

State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Fish and Wildlife

Early Coordination/Environmental Assessment

DNR #: ER-15921 Request Received: August 19, 2011

Requestor: Federal Highway Administration
Janice Osadczuk
575 North Pennsylvania Street, Room 254
Indianapolis, IN 46204

Project: Louisville-Southern Indiana Ohio River Bridges Supplemental Environmental Impact Statement (SEIS)

County/Site info: Clark

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

Regulatory Assessment: This proposal will require the formal approval for construction in a floodway under the Flood Control Act, IC 14-28-1. Please submit a copy of this letter with the permit application.

Natural Heritage Database: The Natural Heritage Program's data have been checked. To date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity.

Fish & Wildlife Comments: The following comments are in regards to all of the alternative alignments carried forward in the 2003 FEIS:

A-2: This alignment will result in significant habitat impacts on the Indiana side as it cuts through a large forested area associated with Lentzier Creek. However, it avoids impacts to the forested valley west of the quarry at the crossing of the Ohio River. We recommended this alignment only if A-9 is not the selected alternative.

A-9: This alignment proceeds across the Ohio River to the Indiana side at a point downstream of Utica, crossing mostly previously disturbed areas both near the river and further inland. It avoids crossing Lentzier Creek and the large forested area associated with it. Due to the low environmental impacts, we recommend alternative A-9.

A-13: This alignment is similar to A2, A15 and A16 in that it crosses Lentzier Creek and the large forested areas associated with that creek located east of the proposed I-265/SR62 interchange. It then crosses an unnamed tributary (UNT) of Lentzier Creek, but turns more sharply south closer to the river and crosses closer to Utica on the downstream side of the forested valley between Utica and the quarry site. This alignment is not recommended as it impacts both the Lentzier Creek and UNT Lentzier Creek valleys and does not avoid impacts to the forested UNT Ohio River valley adjacent to the quarry site.

A-15: The A-15 alternative proceeds east from I-265 through the Lentzier Creek and tributary valleys then heads south to the river crossing through the forested UNT Ohio River valley on the north bank of the river. It veers westward south of the river to join A-13. This alignment has some of the highest environmental impacts. We recommend that this alternative be discarded as a viable alternative.

A-16: This alignment follows a path through the Lentzier Creek and UNT Lentzier Creek valleys as well as the UNT Ohio River forested valley that is very similar to A-15. This alignment has some of the highest environmental impacts as well, and we recommend that this alternative be discarded as a viable alternative.

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B-1: This alternative, which is one of the near east alternatives, will proceed adjacent to the east side of the Lancassange Creek forested valley close to where Utica Pike crosses Lancassange Creek. Due to the significant environmental harm caused by this alignment to Lancassange Creek's forested valley, we recommend that this alignment be discarded as a viable alternative.

Any unavoidable impacts to non-wetland forested habitat under 1 acre should be mitigated at a 1:1 ratio. Impacts to non-wetland forest over 1 acre should be mitigated at a minimum 2:1 ratio. Impacts to wetland and habitat should be mitigated at the appropriate ratio according to the USFWS/IDNR/INDOT Memorandum of Understanding.

The SEIS design modification for Section 5 does not seem to significantly change the project's impacts to fish, wildlife and botanical resources. While the access road would be reduced in width to 4 lanes from the original 6, it would be expandable in the future to 6 lanes.

The SEIS design modifications for Section 6 contain two environmentally positive changes:

- 1) The wildlife crossings over Lentzier Creek have changed from a culvert to a single-span bridge.
- 2) The crossings over Lentzier Creek have changed from 2 bridges and one culvert to three bridges. As long as the bridges allow sufficient space on the banks with either no armament for bank stabilization or a smooth-surfaced bank stabilization material, this change has a net environmental benefit.

Fish, wildlife, and botanical resource losses can be expected to occur as a result of this project. These losses can be minimized through implementation of the following measures, and will be a requirement of a permit.

1. Revegetate all bare and disturbed areas with a mixture of native grasses, sedges, wildflowers, and native shrub and hardwood tree species as soon as possible upon completion. Do not use any varieties of Tall Fescue or other non-native plants (e.g. crown-vetch).
2. Minimize and contain within the project limits inchannel disturbance and the clearing of trees and brush.
3. Do not work in the waterway from April 1 through June 30 without the prior written approval of the Division of Fish and Wildlife.
4. 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.
5. Do not construct any temporary runarounds or causeways.
6. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids.
7. Plant native hardwood trees along the top of the bank and right-of-way to replace the vegetation destroyed during construction.
8. Post "Do Not Mow or Spray" signs along the right-of-way.
9. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
10. Seed and protect all disturbed slopes that are 3:1 or steeper with biodegradable heavy-duty erosion control blankets (follow manufacturer's recommendations for selection and installation; seed and apply mulch on all other disturbed areas).
11. 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.

THIS IS NOT A PERMIT

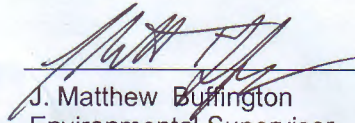
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Contact Staff:

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Our agency appreciates this opportunity to be of service. Please do not hesitate to contact the above staff member at (317) 232-4160 or 1-877-928-3755 (toll free) if we can be of further assistance.



J. Matthew Buffington
Environmental Supervisor
Division of Fish and Wildlife

Date: October 26, 2011