



DEPARTMENT OF THE ARMY  
 U.S. ARMY ENGINEER DISTRICT, LOUISVILLE  
 CORPS OF ENGINEERS  
 INDIANAPOLIS REGULATORY OFFICE  
 9799 BILLINGS ROAD  
 INDIANAPOLIS, INDIANA 46216-1055  
<http://www.lri.usace.army.mil>

January 20, 2010

Operations Division  
 Regulatory Branch (North)  
 ID No. LRL-2010-39-djd

SCANNED TO ELECTRONIC FILE

103-0001

PROJECT NUMBER

1-25-10

gw

DATE

INITIAL

EVANSVILLE INDIANAPOLIS ILLINOIS

Ms. Laura Hilden  
 Indiana Department of Transportation  
 100 North Senate Avenue, Room N642  
 Indianapolis, IN 46204

Dear Ms. Hilden:

This is in regard to your application dated January 7, 2010, for a Department of Army Permit authorizing the proposed construction of Section 3 of the Interstate 69 extension between Evansville and Indianapolis, Indiana. Section 3 includes approximately 25 miles from US Route 50 near Washington in Daviess County to US Route 231 near Crane Naval Weapons Support Center in Greene County, Indiana. We have reviewed the submitted data relative to Section 404 of the Clean Water Act (CWA).

The Louisville, Detroit, and Chicago Districts issued Regional General Permit (RGP) No. 1 pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 CWA on December 15, 2009, for certain activities having minimal impact in Indiana. We have verified that reported stream impact numbers 18, 23, and 44 are authorized under the RGP.

However, the Section 401 Water Quality Certification (WQC) issued by the IDEM on December 11, 2009, has cumulative limitations of 0.10 acre and 300 linear feet. Consequently, you must obtain an individual WQC from IDEM. The responsibility for obtaining the state WQC rests with the applicant. You may contact IDEM as follows:

IDEM-OWQ (Randolph)  
 Section 401 WQC Program  
 100 North Senate Avenue  
 Indianapolis, IN 46204  
 Telephone: 317-233-0467

After you obtain your WQC from IDEM and furnish a copy to us, you are authorized under this RGP and may proceed with the proposed work at these sites without further contact or verification from us. Compliance with the enclosed RGP General Conditions is required and if IDEM issues an individual WQC, you must comply with any conditions imposed in the WQC as it is part of your RGP authorization. Upon

RECEIVED

JAN 25 2010

BLA - EVANSVILLE

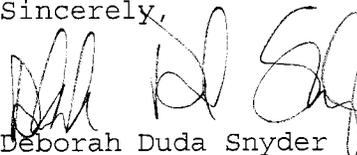
completion of the work at these sites authorized by this RGP, the enclosed Compliance Certification form must be completed and returned to this office. This authorization is valid until December 15, 2014.

We have also determined that the proposed work at the 29 sites listed in Table 1 (see attached) could also be considered for the RGP. However, our review will not be complete until we receive a copy of the individual WQC from either you or IDEM for the work at these sites, including any revised site plans. Once we receive a copy of the WQC and revised plans (if any) we will complete our review for this aspect of your proposed work.

If we determine that the work at these sites qualifies for the RGP, our verification letter will include the RGP General Conditions, the WQC and any Special Conditions that may be necessary to reduce the impacts to the aquatic site to the minimum level. **You may not begin construction at these sites until you receive the verification letter from us.** The verification letter will be issued within 45 days from our receipt of IDEM's individual WQC unless we determine this work has more than minimal impact.

If you have any questions concerning this matter, please contact me by writing to the above address or by calling 317-532-4197. Any correspondence on this matter should reference our assigned Identification Number LRL-2010-39-djd.

Sincerely,



Deborah Duda Snyder  
Project Manager  
Indianapolis Regulatory Office

Enclosures

Copy furnished: IDEM (Randolph)  
Bernardin, Lochmueller and Associates

**Table 1:**

<b>Identification Number:</b>	<b>Description:</b>	<b>Impacts (lf.):</b>	<b>Impacts (ac.):</b>
Wetland #1	Scrub/shrub wetland	----	0.67
Stream impact #3	Unnamed tributary to Eagan Ditch	370	0.04
Stream impact #4	Unnamed tributary to Eagan Ditch	100	0.02
Stream impact #5	Unnamed tributary to Eagan Ditch	465	0.06
Stream impact #6	Unnamed tributary to Eagan Ditch	335	0.03
Stream impact #9	Unnamed tributary to Eagan Ditch	650	0.04
Stream impact #10	Eagan Ditch	415	0.05
Stream impact #11	Unnamed tributary to Eagan Ditch	445	0.06
Stream impact #12	South Fork Prairie Creek	425	0.17
Stream impact #13	Unnamed tributary to North Fork Prairie Creek	305	0.03
Stream impact #14	Unnamed tributary to North Fork Prairie Creek	320	0.03
Stream impact #15	North Fork Prairie Creek	390	0.25
Stream impact #16	Unnamed tributary to North Fork Prairie Creek	350	0.1
Stream impact #17	Bethel Ditch	500	0.09
Stream impact #19	Unnamed tributary to Bethel Ditch	325	0.01
Stream impact #20	Unnamed tributary to Epsom Lateral	330	0.01
Stream impact #21	Epsom Lateral	315	0.04
Stream impact #22	Smothers Creek	540	0.1
Stream impact #24	Unnamed tributary to Findley Lateral	450	0.05
Stream impact #25	Unnamed tributary to Findley Lateral	650	0.07
Stream impact #26	Vertrees Ditch	610	0.05
Stream impact #27	Weaver Ditch	340	0.03
Stream impact #28	Unnamed tributary to First Creek	230	0.02
Stream impact #29	First Creek	640	0.45
Stream impact #30	Unnamed tributary to First Creek	400	0.04
Stream impact #31	Unnamed tributary to First Creek	300	0.03
Stream impact #32	Unnamed tributary to Doans Creek	640	0.04
Stream impact #33	Unnamed tributary to Doans Creek	690	0.04
Stream impact #45	Unnamed tributary to Doans Creek	660	0.07



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May 4, 2010

Operations Division  
Regulatory Branch (North)  
ID No. LRL-2010-39-djd

Ms. Laura Hilden  
Indiana Department of Transportation  
100 North Senate Avenue, Room N642  
Indianapolis, IN 46204

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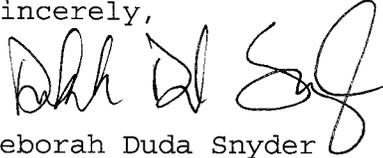
The Louisville, Detroit, and Chicago Districts issued Regional General Permit (RGP) No. 1 pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 CWA on December 15, 2009, for certain activities having minimal impact in Indiana. We have verified that the proposed work at the 29 sites listed in Table 1 (see attached) with the proposed mitigation is authorized under the RGP. Therefore, you may proceed with the proposed work subject to the enclosed RGP General Conditions, the Section 401 Water Quality Certification issued by the Indiana Department of Environmental Management (IDEM) dated May 3, 2010, and the following Special Condition:

1. Provide credit ledger demonstrating commitment of 2.01 acres of scrub-shrub wetland and 5,890 linear feet of stream credits from the Cornelius Mitigation Site of the Interstate 69 Sections 2 and 3 Umbrella Mitigation Bank within 180 days of the date of this letter.

Upon completion of the work at these sites authorized by this RGP, the enclosed Compliance Certification form must be completed and returned to this office. This authorization is valid until December 15, 2014.

If you have any questions concerning this matter, please contact me by writing to the above address or by calling 317-532-4197. Any correspondence should reference our assigned Identification Number LRL-2010-39-djd.

Sincerely,

A handwritten signature in black ink, appearing to read 'Duda Snyder', written in a cursive style.

Deborah Duda Snyder  
Project Manager  
Indianapolis Regulatory Office

Enclosures

Copy Furnished: IDEM (Randolph)  
Bernardin Lochmueller and Associates, Inc.

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