



Indiana Department of Natural Resources

Mitchell E. Daniels, Jr., Governor
Robert E. Carter, Jr., Director

Environmental Unit
402 W. Washington Street, Rm. W273
Indianapolis, IN 46204-2781

February 28, 2012

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

Re: ER-15921-2: Louisville-Southern Indiana Ohio River Bridges Supplemental Draft Environmental Impact Statement (SDEIS), Des #9803640: special condition revision; Clark County

Dear Mr. Saxe:

This letter is in response to your February 24, 2012, email requesting that our agency revise the language regarding the tree cutting date restriction for the Indiana bat in our previous review letter, dated January 12, 2012. On the third page of that letter, measure #4 reads: "Do not cut any trees suitable for Indiana bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark) from April 1 through September 30."

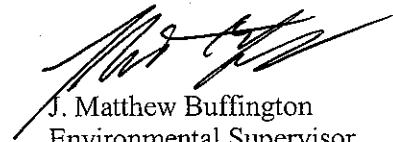
The US Fish and Wildlife Service (USFWS) and Kentucky Transportation Cabinet (KYTC) entered into a Conservation Memorandum of Agreement (CMOA) regarding the Indiana bat. Within the CMOA, it states that KYTC commits to only remove habitat within identified work areas between August 16 and March 31, and if tree clearing much occur between April 1 and August 15, then KYTC will notify USFWS prior to clearing.

Therefore, this letter revises special measure #4 in our previous letter to read as follows: "Do not cut any trees suitable for Indiana bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark) from April 1 through August 15."

This is not a permit or approval for the proposed project. You are responsible to make sure any other necessary permits or approvals are obtained, including those from our department.

Our agency appreciates this opportunity to be of service. Please do not hesitate to contact Christie Stanifer, Environmental Coordinator, at (317) 232-8163 or cstanifer@dnr.in.gov if we can be of further assistance.

Sincerely,



J. Matthew Buffington
Environmental Supervisor
Division of Fish and Wildlife