

CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM
GENERAL PROJECT INFORMATION

Road No./County:	SR 46 and Smith Road / Monroe County
Designation Number(s):	1800208
Project Description/Termini:	Intersection improvements at SR 46 and Smith Road from approximately 0.11 mile north of SR 46 to approximately 0.07 mile south of SR 46, and approximately 0.08 mile west of Smith Road.

X	Categorical Exclusion, Level 2 – Required Signatories: INDOT DE and/or INDOT ESD
	Categorical Exclusion, Level 3 – Required Signatories: INDOT ESD
	Categorical Exclusion, Level 4 – Required Signatories: INDOT ESD and FHWA
	Environmental Assessment (EA) – Required Signatories: INDOT ESD and FHWA
	Additional Investigation (AI) – The proposed action included a design change from the original approved environmental document. Required Signatories must include the appropriate environmental approval authority

Approval

_____	_____
INDOT DE Signature and Date	INDOT ESD Signature and Date

FHWA Signature and Date	

Release for Public Involvement

		2022.03.24 10:08:38 -04'00'
	_____	_____
	INDOT DE Initials and Date	INDOT ESD Initials and Date

Certification of Public Involvement

INDOT Consultant Services Signature and Date

INDOT DE/ESD Reviewer Signature and Date: _____

Name and Organization of CE/EA Preparer: _____

Ellen Hoglebe, Crawford, Murphy & Tilly, Inc.

Indiana Department of Transportation

County Monroe

Route SR 46 & Smith Rd.

Des. No. 1800208

Part I - Public Involvement

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

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

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

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

Notice of Entry letters were mailed to potentially affected property owners near the project area on March 5, 2019 notifying them about the project and that individuals responsible for land surveying and field activities may be seen in the area. A sample copy of the Notice of Entry letter is included in Appendix G, page G-1.

To meet the public involvement requirements of Section 106, a legal notice of FHWA's finding of "No Historic Properties Affected" was published in the Herald Times on October 9, 2021 offering the public an opportunity to submit comment pursuant to 36 CFR 800.2(d), 800.3(e), and 800.6(a)(4). The public comment period closed 30 days later on November 9, 2021. The text of the public notice and the affidavit of publication appear in Appendix D, pages D-79 to D-81. No comments were received.

The project will meet the minimum requirements described in the current Indiana Department of Transportation (INDOT) Project Development Public Involvement Manual which requires the project sponsor to offer the public an opportunity to submit comments and/or request a public hearing. Therefore, a legal notice will appear in a local publication contingent upon the release of this document for public involvement. This document will be revised after the public involvement requirements are fulfilled.

Public Controversy on Environmental Grounds

Discuss public controversy concerning community and/or natural resource impacts, including what is being done during the project to minimize impacts.

At this time, there is no substantial public controversy concerning impacts to the community or to natural resources.

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

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

Local Name of the Facility: SR 46 (East 3rd Street) and Smith Road

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

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

Indiana Department of Transportation

County Monroe

Route SR 46 & Smith Rd.

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PURPOSE AND NEED:

The need should describe the specific transportation problem or deficiency that the project will address. The purpose should describe the goal or objective of the project. The solution to the traffic problem should NOT be discussed in this section.

The Indiana Department of Transportation (INDOT) has identified the need to address traffic congestion and pedestrian connectivity concerns at the intersection of SR 46 and Smith Road. The need for the project is supported by capacity analysis documenting existing and future unacceptable levels of service (LOS) at the intersection and the missing pedestrian crosswalks and signals at the intersection.

Intersection performance is measured by LOS, which is a measure of the quality of traffic flow. LOS values can range from LOS A, which is the least congested or free flow, to LOS F, which is the most congested or breakdown flow. According to the Indiana Design Manual, the desirable LOS for the SR 46 and Smith Road intersection is D or better.

According to the Engineer's Assessment (CMT, September 2019) for the project, the northbound and southbound approaches of the existing signalized intersection operate at an unacceptable LOS F in the evening peak hour and have a 106.3 second and 140.4 second delay, respectively. During the morning peak hour, the northbound and southbound approaches operate at an unacceptable LOS F and E and have a 137.5 second and 59.9 second delay, respectively.

There are several bus stops on SR 46 and along Smith Road and an elementary school is located less than 1 mile north of the intersection. Marked pedestrian crosswalks are missing at the south leg crossing of Smith Road and the east leg crossing of SR 46, which creates a break in sidewalk continuity in the southeast corner of the intersection with existing sidewalk located along the south side of SR 46. There is an approximately 70-foot gap in sidewalk along the south side of SR 46, immediately east of Smith Road, which creates a break in sidewalk continuity. The existing crosswalks lack Accessible Pedestrian Signals and existing sidewalk ramps around the intersection are not Americans with Disabilities Act compliant.

The purpose of this project is to reduce congestion, improve the intersection to the desired LOS D or better with the design year traffic projections, and improve pedestrian mobility and system linkage in the area of the SR 46 and Smith Road intersection.

PROJECT DESCRIPTION (PREFERRED ALTERNATIVE):

County: Monroe

Municipality: Bloomington

Limits of Proposed Work: Smith Road from approximately 0.11 mile north of SR 46 to approximately 0.07 mile south of SR 46, and SR 46 from approximately 0.08 mile west of Smith Road to intersection.

Total Work Length: 0.23 Mile(s)

Total Work Area: 1.98 Acre(s)

Is an Interstate Access Document (IAD)¹ required?

If yes, when did the FHWA provide a Determination of Engineering and Operational Acceptability?

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

Yes¹	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date: <input style="width: 100%;" type="text"/>	

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Describe location of project including township, range, city, county, roads, etc. Existing conditions should include current conditions, current deficiencies, roadway description, surrounding features, etc. Preferred alternative should include the scope of work, anticipated impacts, and how the project will meet the Purpose and Need. Logical termini and independent utility also need discussed.

The project is located along SR 46 and Smith Road in Bloomington, Monroe County, Indiana (Appendix B, page B-1). The project is located within Section 1, Township 8 North, Range 1 West and Sections 35 and 36, Township 9 North, Range 1 West on the 7.5-minute United States Geological Survey (USGS) Unionville, Indiana Quadrangle (Appendix B, page B-3). The project extends along Smith Road from approximately 0.11 mile north of SR 46 (Sta. 92+29.00) to approximately 0.07 mile south of SR 46 (Sta. 82+95.69). The project also extends along SR 46 from approximately 0.08 mile west of Smith Road to less than 100 feet to the east of Smith Road for turning radius reconstruction and drainage improvements at the intersection.

Smith Road is classified by INDOT as an Urban Major Collector south of SR 46 and an Urban Major Collector north of SR 46. Within the project area, Smith Road travels north-south and the posted speed limit is 30 miles per hour (mph). The south leg of Smith Road has one 13-foot travel lane in each direction with a five-foot sidewalk located on the west side of the road, adjacent to the curb and gutter. The north leg of Smith Road has one 10-foot travel lane and a four-foot bike lane in each direction. There is a five-foot sidewalk located on both sides of the road with a two-foot buffer from the curb. The northbound and southbound approaches on Smith Road have one lane in each direction for all movements, which causes congestion and delays at the intersection. The existing pedestrian ramps and crosswalks are not Americans with Disabilities Act compliant. The lack of designated pedestrian crosswalks and sidewalk continuity causes pedestrian mobility and system linkage concerns.

SR 46 is classified by INDOT as an Urban Principal Arterial and is an FHWA National Highway System (NHS) route. Within the project area, SR 46 travels east-west and the posted speed limit is 40 mph. The roadway consists of one eastbound and one westbound travel lane with no median, one bike lane in each direction, and exclusive right- and left-turn lanes at each approach. To the west of the intersection there is sidewalk located along both sides of SR 46 and to the east of the intersection there is sidewalk located on the south side.

Drainage at the intersection outlets to an unnamed tributary from an existing pipe culvert on the south side of SR 46, west of Smith Road. The existing stream continues west along SR 46 for approximately 200 feet before turning south.

Land use in the vicinity of the project is urban and the project area is surrounded by commercial and residential properties. The surface water within the project area drains southwest towards Jackson Creek. One (1) water resource is reported within the project area.

This project will involve widening Smith Road by approximately 5 feet to the east and west in order to provide exclusive left-turn lanes on both the north and south approaches. The new configuration for the north leg of Smith Road will consist of a striped 5-foot bike lane in each direction, which will utilize 3 feet of pavement and the 2-foot gutter. Sidewalks will be reconstructed along Smith Road and a sidewalk extension will be constructed in the southeast corner of the intersection to connect into the existing sidewalk to the east of the intersection. The project will also include reconstructing the turn radii in all corners of the intersection to accommodate the added turn lanes. The traffic signals will be replaced and include Accessible Pedestrian Signal (APS) push buttons to accommodate new American with Disabilities Act (ADA) ramps and crosswalks. The project will also consist of drainage improvements to address concerns brought up by the religious facilities in the southwest corner of the intersection during the early coordination letter phase of the project. The improvements consist of new inlets and pipes and an in-line stormwater detention (oversized) pipe under the intersection, which will outlet on the south side of SR 46, west of Smith Road. The existing stream will be widened from the outlet to where the stream turns south, approximately 195 feet long, and a retaining wall will be constructed along the widened stream separating it from the existing sidewalk. Every effort to avoid, minimize, and/or mitigate project impacts will be made. The proposed improvements are shown on the plan sheets included in Appendix B, pages B-22 to B-30.

The maintenance of traffic (MOT) for the project will involve the implementation of phased construction and road closures along Smith Road north and south of the intersection with posted detours. Refer to the MOT section of this document and plan sheets (Appendix B, pages B-31 to B-40) for details.

The preferred alternative will meet the purpose and need for the project by reducing congesting, improving the intersection to the desired LOS D or better with the design year traffic projections, and improving pedestrian mobility and system linkage by creating a connection between existing sidewalks and adding pedestrian crosswalks. The northbound and southbound approaches to the intersection in the morning and evening peak hours are projected to be LOS B. This preferred alternative will minimize impacts to utilities located around the existing intersection. Coupled with the lowest total project cost of the alternatives, this is the preferred alternative.

Construction is anticipated to begin in February 2023 and be completed by December 2023.

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These logical termini were established based on the limits of the necessary work to accommodate the intersection improvements. The project is not dependent on any other future projects to meet the project purpose and need, and therefore exhibits independent utility.

OTHER ALTERNATIVES CONSIDERED:

Provide a header for each alternative. Describe all discarded alternatives, including the No Build Alternative. Explain why each discarded alternative was not selected. Make sure to state how each alternative meets or does not meet the Purpose and Need and why.

No Build Alternative

The No Build alternative has no cost and involves no action in the project area. SR 46 would remain a signal-controlled intersection with Smith Road. The northbound and southbound approaches on Smith Road would continue to have one lane in each direction for all movements, and there would continue to be a lack of designated pedestrian crosswalks and sidewalks at the intersection. This alternative does not address the purpose and need to reduce congestion and improve pedestrian mobility and system linkage. Since this alternative would not fulfill the purpose and need, it was eliminated from further consideration.

Added Left Turn Lanes on Smith Road – Widening to the East

This alternative would involve widening Smith Road to the east in order to provide exclusive left-turn lanes on both the north and south approaches. The new configuration for the north leg of Smith Road would also consist of replacing the existing bike lanes. The project would also include new turn radii in the northeast and southeast corners of the intersection. The traffic signals would be replaced and include APS push buttons to accommodate new ADA ramps and crosswalks. This alternative would avoid impacts to residential properties on the west side of Smith Road and would meet the purpose and need for the project by reducing congestion and improving pedestrian mobility and system linkage in the area of the SR 46 and Smith Road intersection. However, this alternative would likely have a large impact on the existing utility facilities, specifically the Duke transmission poles in the northeast corner of the intersection. Since this alternative would require significant utility relocation and have the highest cost, this alternative was eliminated from consideration.

No other alternatives were considered.

The No Build Alternative is not feasible, prudent or practicable because (Mark all that apply)

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

Table with 6 rows and 1 column containing 'X' marks in the first and last rows.

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ROADWAY CHARACTER:

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

Name of Roadway Smith Road (north leg)
 Functional Classification: Urban Major Collector
 Current ADT: 6,380 VPD (2018) Design Year ADT: 7,576 VPD (2043)
 Design Hour Volume (DHV): 687 Truck Percentage (%) 5
 Designed Speed (mph): 30 Legal Speed (mph): 30

	Existing	Proposed
Number of Lanes:	2	3
Type of Lanes:	1 NB, 1 SB all movements, 2 bike lanes	1 NB, 1 SB through/RTL, 1 SB LTL, 2 bike lanes
Pavement Width:	10 ft.	10-19 ft.
Shoulder Width:	4 (bike lane) ft.	5 (bike lane) ft.
Median Width:	N/A ft.	N/A ft.
Sidewalk Width:	5 ft.	5-6 ft.

Setting: Urban Suburban Rural
 Topography: Level Rolling Hilly

Name of Roadway Smith Road (south leg)
 Functional Classification: Urban Minor Collector
 Current ADT: 6,380 VPD (2018) Design Year ADT: 7,576 VPD (2043)
 Design Hour Volume (DHV): 687 Truck Percentage (%) 5
 Designed Speed (mph): 30 Legal Speed (mph): 30

	Existing	Proposed
Number of Lanes:	2	3
Type of Lanes:	1 NB all movements, 1 SB	1 NB through/RTL, 1 NB LTL, 1 SB
Pavement Width:	13 ft.	12 ft.
Shoulder Width:	0 ft.	0 ft.
Median Width:	N/A ft.	N/A ft.
Sidewalk Width:	5 ft.	5 ft.

Setting: Urban Suburban Rural
 Topography: Level Rolling Hilly

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Name of Roadway SR 46
 Functional Classification: Urban Principal Arterial
 Current ADT: 14,785 VPD (2018) Design Year ADT: 17,567 VPD (2043)
 Design Hour Volume (DHV): 1,191 Truck Percentage (%) 5
 Designed Speed (mph): 40 Legal Speed (mph): 40

	Existing		Proposed
Number of Lanes:	4		No change from Existing
Type of Lanes:	1 EB through, 1 WB through, 1 LTL, 1 RTL, 2 bike lanes		
Pavement Width:	10-17	ft.	ft.
Shoulder Width:	0	ft.	ft.
Median Width:	N/A	ft.	ft.
Sidewalk Width:	5-7	ft.	ft.

Setting: Urban Suburban Rural
 Topography: Level Rolling Hilly

BRIDGES AND/OR SMALL STRUCTURE(S):

If the proposed action includes multiple structures, complete and duplicate for each bridge and/or small structure. Include both existing and proposed bridge(s) and/or small structure(s) in this section.

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

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

Describe impacts and work involving bridge(s), culvert(s), pipe(s), and small structure(s). Provide details for small structure(s): structure number, type, size (length and dia.), location and impacts to water. Use a table if the number of small structures becomes large. If the table exceeds a complete page, put it in the appendix and summarize the information below with a citation to the table.

No bridges or small structures are located within the project area.

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MAINTENANCE OF TRAFFIC (MOT) DURING CONSTRUCTION:

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

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

The MOT for the project will require phased closure of Smith Road and detours will be required. During the first stage of construction, Smith Road north of SR 46 will be closed to through traffic and motorists will use SR 46, East State Road 46 Bypass, and SR 45 for the detour. The added travel distance as a result of the detour is approximately 1.9 miles. Local detours may be available. This detour is expected to be in place no more than 45 days. Residences and businesses along the detoured road will have maintained access to their property. During the second stage of construction, Smith Road south of SR 46 will be closed to through traffic and motorists will use SR 46, SR 446 (Knightridge Road), and East Moores Pike for the detour. The added travel distance as a result of the detour is approximately 1.0 mile. Local detours may be available. This detour is expected to be in place no more than 45 days. Facilities along the detoured road will have maintained access to their property. Please refer to Appendix B for MOT details within the Stage 2 plans (pages B-31 to B-40).

The closures/lane restrictions will pose a temporary inconvenience to traveling motorists (including school buses and emergency services); however, no significant delays are anticipated, and all inconveniences and delays will cease upon project completion.

ESTIMATED PROJECT COST AND SCHEDULE:

Engineering: \$ 341,100 (2020) Right-of-Way: \$ 400,000 (2021) Construction: \$ 1,267,000 (2023)

Anticipated Start Date of Construction: February 2023

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RIGHT OF WAY:

Land Use Impacts	Amount (acres)	
	Permanent	Temporary
Residential	0.02	0.19
Commercial	0.03	0.07
Agricultural	0	0
Forest	0	0
Wetlands	0	0
Other: Religious Facilities	0.15	0.24
TOTAL	0.20	0.50

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

The existing ROW on Smith Road north of SR 46 is 70 feet wide. The existing ROW on Smith Road south of SR 46 is typically 50 feet wide, with a maximum of 100 feet wide. The existing ROW along SR 46 within the project area varies from 85 to 90 feet wide, with a maximum of 90 feet wide. The reported ROW widths are measured as the entire width of the roadway ROW.

The project requires approximately 0.20 acre of permanent ROW around the existing intersection. This includes approximately 0.02 acre of permanent ROW from one residential property in the northwest corner of the intersection, approximately 0.03 acre from a commercial property in the southeast corner of the intersection, and approximately 0.15 acre from two religious facility properties in the southwest corner of the intersection. The project also requires approximately 0.50 acre of temporary ROW for the project. This includes approximately 0.19 acre from eight residential properties along Smith Road and SR 46, approximately 0.07 acre from two commercial properties located in the northeast and northwest corners of the intersection, and approximately 0.24 acre from two religious facility properties in the southwest corner of the intersection.

The ROW widths along Smith Road north of SR 46 will not increase, and ROW widths along Smith Road south of SR 46 will increase by approximately 10 feet to the west for the widening of Smith Road. ROW widths at the intersection will increase in the northwest and southeast corners of the intersection for turn radius improvements. ROW widths along SR 46 west of Smith Road will increase by approximately 17 feet for the drainage improvements.

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

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

SECTION A - EARLY COORDINATION:

List the date(s) coordination was sent and all resource agencies that were contacted as a part of the development of this Environmental Study. Also, include the date of their response or indicate that no response was received.

Early coordination letters were sent on August 6, 2019 (Appendix C, pages C-1 to C-2).

<u>Agency</u>	<u>Date Sent</u>	<u>Date Response Received</u>	<u>Appendix</u>
Indiana Geological Survey (IGS)	8/6/2019	8/6/2019	Appendix C, pages C-6 to C-8
Indiana Department of Environmental Management (IDEM)	8/6/2019	8/6/2019	Appendix C, pages C-9 to C-15
US Fish and Wildlife Service (USFWS) - Bloomington Field Office	8/6/2019	8/6/2019	Appendix C, pages C-16 to C-17
INDOT - Office of Public Involvement	8/6/2019	8/6/2019	Appendix C, page C-18
INDOT - Office of Communication	8/6/2019	No response received	N/A
Housing and Urban Development (HUD) - Chicago Regional Environmental Officer	8/6/2019	No response received	N/A
Indiana Department of Natural Resources - Division of Fish and Wildlife (IDNR-DFW)	8/6/2019	9/4/2019	Appendix C, page C-19
IDEM - Groundwater Section, Drinking Water Branch	8/6/2019	11/6/2019	Appendix C, page C-20
US Army Corp of Engineers (USACE) - Louisville District	8/6/2019	No response received	N/A
US Forest Service - Hoosier National Forest	8/6/2019	No response received	N/A
Bloomington-Monroe County Metropolitan Planning Organization (BMC MPO)	8/6/2019	No response received	N/A
Bloomington Mayor	8/6/2019	No response received	N/A
Bloomington City Council	8/6/2019	8/27/2019	Appendix C, pages C-21 to C-22
Bloomington Police Department	8/6/2019	No response received	N/A
Bloomington Fire Department	8/6/2019	No response received	N/A
Bloomington Department of Planning & Transportation	8/6/2019	No response received	N/A
Monroe County Sheriff	8/6/2019	No response received	N/A
Monroe County Council	8/6/2019	No response received	N/A
Monroe County Surveyor	8/6/2019	8/14/2019	Appendix C, pages C-23 to C-29
Monroe County Planning Department	8/6/2019	No response received	N/A

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Monroe County Commissioners	8/6/2019	No response received	N/A
Monroe County Emergency Management Office	8/6/2019	No response received	N/A
Monroe County Highway Department	8/6/2019	No response received	N/A
Monroe County Community School Corporation Superintendent	8/6/2019	No response received	N/A
Monroe County Community School Corporation Transportation Director	8/6/2019	No response received	N/A
Bloomington Transit	8/6/2019	No response received	N/A
St. Thomas Lutheran Church	8/6/2019	9/5/2019	Appendix C, page C-30
Congregation Beth Shalom	8/6/2019	9/13/2019	Appendix C, page C-31
University Baptist Church	8/6/2019	8/23/2019	Appendix C, page C-32 to C-33
City of Bloomington MS4 Coordinator	8/6/2019	No response received	N/A
Monroe County MS4 Coordinator	8/6/2019	No response received	N/A
INDOT Utilities and Railroads	1/21/2022	No response received	N/A

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

SECTION B – ECOLOGICAL RESOURCES:

Streams, Rivers, Watercourses & Other Jurisdictional Features

- Federal Wild and Scenic Rivers
- State Natural, Scenic or Recreational Rivers
- Nationwide Rivers Inventory (NRI) listed
- Outstanding Rivers List for Indiana
- Navigable Waterways

Presence

X

Impacts

Yes	No
X	

Total stream(s) in project area: 267 Linear feet Total impacted stream(s): 195 Linear feet

Stream Name	Classification	Total Size in Project Area (linear feet)	Impacted linear feet	Comments (i.e. location, flow direction, likely Water of the US, appendix reference)
UNT to Jackson Creek	Ephemeral	267	195	Located along the south side of SR 46 west of Smith Road. UNT to Jackson Creek flows generally southwest through an existing open channel. UNT to Jackson Creek is not anticipated to flow for three consecutive months out of the year and is only expected to flow after heavy rain events. As an ephemeral stream, UNT to Jackson Creek is likely to fall under the jurisdiction of the USACE (Appendix F, pages F-1 to F-19).

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Describe all streams, rivers, watercourses and other jurisdictional features adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if the streams or rivers are listed on any federal or state lists for Indiana. Include if features are subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.

Based on the desktop review, the aerial map of the project area, and the RFI report (Appendix E, pages E-1 to E-15) there are seven (7) streams, rivers, watercourse or other jurisdictional features within the 0.5 mile search radius. That number was determined to be one (1) stream within the project investigated area, by the site visits on July 24, 2019 and October 1, 2020 by Crawford, Murphy & Tilly, Inc. (CMT). There is one (1) potentially jurisdictional, ephemeral stream, UNT to Jackson Creek, located within the project area.

A *Waters of the U.S. Determination / Wetland Delineation Report* was approved by INDOT Ecology and Waterway Permitting Office on January 5, 2021. Please refer to Appendix F, pages F-1 to F-19 for the *Waters of the U.S. Determination / Wetland Delineation Report*. It was determined that one potentially jurisdictional, ephemeral stream, UNT to Jackson Creek was identified within the project area. The USACE makes all final determinations regarding jurisdiction.

No Federal, Wild and Scenic Rivers; State Natural, Scenic, and Recreational Rivers; Outstanding Rivers for Indiana; navigable waterways or National Rivers Inventory waterways are present in or adjacent to the project area.

UNT to Jackson Creek is located within the project area. UNT to Jackson Creek flows generally southwest through an existing open channel for a total of 267 linear feet within the project area and continues generally southwest to its confluence with Jackson creek. UNT to Jackson Creek is located within the construction limits. Approximately 195 linear feet (0.02 acre) of UNT to Jackson Creek will be permanently impacted due to for regrading and widening the stream for improved drainage detention.

Mitigation is not expected to be required for this project. A permit determination was submitted to INDOT ESD Ecology and Waterway Permitting Office (EWPO) on September 21, 2021; a 404 and 401 Regional General Permit (RGP) will be required.

IDNR-DFW responded on August 6, 2019 with recommendations to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources (Appendix C, page C-19). The USFWS responded on August 6, 2019 with standard recommendations to avoid or minimize impacts to fish, wildlife, and wildlife habitats, including streams. USFWS also recommended the use of pollutant-trapping technology to reduce runoff of urban pollutants directly to receiving stream systems (Appendix C, pages C-16 to C-17). The USACE did not respond to the early coordination letter. Early coordination occurred via IDEM's online service on August 6, 2019. General comments in the IDEM automated response require permitting for impacts to streams and IDEM noted no specific concerns about watercourses in the area. (Appendix C, pages C-9 to C-15). All applicable recommendations are included in the Environmental Commitments section of this CE document.

Open Water Feature(s)	Presence	Impacts	
		Yes	No
Reservoirs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lakes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Farm Ponds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Retention/Detention Basin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Storm Water Management Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Describe all open water feature(s) identified adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if features are subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.

Based on the desktop review, the aerial map of the project area, and the RFI report (Appendix E, pages E-1 to E-15) there are three (3) open water features within the 0.5 mile search radius. That number was determined to be zero (0) within the project investigated area, by the site visits on July 24, 2019 and October 1, 2020 by CMT. No open water features are present within or adjacent to the project area, therefore, no impacts are expected.

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Wetlands

Presence

Impacts

Yes

No

Total wetland area: N/A Acre(s) Total wetland area impacted: N/A Acre(s)

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

Wetland No.	Classification	Total Size (Acres)	Impacted Acres	Comments (i.e. location, likely Water of the US, appendix reference)
N/A				

Wetlands (Mark all that apply)

- Wetland Determination
- Wetland Delineation
- USACE Isolated Waters Determination

Documentation

X

ESD Approval Dates

January 5, 2021

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

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

Describe all wetlands identified adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if features are subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.

Based on the desktop review, the aerial map of the project area, and the RFI report (Appendix E, pages E-1 to E-15) there are two (2) wetlands within the 0.5 mile search radius. That number was determined to be zero (0) within the project investigated area, by the site visits on July 24, 2019 and October 1, 2020 by CMT. No wetlands are present within or adjacent to the project area, therefore, no impacts are expected.

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	<u>Presence</u>	<u>Impacts</u>	
Terrestrial Habitat	<input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Total terrestrial habitat in project area: 0.47 Acre(s) Total tree clearing: 0.20 Acre(s)

Describe types of terrestrial habitat (i.e. forested, grassland, farmland, lawn, etc.) adjacent or within the project area. Include whether or not impacts will occur to habitat identified. Include total terrestrial habitat impacted and total tree clearing that will occur. Discuss measure to avoid, minimize, and mitigate if impacts will occur.

Based on a desktop review, site visits on July 24, 2019 and October 1, 2020 by CMT, the aerial map of the project area (Appendix B, page B-2), there is mowed grass/lawn habitat within the project area. The area is urban with mixed residential and commercial land uses. Mowed grass/lawn is the only vegetative community type in the project area and the only ground cover expected to be directly impacted. Approximately 0.47 acre of mowed grass/lawn containing common turf grasses, including fowl blue grass (*Poa palustris*) and narrowleaf plantain (*Plantago lanceolata*), will be directly impacted for the intersection improvements. A total of seven trees (approximately 0.20 acre), including two trees within a landscaped area in the southeast corner, two trees in the northwest corner, and three along the south side of SR 46 west of Smith Road, are expected to be removed as a result of this project. Efforts were made to avoid and minimize terrestrial habitat impacts to the greatest extent possible. The construction of this project will cause minimal terrestrial habitat disturbance. Avoidance alternatives are not practicable because they would not allow the project to address the existing congestion and pedestrian mobility and system linkage concerns, and therefore would not fulfill the project's purpose and need. Mitigation is not anticipated for this project.

IDNR-DFW responded on August 6, 2019 with recommendations to avoid, minimize, or compensate for impacts to wildlife and botanical resources, including mitigating for tree removal and revegetating all bare and disturbed areas (Appendix C, page C-19). USFWS responded on August 6, 2019 with recommendations to avoid or minimize impacts to wildlife and wildlife habitat, including restricting clearing of trees and vegetation outside of the construction limits (Appendix C, pages C-16 to C-17). Early coordination occurred via IDEM's online service on August 6, 2019 (Appendix C, pages C-9 to C-15). General comments in the IDEM automated response require permitting if there is more than one acre of total land area disturbance. All applicable recommendations are included in the Environmental Commitments section of this CE document.

Protected Species

Federally Listed Bats

	Yes	No
Information for Planning and Consultation (IPaC) determination key completed	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Section 7 informal consultation completed (IPaC cannot be completed)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Section 7 formal consultation Biological Assessment (BA) required	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Determination Received for Listed Bats from USFWS: NE NLAA LAA

Other Species not included in IPaC

	Yes	No
Additional federal species found in project area (based on IPaC species list)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State species (not bird) found in project area (based upon consultation with IDNR)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Migratory Birds

	Yes	No
Known usage or presence of birds (i.e. nests)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
State bird species based upon coordination with IDNR	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discuss IDNR coordination and species identified. Describe USFWS Section 7 consultation and determination received for Indiana bat and northern long-eared bat impacts. Discuss if other federally listed species were identified. If so, include consultation that has occurred and the determination that was received. Discuss if migratory birds have been observed and any impacts.

Based on a desktop review and the RFI report (Appendix E, pages E-1 to E-15), completed by CMT on October 2, 2019, the IDNR Monroe County Endangered, Threatened and Rare (ETR) Species List has been checked. According to the IDNR-DFW early coordination response letter dated August 6, 2019, the Natural Heritage Program's Database has been checked and no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity. In addition, IDNR-DFW responded with recommendations to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical

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resources (Appendix C, page C-19). All applicable recommendations are included in the Environmental Commitments section of this CE document.

Project information was submitted through the USFWS's Information for Planning and Consultation (IPaC) portal, and an official species list was generated on January 20, 2022 (Appendix C, pages C-36 to C-42). The project is within range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (NLEB) (*Myotis septentrionalis*). No additional species were generated in the IPaC species list other than the Indiana bat and northern long-eared bat.

INDOT Seymour District reviewed the USFWS GIS database for endangered bat species within the project area; in an email dated April 25, 2019, INDOT stated that no documented Indiana bat or northern long-eared bat hibernacula and capture sites were located within 0.5 mile of the project area (Appendix C, page C-56).

The project qualifies for the *Range-wide Programmatic Informal Consultation for the Indiana bat and northern long-eared bat (NLEB)*, dated May 2016 (revised February 2018), between FHWA, Federal Railroad Administration (FRA), Federal Transit Administration (FTA), and USFWS. An effect determination key was completed on January 13, 2022, 2020, and based on the responses provided, the project was found to "May Affect, Not Likely to Adversely Affect" the Indiana bat and/or the NLEB (Appendix C, pages C-43 to C-55). INDOT reviewed and verified the effect finding on January 20, 2022, and requested USFWS's review of the finding. No response was received from USFWS within the 14-day review period; therefore, it was concluded they concur with the finding. Avoidance and Minimization Measures (AMMs) (General, Lighting 1 & 2, Hibernacula, and Tree Removal 1, 2, 3 & 4) are included as firm commitments in the *Environmental Commitments* section of this document.

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

Geological and Mineral Resources

- Project located within the Potential Karst Features Area of Indiana
- Karst features identified within or adjacent to the project area
- Oil/gas or exploration/abandoned wells identified in the project area

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

Date Karst Study/Report reviewed by INDOT EWPO (if applicable): _____

Discuss if project is located in Potential Karst Features Area of Indiana and if any karst features have been identified in the project area (from RFI). Discuss response received from IGWS coordination. Discuss if any mines, oil/gas, or exploration/abandoned wells were identified and if impacts will occur. Describe if any impacts will occur to any karst features. Include discussion of karst study/report was completed and results. (Karst investigation must comply with the current Karst MOU and coordinated and reviewed by INDOT EWPO)

Based on a desktop review, the project is located inside the Indiana Karst Region as outlined in the Protection of Karst Features during Project Development and Construction. According to the topo map of the project area (Appendix B, page B-3) and the RFI report (Appendix E, pages E-1 to E-15), there are no karst features identified within or adjacent to the project area. In the early coordination response (August 6, 2019), the IGS did indicate that karst features exist in the project area (Appendix C, pages C-6 to C-8). IGS noted a high potential to encounter bedrock, and no active or abandoned mineral resource extraction sites are documented in the area. Response from IGS has been communicated with the designer on September 9, 2019. No impacts are expected.

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SECTION C – OTHER RESOURCES

Drinking Water Resources

- Wellhead Protection Area(s)
- Source Water Protection Area(s)
- Water Well(s)
- Urbanized Area Boundary
- Public Water System(s)

Presence

X
X
X

Impacts

Yes	No
	X
	X
	X

- Is the project located in the St. Joseph Sole Source Aquifer (SSA):
- If Yes, is the FHWA/EPA SSA MOU Applicable?
- If Yes, is a Groundwater Assessment Required?

Yes	No
	X

Check the appropriate boxes and discuss each topic below. Provide details about impacts and summarize resource-specific coordination responses and any mitigation commitments. Reference responses in the Appendix.

The project is located in Monroe County, which is not located within the area of the St. Joseph Sole Source Aquifer, the only legally designated sole source aquifer in the state of Indiana. Therefore, the FHWA/EPA Sole Source Aquifer Memorandum of Understanding (MOU) is not applicable to this project, a detailed groundwater assessment is not needed, and no impacts are expected.

The IDEM's Wellhead Proximity Determinator website (<http://www.in.gov/idem/cleanwater/pages/wellhead/>) was accessed on January 21, 2020 by CMT. This project is located within a Source Water Area. In an early coordination letter dated November 6, 2019, IDEM stated the project is not located within a Wellhead Protection Area (Appendix C, page C-20). Coordination with City of Bloomington Utilities regarding the Source Water Area was initiated by email on March 9, 2020. City of Bloomington Utilities responded on March 10, 2020 indicating that they do not have information on source water area within the project vicinity. They indicated that the project is not within the drainage area of Griffy Reservoir, which is the City's backup water supply (Appendix C, pages C-34 to C-35). Therefore, no impacts are expected.

The IDNR Water Well Record Database website (<https://www.in.gov/dnr/water/3595.htm>) was accessed on January 21, 2020 by CMT. No wells are located near this project. Therefore, no impacts are expected.

Based on a desktop review of the INDOT MS4 website (<https://entapps.indot.in.gov/MS4/>) by CMT on January 21, 2020, and the RFI report; this project is located in an Urban Area Boundary (UAB). An early coordination letter was sent on August 6, 2019, to the City of Bloomington and Monroe County MS4 coordinators. The MS4 coordinators did not respond within the 30-day time frame.

Based on a desktop review, site visits on July 24, 2019 and October 1, 2020 by CMT, and the aerial map of the project area (Appendix B, page B-2), this project is located where there is a public water system. The public water system will not be affected because the system will not need to be relocated based on the project design. An early coordination letter was sent on February 4, 2019, to City of Bloomington Utilities, followed by a request verification on September 20, 2019. A water line is located on the west side of the north leg of Smith Road and along the north side of SR 46. City of Bloomington Utilities did not express any concerns for the project in relation to the public water facilities. Therefore, no impacts are expected.

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Floodplains

	<u>Presence</u>		
Project located within a regulated floodplain	<input type="checkbox"/>		
Longitudinal encroachment	<input type="checkbox"/>		
Transverse encroachment	<input type="checkbox"/>		
Homes located in floodplain within 1000' up/downstream from project	<input type="checkbox"/>		

	<u>Impacts</u>	
	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

If applicable, indicate the Floodplain Level?

Level 1 Level 2 Level 3 Level 4 Level 5

Use the IDNR Floodway Information Portal to help determine potential impacts. Include floodplain map in appendix. Discuss impacts according to the classification system. If encroachment on a flood plain will occur, coordinate with the Local Flood Plain Administrator during design to insure consistency with the local flood plain planning.

The IDNR Indiana Floodway Information Portal website (<http://dnrmmaps.dnr.in.gov/appsphp/fdms/>) was accessed on January 21, 2020 by CMT. This project is not located in a regulatory floodplain as determined from approved IDNR floodplain maps (Appendix F, page F-14). Therefore, it does not fall within the guidelines for the implementation of 23 CFR 650, 23 CFR 771, and 44 CFR. No impacts are expected.

Farmland

	<u>Presence</u>		
Agricultural Lands	<input type="checkbox"/>		
Prime Farmland (per NRCS)	<input type="checkbox"/>		

	<u>Impacts</u>	
	Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>

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

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

Discuss existing farmland resources in the project area, impacts that will occur to farmland, and mitigation and minimization measures considered.

Based on a desktop review, site visits on July 24, 2019 and October 1, 2020 by CMT, and the aerial map of the project area (Appendix B, page B-2), there is no land that meets the definition of farmland under the Farmland Protection Policy Act (FPPA) within or adjacent to the project area. The requirements of the FPPA do not apply to this project; therefore, no impacts are expected.

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SECTION D – CULTURAL RESOURCES

Minor Projects PA Category(ies) and Type(s) INDOT Approval Date(s) N/A

Full 106 Effect Finding

No Historic Properties Affected No Adverse Effect Adverse Effect

Eligible and/or Listed Resources Present

NRHP Building/Site/District(s) Archaeology NRHP Bridge(s)

Documentation Prepared (mark all that apply)

APE, Eligibility and Effect Determination
 800.11 Documentation
 Historic Properties Report or Short Report
 Archaeological Records Check and Assessment
 Archaeological Phase Ia Survey Report
 Archaeological Phase Ic Survey Report
 Other:

ESD Approval Date(s)

SHPO Approval Date(s)

<input checked="" type="checkbox"/>	October 5, 2021	November 5, 2021
<input checked="" type="checkbox"/>	October 5, 2021	November 5, 2021
<input checked="" type="checkbox"/>	May 21, 2020	June 24, 2020
<input checked="" type="checkbox"/>	May 21, 2020	June 24, 2020
<input type="checkbox"/>		
<input type="checkbox"/>		
<input type="checkbox"/>		

MOA Signature Dates (List all signatories)

Memorandum of Agreement (MOA)

If the project falls under the MPPA, describe the category(ies) that the project falls under and any approval dates. If the project requires full Section 106, use the headings provided. The completion of the Section 106 process requires that a Legal Notice be published in local newspapers. Please indicate the publication date, name of the paper(s) and the comment period deadline. Include any further Section 106 work which must be completed at a later date, such as mitigation from a MOA or avoidance commitments.

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Area of Potential Effect (APE):

The APE of the project includes all properties adjacent to the project and those with a proximate viewshed of the project. The archaeological APE consists of all proposed new, temporary, or existing ROW as well as any additional areas investigated beyond it. See Appendix D, page D-18 for a map of the original and revised APE.

Coordination with Consulting Parties:

On August 27, 2019, an early coordination letter was distributed to the organizations listed below, inviting them to participate in the Section 106 process (Appendix D, pages D-35 to D-43). Those identified in bold print are participating consulting parties.

Organization	Response Date
Indiana State Historic Preservation Officer (SHPO) (automatic consulting party)	September 25, 2019 Appendix D, page D-45
Indiana Landmarks, Central Regional Office	N/A
Monroe County Historian	N/A
Monroe County History Center	N/A
Bloomington Historic Preservation Commission	N/A
Bloomington Restorations, Inc.	N/A
Monroe County Planning Department for Historic Preservation Board of Review	N/A
Mayor of the City of Bloomington	N/A
Bloomington/ Monroe County MPO	N/A
City of Bloomington Planning and Transportation Department	N/A
Monroe County Commissioners	N/A
Eastern Shawnee Tribe of Oklahoma	N/A
Miami Tribe of Oklahoma	September 19, 2019 Appendix D, page D-44
Peoria Tribe of Indians of Oklahoma	N/A
Pokagon Band of Potawatomi Indians	N/A
Delaware Tribe of Indians, Oklahoma	N/A

On September 25, 2019, SHPO staff sent a letter stating they were “not aware of any parties who should be invited to participate in the Section 106 consultation process, beyond those whom INDOT had already invited” (Appendix D, page D-45).

Archaeology:

An INDOT Qualified Professional (QP) archaeologist for SJCA, formerly Green 3, LLC, reviewed the proposed project area and ascertained that the proposed SR 46 and Smith Road Intersection Improvement project will not likely affect archaeological resources based on the project scope and setting. All work will occur in previously disturbed soils. This consists of existing ROW with the associated drainage ditches, as well as sidewalks, paved parking lot, underground utilities, overhead electric lines, and residential developments. According to SHAARD, INDOT Cultural Resource Office (CRO) conducted an archaeological records review of the proposed intersection improvement of SR 46 and Smith Road; the review occurred in 2007 and it determined that due to the amount of disturbance in the proposed area, that a Phase Ia archaeological field investigation was not warranted (Laswell 2007). SHAARD also indicated that no archaeological sites have been recorded either in or in close proximity to the project area. Because the proposed project is confined to the excavation work only occurring in previously disturbed soils, there are no archaeological concerns, and no further work is recommended. However, state law (Indiana Code 14-21-1-27 and -29) requires that if any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earth moving activities, the discovery must be reported to IDNR within two (2) business days.

On June 24, 2020, SHPO stated that they “have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places (NRHP) within the proposed project area. However, this identification is subject to the ground-disturbing project-related activities remaining within areas disturbed by previous construction of a recent and non-historical nature. If archaeological deposits are encountered from the post-contact period, they will be evaluated regarding their eligibility for the NRHP in consultation with the staff of the Indiana SHPO” (Appendix D, page D-51).

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SJCA's QP archaeologist reviewed the expanded project area in the southwest corner of the intersection on July 29, 2021, and determined that the proposed work would occur in previously disturbed soils with landscaped/man-made landforms, sidewalks, and driveways. Thus, there are no archaeological concerns, and no further work is recommended.

Historic Properties:

A QP historian for SJCA conducted a site visit of the project area on September 20, 2019. No resources were found to be listed in or eligible for listing in the NRHP. A Historic Property Short Report (HPSR) (Ziegler, May 2020) was completed for the project and distributed to consulting parties on May 21, 2020.

On June 24, 2020, SHPO agreed with the conclusions stated in the HPSR that "there are no above-ground historic properties listed in or eligible for inclusion in the NRHP within the project's APE" (Appendix D, page D-51).

Regarding the additional proposed work on the southwest corner, the above-ground APE had been expanded two lots northwest from the original APE. Both properties are located within the Park Ridge West neighborhood, a mid-century subdivision, which was evaluated for the NRHP in the 2020 HPSR and recommended not eligible. SHPO concurred with the recommendation in the letter dated June 24, 2020. Therefore, as a result of the historic property identification and evaluation efforts in the expanded APE, no resources were recommended eligible for listing in the NRHP.

Documentation, Findings:

INDOT, acting on behalf of FHWA, has determined a "No Historic Properties Affected" finding is appropriate for this undertaking.

INDOT, acting on FHWA's behalf, requested SHPO provide written concurrence with the Section 106 determination of effect of "No Historic Properties Affected" on October 6, 2021, and consulting parties were invited to review the determination and provide comments within 30 days (Appendix D, pages D-1 to D-6). No comments were received.

On November 5, 2021, SHPO concurred with the Section 106 finding of "No Historic Properties Affected" for this federal undertaking (Appendix D, pages D-75 to D-76).

Public Involvement:

To meet the public involvement requirements of Section 106, a legal notice of FHWA's finding of "No Historic Properties Affected" was published in the *Herald Times* on October 9, 2021 offering the public an opportunity to submit comments pursuant to 36 CFR 800.2(d), 800.3(e), and 800.6(a)(4). The public comment period closed 30 days later on November 9, 2021. The text of the public notice and the affidavit of publication appear in Appendix D, pages D-77 to D-79. No comments were received as a result of the public notice.

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

	<u>Presence</u>	<u>Use</u>	
		Yes	No
Parks and Other Recreational Land			
Publicly owned park	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Publicly owned recreation area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (school, state/national forest, bikeway, etc.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wildlife and Waterfowl Refuges			
National Wildlife Refuge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Natural Landmark	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Wildlife Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Nature Preserve	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Historic Properties			
Site eligible and/or listed on the NRHP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 <u>Evaluations</u>			
	<u>Prepared</u>		
Programmatic Section 4(f)	<input type="checkbox"/>		
“De minimis” Impact	<input type="checkbox"/>		
Individual Section 4(f)	<input type="checkbox"/>		
Any exception included in 23 CFR 774.13	<input checked="" type="checkbox"/>		

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

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

Based on a desktop review, the aerial map of the project area (Appendix B, page B-2), and the RFI report (Appendix E, pages E-1 to E-15), there are eleven (11) 4(f) resources located within the 0.5 mile search radius. According to additional research, and by the site visits on July 24, 2019 and October 1, 2020 by CMT, there is one (1) potential 4(f) resource located within or adjacent to the project area.

Three segments of the Bloomington Northeast Sidepath are located within the project area. One existing sidepath segment along the south side of SR 46 from Kingston Drive to Smith Road is located in the project area in the southwest corner of the intersection and will be impacted to construct the new turning radius and drainage improvements. The sidepath will be reconstructed at the intersection and will join into a new 5-foot sidewalk along the west side of Smith Road. This segment of sidepath will be closed during construction. Pedestrian detour signage will be posted on the sidepath. Two planned segments, one along the south side of SR 46 from Smith Road east to SR 446 and one along Smith Road from SR 46 south to Brighton Avenue, are located within the project area. There are existing sidewalks in these proposed sidepath locations, which will be reconstructed during the project. The project is not expected to have an impact on the ability to construct the sidepaths in the future. The existing and planned sidepath segments are included in the City of Bloomington Bicycle and Pedestrian Transportation & Greenway System Plan March 2008 (https://bloomington.in.gov/sites/default/files/2017-07/BPTGSP2008_reduced_0.pdf).

The proposed project meets the criteria for exception 23 CFR 774.13 (f): certain trails, paths, bikeways and sidewalks. The proposed project is exempt under 23 CFR 774.13 and does not constitute a “use” of the 4(f) property, based on the following assessment: the sidepath occupies the transportation ROW and is part of the local transportation facility serving a function primarily for transportation; furthermore, the managing entity of the sidepath is the City of Bloomington and the project will maintain continuity of the sidepath upon completion of the project. An early coordination letter was sent to the official with jurisdiction, Bloomington City Council, on August 6, 2019. The City Council responded that they were in support of the project and would like to collaborate to ensure the best design possible is achieved and requested that the project give all modes of transportation equitable treatment during the design process (Appendix C, pages C-21 to C-22). The project will not alter the environment in such a way as to constitute use of these resources. Therefore, no 4(f) use is expected.

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Section 6(f) Involvement

Presence

Use

Yes

No

Section 6(f) Property

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

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

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

SECTION F – Air Quality

STIP/TIP and Conformity Status of the Project

Is the project in the most current STIP/TIP?

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

Is the project located in an MPO Area?

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

Is the project in an air quality non-attainment or maintenance area?

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

If Yes, then:

Is the project in the most current MPO TIP?

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

Is the project exempt from conformity?

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

If No, then:

Is the project in the Transportation Plan (TP)?

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

Is a hot spot analysis required (CO/PM)?

Location in STIP:

Page 146 (under Des. No. 1800199)

Name of MPO (if applicable):

Bloomington-Monroe County Metropolitan
Planning Organization (BMCMPPO)

Location in TIP (if applicable):

Page 51

Level of MSAT Analysis required?

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

Describe if the project is listed in the STIP and if it is in a TIP. Describe the attainment status of the county(ies) where the project is located. Indicate whether the project is exempt from a conformity determination. If the project is not exempt, include information about the TP and TIP. Describe if a hot spot analysis is required and the MSAT Level.

The FY 2020-2024 STIP is listed based on the lead DES number in the contract. The lead DES number for this contract is 1800199. The FY 2020-2024 STIP includes DES number 1800208 by reference with the contract number R-41465 (Appendix H, pages H-1 to H-2).

This project is located in Monroe County, which is currently in attainment for all criteria pollutants according to the US Environmental Protection Agency Nonattainment Areas for Criteria Pollutants Green Book (<https://www.epa.gov/green-book>). Therefore, the conformity procedures of 40 CFR Part 93 do not apply.

This project is of a type qualifying as a categorical exclusion (Group 1) under 23 CFR 771.117(c), or exempt under the Clean Air Act conformity rule under 40 CFR 93.126, and as such, a Mobile Source Air Toxics analysis is not required.

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SECTION G - NOISE

Noise

Yes No

Is a noise analysis required in accordance with FHWA regulations and INDOT's traffic noise policy?

Date Noise Analysis was approved/technically sufficient by INDOT ESD: _____

Describe if the project is a Type I or Type III project. If it is a Type I project, describe the studies completed to date and if noise impacts were identified. If noise impacts were identified, describe if abatement is feasible and reasonable and include a statement of likelihood.

This project is a Type III project. In accordance with 23 CFR 772 and the current *Indiana Department of Transportation Traffic Noise Analysis Procedure*, this action does not require a formal noise analysis.

SECTION H – COMMUNITY IMPACTS

Regional, Community & Neighborhood Factors

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

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

Discuss how the project complies with the area's local/regional development patterns; whether the project will impact community cohesion; and impact community events. Discuss how the project conforms with the ADA Transition Plan.

Land use in the area of the project consists primarily of residential and commercial uses, with three religious facilities in the southwest corner of the intersection. No changes in land use and no displacements or changes in access to businesses or residences are anticipated as a result of the project. The existing tax base, property value, and economic development potential are not expected to be affected by the project.

The City of Bloomington 2018 Comprehensive Plan (available at <https://bloomington.in.gov/sites/default/files/2018-04/Final%20Council%20Amended%20CMP%20%20Web%202.pdf>) indicates that for motor vehicle transportation, there is a need to focus on roadway maintenance, improve efficiency within existing space, and reduce crash risk and severity. Although the project is not specifically mentioned in the plan, it conforms to the plan as a purpose of the project is to reduce congestion at the SR 46 and Smith Road intersection. For pedestrian transportation, the Comprehensive Plan indicates that nearly 15% of Bloomington workers walk to work regularly. To continue to promote walking as an alternative transportation, sidewalks, paths, and trails need to be provided and well connected in order to be safe and convenient. Although the project is not specifically mentioned in the plan, it conforms to the plan as a purpose of the project is to improve pedestrian mobility and system linkage.

The City of Bloomington 2014 ADA Transition Plan (available upon request to the City of Bloomington Planning & Transportation Department) describes the city's commitment to meeting or exceeding the requirements of the ADA. The Plan recommends an approach to meet state and federal ADA guidelines and requirements, by identifying non-compliant City-owned structures, sidewalks, and curb cuts. The field survey found that of the 178 miles of assessed sidewalk, less than 10% were found to have some or significant barriers to accessibility, based on criteria set forth by ADA design standards. Sidewalk segments were prioritized for improvement based on its accessibility grade and its proximity to certain types of land use, either a government facility, commercial area, or other land use. Improvements to the ROW such as repaving, traffic signal modernization, and sidewalk improvements and repairs, require the City to update pedestrian facilities to meet ADA specifications. Therefore, the City's policy for paving operations is to update curb ramps at intersections with public streets and public alleys where sidewalks exist to the maximum extent feasible. Since pedestrian facilities are located within the project area and are a part of this project, the project will comply with the City's Transition Plan.

The MOT for the project will involve the implementation of phased construction and road closures along Smith Road with posted detours. The detours will pose a temporary inconvenience to travelling motorists, including school buses and emergency services;

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however, no significant delays are anticipated, and all inconveniences will cease upon project completion.

Construction activities will not impact community events. According to the city of Bloomington tourism website, many events, including the Bloomington Early Music Festival, Limestone Comedy Festival, Pridefest, and Arts Fair on the Square, occur throughout the year in downtown Bloomington, approximately 1.8 miles southwest from the project. Other community events occur throughout the year on the Indiana Bloomington campus, approximately 2 miles northwest from the project, including Homecoming Weekend and Hoosier Half Marathon. Other various community events occur in the surrounding area throughout the year. Any impacts to these events will likely be temporary minor traffic delays during the construction period. No impacts to community events are expected after construction is completed.

Public Facilities and Services

Discuss what public facilities and services are present in the project area and impacts (such as MOT) that will occur to them. Include how the impacts have been minimized and what coordination has occurred. Some examples of public facilities and services include health facilities, educational facilities, public and private utilities, emergency services, religious institutions, airports, transportation or public pedestrian and bicycle facilities.

Based on a desktop review, site visits on July 24, 2019 and October 1, 2020 by CMT, the aerial map of the project area (Appendix B, page B-2), and the RFI report (Appendix E, pages E-1 to E-15), there are three (3) religious facilities, two (2) recreational facilities, three (3) pipeline segments, one (1) railroad, and sixteen (16) bus stops located within the 0.5 mile of the project. Two religious facilities, St. Thomas Lutheran Church and Congregation Beth Shalom, are located within the project area in the southwest corner of the intersection, and one religious facility, University Baptist Church, is located adjacent to the project area along SR 46. St. Thomas Lutheran Church and Congregation Beth Shalom share parking lot access located on the west side of Smith Road. During the second stage of construction, Smith Road south of SR 46 will be closed to through traffic and a detour will be in place. Construction is expected to be completed by December 2023, but access to the religious facilities will be maintained during construction. A natural gas pipeline operated by Vectren runs north-south through the project area to a transfer station in the southeast corner of the intersection; no impact is expected and utility coordination is ongoing.

Two bus stops are located within the project area along Smith Road, south of SR 46. Bloomington Transit did not respond to the early coordination letter. CMT met virtually with Bloomington Transit on November 5, 2021 to discuss the project. Due to bus routes associated with the Indiana University Bloomington campus, Bloomington Transit indicated they would prefer that the Smith Road south leg construction occur during the summer when Indiana University Bloomington is not in session, which the project can accommodate. Bloomington Transit also requested to review the current plans and detour routes and will provide feedback. The project intends incorporate requests and suggestions from Bloomington Transit (Appendix C, page C-58). Coordination with Bloomington Transit is ongoing and they will be provided at least two weeks notice prior to the start of construction.

The Bloomington Northeast Sidepath is located within the project area as discussed in the Section 4(f) discussion above. The sidepath will be reconstructed at the intersection and will join into a new 5-foot sidewalk along the west side of Smith Road. This segment of sidepath will be closed during construction and pedestrian detour signage will be posted on the sidepath. Existing bike lanes are located within the project area along SR 46 and Smith Road north of SR 46. Access to the bike lanes along SR 46 will be maintained during construction. There will be no posted detour for the bike lane on the north leg of Smith Road, but according to the Bloomington-Monroe County Bicycle Map (available at <https://bloomington.in.gov/transportation/bike/map>), bicyclists will be able to utilize local existing bike lanes or multi-use paths when the north leg of Smith Road is closed during construction. Existing pedestrian sidewalks are located within and adjacent to the project area along Smith Road and along SR 46 west of Smith Road. Pedestrian detour signage will be posted on the sidewalks. Access to all properties will be maintained during construction.

Several utilities services are present within the project area (electric, water, telephone, gas, etc.), some of which, including electrical and telephone/cable, are expected to be impacted by the project and may need to be relocated. Utility coordination has been initiated for the project and coordination is ongoing.

Bloomington City Council responded on August 27, 2019 with recommendations to avoid or minimize impacts to pedestrian and bicyclist facilities and asked that all work within the project limits comply with accessibility requirements, adopted City plans, and best practices for transportation infrastructure in an urban, multimodal environment (Appendix C, pages C-22 to C-23). Coordination with the City of Bloomington is ongoing. The Monroe County Surveyor responded on August 14, 2019 with information regarding the section corner monument records within the project area (Appendix C, pages C-23 to C-29). University Baptist Church, St. Thomas Lutheran Church, and Congregation Beth Shalom responded on August 23, 2019, September 5, 2019, and September 13, 2019, respectively, with comments regarding significant drainage overflow on their parking lots and property from an unnamed tributary located between the Congregation Beth Shalom and University Baptist Church (Appendix C, pages C-30 to C-33). Their comments were passed on to the project managers and have been taken into consideration for the drainage

This is page 24 of 28 Project name: SR 46 and Smith Road Intersection Improvements Date: February 4, 2022

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

It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access.

It is also the responsibility of the project sponsor to notify Bloomington Transit and the adjacent religious facilities (University Baptist Church, St. Thomas Lutheran Church, and Congregation Beth Shalom) at least two weeks prior to any construction that would block or limit access.

Environmental Justice (EJ) (Presidential EO 12898)

During the development of the project were EJ issues identified?

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

Does the project require an EJ analysis?

If YES, then:

Are any EJ populations located within the project area?

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

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

Indicate if EJ issues were identified during project development. If an EJ analysis was not required, discuss why. If an EJ analysis was required, describe how the EJ population was identified. Include if the project has a disproportionately high and adverse effect on EJ populations and explain your reasoning. If yes, describe actions to avoid, minimize and mitigate these effects.

Under FHWA Order 6640.23A, FHWA and the project sponsor, as a recipient of funding from FHWA, are responsible to ensure that their programs, policies, and activities do not have a disproportionately high and adverse effect on minority or low-income populations. This project will have no relocations and will require less than 0.5 acre of additional permanent right-of-way; therefore, an EJ analysis is not required per the current INDOT Categorical Exclusion Manual.

Relocation of People, Businesses or Farms

Will the proposed action result in the relocation of people, businesses or farms?

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

Is a BIS or CSRS required?

Number of relocations: Residences: 0 Businesses: 0 Farms: 0 Other: 0

Discuss any relocations that will occur due to the project. If a BIS or CSRS is required, discuss the results in the discussion below.

No relocations of people, businesses, or farms will take place as a result of this project.

SECTION I – HAZARDOUS MATERIALS & REGULATED SUBSTANCES

Documentation

Hazardous Materials & Regulated Substances (Mark all that apply)

Red Flag Investigation (RFI)

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

Phase I Environmental Site Assessment (Phase I ESA)

Phase II Environmental Site Assessment (Phase II ESA)

Design/Specifications for Remediation required?

Date RFI concurrence by INDOT SAM (if applicable): October 3, 2019

Include a summary of the potential hazardous material concerns found during review. Discuss in depth sites found within, directly adjacent to, or ones that could impact the project area. Refer to current INDOT SAM guidance. If additional documentation (special provisions, pay quantities, etc.) will be needed, include in discussion. Include applicable commitments.

Based on a review of GIS and available public records, an RFI was concurred by INDOT Site Assessment & Management (SAM) on October 3, 2019 (Appendix E, pages E-1 to E-15). Three (3) leaking underground storage tank sites (LUST) and two (2) National Pollutant Discharge Elimination System (NPDES) facilities are

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located within 0.5 mile of the project area, and one (1) underground storage tank (UST) could affect the project area.

The UST site, former Earthworks Nursery (3802 East 3rd Street, Bloomington, IN 47401, AI ID 44005) is located in the southeast corner of the intersection. Based on a review of the IDEM Virtual File Cabinet for the site, five tanks were closed and removed from the site in April 1992 and no site contamination was noted. A post-removal site assessment report was not available for the UST site. Due to site history, age, and the minimal documentation available, the potential for orphan USTs and/or petroleum contamination exists. If petroleum contamination is encountered, analysis for lead will be necessary prior to proper removal and disposal of soil and/or groundwater.

Part IV – Permits and Commitments

PERMITS CHECKLIST

Permits (mark all that apply)

Likely Required

Army Corps of Engineers (404/Section 10 Permit)

Nationwide Permit (NWP)	<input type="checkbox"/>
Regional General Permit (RGP)	<input checked="" type="checkbox"/>
Individual Permit (IP)	<input type="checkbox"/>
Other	<input type="checkbox"/>

IN Department of Environmental Management (401/Rule 5)

Nationwide Permit (NWP)	<input type="checkbox"/>
Regional General Permit (RGP)	<input checked="" type="checkbox"/>
Individual Permit (IP)	<input type="checkbox"/>
Isolated Wetlands	<input type="checkbox"/>
Rule 5	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>

IN Department of Natural Resources

Construction in a Floodway	<input type="checkbox"/>
Navigable Waterway Permit	<input type="checkbox"/>
Other	<input type="checkbox"/>

Mitigation Required

US Coast Guard Section 9 Bridge Permit

Others (Please discuss in the discussion below)

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

The project lies within the Bloomington-Ellettsville UAB. Post construction Storm Water Quality Best Management Practices (BMPs) may be required.

A permit determination was submitted to INDOT ESD EWPO on September 21, 2021; a 404 and 401 RGP will be required for impacts to the ephemeral stream, UNT to Jackson Creek.

A Rule 5 submission will be required since 1.98 acres of land is to be disturbed. The Bloomington MS4 is a Certified Construction Program and will have jurisdiction over the Rule 5 review. It will be the responsibility of the designer to submit plans to the MS4 to process any necessary permits. Once any necessary permits are obtained, they will be submitted to the INDOT Contracts Division prior to the construction of the project. The conditions of the permit will be requirements of the project.

Applicable recommendations provided by resource agencies are included in the Environmental Commitments section of this document. If permits are found to be necessary, the conditions of the permit will be requirements of the project and will supersede these recommendations.

It is the responsibility of the project sponsor to identify and obtain all required permits.

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ENVIRONMENTAL COMMITMENTS

List all commitments and include the name of agency/organization requesting/requiring the commitment(s). Listed commitments should be numbered.

Firm:

- 1) If the scope of work or permanent or temporary right-of-way amounts change, the INDOT Environmental Services Division (ESD) and the INDOT District Environmental Section will be contacted immediately. (INDOT ESD and INDOT District)
- 2) It is the responsibility of the project sponsor to notify school corporations, emergency services, Bloomington Transit, and the churches (University Baptist Church, St. Thomas Lutheran Church, and Congregation Beth Shalom) at least two weeks prior to any construction that would block or limit access. (INDOT ESD)
- 3) General AMM 1: Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs. (USFWS)
- 4) Hibernacula AMM 1: For projects located within karst areas, on-site personnel will use best management practices, secondary containment measures, or other standard spill prevention and countermeasures to avoid impacts to possible hibernacula. Where practicable, a 300 foot buffer will be employed to separate fueling areas and other major containment risk activities from caves, sinkholes, losing streams, and springs in karst topography. (USFWS)
- 5) Lighting AMM 1: Direct temporary lighting away from suitable habitat during the active season. (USFWS)
- 6) Lighting AMM 2: When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable. (USFWS)
- 7) Tree Removal AMM 1: Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal. (USFWS)
- 8) Tree Removal AMM 2: Apply time of year restrictions for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/ rail surface and outside of documented roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed. (USFWS)
- 9) Tree Removal AMM 3: Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits). (USFWS)
- 10) Tree Removal AMM 4: Do not remove documented Indiana bat or NLEB roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or documented foraging habitat any time of year. (USFWS)
- 11) The former Earthworks Nursery (3802 East 3rd Street, Bloomington, IN 47401, AI ID 44005) is located in the southeast corner of the intersection. If petroleum contamination is encountered, analysis for lead will be necessary prior to proper removal and disposal of soil and/or groundwater. (INDOT)

For Further Consideration:

- 12) The project is located in the karst area of Indiana. If any karst features are encountered, a karst survey should be conducted, with mitigations measures as necessary, in accordance with the 1993 MOU. (USFWS)
- 13) To protect water quality, it is recommended to use pollutant trapping technology such as storm drain inserts, etc. to reduce runoff of urban pollutants directly into any receiving stream system. (USFWS)
- 14) Restrict below low-water work in streams to placement of culverts, piers, pilings and/or footings, shaping of the spill slopes around the bridge abutments, and placement of riprap. (USFWS)
- 15) Minimize the extent of hard armor (riprap) in bank stabilization by using bioengineering techniques whenever possible. If rip rap is utilized for bank stabilization, extend it below low-water elevation to provide aquatic habitat. (USFWS)
- 16) Avoid all work within the inundated part of the stream channel during the fish spawning season (April 1 through June 30); except for work within sealed structures such as caissons or cofferdams that were installed prior to the spawning season. No equipment shall be operated below Ordinary High Water Mark during this time unless the machinery is within the caissons or on the cofferdams. (USFWS)

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- 17) Do not cut any trees suitable for Indiana bat or Northern long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30. [RSP 107-B-040] (IDNR-DFW)
- 18) Plant five trees, at least 2 inches in diameter-at-breast-height, for each tree which is removed that is ten inches or greater in diameter at breast height. (IDNR-DFW)
- 19) Drainage study and design in the southwest corner of the intersection should be provided to University Baptist Church, St. Thomas Lutheran Church, and Congregation Beth Shalom. (University Baptist Church, St. Thomas Lutheran Church, and Congregation Beth Shalom)
- 20) Due to bus routes associated with the Indiana University Bloomington campus, Bloomington Transit would prefer that the Smith Road south leg construction occur during the summer when Indiana University Bloomington is not in session. Bloomington Transit also requested to review the current plans and detour routes and will provide feedback. (Bloomington Transit)

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SR 46 & Smith Road Intersection Improvements CE Level 2

APPENDIX A: INDOT SUPPORTING DOCUMENTATION



Categorical Exclusion Level Thresholds

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

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

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

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

⁴ US Army Corps of Engineers Individual 404 Permit

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

⁶ Avoidance and Mitigation Measures (AMMs) determined by the IPAC determination key to be required that are not tree AMMs, bridge AMMs, or structure AMMs.

⁷ Projects that do not fall under a Species Specific Programmatic and results in a "Likely to Adversely Affect". Other findings can be processed as a lower level CE.

⁸ Potential for causing a disproportionately high and adverse impact.

⁹ Section 4(f) use resulting in an Individual, Programmatic, or *de minimis* evaluation. The only exception is a *de minimis* evaluation for historic properties (Effective January 2, 2020). If a historic property *de minimis* and no other use, mark the *None* column.

¹⁰ Hot Spot Analysis and/or MSAT Quantitative Emission Analysis.

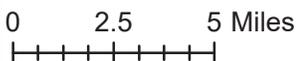
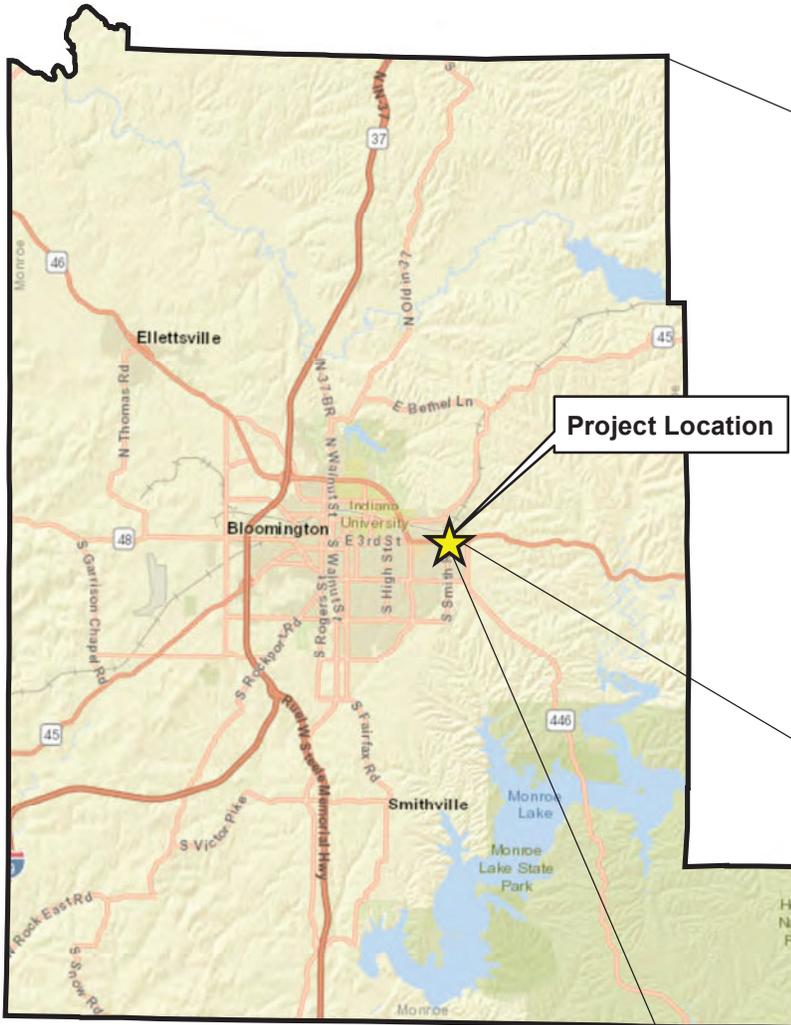
* Includes the threatened/endangered species critical habitat

Note: Substantial public or agency controversy may require a higher-level NEPA document.

SR 46 & Smith Road Intersection Improvements CE Level 2

APPENDIX B: GRAPHICS AND PLANS

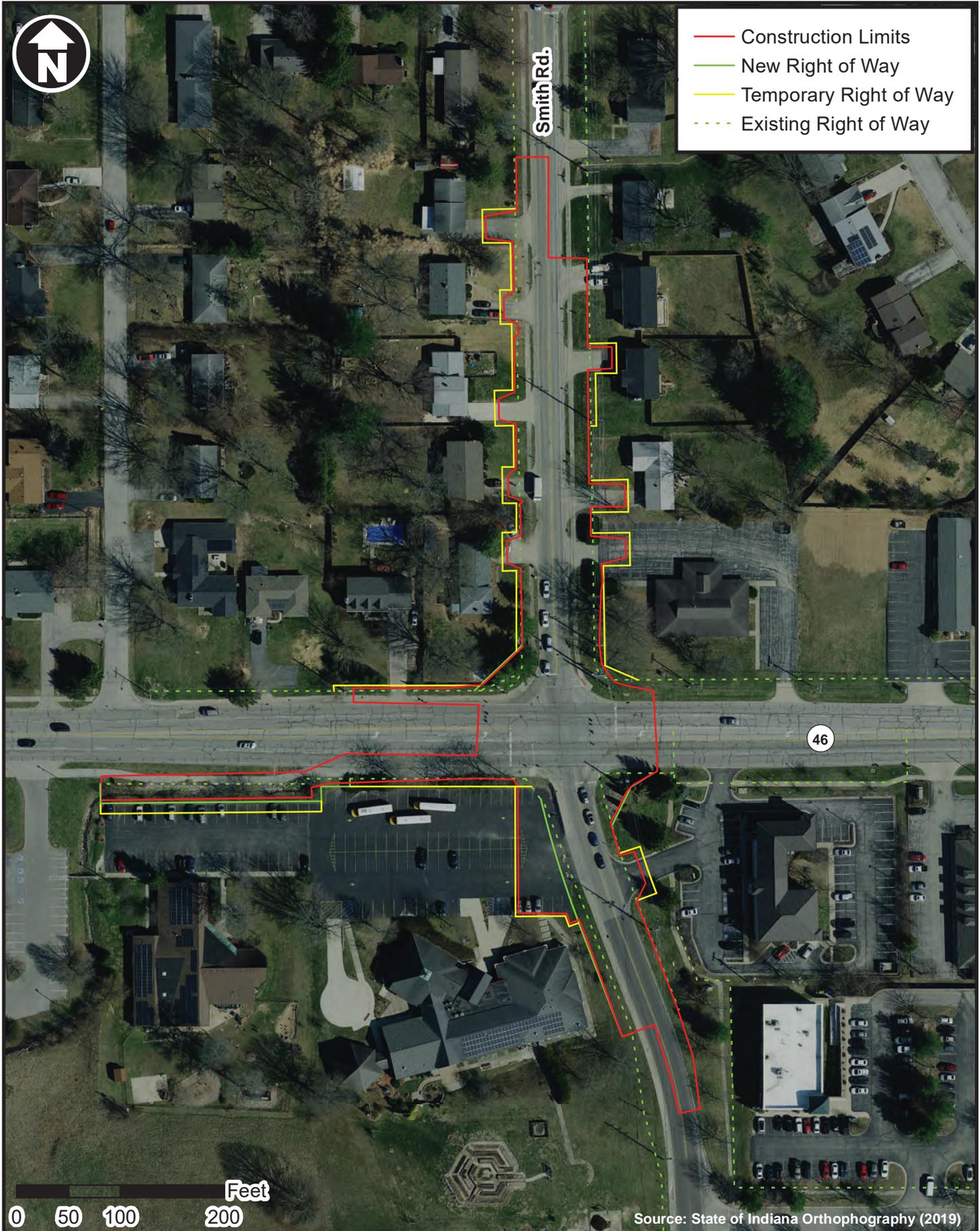




Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

SR 46 and Smith Rd. Intersection Improvement (Des No 1800208) Location Map - Monroe Co., IN

Ellen Hogrebe; 10/26/2020

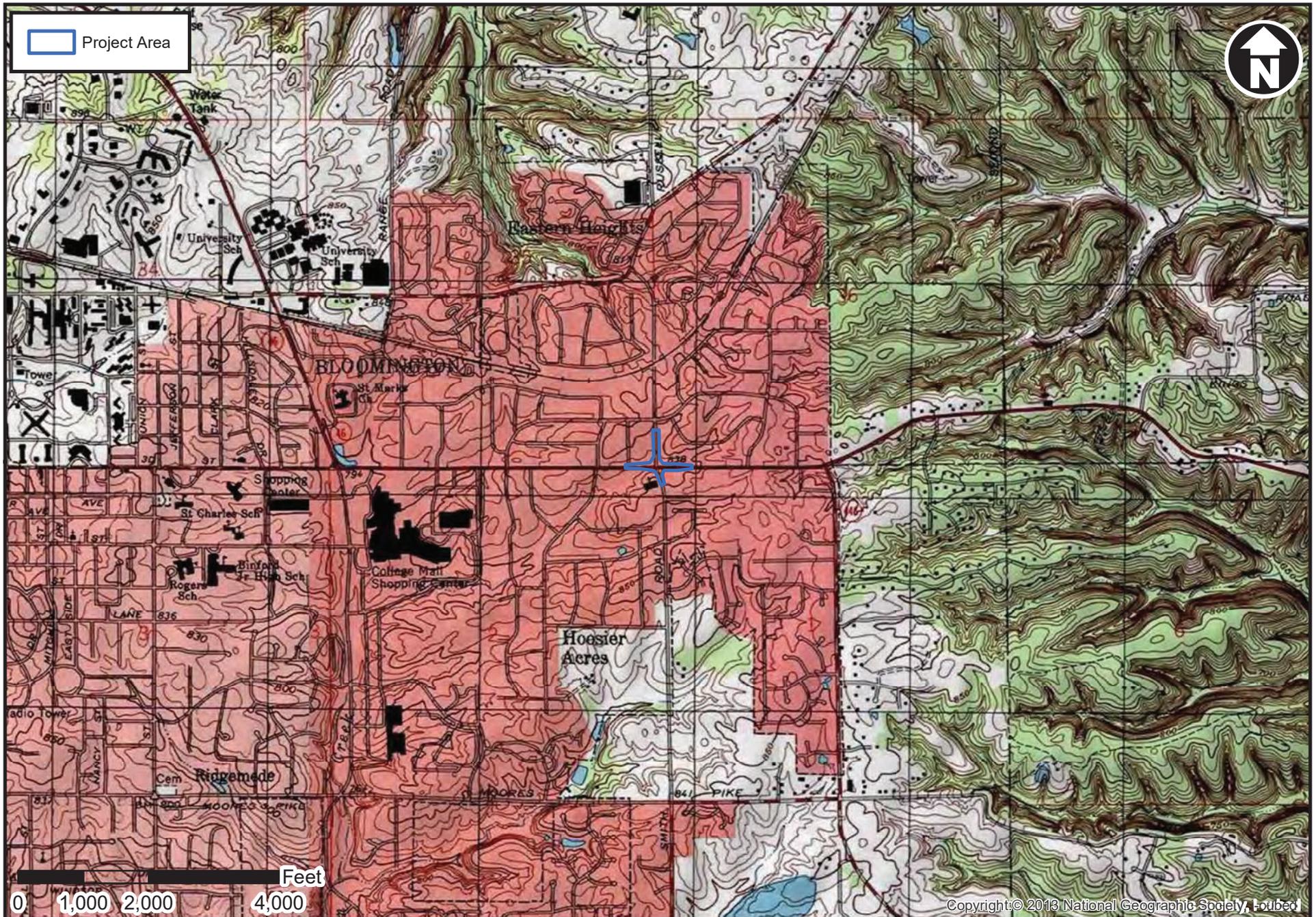


SR 46 & Smith Rd. (Des No 1800208) - Monroe Co., IN
Aerial Map - Construction Limits

Ellen Hogrebe; 7/1/2021

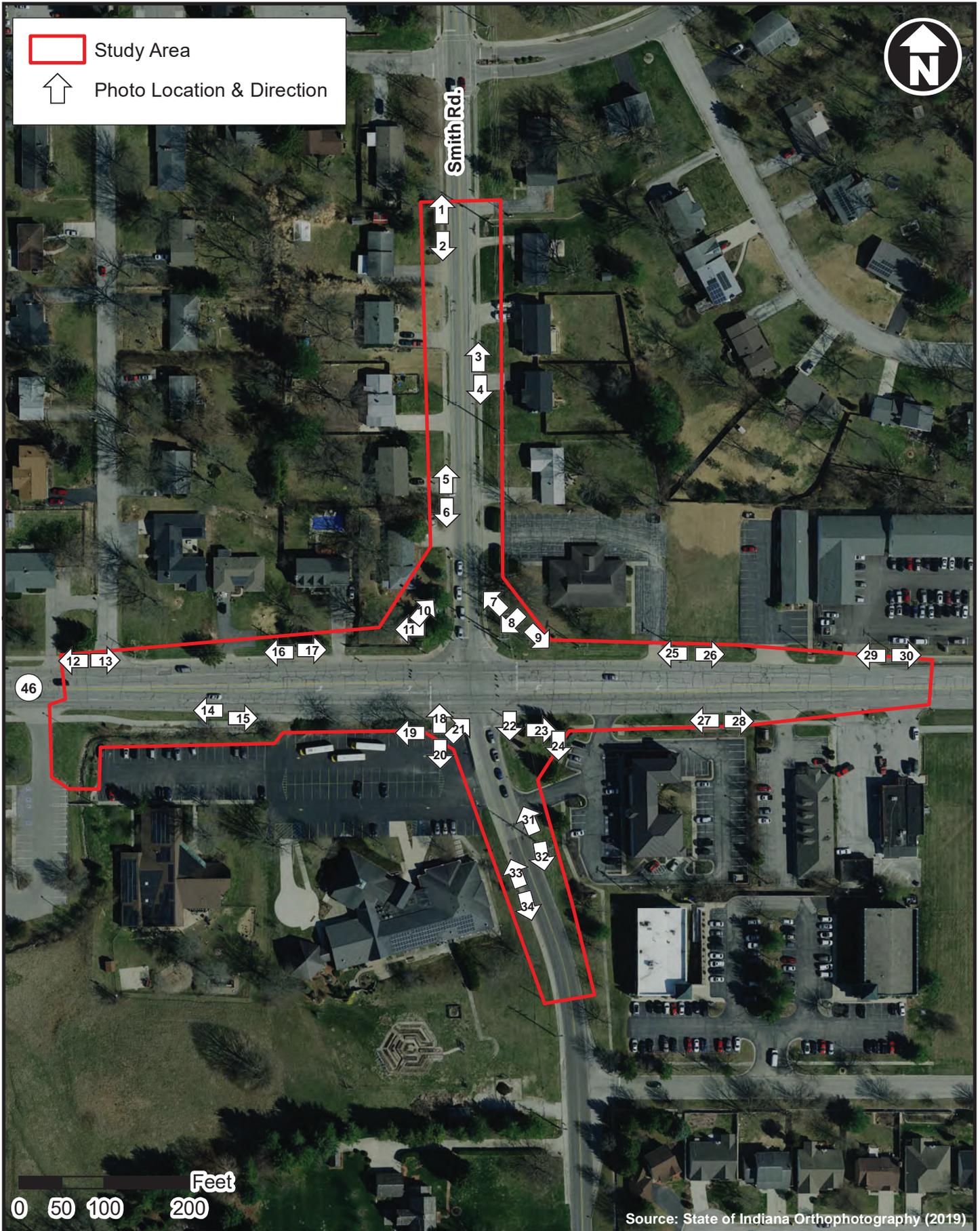
B - 2





SR 46 and Smith Rd. (Des No 1800208) - Monroe Co., IN
USGS Topographic Map- Unionville, IN Quadrangle

Ellen Hogrebe; 4/29/2019



SR 46 and Smith Rd. (Des No 1800208) - Monroe Co., IN
Photo Orientation Map

Ellen Hogrebe; 11/2/2020



1. View north along Smith Road.
7/24/2019



2. View south along Smith Road.
7/24/2019



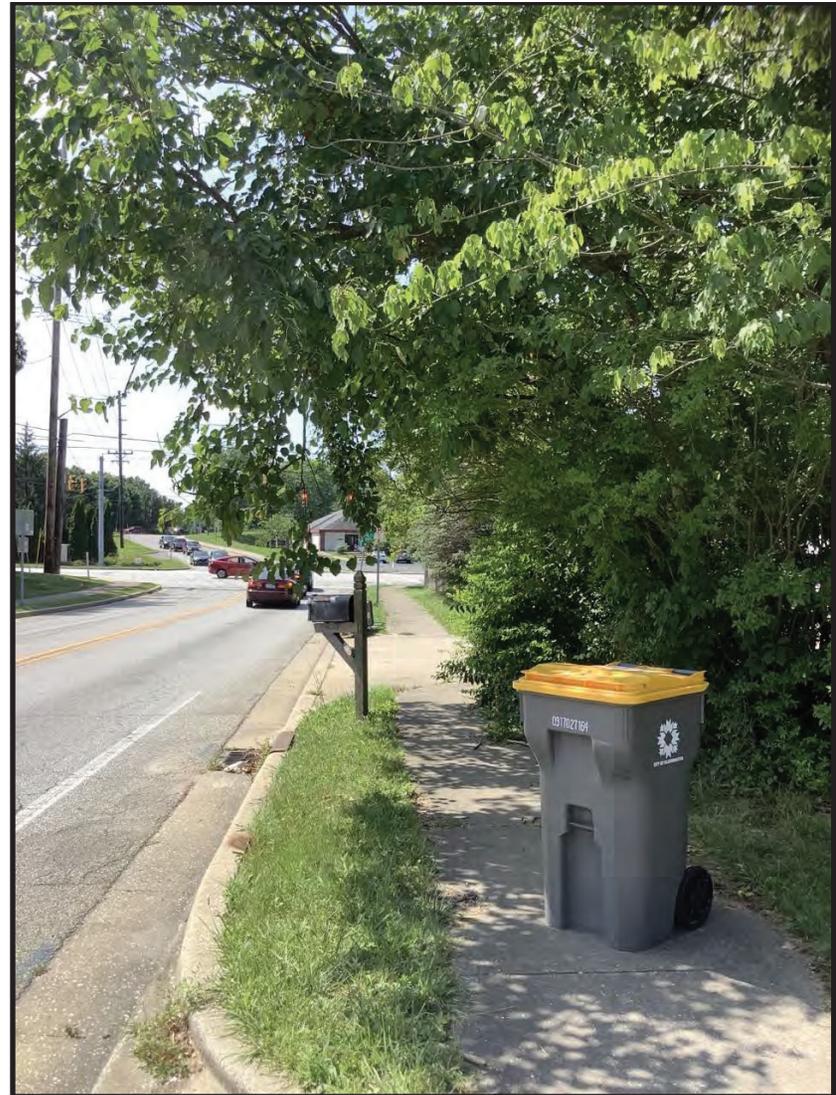
3. View north along Smith Road.
7/24/2019



4. View south along Smith Road.
7/24/2019



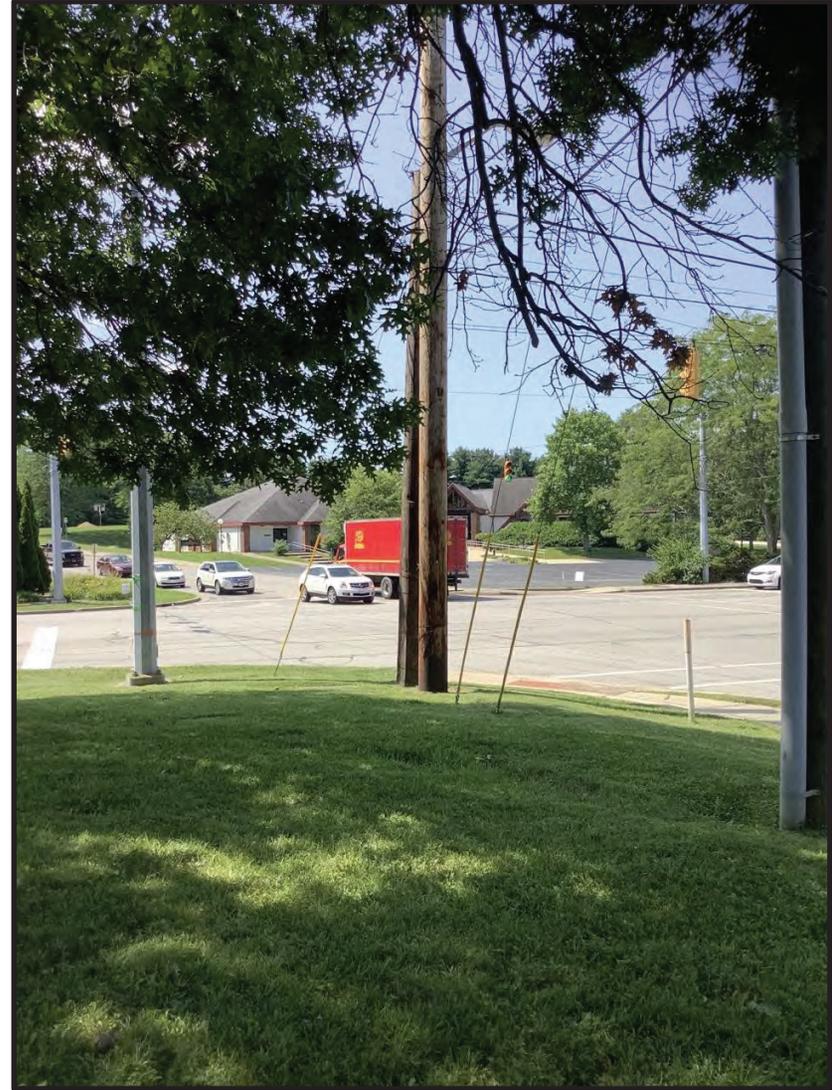
5. View north along Smith Road.
7/24/2019



6. View south along Smith Road.
7/24/2019



7. View northwest towards Smith Road.
7/24/2019



8. View southeast towards SR 46 and Smith Road intersection.
7/24/2019



9. View southwest towards SR 46.
7/24/2019



10. View northeast.
7/24/2019



11. View west along SR 46.
7/24/2019



12. View west along SR 46.
7/24/2019



13. View east along SR 46.
7/24/2019



14. View west along SR 46.
8/26/2020



15. View east along SR 46.
10/1/2020



16. View west along SR 46.
7/24/2019.



17. View east along SR 46 towards SR 46 and Smith Road intersection.
7/24/2019



18. View north towards SR 46 and Smith Road intersection.
7/24/2019



19. View west.
7/24/2019



20. View south.
7/24/2019



21. View northeast towards SR 46 and Smith Road intersection.
7/24/2019



22. View south along Smith Road.
7/24/2019



23. View west along SR 46.
7/24/2019



24. View south.
7/24/2019



25. View west along SR 46 towards SR 46 and Smith Road intersection.
7/24/2019



26. View east along SR 46.
7/24/2019