



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.lrl.usace.army.mil>

RECEIVED

AUG 02 2010

BLA - EVANSVILLE

July 29, 2010

Operations Division  
 Regulatory Branch (North)  
 ID No. LRL-2010-466-djd

Mr. Nathan Saxe  
 Indiana Department of Transportation  
 100 North Senate Avenue, Room N642  
 Indianapolis, IN 46204

Dear Ms. Hilden:

This is in regard to your application dated June 18, 2010, for a Department of Army Permit authorizing the proposed construction of Section 2 of the Interstate 69 extension between Evansville and Indianapolis, Indiana. Section 2 includes approximately 29 miles from State Route 64 near Oakland City in Pike County to US Route 50 east of Washington in Daviess 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. Since less than 0.10 acre of "waters of the United States" would be impacted by the discharge of dredged or fill material, and the work is considered to have minimal impact on the aquatic environment, we have verified that reported stream impact numbers 11, 52, 64, 65, 75, 103, 108, 118, 119, and wetland impact 1 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

SCANNED TO ELECTRONIC FILE

103-0001-1PL  
 PROJECT NUMBER

8-2-10  
 DATE

GW  
 INITIAL

EVANSVILLE INDIANAPOLIS ILLINOIS

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 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 38 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-2010-466-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>
Stream impact #6	Allen Lateral	460	--
Stream impact #7	Unnamed tributary to Buck Creek	420	--
Stream impact #8	Buck Creek	50	--
Stream impact #9	Buck Creek	325	--
Stream impact #10	Unnamed tributary to Hurricane Creek	365	--
Stream impact #16	Unnamed tributary to Patoka River	830	--
Stream impact #20	Unnamed tributary to Flat Creek	505	--
Stream impact #21	Unnamed tributary to Flat Creek	345	--
Stream impact #22	Unnamed tributary to Flat Creek	50	--
Stream impact #46	Unnamed tributary to Prides Creek	170	--
Stream impact #47	Prides Creek	50	--
Stream impact #48	Unnamed tributary to Prides Creek	440	--
Stream impact #49	Unnamed tributary to Prides Creek	865	--
Stream impact #58	Unnamed tributary to Mud Creek	320	--
Stream impact #59	Unnamed tributary to Mud Creek	445	--
Stream impact #60	Unnamed tributary to Lick Creek	220	--
Stream impact #61	Unnamed tributary to Lick Creek	115	--
Stream impact #62	Unnamed tributary to Lick Creek	695	--
Stream impact #63	Unnamed tributary to Lick Creek	305	--
Stream impact #66	Unnamed tributary to Lick Creek	295	--
Wetland impact #8	Emergent and Forested wetland	--	0.89
Stream impact #67	Unnamed tributary to Mud Creek	320	--
Stream impact #68	Unnamed tributary to Mud Creek	50	--
Stream impact #69	Mud Creek	50	--
Wetland impact #9	Forested wetland	--	0.17
Stream impact #83	Unnamed tributary to Jackson Pond	630	--
Stream impact #84	Unnamed tributary to Jackson Pond	275	--
Stream impact #85	Unnamed tributary to Jackson Pond	275	--
Stream impact #86	Unnamed tributary to Jackson Pond	320	--
Stream impact #99	Unnamed tributary to Veale Creek	720	--
Stream impact #100	Unnamed tributary to Veale Creek	750	--
Stream impact #104	Unnamed tributary to Veale Creek	50	--
Stream impact #109	Unnamed tributary to Veale Creek	365	--
Stream impact #114	Unnamed tributary to Hurricane Branch	150	--
Stream impact #116	Unnamed tributary to Hurricane Branch	215	--
Stream impact #117	Unnamed tributary to Hurricane Branch	730	--
Wetland impact #14	Emergent wetland	--	0.23