

**NOTICE OF APPLICATION FOR FEDERAL CONSISTENCY REVIEW  
LAKE MICHIGAN COASTAL ZONE PROGRAM**

**Project Number:** ER-16291-1

**Name of Applicant:** Jason Stone

**Address of Applicant:**

DLZ Indiana LLC  
2211 East Jefferson Boulevard  
South Bend, IN 46615

**Project Description:**

Pahs Road/Johnson Road intersection improvements including installation of a passing blister along Johnson Road and south of Michigan City; Des #0600748

**Location of Project:**

Sections 2 and 11, T38N, R4W; LaPorte Co.

**Send comments to the following no later than December 26, 2014:**

Federal Consistency Review Coordinator, Environmental Unit  
Division of Fish and Wildlife  
Department of Natural Resources  
402 West Washington Street, Room W273  
Indianapolis, IN 46204  
Electronic mail: [environmentalreview@dnr.in.gov](mailto:environmentalreview@dnr.in.gov)

**Copies of the request, accompanying information and data are available for inspection at the following location:**

Environmental Unit  
Division of Fish and Wildlife  
Department of Natural Resources  
402 West Washington Street, Room W273  
Indianapolis, IN 46204



April 25, 2012

Field Supervisor  
USFWS, Bloomington Field Office  
620 South Walker Street  
Bloomington, IN 47403-2121

Re: Pabs Road/Johnson Road Intersection Improvements  
LaPorte County, Indiana  
Des No.: 0600748

Dear Interested Party:

LaPorte County, Indiana intends to proceed with a project for improvements at the intersection of Pabs Road with Johnson Road. The project is located in Sections 2 and 11, Township 38N, Range 4W, LaPorte County, Indiana. DLZ Indiana, LLC is the consultant contracted for this project. Project development activities will require preparation of an Environmental Study to determine potential project effects upon community, economic and ecological resources

A Red Flag Investigation has been prepared, and is enclosed for your information (Exhibits 1 and 2 removed). We are requesting comments per your area of expertise and jurisdiction regarding any possible environmental effects associated with this project. **Please use the above designation number and description in your reply.** We will incorporate your comments into a study of the project's environmental impacts.

Should a response not be received **within thirty (30) calendar days** from the date of this letter, it will be assumed that your agency feels that there will be no adverse effects incurred as a result of the proposed project. However, should you find that an extension to the response time is necessary; a reasonable amount may be granted upon request.

If you have any questions regarding this matter, please feel free to contact the undersigned (Tel.: 574-236-4400). Thank you for your assistance and prompt response to this coordination request.

Very truly yours,

DLZ INDIANA, LLC

Jason A. Stone  
Environmental Scientist

cc: FHWA-IN, INDOT-LaPorte District, INDOT-OES  
LDJ, GKF, CGH, DLZ file

C:\Users\jstone\Desktop\Pabs Johnson\Early Coordination\PabsJohnson\_EC\_PKG\_TransLtr.doc

Note: The Red Flag Investigation materials that accompanied this Early Coordination request have been removed from this appendix. The Red Flag Investigation document is presented in Appendix E.



**The following agencies received Early Coordination letters:**

Indiana Department of Environmental Management  
(electronic)

INDOT Office of Communications  
(electronic)

Indiana Department of Natural Resources  
(electronic)

Environmental Geology Section  
Indiana Geological Survey  
(electronic)

Field Supervisor  
USFWS, Bloomington Field Office  
620 South Walker Street  
Bloomington, IN 47403-2121

U.S. Fish and Wildlife Service  
Ms. Elizabeth McCloskey  
PO Box 2616  
Chesterton, IN 46204

State Conservationist  
Natural Resource Conservation Service  
6013 Lakeside Blvd.  
Indianapolis, IN 46278-2933

Manager, Aviation Section  
Indiana Department of Transportation  
Room N901, IGC North  
100 North Senate Avenue  
Indianapolis, IN 46204

Regional Environmental Coordinator  
Midwest Regional office  
National Park Service  
601 Riverfront Drive  
Omaha, NE 68102

Regional Environmental Officer  
Chicago Regional Office  
US Department of Housing and Urban Development  
Metcalfe Federal Building  
77 West Jackson Boulevard, Room 2401  
Chicago, IL 60604

James E. Ranfranz, Executive Director  
NIRPC  
6100 Southport Road  
Portage, IN 46368

Anthony Hendricks  
LaPorte County Surveyor  
555 Michigan Avenue, Suite 104  
LaPorte, IN 46350

Chief Andy Snyder  
LaPorte County Fire Department  
Fire Station 1  
809 West 18th Street  
LaPorte, IN 46530

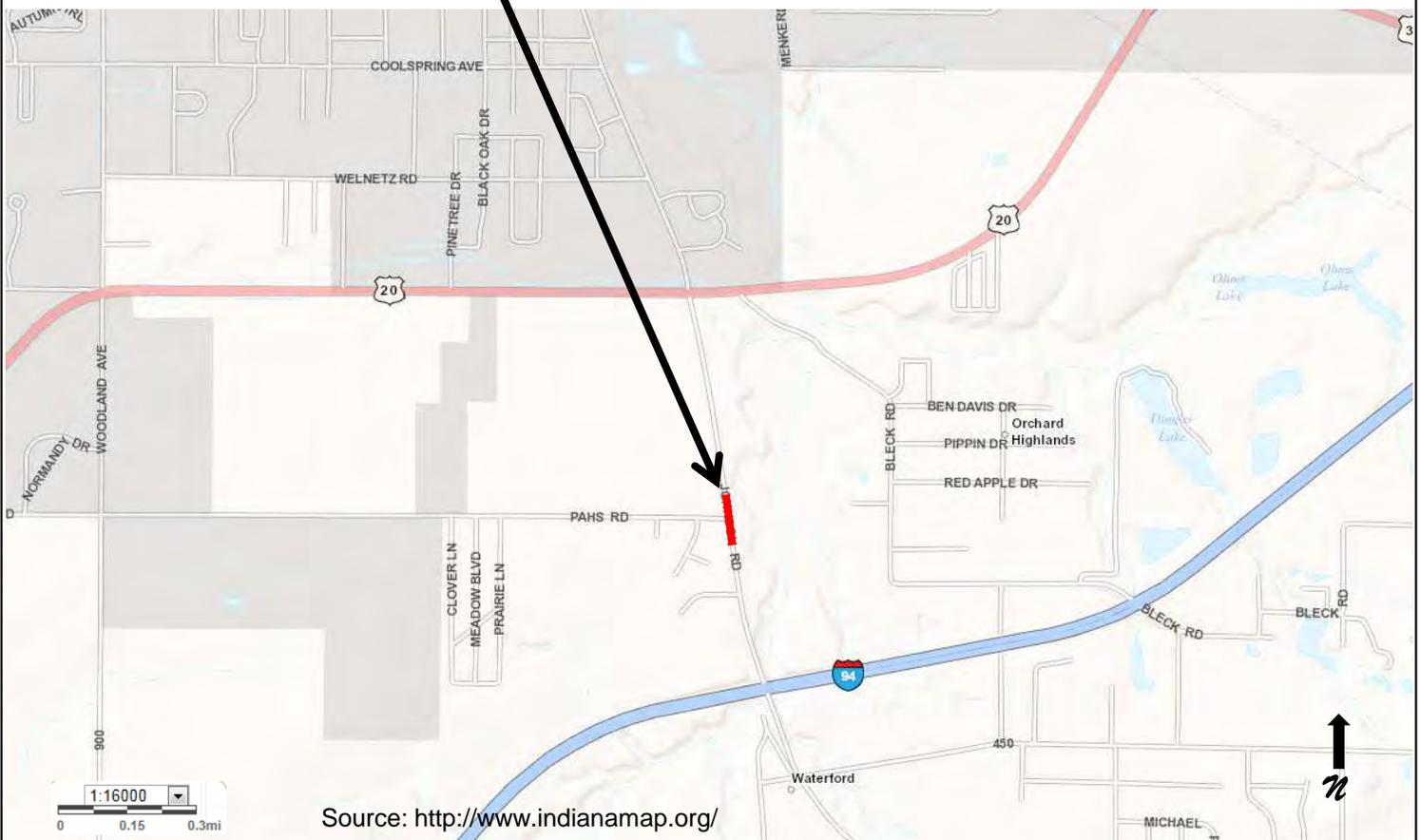
LaPorte County Sheriff's Department  
809 State Street, Suite 202A  
LaPorte, IN 46350

LaPorte County Commissioners  
555 Michigan Avenue, Suite 202  
LaPorte, IN 46350

LaPorte County Soil and Water Conservation District  
2857 West SR 2, Suite B  
LaPorte, IN 46350

LaPorte Community School Corporation  
Educational Services Center  
1921 A Street  
LaPorte, IN 46350

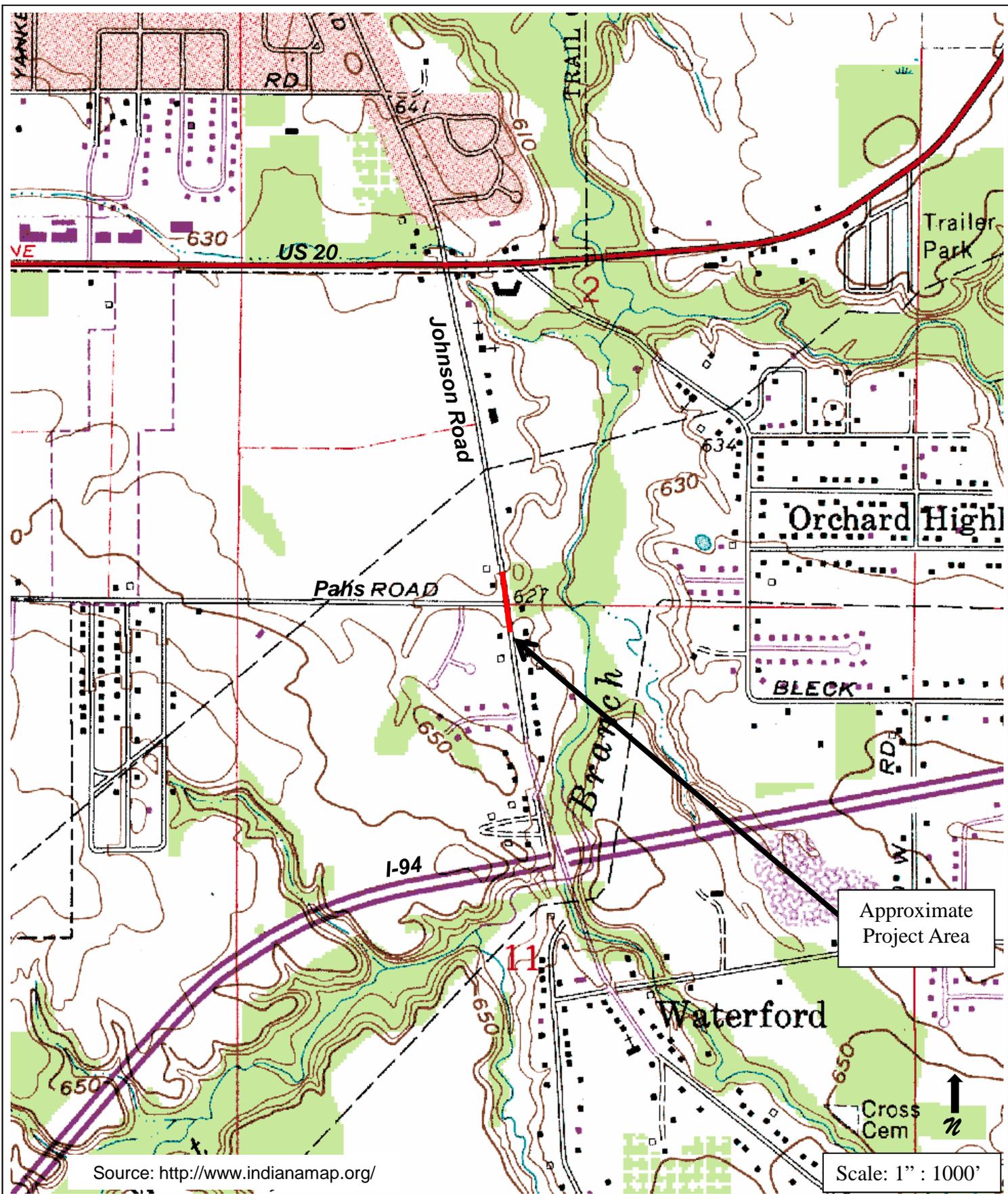
# LaPorte County, Indiana



**Pahs Road/Johnson Road Intersection Improvements**  
**LaPorte County, Indiana**  
**Des. No.: 0600748**

Appendix B  
Figure 1

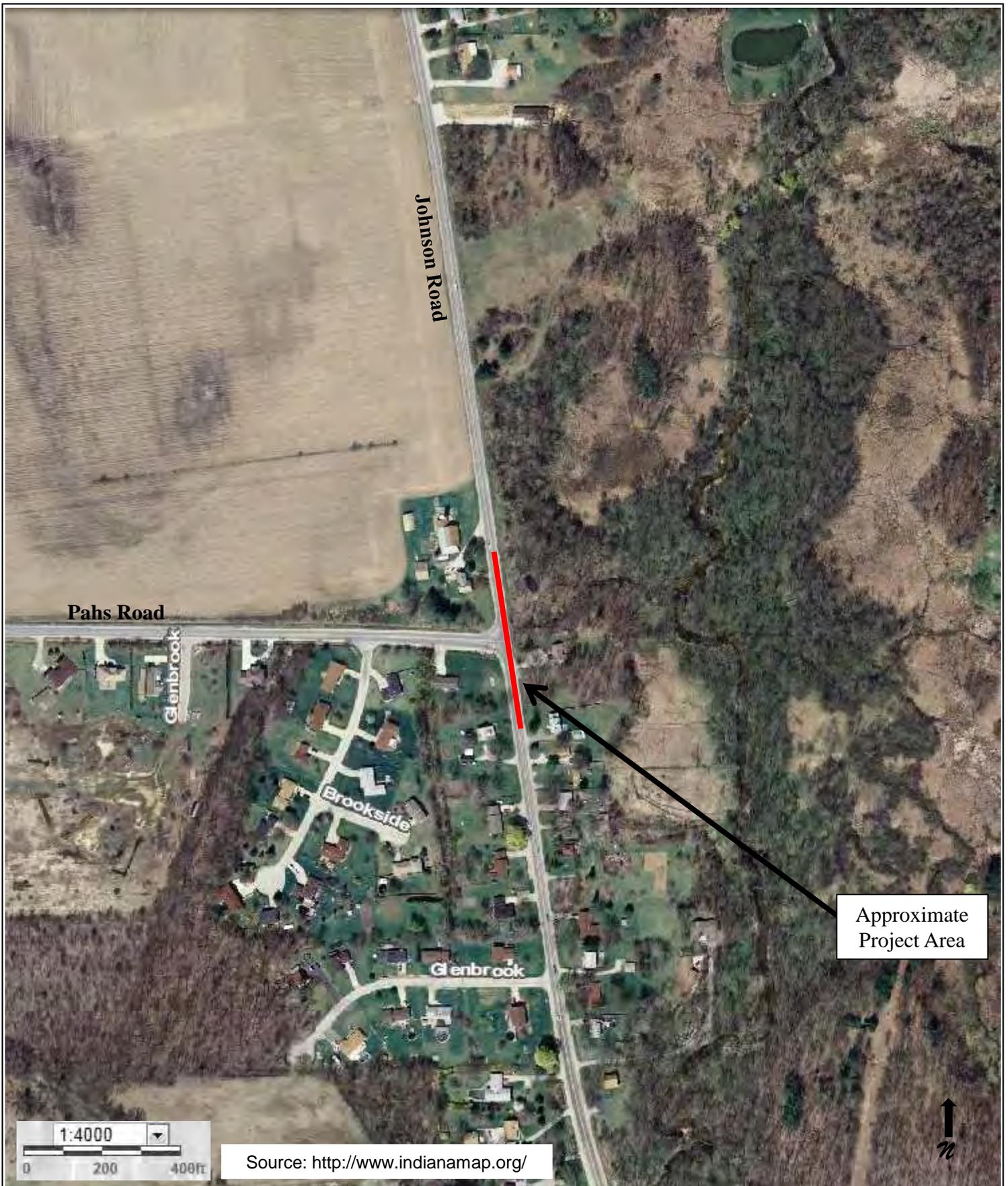
Project  
Location



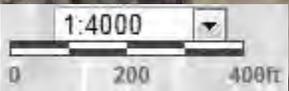
**Pahs Road/Johnson Road Intersection Improvements**  
 LaPorte County, Indiana  
 Des. No.: 0600748

Appendix B  
 Figure 2

USGS  
 Topographic Map



Approximate  
Project Area



Source: <http://www.indianamap.org/>



**Pahs Road/Johnson Road Intersection Improvements**  
**LaPorte County, Indiana**  
**Des. No.: 0600748**

Appendix B  
Figure 3

Aerial  
Photograph



**Above Left: View northerly along Johnson Road from south terminus**

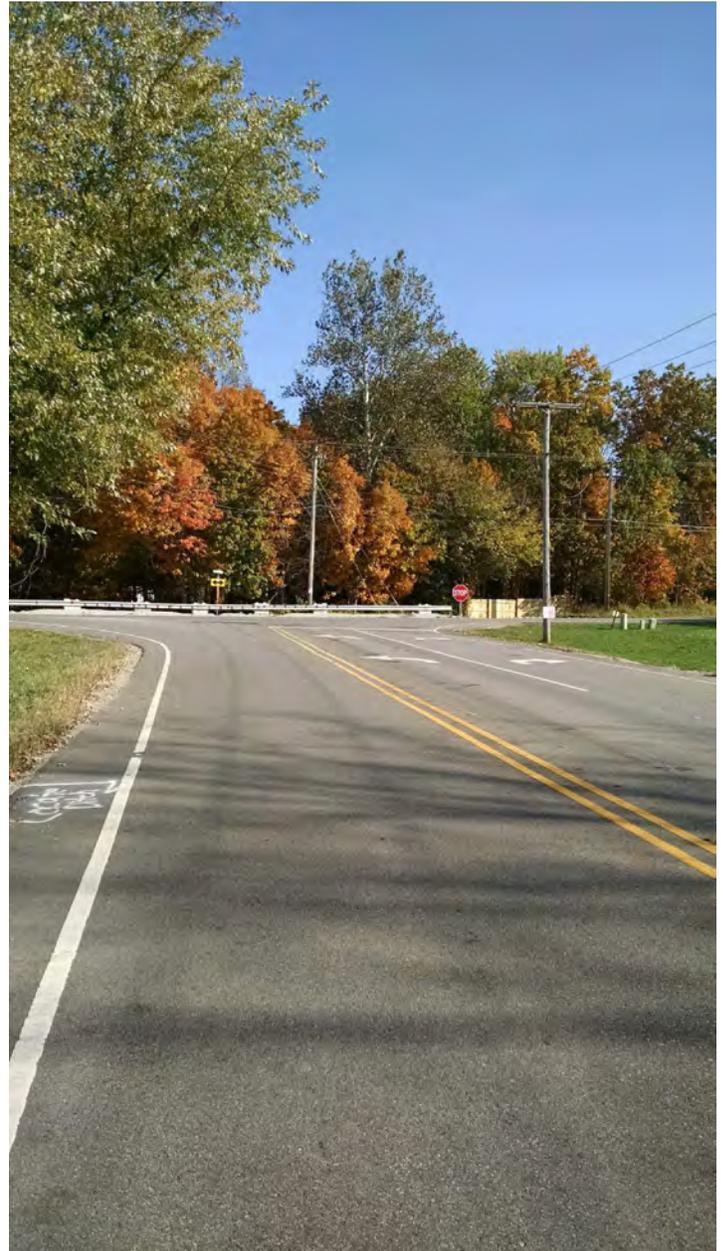
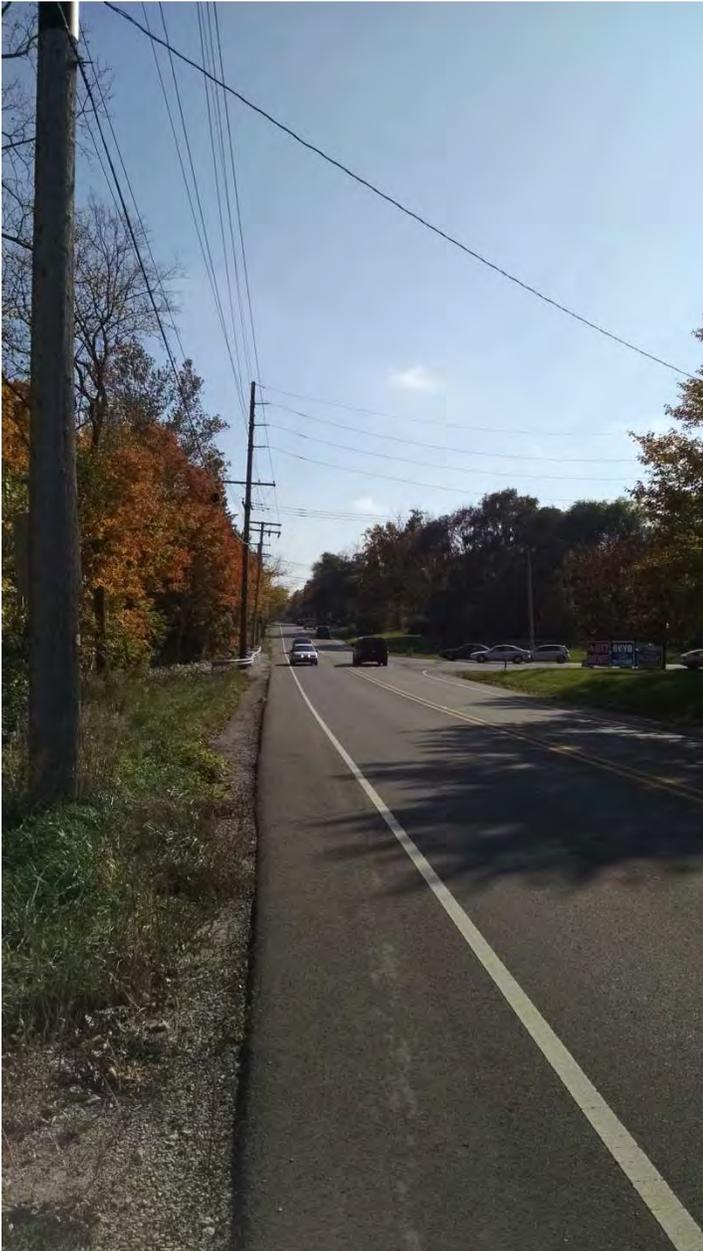
**Above Right: View easterly, tributary to Trail Creek**



**Pahs Road/Johnson Road Intersection Improvements  
LaPorte County, Indiana  
Des. No.: 0600748**

Appendix B  
Figure 4

Project Area  
Photographs



**Above Left: View southerly along Johnson Road from north terminus**

**Above Right: View easterly along Pahs Road toward Johnson Road intersection**



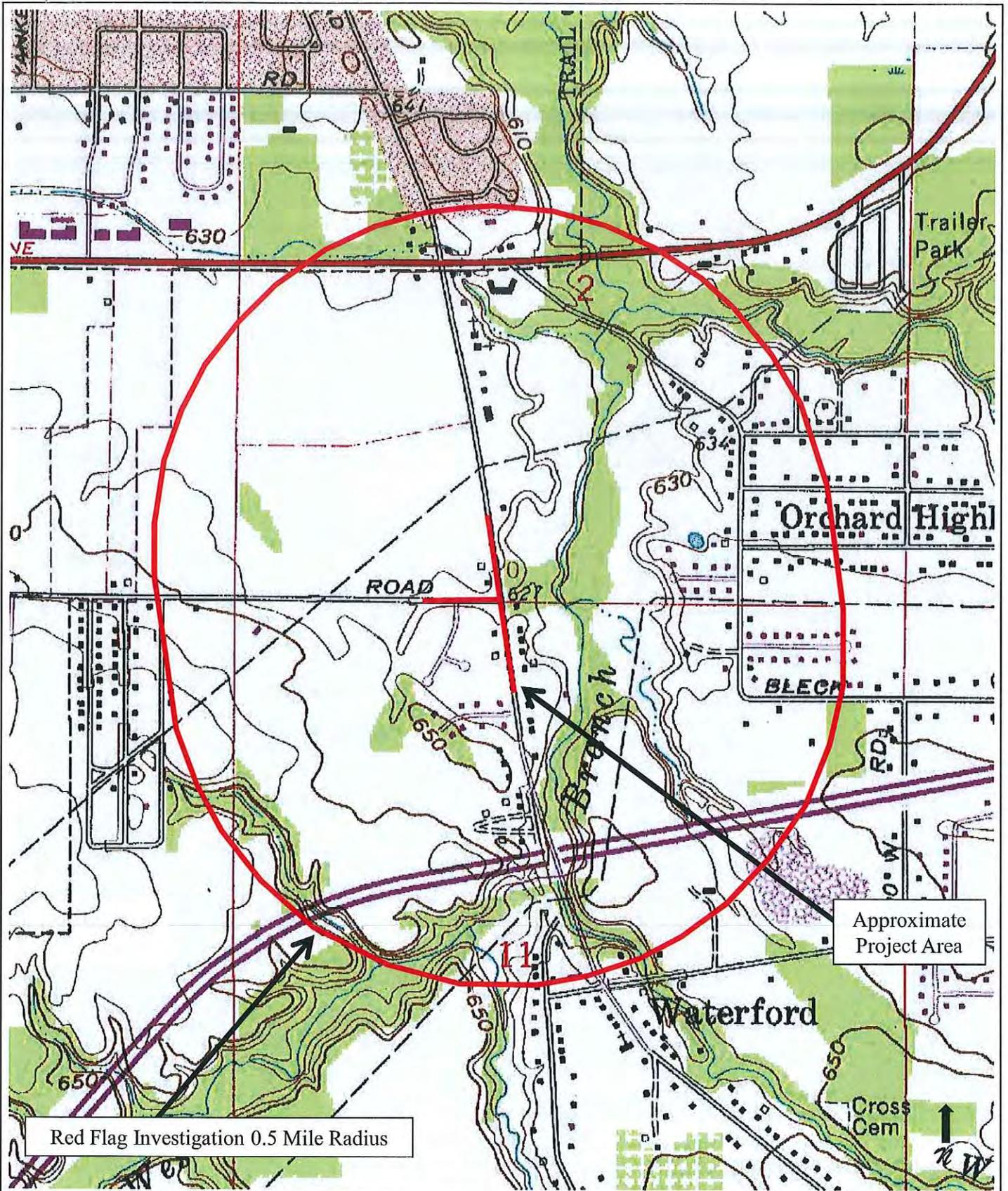
**Pahs Road/Johnson Road Intersection Improvements  
LaPorte County, Indiana  
Des. No.: 0600748**

Appendix B  
Figure 4

Project Area  
Photographs



# PREVIOUS ER-16291 MAP

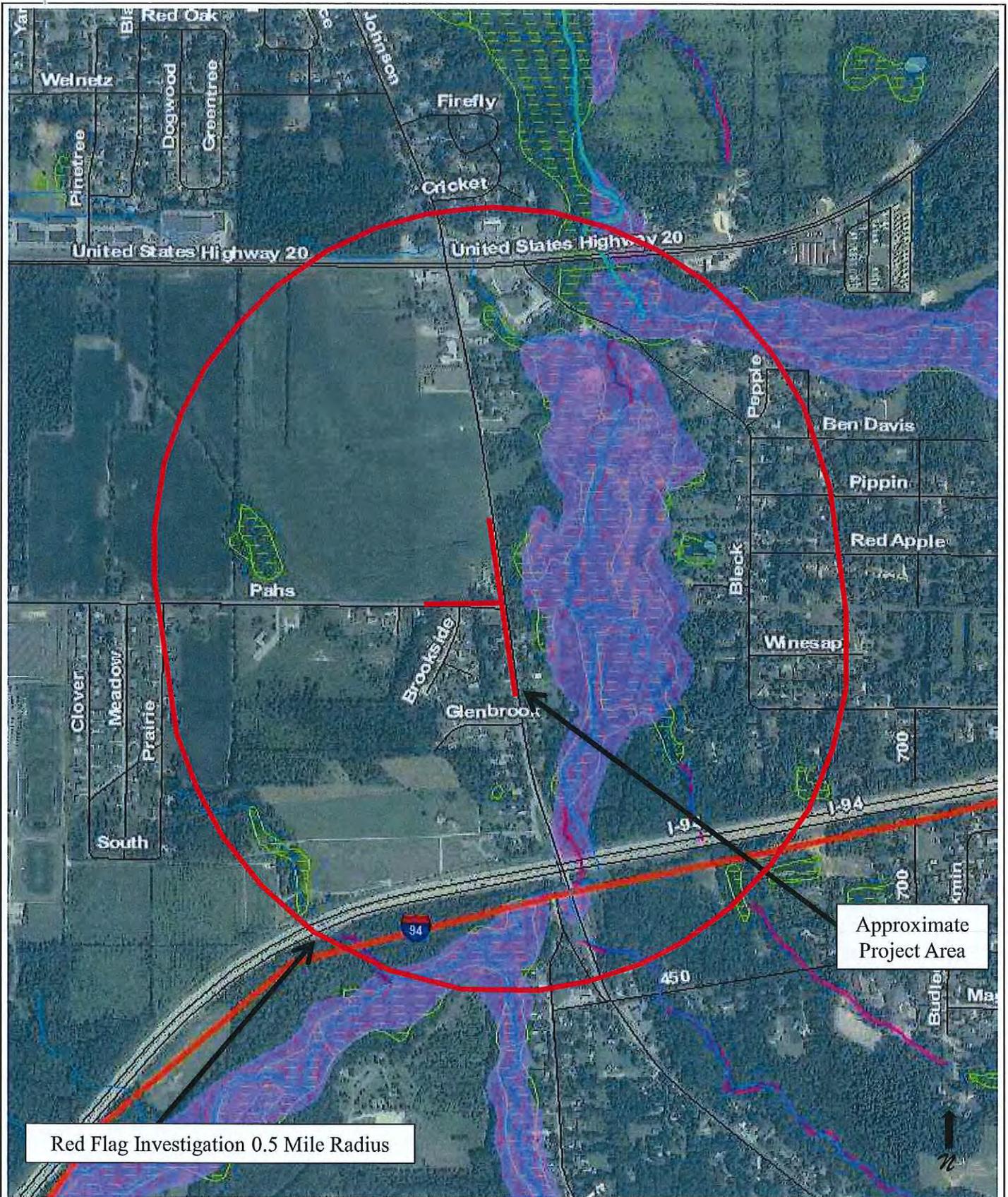


Red Flag Investigation  
Pals Road/Johnson Road Intersection Improvements  
LaPorte County, Indiana  
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Scale: 1" : 1000'

Figure 1  
Topographic Map

# PREVIOUS ER-16291 MAP



**Red Flag Investigation**  
**Pals Road/Johnson Road Intersection Improvements**  
**LaPorte County, Indiana**  
**Des. No.: 0600748**

Scale: 1" : 1000'  
Figure 3 - Water Resources

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

Early Coordination/Environmental Assessment

**DNR #:** ER-16291 **Request Received:** April 25, 2012

**Requestor:** DLZ Indiana LLC  
Jason A Stone  
2211 East Jefferson Boulevard  
South Bend, IN 46615-2607

**Project:** Pahs Road/Johnson Road intersection improvements from 750' north and south along Johnson Road and 500' west of the intersection along Pahs Road, south of Michigan City; Des #0600748

**County/Site info:** LaPorte

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.

NOTE: This project falls within the Lake Michigan Coastal Program's boundary; therefore, it may be subject to Federal Consistency (FC) review. Please go to <http://www.in.gov/dnr/lakemich/files/20070214-IR-312070085NRA.xml.pdf> for more information regarding items requiring additional review. If the project requires a Permit, Agency Action, or Funding as listed in Section III (pages 8-13) please follow the FC process outlined at <http://www.in.gov/dnr/lakemich/6041.htm>.

**Regulatory Assessment:** Formal approval by the Department of Natural Resources under the regulatory programs administered by the Division of Water is not required for this project.

**Natural Heritage Database:** The Natural Heritage Program's data have been checked. The species below were recorded within ½ mile east northeast of the project and the state significant community was recorded at the T-intersection along the east side of Johnson Road. The Division of Nature Preserves does not anticipate any impacts to these species or community resulting from the project as long as appropriate standard erosion control measures are implemented to eliminate run-off and siltation of the fen. This includes no stockpiling or parking of vehicles.  
1) INSECT: Baltimore (Euphydryas phaeton) - state rare  
2) PLANT: Gray Birch (Betula populifolia) - state endangered  
3) COMMUNITY: Trail Creek Fen Site (Wetland-fen)

**Fish & Wildlife Comments:** We were not able to adequately assess impacts to fish, wildlife, and botanical resources resulting from the project with the information provided. There was no information provided about the width of the widening along Johnson Road or where it will occur; therefore, we were unable to determine the level of impact to the forested area along the east side of the road.

We recommend minimizing the removal of trees and brush by widening Johnson Road to the west of the existing alignment as the east side of the road contains a significant amount of forested habitat associated with the West Branch Trail Creek. Also, place as much of the temporary construction areas as possible in previously cleared/disturbed areas.

We recommend that unavoidable impacts to non-wetland, riparian areas be mitigated as follows: Impacts to non-wetland forest over one (1) acre should be mitigated at a minimum 2:1 ratio. Impacts to non-wetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, at least 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10" dbh or greater (5:1 mitigation based on the number of large trees).

**THIS IS NOT A PERMIT**

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

**Early Coordination/Environmental Assessment**

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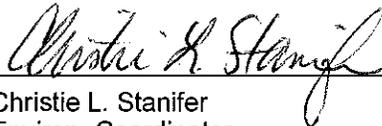
The additional measures that should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources, include the following:

1. Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue) and legumes as soon as possible upon completion; low endophyte tall fescue may be used in the ditch bottom and side slopes only.
2. 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.
3. 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.
4. Seed and protect all disturbed streambanks and slopes that are 3:1 or steeper with erosion control blankets (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.
5. Do not excavate or place fill in any riparian wetland.

**Contact Staff:**

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife

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.



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Christie L. Stanifer  
Environ. Coordinator  
Division of Fish and Wildlife

**Date:** May 17, 2012