



# INDIANA DEPARTMENT OF TRANSPORTATION

## ORDER OF THE COMMISSIONER OF THE INDIANA DEPARTMENT OF TRANSPORTATION

**DECLARING AN EMERGENCY** due to the culvert (CV 038-089-115.68) over Cain Ditch failure being the result of heavy rain in the area on SR 38 at RP 115.68 in Wayne County and the imminent risk of potential damage to the traveling public if this section of roadway is not fixed immediately.

**WHEREAS**, Indiana Code 8-23-11-1 provides that the Commissioner of the Indiana Department of Transportation shall declare a roadway disaster emergency involving widespread or severe damage, injury, or loss of life or property has occurred or that the occurrence or threat of disaster is imminent.

**WHEREAS**, beginning on August 12th, 2026, Indiana had record breaking rainfall in this area and INDOT staff were notified of flooding on SR 38 at RP 115.68. (hereinafter, the "Event"). Once the floodwater receded INDOT inspected the area and found damage of CV 038-089-115.68 at Cain Ditch had failed.

**WHEREAS**, the Event presents an imminent risk of significant damage to the traveling public on SR 38.

**WHEREAS**, if conditions are not immediately remedied, the imminent potential damage that may be caused by the Event could require restriction or closure of the Highway to ensure the safety of the traveling public.

**NOW, THEREFORE**, I, Lyndsay Quist, by virtue of my authority as appointed Commissioner of the Indiana Department of Transportation, do hereby declare that an emergency exists due to the Event described above in Wayne County, Indiana. This declaration of emergency shall be effective immediately and shall continue until the road is repaired and the highway remains open to the traveling public.

**FURTHER, I HEREBY ORDER** the Department of Transportation to proceed with due diligence in accordance with Indiana Code 8-23-11-1 and all other applicable laws to ensure that SR 38 reopens and remains open as soon as possible to traffic and safe for use by the traveling public.

**IT IS SO ORDERED** 13<sup>th</sup> day of August 2026.

A handwritten signature in black ink that reads "Lyndsay Quist". The signature is written in a cursive style and is positioned above a horizontal line.

Lyndsay Quist  
Commissioner  
Indiana Department of Transportation