

**Indiana Department of Transportation**

County Clinton

Route SR 28

Des. No. 1005600

**FHWA-Indiana Environmental Document  
CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM  
GENERAL PROJECT INFORMATION**

Road No./County:

**State Route (SR) 28, AKA Walnut Street, Clinton County**

Designation Number (DES):

**1005600 (lead), 1600437, and 1600438**

Project Description/Termini:

The project covered under this CE has 3 DES numbers: 1005600 (lead), 1600438, and 1600437. The project begins at the intersection of SR 28 and County Road (CR) 200 West, and proceeds east along SR 28 to Hoke Avenue, a distance of 2.38 miles.  
**DES 1005600** – resurfacing and reconstruction of SR 28 from County Road (CR) 200 West (western terminus) east to Jackson Street (US 421/SR 39).  
**DES 1600437** – reconstruction of SR 28 from Jackson Street eastward to Hoke Avenue.  
**DES 1600438** – adds a right turn lane from west bound (WB) SR 28 to north bound (NB) Jackson Street.  
 DES 1005600 and 1600437 will include reconstruction of the stormwater system, the sidewalks on the south side of SR 28, and replacing the sidewalk on the north side of SR 28 with a shared used path.

After completing this form, I conclude that this project qualifies for the following type of Categorical Exclusion (FHWA must review/approve if Level 4 CE):

	<b>Categorical Exclusion, Level 2</b> – The proposed action meets the criteria for Categorical Exclusion Manual Level 2 - table 1, CE Level Thresholds. Required Signatories: ESM (Environmental Scoping Manager)
	<b>Categorical Exclusion, Level 3</b> – The proposed action meets the criteria for Categorical Exclusion Manual Level 3 - table 1, CE Level Thresholds. Required Signatories: ESM, ES (Environmental Services Division)
<b>X</b>	<b>Categorical Exclusion, Level 4</b> – The proposed action meets the criteria for Categorical Exclusion Manual Level 4 - table 1, CE Level Thresholds. Required Signatories: ESM, ES, FHWA
	<b>Environmental Assessment (EA)</b> – EAs require a separate FONSI. Additional research and documentation is necessary to determine the effects on the environment. Required Signatories: ES, FHWA

Note: For documents prepared by or for Environmental Services Division, it is not necessary for the ESM of the district in which the project is located to release for public involvement or sign for approval.

**Approval**

\_\_\_\_\_  
ESM Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
ES Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
FHWA Signature

\_\_\_\_\_  
Date

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Release for Public Involvement

N/A Date RC.B Date 8-8-19

Certification of Public Involvement

Office of Public Involvement Date

Note: Do not approve until after Section 106 public involvement and all other environmental requirements have been satisfied.

INDOT ES/District Env.

Reviewer Signature: Date:

Name and Organization of CE/EA Preparer: Richard Fitch, AICP and Mathew Aldridge, Burgess & Niple, Inc.

Part I - PUBLIC INVOLVEMENT

Every Federal action requires some level of public involvement, providing for early and continuous opportunities throughout the project development process. The level of public involvement should be commensurate with the proposed action.

Does the project have a historic bridge processed under the Historic Bridges PA\*? Yes No
If No, then: Opportunity for a Public Hearing Required? X

\*A public hearing is required for all historic bridges processed under the Historic Bridges Programmatic Agreement between INDOT, FHWA, SHPO, and the ACHP.

Discuss what public involvement activities (legal notices, letters to affected property owners and residents (i.e. notice of entry), meetings, special purpose meetings, newspaper articles, etc.) have occurred for this project.

Remarks:

Notice of Entry
No notice of entry letters were mailed to property owners near the project area. All investigations were conducted within the public right-of-way (ROW).
Section 106
To meet the public involvement requirements of Section 106, FHWA's finding of adverse effect, a notice was advertised in The Frankfort Times on February 20, 2019. The public comment period closed 30 days later on March 22, 2019. The text of the public notice and the affidavit of publication appear in Appendix D, page D-38. No written comments were received during the public notice.
The Section 106 process included a consulting party meeting on November 1, 2018 at the Frankfort City building. The meeting was attended by INDOT, FHWA, and the design consultant. Meeting invitations were sent to identified local consulting parties, but none attended the meeting. No written comments were received from the meeting.
Project Does Meet
The project will meet the minimum requirements described in the current Indiana Department of Transportation (INDOT) Public Involvement Manual which requires the project sponsor to offer the public an opportunity to submit comment and/or request a public hearing. Therefore, a legal notice will appear in a local publication contingent upon the release of this document for public involvement. This document will be revised after the public involvement requirements are fulfilled.

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Public Controversy on Environmental Grounds Will the project involve substantial controversy concerning community and/or natural resource impacts? Yes No [ ] [X]

Remarks: No controversy At this time there is no substantial public controversy concerning impacts to the community or to natural resources.

Part II - General Project Identification, Description, and Design Information

Sponsor of the Project: INDOT INDOT District: Crawfordsville Local Name of the Facility: SR 28 (AKA Walnut Street)

Funding Source (mark all that apply): Federal [X] State [X] Local [ ] Other\* [ ]

\*If other is selected, please identify the funding source:

PURPOSE AND NEED:

Describe the transportation problem that the project will address. The solution to the traffic problem should NOT be discussed in this section. (Refer to the CE Manual, Section IV.B.2. Purpose and Need)

Needs

Roadway Pavement Condition

The existing pavement on SR 28 from west to east consists of four different pavement types. Section 1 on the west end of the project from CR 200 W to Blinn Street is Hot Mix Asphalt (HMA) over 9" of concrete; Section 2 from Blinn Street to Prairie Avenue is 9" concrete; Section 3 from Prairie Avenue to Doyle Street is HMA over 9" of reinforced concrete; and Section 4 from Doyle Street to Hoke Avenue no pavement information is available. It is believed that between Jackson Street and Hoke Avenue, the asphalt pavement is laid over brick or concrete. The uneven asphalt surface indicates an uneven subbase. Several pavement core samples were collected within Section 4 between 2nd Street and Jackson Street identified the following: between 2nd and 1st Streets- 4" to 4 1/2" of asphalt on brick, eastbound between 1st Street and Columbia Street- 6" of asphalt on brick, eastbound between Main Street and Columbia Street- 2" of asphalt on brick, westbound between Main Street and Columbia Street- 6" of asphalt on 6" of broken concrete, westbound between Jackson Street and Main Street- 6" of asphalt on 6" broken concrete.

All the concrete pavement was installed in 1971 and the most recent asphalt overlay was installed in 2015. That overlay was to extend the life of the pavement to 2019. The concrete has severely deteriorated with pavement cracking both across the lanes as well as along the travel direction and extensive patching. As seen in the pavement core samples in Section 4, portions of the concrete pavement are broken. Based on 1971 construction, the concrete pavement is at the end of the 50-year usable service life. The most recent pavement inspection was in 2012 and on average pavement condition rating (PCR) is 43 out of 100, which is a poor rating. The curbs within the project limits are in poor condition with approximately 30% of the curbs damaged or missing through the center portion of town and extending east through the residential area to Hoke Avenue.

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Safety

Based on the Engineer's Report dated January 2017, an analysis of crash data from October 2012 to September 2015 a total of 193 crashes have taken place within the project limits. The intersection with the highest number of crashes is the SR 28 and Jackson Street intersection with a total of 31 crashes. The Jackson Street/SR 28 intersection has dedicated left turn lanes on all four legs, but the right-turn and the through-lane are combined. The Clay Street/SR 28 intersection had 21 crashes with only one lane on each approach leg. Left turns are prohibited from SR 28 onto Clay Street.

Alternative Transportation Goal

The sidewalks along SR 28 west of Columbia Street are in poor condition with most of the sidewalks missing or uneven. Most sidewalk widths are narrow (less than five-feet wide), don't drain properly, and have excessive cross slopes which further impedes use by pedestrians. East of Columbia Street, the sidewalks are in better shape but have cracking, spalling, and uneven surfaces. Curb ramps where they exist within the City are not ADA compliant, while many of the intersections do not have curb ramps. The City has established an ADA Transition Plan dated February 29, 2018 that requires all projects within the City to be evaluated for ADA compliance. The SR 28 project is located within two of the identified Core Walkway Districts of the plan that emphasizes ADA compliance due to the proximity to the downtown commercial district, the City office building, and Ivy Tech campus.

Bicycle accommodations do not exist along SR 28. At the west end of the project from CR 200 W to an INDOT subdistrict office driveway is a four-lane divided roadway with paved shoulders and open ditch drainage. From the INDOT driveway to Prairie Avenue the four-lane section has a paved median and no shoulders. From Prairie Avenue to South 5<sup>th</sup> Street there is a parking lane against the south curb. From S 5<sup>th</sup> Street to Jackson Street, the three lanes narrow with curbs but no shoulders. East of Jackson Street the roadway is two lanes, no shoulders, and curbs making it hard for bicycles to use this section of SR 28 without impeding traffic flow.

Purpose

The purpose of the project is to provide a long-term solution for the deteriorated condition of the SR 28 pavement, improve safety at a high crash intersection, and improve pedestrian and bicycle infrastructure with ADA compliant facilities.

Logical Termini and Independent Utility

The logical termini for the project are SR 28 from CR 200 W on the west where the roadway transitions into four lanes with a center median to Hoke Avenue on the east that has recently been reconstructed. This project has independent utility since it is not dependent on another transportation project.

**PROJECT DESCRIPTION (PREFERRED ALTERNATIVE):**

County: Clinton Municipality: Frankfort

Limits of Proposed Work: 1.65 miles west of SR 39 to 0.73 miles east of SR 39

Total Work Length: 2.38 Mile(s) Total Work Area: 18.7 Acre(s)

Is an Interchange Modification Study / Interchange Justification Study (IMS/IJS) required?  
If yes, when did the FHWA grant a conditional approval for this project?

Yes <sup>1</sup>	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date: <input style="width: 100%;" type="text"/>	

<sup>1</sup>If an IMS or IJS is required; a copy of the approved CE/EA document must be submitted to the FHWA with a request for final approval of the IMS/IJS.



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*In the remarks box below, describe existing conditions, provide in detail the scope of work for the project, including the preferred alternative. Include a discussion of logical termini. Discuss any major issues for the project and how the project will improve safety or roadway deficiencies if these are issues.*

### Existing Conditions

SR 28 is the main east-west roadway through Frankfort that connects Interstate 65 (I-65) interchange west of town through the center business district and continues east along a combined SR 28/US 421 east of town. SR 28 within the project limits is locally named Walnut Street. SR 28 is an Urban Arterial through the project limits. The eastern half of the project limits from Jackson Street to Hoke Avenue, SR 28/East Walnut Street combines with US 421. Throughout the document the entire road length will be referred to as SR 28. The roadway cross-section varies in width through the project limits. Starting at the west end of the project, SR 28 is a four-lane divided or paved median cross section from CR 200 W to South 5<sup>th</sup> Street. Between South 5<sup>th</sup> Street and Columbia Street the road is three lanes wide with a two-way left turn lane (TWLTL) down the center and a wide shoulder on the east bound side for on-street parking. From Columbia Street to east of Jackson Street the three-lane cross section includes dedicated left turn lanes at each intersection. East of Jackson Street the cross-section narrows to two lanes to Hoke Avenue. At Hoke Avenue, east bound SR 28 has a dedicated right-turn lane.

DES 1005600 is the lead DES in this project. There are two other DES Nos. covered by this CE. DESs 1600437 and 1600438.

The Prairie Creek Bridge pavement overlay and riprap around the bridge piers (DES No. 1401678) will be included in the construction bid package. This proposed work is covered by a separate CE.

### Preferred Alternative

The project determined the areas of pavement replacement or pavement overlay, intersection improvements, and pedestrian improvements through the project limits. The roadway configuration was to be 4-lanes from CR 200 S to 4<sup>th</sup> Street, 3-lanes from 4<sup>th</sup> Street to Clay Street, and 2-lanes from Clay Street to Hoke Avenue. A five-foot wide concrete sidewalk will be reconstructed along the southside of SR 28 from 900 feet west of West Street to Hoke Avenue. An eight-foot wide asphalt multi-use path will be constructed on the north side of SR 28 from CR 200 S to Hoke Avenue. The eight-foot wide multi-use path will replace the existing concrete sidewalk from Boomer Street to Hoke Avenue.

The preferred alternative based on the Engineer's Report and the Value Engineering Memo is as follows:

- Mill and overlay 1 ½" of hot mix asphalt (HMA) from CR 200 W to Blinn Street- DES 1005600
- Full depth replacement from Blinn Street to Jackson Street DES 1005600
- Full depth replacement from Hoke Avenue. DES 1600437
- Dedicated left turn lanes will be added on SR 28 at Clay Street to allow for left turns at the intersection where they currently are not allowed. DES 1600437
- Right turn lane will be added on west approach leg of SR 28 at Jackson Street. DES 1600438
- Replace the existing curbs and gutters. DES 1005600 and DES 1600437
- Replace the existing stormwater sewer system with new mainline, collectors, and laterals. DES 1005600 and DES 1600437
- Extend the storm sewer east on Walnut Street beyond the end of the pavement replacement to Hoke Ave and north along Hoke Ave to the unnamed tributary.
- Remove and replace the existing sidewalk on the south side of SR 28 from 900 feet west of West Street to Hoke Avenue with a concrete sidewalk varying in width from five to six feet. DES 1005600 and DES 1600437
- Replace the existing sidewalk on the north side of SR 28 from Nickel Plate Road to Hoke Avenue with a six to eight-foot wide asphalt shared-use path. DES 1005600 and DES 1600437
- The shared use path will be concrete instead of hot mix asphalt in front of the First Christian Church of Frankfort and through the Christian Ridge Historic District. DES 1005600 and DES 1600437
- Extend the eight-foot wide asphalt shared-use path from Nickel Plate Road west to CR 200 W on the north side of SR 28. DES 1005600
- Provide ADA compliant curb ramps throughout the project limits. DES 1005600 and DES 1600437
- Provide a tree lawn between the sidewalk/shared use path and the curb varying in width from zero to six feet.

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DES 1005600 and DES 1600437

- The project will require temporary right of way (ROW) from 36 parcels (0.370 Acre) and permanent ROW from 20 parcels (0.336 Acre). There will be no displacement of businesses or residences. DES 1005600, DES 1600437, and DES 1600438
- No permanent right-of-way will be acquired from any contributing properties within historic districts. DES 1005600, DES 1600437, and DES 1600438
- Any temporary right-of-way from contributing will be for yard grading or drive connections. No 4(f) use has been determined for Historic Properties. DES 1005600, DES 1600437, and DES 1600438
- The maintenance of traffic plan is to maintain one direction of traffic through the project limits during construction. Two-way traffic may be maintained west of the Nickel Plate Trail where a four lane cross section exists. DES 1005600, DES 1600437, and DES 1600438
- Access to driveways will be maintained during construction. DES 1005600, DES 1600437, and DES 1600438
- The new stormwater pipe outlets and riprap at Prairie Creek and the unnamed tributary to Prairie Creek will require a waterway permit due to work below the Ordinary High Water Mark (OHWM) of the creeks. The three wetlands at the west end of the project are exempt from permitting requirements. DES 1005600 and DES 1600437

The DES number after each bullet point indicates which project the improvement is associated with. The three DES numbers plus the overlay of Prairie Creek Bridge (DES 1401678) will be constructed under one construction contract.

The land use consists of a mix of industrial, commercial, residential, and institutional west of Clay Street. East of Clay Street to Hoke Avenue is residential.

The project will not impact any threatened or endangered species habitats. The project is adjacent to identified Historic Districts and contributing historic properties. The SHPO has determined that the project will have an *adverse effect* on the Christian Ridge Historic District due to moving the south curb line south of the current alignment, eliminating the street trees, and adding the 8' shared use path through the historic district. These impacts were unavoidable due to extension of the shared use path into the residential neighborhood requiring the relocation of the south curb line. There is no Section 4(f) use of historic properties.

The preferred alternative meets the purpose and need for the project by improving the condition of the roadway pavement, address the safety issue at west bound SR 28 at Jackson Street with the addition of the right turn lane, and improve pedestrian and bike accessibility through Frankfort.

The project plans (Appendix B, pages B-12) and project mapping and photographs (Appendix B, page B-2) are attached.

### OTHER ALTERNATIVES CONSIDERED:

*Describe all discarded alternatives, including the Do-Nothing Alternative and an explanation of why each discarded alternative was not selected.*

Alternative 1 - Replace the existing pavement with full depth pavement. This alternative has the same configuration and improvements as identified in the Preferred Alternative with two exceptions:

1. The section of the project from Clay Street to Hoke Avenue would have a two way left turn lane added down the center of SR 28, and
2. The section of the project from CR 200 W to Blinn Street would have full depth pavement replacement.

While this alternative met the Purpose and Need of the project, the addition of the center turn lane would increase the amount of permanent ROW, impact properties that contribute to the Christian Ridge Historic District and increase the cost of the project. For these reasons, Alternative 1 was not selected.

Alternative 2 - Rubblize the existing concrete pavement from CR 200 W to Doyal Street, full depth replacement of

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pavement east of Doyal Street- This alternative would rubblize the concrete pavement sections and overlay with nine-inches of Hot Mix Asphalt (HMA). Full depth replace would be used in areas where the increase in the roadway height of nine-inches would impact the adjacent properties. Underdrains would be installed to prevent ponding behind the sidewalk due to the rise in the pavement height. The alternative would include reconstructed of the sidewalk and the addition of the shared use path. Right of way costs, engineering costs, and approach driveway/street costs would all be higher. For these reasons, this alternative was not selected.

Alternative 3 - Full Depth patch, mill and place a functional overlay on the existing pavement from CR 200 W to Doyal Street, pavement would be replaced east of Doyal Street and in areas where a full overlay thickness could not be placed. This alternative didn't address the deteriorating condition of the subgrade and subgrade drainage issues. This alternative didn't address the pavement condition portion of the purpose and need of the project. The project would include the sidewalk replacement and the addition of the shared use path. This alternative was not selected.

Alternative 4 - Do Nothing - The SR 28 pavement is approaching 50 years old and has reached the end of its service life. It is severely deteriorated, with cracking with high severity, high extent patching, faulting, corner breaks, and joint spalling. The asphalt over brick portions of the project are failing structurally due to insufficient capacity to carry SR 28 traffic. Doing nothing would result in a rapidly deteriorating and disintegrating pavement structure which maintenance would not be able to keep in serviceable condition. This alternative would allow the pavement to remain in very poor and deteriorating condition on an Urban Arterial which currently serves nearly 17,000 vehicles per day and is anticipated to increase to 19,000 vehicles per day by the design year. The sidewalks would continue to degrade resulting in more sidewalk area not useable and no improvements in ADA compliance as stated in the Downtown Plan. For these reasons, this alternative was not selected.

**The Do Nothing Alternative is not feasible, prudent or practicable because (Mark all that apply):**

It would not correct existing capacity deficiencies;

It would not correct existing safety hazards;

It would not correct the existing roadway geometric deficiencies;

It would not correct existing deteriorated conditions and maintenance problems; or

It would result in serious impacts to the motoring public and general welfare of the economy.

Other (Describe)

X
X

### ROADWAY CHARACTER: SR 28

Functional Classification:	Urban Arterial				
Current ADT:	16,540	VPD (2016)	Design Year ADT:	18,990	VPD (2039)
Design Hour Volume (DHV):	7.59%	Truck Percentage (%)	2.3		
Designed Speed (mph):	various	Legal Speed (mph):	various		

	Existing	Proposed
Number of Lanes:	Various-2 to 5 lanes	Various 2 to 5 lanes
Type of Lanes:	Through, left turn, TWLTL	Through, left turn, TWLTL, right turn
Pavement Width:	varies ft.	varies ft.
Shoulder Width:	N/A ft.	N/A ft.
Median Width:	varies ft.	varies ft.
Sidewalk Width:	3-5 ft.	4-8 ft.

Setting:       Urban       Suburban       Rural  
 Topography:       Level       Rolling       Hilly

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*If the proposed action has multiple roadways, this section should be filled out for each roadway.*

**DESIGN CRITERIA FOR BRIDGES: N/A**

Structure/NBI Number(s): \_\_\_\_\_ Sufficiency Rating: \_\_\_\_\_  
(Rating, Source of Information)

	Existing	Proposed	
Bridge Type:			
Number of Spans:			
Weight Restrictions:			ton
Height Restrictions:			ft.
Curb to Curb Width:			ft.
Outside to Outside Width:			ft.
Shoulder Width:			ft.
Length of Channel Work:			ft.

*Describe bridges and structures; provide specific location information for small structures:*

Remarks: The bridge over Prairie Creek is an exception to this project length and is covered by a separate CE prepared by INDOT (DES 1401678).

There are no other bridges or culverts within the project limits.

Will the structure be rehabilitated or replaced as part of the project?  Yes  No  N/A

*If the proposed action has multiple bridges or small structures, this section should be filled out for each structure.*

**MAINTENANCE OF TRAFFIC (MOT) DURING CONSTRUCTION:**

	Yes	No
Is a temporary bridge proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is a temporary roadway proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project involve the use of a detour or require a ramp closure? (describe in remarks)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made for access by local traffic and so posted:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made for through-traffic dependent businesses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made to accommodate any local special events or festivals.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the proposed MOT substantially change the environmental consequences of the action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there substantial controversy associated with the proposed method for MOT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>



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Remarks: The proposed phasing of the replacement of the SR 28 pavement will be to close half the road and keep the other half open to one-way traffic. East bound traffic will be maintained during all construction and west bound traffic will be detoured for the full duration of the construction. Local access will be needed at the east end of the project between Young Street and Hoke Avenue where homes have driveways tied directly to SR 28. The remaining residents have driveways off the cross roads or alleys behind the homes. A posted detour route will be signed. The west bound detour will utilize Maish Road, Washington Avenue, US 421, and CR 200. The detour is 6 miles.

The closures/lane restrictions will pose a temporary inconvenience to traveling motorists (including school buses and emergency services); however, no significant delays are anticipated, and all inconveniences will cease upon project completion. Delays would/may occur during construction but will cease with project completion.

**ESTIMATED PROJECT COST AND SCHEDULE:**

Engineering: \$ 2,046,205 (2016-19) Right-of-Way: \$ 750,000 (2020) Construction: \$ 13,580,185 (2020)

Anticipated Start Date of Construction: March 2020 Most recent cost estimates

Date project incorporated into STIP July 2, 2019 and July 25, 2019 (Amendment)

Is the project in an MPO Area?  Yes  No

If yes,

Name of MPO N/A

Location of Project in TIP N/A

Date of incorporation by reference into the STIP July 25, 2019 (Amendment) July 2, 2019 (20-24 STIP)

**RIGHT OF WAY:**

Land Use Impacts	Amount (acres)	
	Permanent	Temporary
Residential	0.031	0.123
Commercial	0.305	0.247
Agricultural	0.0	0.0
Forest	0.0	0.0
Wetlands	0.0	0.0
Other:	0.0	0.0
Other:	0.0	0.0
<b>TOTAL</b>	<b>0.336</b>	<b>0.370</b>

*Describe both Permanent and Temporary right-of-way and describe their current use. Typical and Maximum right-of-way widths (existing and proposed) should also be discussed. Any advance acquisition or reacquisition, either known or suspected, and their impacts on the environmental analysis should be discussed.*

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Remarks: All proposed temporary and permanent ROW will be partial parcel acquisition. No relocations or total property acquisitions are required. The permanent ROW being acquired are on corner lots to allow for the construction of ADA compliant curb ramps and the addition of right turn lane at Jackson Street. The temporary ROW is for tie ins to driveways and grading behind the sidewalk and the shared use path. There will be no permanent ROW from property listed on or eligible for the National Register of Historic Places or any property that is a contributing element to a Christian Ridge Historic District. The plans showing the locations of the acquired ROW is located in Appendix B, starting on page B-12.

**Part III – Identification and Evaluation of Impacts of the Proposed Action**

**SECTION A – ECOLOGICAL RESOURCES**

**Streams, Rivers, Watercourses & Jurisdictional Ditches**  
 Federal Wild and Scenic Rivers  
 State Natural, Scenic or Recreational Rivers  
 Nationwide Rivers Inventory (NRI) listed  
 Outstanding Rivers List for Indiana  
 Navigable Waterways

	Presence	Impacts	
		Yes	No
	X	X	

Remarks: The Red Flag Investigation (RFI) dated 10/31/2017 prepared by B&N identified three (3) streams within a 0.5-mile radius of the project area. The RFI is located in Appendix E, page E-2. Two (2) of the streams, Prairie Creek and the unnamed tributary (UNT) to Prairie Creek (east end of the project area), are within the project area. Both of these streams will be impacted by the construction of stormwater discharge structures on the banks of the streams. The third stream is located along CR 200 North on the north side of SR 28 at the west end of the project. No impact is expected on this stream.

A Waters of the U.S. report was prepared by INDOT for Prairie Creek (dated 7/19/2017) as part of the separate bridge deck overlay project, covered under a separate CE. B&N prepared a separate Waters of the U.S. report for the remainder of the project area (dated 12/20/2017) which identified one (1) additional stream, an unnamed tributary (UNT) to Prairie Creek within the project area. The National Wetland Inventory Map reviewed as part of the B&N Waters of the U.S. report indicated a stream running north along the east side of CR 200 W at the west end of the project area. During the field investigation, this stream could not be located. The B&N Waters of the U.S. report is located in Appendix F, page F-2. The Prairie Creek Waters of the U.S. report is available from INDOT- Ecological and Waterway Permitting Section.

This CE project will impact Prairie Creek by the installation of the storm sewer outlets and riprap on the banks of the creek. The project will also impact the UNT to Prairie Creek with the discharge pipe and riprap from the storm sewer.

A summary of the two streams within the project area is below:

Stream Name	Lat/Long	OHWM Width (ft.)	OHWM Depth (in.)	Quality	Likely Water of the U.S.?
UNT to Prairie Creek	40.280266, -86.496506	10.6	13	Fair	Yes



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Prairie Creek	40.2796 -86.5095	22	20	Poor	Yes
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Impacts to these streams are summarized below:

Stream Name	Lat/Long	Impact Length (l.f.)
UNT to Prairie Creek	40.280266, -86.496506	22.5
Prairie Creek*	40.2796 -86.5095	154.32

\*Includes impacts from both the roadway project and the bridge project (not covered by this CE).

The Federal Wild and Scenic Rivers; State Natural, Scenic, or Recreational Rivers; NRI; Outstanding Rivers for Indiana; and Navigable Waterways lists were reviewed by B&N. No listed waterways are within or adjacent to the proposed project area.

The permanent impacts to Prairie Creek are 134.56 linear feet (LF) of stream length and an additional 19.76 LF of temporary impacts for a causeway (work pad) to allow construction equipment access in the creek. The permanent and temporary impacts to Prairie Creek are 154.32 LF. The total Prairie Creek impacts represent both the impacts from the storm sewer discharges (part of this project) and the bridge improvements covered by a separate CE document. The permanent stream impacts to the UNT to Prairie Creek is 22.5 LF for the storm sewer discharge. Total permanent stream impacts to Prairie Creek and the UNT to Prairie Creek are 157.06 LF. Due to the stream impacts, stream mitigation credits will be purchased from an approved mitigation bank and/or in-lieu fee (ILF) credits. IDEM will make the final determination on the use of the ILF with their review of the 401 Water Quality Certification application.

Early Coordination letters (Appendix C, page C-2) were sent on 10/18/2016 to USFWS and IDNR with comments received from USFWS on 10/20/2016 and IDNR on 11/17/2016. USFWS stated they would not be providing a letter on the project due to the lack of impacts to significant natural resources and endangered species (Appendix C, page C-17). IDNR's response included the need for an IDNR construction in a floodway approval. IDNR listed measures that should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources (Appendix C, page C-14). These measures include no work in the waterway from April 1-June 30, limit work in the streams, bank slopes, and prevent demo debris from entering the streams. The full wording for these recommendations are included in the Commitment Section of the CE.

**Other Surface Waters**

- Reservoirs
- Lakes
- Farm Ponds
- Detention Basins
- Storm Water Management Facilities
- Other: \_\_\_\_\_

	Impacts	
	Yes	No
		X

Remarks: The Red Flag Investigation (RFI) dated 10/31/2017 prepared by B&N identified five (5) lakes within a 0.5-mile radius of the project area. The closest is approximately 0.1-mile south of the project area. No direct or indirect impacts are anticipated due to the distance of these waters and the use of best management practices (BMPs) during construction. No other jurisdictional surface waters were identified in the RFI within the project limits (Appendix E, page E-2).

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The Water of the U.S. reports dated 12/20/2017 (Burgess & Niple) and 7/19/2017 (INDOT for Prairie Creek) did not identify any other surface waters within the project area (Appendix F, page F-2).

The project area is located within the City of Frankfort's MS4 boundary. Continued coordination with the City will be conducted through the final design of the project. Once the plans are approved, the Notice of Intent will be submitted. (City of Frankfort)

**Presence** **Impacts**

Yes  No

**Wetlands**

Total wetland area: 0.27 acre(s) Total wetland area impacted: 0.1405 acre(s)

(If a determination has not been made for non-isolated/isolated wetlands, fill in the total wetland area impacted above.)

Wetland No.	Classification	Total Size (Acres)	Impacted Acres	Comments
A	PEM	0.08	0.04	Quality: Poor Isolated
B	PEM	0.03	0.0005	Quality: Poor Isolated
C	PEM	0.10	0.10	Quality: Poor Isolated
D	PEM	0.06	0.00	Quality: Poor Isolated

**Documentation** **ES Approval Dates**

**Wetlands (Mark all that apply)**

Wetland Determination	<input checked="" type="checkbox"/>	
Wetland Delineation	<input checked="" type="checkbox"/>	2/21/2018
USACE Isolated Waters Determination	<input checked="" type="checkbox"/>	2/21/2018
Mitigation Plan	<input type="checkbox"/>	11/28/2018

**Improvements that will not result in any wetland impacts are not practicable because such avoidance would result in** (Mark all that apply and explain):

- Substantial adverse impacts to adjacent homes, business or other improved properties;
- Substantially increased project costs;
- Unique engineering, traffic, maintenance, or safety problems;
- Substantial adverse social, economic, or environmental impacts, or
- The project not meeting the identified needs.



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Measures to avoid, minimize, and mitigate wetland impacts need to be discussed in the remarks box.

Remarks:

The Red Flag Investigation (RFI) dated 10/31/2017 prepared by B&N identified eleven (11) NWI mapped wetlands within a 0.5-mile radius of the project area but none were within the project area. No direct or indirect impacts are anticipated due to the distance of these wetlands and the use of best management practices (BMPs) during construction.

The Water of the U.S. report dated 12/20/2017 identified four (4) wetlands within the project area. The Water of the U.S. report dated 7/19/2017 did not identify any wetlands within the vicinity of Prairie Creek. An Approved Jurisdictional Determination from the USACE dated 11/28/2018 confirmed that Wetlands A, B, C, and D were not Jurisdictional Waters of the U.S. because they are *man-made features constructed in uplands and are not regulated under the Clean Water Act.* (Appendix F, page F-79).

As included in the table above, Wetlands A, B, and C will be impacted by the project. Total impact will be 0.1405 acre.

It was concluded that the wetlands within the project area are exempt from state regulation per 327 IAC 17-1-3 (7)(B)(iv). Wetlands A, B, and C qualify based on their low quality (Class I), small size (<0.5 acre), and presence in roadside ditches that do not exhibit Clean Water Act jurisdictional features or surface connection to other Waters of the U.S. Wetland D is not impacted. IDEM will make the final determination if the wetlands are exempt from state regulations.

	<u>Presence</u>	<u>Impacts</u>	
		<u>Yes</u>	<u>No</u>
<b>Terrestrial Habitat</b>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Unique or High Quality Habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Use the remarks box to identify each type of habitat and the acres impacted (i.e. forested, grassland, farmland, lawn, etc).

Remarks:

The primary habitat types are common grass lawns and grassy roadside embankments and medians on the western end of the project area. There are approximately 0.27 acres of wetlands in roadside ditches on the western end of the project area. Per the Waters Report, the grass areas are dominated by smooth brome grass, red fescue, eastern red cedar, autumn olive, English plantain, tall fescue, and red clover. The wetland areas are dominated by common reed, sandbar willow, dogbane, and narrow-leaf cattail.

Approximately 38 trees will be removed from the project area. These are all street trees along the residential section of SR 28 east of Jackson Street to Hoke Avenue. The replacement tree planting plan is to be submitted to SHPO for comments per the Section 106 Memorandum of Agreement (MOU). No permits are required to cut the trees. The USFWS didn't require tree cutting date restrictions but IDNR did include restrictions in their early coordination letter response that trees should not be cut between from April 1 through September 30, Appendix C, page C-17.

The land that will be impacted will come from a strip of ROW adjacent to S.R. 28, as such, there will be no habitat fragmentation, nor will wildlife crossings be significantly affected.

In early coordination with the IDNR, they requested that native plants be considered for any proposed on-site landscaping or revegetation. Early coordination letters with the IDNR did not mention any unique or high-quality habitat nor species within the project area (Appendix C, page C-14).

If there are high incidences of animal movements observed in the project area, or if bridges and other areas appear to be the sole corridor for animal movement, consideration of utilizing wildlife crossings should be taken.

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**Karst**

Is the proposed project located within or adjacent to the potential Karst Area of Indiana?  
 Are karst features located within or adjacent to the footprint of the proposed project?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

If yes, will the project impact any of these karst features?

Use the remarks box to identify any karst features within the project area. (Karst investigation must comply with the Karst MOU, dated October 13, 1993)

Remarks: The project area is not located within or adjacent to the designated Karst region of Indiana as outlined in the MOU between INDOT, IDNR, IDEM, and USFWS (1993).

An early coordination letter was sent to the Indiana Geological Survey, but no response was received. No other early coordination letter responses identified any karst issues within the project area. Appendix C, page C-2.

No karst features were identified during the RFI (Appendix E, page E-2).

**Threatened or Endangered Species**

Within the known range of any federal species  
 Any critical habitat identified within project area  
 Federal species found in project area (based upon informal consultation)  
 State species found in project area (based upon consultation with IDNR)

	Presence	Impacts	
		Yes	No
Within the known range of any federal species	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any critical habitat identified within project area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Federal species found in project area (based upon informal consultation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State species found in project area (based upon consultation with IDNR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Is Section 7 formal consultation required for this action?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks:

The Clinton County Endangered, Threatened, and Rare Species list from the RFI identified the project as being within the range of Clubshell (*Pleurobema clava*), Black-crowned Night-heron (*Nycticorax nycticorax*), and Indiana bat (*Myotis sodalis*) (Appendix E, page E-15).

In an early coordination response from IDNR dated 10/16/2016, they stated that "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." (Appendix C, page C-14).

USFWS did not give an early coordination response due to the "lack of impacts to significant natural resources and endangered species" (Appendix C, page C-17). The project falls under the 2013 U.S. Fish and Wildlife Service Interim Policy for the review of Highway Transportation Projects in Indiana (Interim Policy). All of the construction activities requirements are met by the project.

This project qualifies for *Range-wide Programmatic Consultation for Indiana Bat and Northern long-eared Bat (NLEB)*, dated May 2016 (revised February 2018), Between FHWA, Federal Railroad Administration, Federal Transit Administration, and USFWS. B&N submitted project information on 1/30/2019 through the USFWS Information for Planning & Consulting (IPaC) portal, and an official species list was generated, Appendix C, page C-34, and no additional species were found within the project area.

Clinton County is within range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (NLEB) (*Myotis septentrionalis*). In addition, an effect determination key was completed on 1/31/2019, and based on the responses provided, the project was found to "may affect, but



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is not likely to adversely affect" Indiana Bat and NLEB (Appendix C, page C-33). INDOT reviewed and verified the effect finding and requested USFWS's review of the finding. No communication from INDOT to USFWS concerning their review and verification of the findings was found in the project file. No response was received from USFWS within the 14-day review period; therefore, it was concluded they concur with the findings.(Appendix C, page 19). Avoidance and Mitigation Measures (AMMs) are included as firm commitments in the Environmental Commitment section of this document.

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act, as amended. If new information on endangered species at the site becomes available, or if project plans are changed, USFWS will be contacted for consultation.

**SECTION B – OTHER RESOURCES**

**Drinking Water Resources**

- Wellhead Protection Area
- Public Water System(s)
- Residential Well(s)
- Source Water Protection Area(s)
- Sole Source Aquifer (SSA)

	Presence	Impacts	
		Yes	No
Wellhead Protection Area	X		X
Public Water System(s)	X	X	
Residential Well(s)	X		X
Source Water Protection Area(s)			
Sole Source Aquifer (SSA)			

If a SSA is present, answer the following:

- Is the Project in the St. Joseph Aquifer System?
- Is the FHWA/EPA SSA MOU Applicable?
- Initial Groundwater Assessment Required?
- Detailed Groundwater Assessment Required?

	Yes	No
Is the Project in the St. Joseph Aquifer System?		
Is the FHWA/EPA SSA MOU Applicable?		
Initial Groundwater Assessment Required?		
Detailed Groundwater Assessment Required?		

Remarks:

Two specifically designated areas of underground water to be considered and protected include Wellhead Protection Areas (WHPAs) and Sole Source Aquifers (SSAs).

The project is located in *Clinton* County, which is not located within the area of the St. Joseph Sole Source Aquifer, the only legally designated sole source aquifer in the state of Indiana. Therefore, the FHWA/EPA Sole Source Aquifer Memorandum of Understanding (MOU) is not applicable to this project. No impacts are expected.

The Indiana Department of Environmental Management's Wellhead Proximity Determinator website (<http://idemmaps.idem.in.gov/whpa/>) was accessed on 10/19/2016 by B&N. Based on the project location it was determined that this project is located within a Wellhead Protection Area (WHPA). The section of SR 28 between Lewis Smith Road and S. 5<sup>th</sup> Street is within a Wellhead Protect Area. In the early coordination response letter dated 10/19/016, that is auto-generated, IDEM did not identify the project area within a WHPA, (Appendix C, page C-6). IDEM Drinking Water Section-Ground Water Section was contacted on 5/15/2019 and identified the Wellhead Protection Area is associated with the public water system for the City of Frankfort. IDEM had no comment on the project. The Frankfort Water Works was contacted by email on 5/20/2019 to coordinate the project. The City of Frankfort responded on 5/21/2019 concerning requirements for the portion of the project between Lewis Smith Road and S. 5<sup>th</sup> Street within the WHPA. Frankfort will require the following firm commitments of Best Management Practices (BMP) to protect the WHPA.

- Provide secondary containment for hazardous materials stored within the project area;
- Per 327 IAC 2-6.1-5(2), follow spill reporting and clean-up requirements;
- If post-construction water quality treatment will be incorporated into the project, the City's treatment standard is 80% TSS. Infiltration treatment practices are not allowed within the

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wellhead protection area; and

- The City asks that new stormwater inlet castings be precast with a pollution prevention message such as "No dumping. Drains to Stream".

Copy of the email from the City of Frankfort is in Appendix C, page C-40.

Based on a desktop review, a site visit on 1/21/2019 by B&N, the aerial map of the project area (Appendix B, page B-3), this project is located where there is a public water system. An early coordination letter was sent on 2/7/2017, to Frankfort Water Works. No response was received. The Frankfort Public Works Department has been involved during utility coordination.

The Indiana Department of Natural Resources Water Well Record Database website (<https://www.in.gov/dnr/water/3595.htm>) was accessed on 1-21-2019 by B&N. Several wells are located at the western end of the project. These wells range from 40' to over 500' from the SR 28 ROW. The wells will not be affected because no ROW will be required from the properties where wells are located. Therefore, no impacts are expected. Should it be determined during the right-of-way phase that these wells are affected, a cost to cure will likely be included in the appraisal to restore the wells.

Flood Plains	<u>Presence</u>	<u>Impacts</u>	
		Yes	No
Longitudinal Encroachment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transverse Encroachment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Project located within a regulated floodplain	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Homes located in floodplain within 1000' up/downstream from project	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*Discuss impacts according to classification system described in the "Procedural Manual for Preparing Environmental Studies".*

Remarks: The project is located within one (1) Federal Emergency Management Agency (FEMA) Floodplain, associated to Prairie Creek. Portions of the project area along Prairie Creek are within the Regulatory Floodway. The project work includes the storm sewer outlet structures on the banks of Prairie Creek.

Comments were received during the Early Coordination Letters from Indiana Department of Environmental Management (IDEM) identifying the need for an IDNR Floodplain Permit if within the one-hundred year floodway of a given water body. The response from Indiana Department of Natural Resources (IDNR) also identified a permit for construction in a floodway for the outfall. No local Floodplain Coordinator was identified for the City of Frankfort or Clinton County.

The project will fall under Category 4 of the INDOT Categorical Exclusion Manual. (0) homes are located within the base floodplain within 1000 feet upstream and four (4) homes are located within the base floodplain within 1000 feet downstream. The proposed structure will have an effective capacity such that backwater surface elevations are not expected to substantially increase. As a result, there will be no substantial adverse impacts on natural and beneficial floodplain values; there will be no substantial change in flood risks; and there will be no substantial increase in potential for interruption or termination of emergency service or emergency evacuation routes; therefore, it has been determined that this encroachment is not substantial. A hydraulic design study that addresses various structure size alternates will be completed during the preliminary design phase. A summary of this study will be included with the Field Check Plans.

Floodplain maps are located in Appendix F, page F-21.

Farmland	<u>Presence</u>	<u>Impacts</u>	
		Yes	No
Agricultural Lands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Prime Farmland (per NRCS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Total Points (from Section VII of CPA-106/AD-1006\* N/A)

This is page 16 of 32 Project name: SR 28 Pavement Reconstruction-Frankfort Date: August 8, 2019