated System of Closure (RISC) non-rule policy document (NPD) guidelines and conditions in a letter dated May 11, 2018. No impact is expected.

IDEM Landfill Boundary: Two (2) landfill boundaries are located within the 0.5 mile search radius. The nearest boundary, City of Lake Station DPW, Voluntary Remediation Program (VRP) #6151001, 3699 Fairview Avenue, is located approximately 0.05 mile northeast of the project area. The facility received Remediation Work Plan approval (RWP) on January 16, 2020. Approval for no further ground water sampling was received on March 12, 2020. Monitoring wells must be closed in accordance with 312 IAC 13-10-2, and the Indiana Department of Natural Resources (IDNR) Division of

Water must be notified in writing within 30 days of abandonment. No further information is available for this site. No impact is expected.

Leaking Underground Storage Tanks (LUST): Eight (8) LUST sites are located within the 0.5 mile search radius. The nearest site, Luke Oil 4, Agency ID# 18473, 2470 Ripley St, is adjacent to the project area. The incorrectly mapped GIS icon is located northwest of the project area across Deep River. The actual location of the site is adjacent to the northwest corner of the project area. The latest correspondence within the VFC indicates NFA approval determination pursuant to RISC NPD guidelines and conditions for LUST incident #200801505 on May 16, 2018. Contamination remains in the area surrounding the site and possibly exists in the ROW. If excavation occurs in this area, proper handling, removal, and disposal of soil and/or groundwater will be necessary. Refer to Appendix G of the SAM Manual for the recommended procedure to manage and report contamination.

Brownfields: Five (5) brownfields are located within the 0.5 mile search radius. The nearest location is at the Ripley Landfill 4101001, Central Ave & Ripley St, and it located approximately 0.15 mile north of the project area. No impact is expected.

Institutional Controls: Four (4) institutional controls are located within the 0.5 mile search radius. The nearest location, Road Ranger 240, Agency ID# 16936, 2151 Ripley St., is approximately 0.32 mile north of the project area. No impact is expected.

NPDES Facilities: One (1) NPDES facility (Lake Station Sanitary District) is located within the 0.5 mile search radius. The Lake Station Sanitary District, Permit number INJ063592, 3699 Fairview Ave, is approximately 0.12 mile north of the project area. No impact is expected.

ECOLOGICAL INFORMATION SUMMARY

The Lake County listing of the Indiana Natural Heritage Data Center information on endangered, threatened, or rare (ETR) species and high-quality natural communities is provided at https://www.in.gov/dnr/naturepreserve/files/np_lake.pdf. A preliminary review of the Indiana Natural Heritage Database by INDOT ESD did indicate the presence of ETR species within the 0.5-mile search radius. Coordination with USFWS and IDNR will occur.

A review of the USFWS database did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. The project area is located in an oxbow of Deep River known as Muck Pocket which is largely wetlands and a small lake. The November 05, 2020 inspection report for Bridge # (6)51-45-01943 B states that no evidence of bats was seen or heard under the bridge. The range-wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation for INDOT Projects".

RECOMMENDATIONS SECTION

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

INFRASTRUCTURE:

Airports: Although not located within the 0.5-mile search radius, one (1) public-use airport, Hobart Sky Ranch, is located within 3.8 miles (20,000 feet) of the project area. Coordination with INDOT Aviation will occur.

Recreational Facilities: Riverview Park, is adjacent to the project area. Coordination with Lake Station Parks and Recreation Department will occur.

Trails: Riverview Park Trail, is adjacent to the project area. Coordination with Lake Station Parks and Recreation Department will occur.

Managed Lands: Riverview Community Park, is adjacent to the project area. Coordination with Lake Station Parks and Recreation Department will occur.

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

- One wetland is adjacent to the project area.
- One river/stream, Deep River, is adjacent to the project area.
- The project area is within two (2) floodplain polygons (coordination only).

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS:

 Leaking Underground Storage Tanks (LUST): Eight (8) LUST sites are located within the 0.5 mile search radius. The nearest site, Luke Oil 4, Agency ID# 18473, 2470 Ripley St, is mapped incorrectly and actually located adjacent to the northwest corner of the project area. The latest correspondence within the VFC indicates NFA approval determination pursuant to RISC NPD guidelines and conditions for LUST incident #200801505 on May 16, 2018. Contamination remains in the area surrounding the site and possibly exists in the ROW. If excavation occurs in this area, proper handling, removal, and disposal of soil and/or groundwater will be necessary. Refer to Appendix G of the SAM Manual for the recommended procedure to manage and report contamination.

ECOLOGICAL INFORMATION: Coordination with the USFWS and IDNR will occur. The range-wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation for INDOT Projects".

Chad Pitcher, Chad Pitcher, CHMM

Digitally signed by Date: 2022.04.11

CHMM INDOT ESD concurrence:

14:09:16 -04'00'

(Signature)

Prepared by:

Tamra L. Reece

Payton Fischer

Environmental Scientist

Hanson Professional Services Inc.

Environmental Specialist

Hanson Professional Services Inc.

Graphics:

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

SITE LOCATION: YES **INFRASTRUCTURE: YES** WATER RESOURCES: YES

MINING/MINERAL EXPLORATION: N/A HAZARDOUS MATERIAL CONCERNS: YES

Red Flag Investigation - Site Location US 6 at Muck Pocket, 0.84 Mile East of SR 51/I-80/I-94 Des. No. 1900012, Bridge Project Lake County, Indiana



Sources: 0.2 0.1 0 0.2 Miles

<u>Data</u> - Obtained from the State of Indiana Geographical Information Office Library

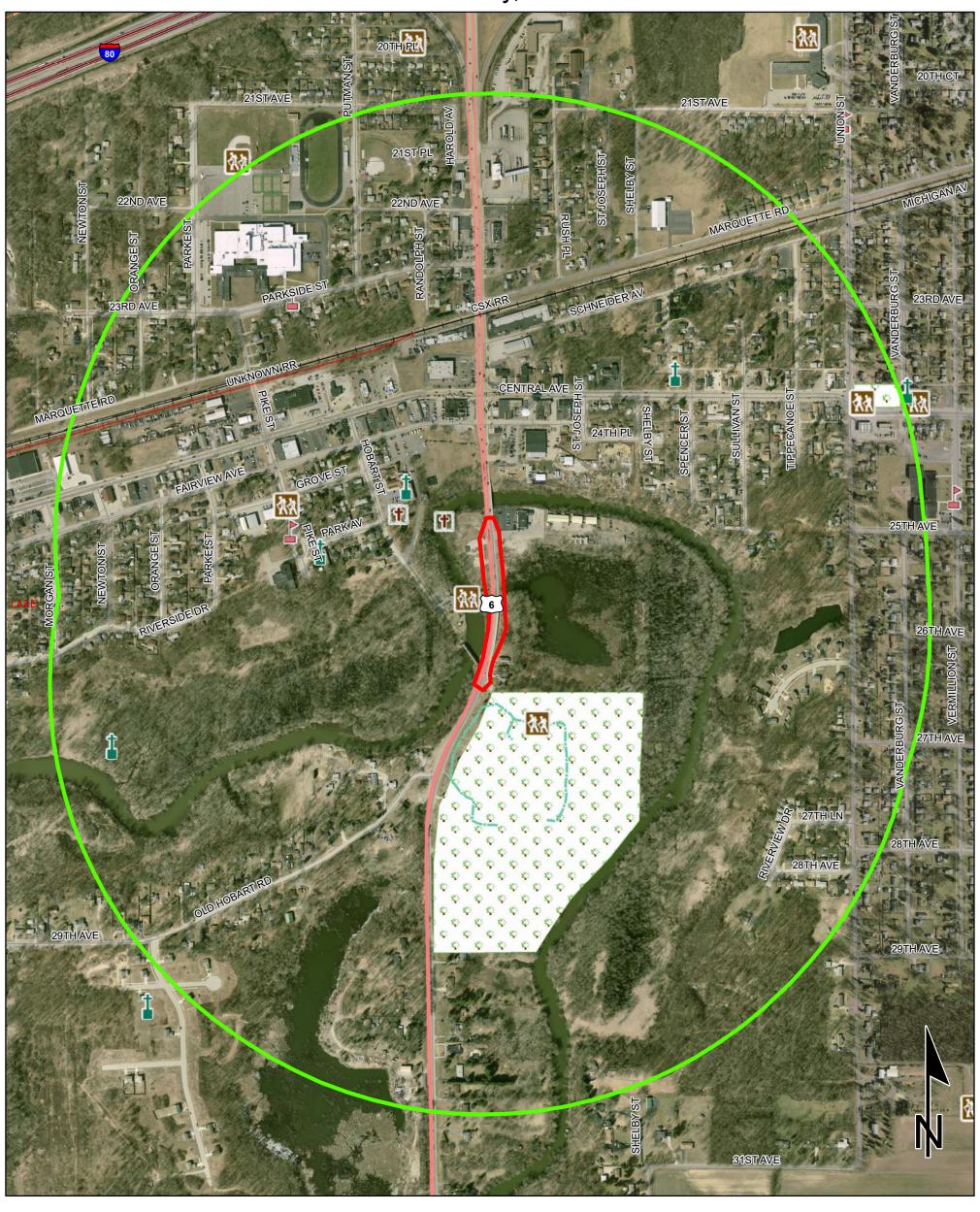
<u>Orthophotography</u> - Obtained from Indiana Map Framework Data (www.indianamap.org)

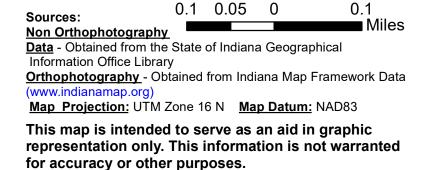
Map Projection: UTM Zone 16 N Map Datum: NAD83

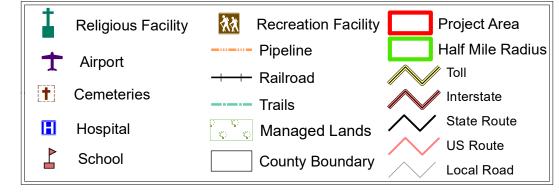
This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

PORTAGE QUADRANGLE INDIANA 7.5 MINUTE SERIES (TOPOGRAPHIC)

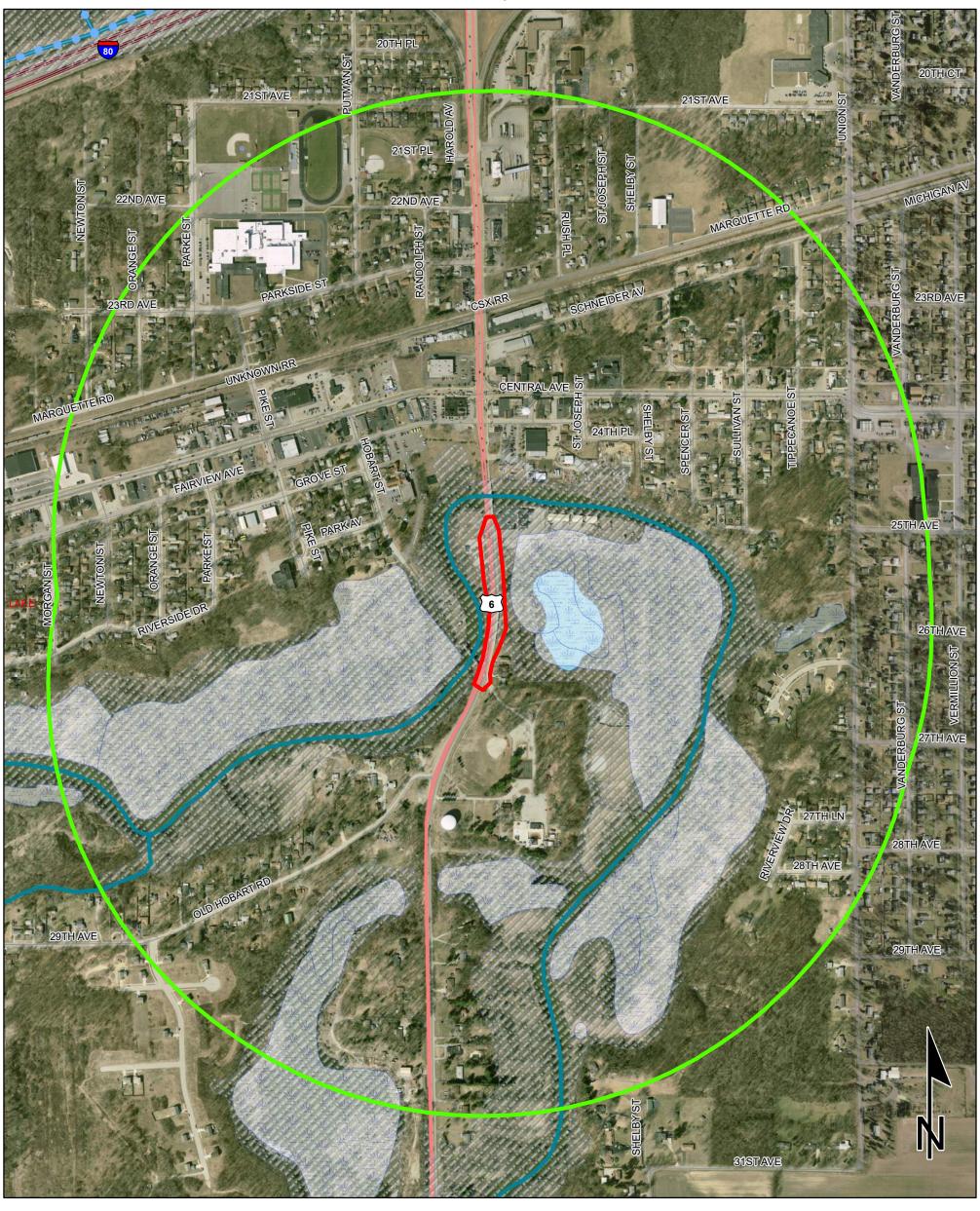
Red Flag Investigation - Infrastructure US 6 at Muck Pocket, 0.84 Mile East of SR 51/I-80/I-94 Des. No. 1900012, Bridge Project Lake County, Indiana







Red Flag Investigation - Water Resources US 6 at Muck Pocket, 0.84 Mile East of SR 51/I-80/I-94 Des. No. 1900012, Bridge Project Lake County, Indiana



Sources:
Non Orthophotography

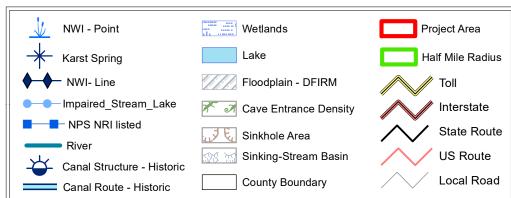
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Orthophotography - Obtained from Indiana Map Framework Data

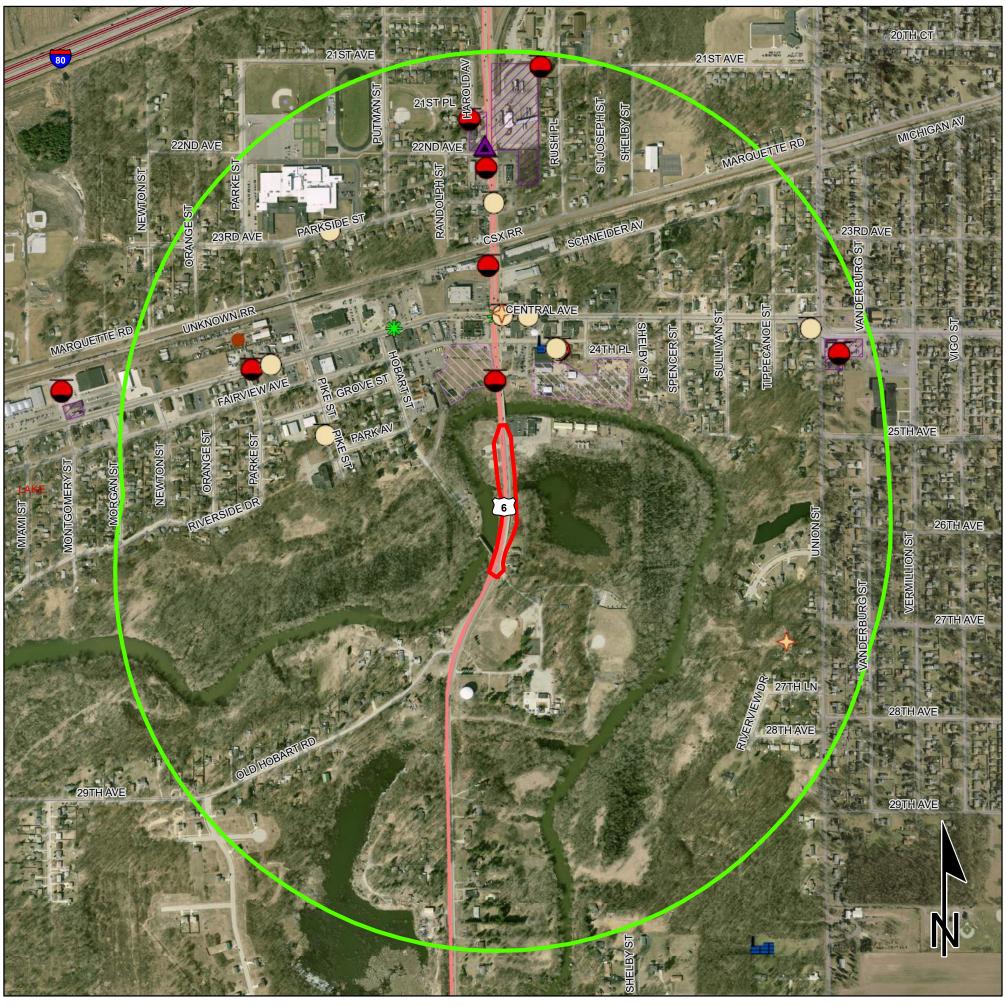
(www.indianamap.org)

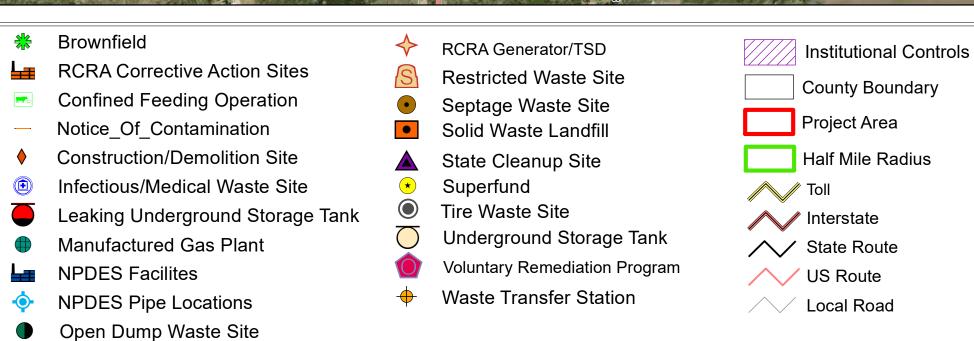
Map Projection: UTM Zone 16 N Map Datum: NAD83

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



Red Flag Investigation - Hazardous Material Concerns US 6 at Muck Pocket, 0.84 Mile East of SR 51/I-80/I-94 Des. No. 1900012, Bridge Project Lake County, Indiana





0.15 0.075 0 0.15 Miles

Sources:

Non Orthophotography

Data - Obtained from the State of Indiana Geographical