

APPENDIX C: Early Coordination



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204

Eric J. Holcomb, Governor
Michael Smith, Commissioner

October 3, 2022

{See Attached List}

Sample Early Coordination Letter

Re: Early Coordination
Designation Number (Des. No.) 1902855
Rest Area Modernization Project, Clear Creek Rest Area
I-70 Eastbound (EB), Mile Marker 2
Sugar Creek Township, Vigo County, Indiana

Dear Agency:

The Indiana Department of Transportation (INDOT) and Federal Highway Administration (FHWA) intend to proceed with a rest area modernization project in Vigo County. This letter is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise 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.

The project is located on I-70 EB, in Vigo County, Indiana, between the Indiana State Line and Terre Haute, at mile marker 2. Specifically, the project is located in Sections 34 and 35, Township 12 North, Range 10 West of the Dennisville, Indiana 7.5-minute United States Geological Survey (USGS) topographic quadrangle. I-70 is classified as an Interstate Highway. A typical cross section of I-70 EB in the project area consists of two 12-foot wide through-lanes, adjoined by variable width paved shoulders in each direction. The posted speed limit on I-70 EB is 70 miles per hour (mph) for vehicles under 13 ton and 65 mph for trucks over 13 ton. Land use in the vicinity of the project is primarily residential and forested.

The existing I-70 EB Welcome Center opened in 1992, and it offers 77 parking spots for cars (including accessible parking) and 50 spots for trucks as well as a sheltered picnic area. The existing facility, which encompasses approximately 52.5 acres, has reached the end of its useful life. The Welcome Center and its adjacent parking lot are currently undersized for the demand required and are not in accordance with INDOT's Long Range Plan for Rest Areas and Welcome Centers. This long-range plan calls for modernizing ten of the state's welcome centers by 2031 to include family restrooms, ADA accessibility, pet areas, walking trails, and other design and tourism amenities. The existing facility does not offer most of these required modernization, and its water and sewer lines and parking lot are undersized for current demand and will not accommodate future needs.

The preferred alternative is to demolish and replace the existing rest area building, including architectural, structural, and mechanical services (such as new water and sewer line installations), and to reconfigure the parking lot to increase parking spaces, reconstruct the entrance and exit ramps, add landscaping elements, and some utility work will also be required. It is unknown if right-of-way will need to be acquired at this time. The facility will also be incorporated into INDOT's Truck Parking Information Management System, which provides drivers with information such as the number of available parking spots at rest areas in real time. The project area encompasses 52.5 acres and includes the addition of a sewer line.

The new sewer line line begins at the north driveway of the Clear Creek Rest Area, extending north along the transmission line corridor to the south side of West Old US 40. The sewer line turns east following West Old US 40 to about 100 feet west of Vigo County Bridge 252 (HB-2287), where the line diverts southeast about 225 feet. The line then turns northeast to parallel West Old US 40 for about 460 feet when the line turns north for about 230 feet to return to West Old US 40. The line continues to parallel West Old US 40 to where it terminates at South Thorpe Place. A tie-in line extends north at South Gorham Place extending the line to the 40 West Mobile Home Park on the north side of National Avenue. Construction of the wastewater pipe will involve horizontal directional drilling along the roads that make up the route. Utility easements will likely be needed along the roads as the apparent existing right-of-way does not extend beyond the edge of pavement. New temporary and permanent right-of-way will need to be purchased from land east of the project

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area to accommodate the parking area expansion. The project will likely require IDEM 401 and USACE 404 waters permits. The maintenance of traffic will include a full closure of the existing rest area with unlighted advanced warning signage. All signage will be removed upon project completion. The project letting date is Summer 2023 and construction is anticipated to begin in Fall 2023.

Four mapped streams, representing Clear Creek and Unnamed Tributaries to Clear Creek, are located within the project area. Metric Environmental (Metric) will perform Waters of the US determination and coordinate with INDOT Ecology and Waterways Permitting Office (EWPO) to prepare a Waters Determination Report and submit the appropriate Clean Water Act permit applications. Portions of the project area are within floodplain polygons; therefore, coordination with the local Floodplain Administrator will occur.

Tree removal will likely occur beyond 300 feet from the edge of I-70 pavement. Therefore, this project will not qualify for the application of the USFWS range-wide programmatic informal consultation for the Indiana bat and northern long-eared bat through USFWS's Information for Planning and Consultation (IPaC). The project will be entered into IPaC and a species list will be generated. A standard informal consultation letter will be prepared by Metric and reviewed and approved by INDOT prior to sending the letter packet to USFWS for review and approval.

This project will require Full Section 106. Metric is conducting cultural resource investigations for both above-ground and below-ground archaeological resources and coordinating with the INDOT Cultural Resources Office (CRO) and the State Historic Preservation Officer (SHPO) for concurrence of findings.

Should we not receive your response within thirty (30) calendar days from the date of this letter, it will be assumed that your agency believes 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 Joshua Netherton, NEPA Staff Scientist, at Metric Environmental LLC, 6958 Hillside Court, Indianapolis, Indiana 46250, by telephone at 317.981.3093, or JoshuaN@MetricEnv.com, or Lauren Wilburn, INDOT PM, at the INDOT Crawfordsville District office, 100 N. Senate Avenue, N758-FM, Indianapolis, IN 46204 or lwilburn@INDOT.in.gov or by telephone 219.841.1245. Thank you in advance for your input.

Sincerely,


Joshua Netherton

Joshua Netherton
NEPA Staff Scientist
Metric Environmental, LLC

cc: File No. 21-0049-3
Dave Hedlund, JSE PM, dhedlund@jsengr.com
Lauren Wilburn, INDOT PM, lwilburn@INDOT.in.gov

Attachments: Recipient List, Location Map, USGS Topographic Map, 2019 Aerial Photograph Map

Attachments were intentionally removed. Please refer to Appendix B in the CE document.



INDIANA DEPARTMENT OF TRANSPORTATION

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Indianapolis, Indiana 46204

Eric J. Holcomb, Governor
Michael Smith, Commissioner

Federal Highway Administration
Kari Carmany-George
k.carmanygeorge@dot.gov

Indiana Geological and Water Survey
<https://igws.indiana.edu/eAssessment>

IDEM Groundwater Section
Environmental Manager
aturnbow@idem.in.gov

Indiana Department of Natural Resources
Division of Fish and Wildlife
environmentalreview@dnr.in.gov

Indiana Department of Transportation
Crawfordsville District
Environmental Section Manager
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Indiana Department of Transportation
Lauren Wilburn, INDOT PM
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Natural Resource Conservation Service
Indiana Suboffice
John Allen, Acting State Soil Scientist
John.Allen@usda.gov

U.S. Army Corps of Engineers
Louisville District
RegulatoryApplicationsLRL@usace.army.mil

US Fish and Wildlife Service
Bloomington Indiana Field Office
Robin McWilliams-Munson, Field Supervisor
robin_mcwilliams@fws.gov

Vigo County Floodplain Administrator
Sydney.shahar@vigocounty.in.gov

Vigo County Commissioners
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mike.morris@vigocounty.in.gov
chris.switzer@vigocounty.in.gov

Vigo County Surveyor
Don.Furnas@VigoCounty.In.Gov

Vigo County Highway Department
larry.robbs@vigocounty.in.gov

Vigo County Emergency Management
ema@vigosheriff.in.gov

Terre Haute Area Metropolitan Planning Organization
Executive Director
jweir@terrehauteedc.com

Sugar Creek Consolidated Elementary School
4226 W Old US 40
West Terre Haute, IN 47885

Big Sprouts Pre-School
3995 W Old US 40,
West Terre Haute, IN 47885

IDNR Reclamation Division
Director, Abandoned Mine Lands
cturpin@dnr.IN.gov

IDEM Wetlands and Stormwater Programs
jturner2@idem.in.gov
rbraun@idem.in.gov

State of Indiana
DEPARTMENT OF NATURAL RESOURCES
Division of Fish and Wildlife
Early Coordination/Environmental Assessment

DNR #: ER-25046

Request Received: October 3, 2022

Requestor: Metric Environmental
Joshua Netherton
6958 Hillsdale Court
Indianapolis, IN 46250

Project: I-70 EB rest area modernization at Clear Creek Rest Area at mile marker 2 with a new sewer line; Des #1902855

County/Site info: Vigo

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.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

Regulatory Assessment: This proposal will require the formal approval of our agency pursuant to the Flood Control Act (IC 14-28-1) for any proposal to construct, excavate, or fill in or on the floodway of Clear Creek, unless it qualifies for a general license under Administrative Rule 312 IAC 10-5 that applies to utility line crossings (see enclosure). Please include a copy of this letter with the permit application if the project does not meet the general license criteria.

Natural Heritage Database: The Natural Heritage Program's data have been checked. The DNR, Division of Fish & Wildlife's Wabashiki Fish & Wildlife Area (FWA), Indiana State University's Kieweg Woods, and a southwestern lowlands mesic upland forest natural community are located within 1/2 mile of the project area. The Division of Nature Preserves does not anticipate any impacts to the natural community as a result of this project.

Fish & Wildlife Comments: Avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts. The following are recommendations that address potential impacts identified in the proposed project area:

1) Directional Boring:

We recommend that all creek or stream crossings be done using a trenchless method. The length of the bore should include any forested riparian areas along the creek to minimize impacts to forested habitat. Install erosion control measures such as silt fencing or other appropriate devices around directional drilling pits in order to prevent drilling mud from leaving the immediate area of the pit or entering the stream.

If the open-trench method is necessary and the only feasible option at any of the planned stream crossings due to the site conditions, then the following measures should be implemented:

- a. Any open-trench stream crossing should be timed to coincide with the low-water time of year (typically mid- to late-summer).
- b. Restore disturbed streambanks using bioengineering bank stabilization methods and revegetate disturbed banks with native trees, shrubs and herbaceous plants. Stream bank slopes after project completion should be restored to stable-slope steepness (not steeper than 2:1).
- c. The cleared width through any forested area should be the minimum needed to install

Attachments: A - Utility Exemption Criteria

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the line and no more than 20 feet wide through the forested area to allow the canopy to close over the line.

d. Use graded stone or riprap to protect the section of trench below the normal water level from scour or erosion (any stone or riprap fill in the streambed must not be placed above the existing streambed elevation to avoid creating a fish passage obstruction).

2) Riparian Habitat:

In the tree clearing aerial overlay submitted, the green tree clearing polygon on the east side of the rest area involves tree removal very close to the stream's banks (this is an unnamed tributary to Clear Creek). A minimum 35' wide forested buffer should be maintained between the cleared areas and the top of the bank on both sides of the stream. For any unavoidable habitat impacts that will occur, we recommend a mitigation plan be developed (and submitted with the permit application, if required). The DNR's Habitat Mitigation Guidelines (and plant lists) can be found online at: <http://iac.iga.in.gov/iac/20200527-IR-312200284NRA.xml.pdf>.

Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to non-wetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, 1 inch to 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) or by using the 1:1 replacement ratio based on area depending on the type of habitat impacted (individual canopy tree removal in an urban streetscape or park-like environment versus removal of habitat supporting a tree canopy, woody understory, and herbaceous layer). Impacts under 0.10 acre in an urban area may still involve the replacement of large diameter trees but typically do not require any additional mitigation or additional plantings beyond seeding and stabilizing disturbed areas. There are exceptions for high quality habitat sites however.

The mitigation site should be located in the floodway, downstream of the one (1) square mile drainage area of that stream (or another stream within the 8-digit HUC, preferably as close to the impact site as possible) and adjacent to existing forested riparian habitat.

The additional measures listed below should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources:

1. Revegetate all bare and disturbed areas with a mixture of native grasses, sedges, wildflowers, and also native hardwood trees and shrubs if any woody plants are disturbed during construction as soon as possible upon completion. Do not use any varieties of Tall Fescue or other non-native plants, including prohibited invasive species (see 312 IAC 18-3-25).
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 or Northern Long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
5. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the waterbody or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
6. Seed and protect all disturbed streambanks and slopes not protected by other methods that are 3:1 or steeper with erosion control blankets that are heavy-duty, biodegradable, and net free or that use loose-woven / Leno-woven netting to minimize

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the entrapment and snaring of small-bodied wildlife such as snakes and turtles (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.

Contact Staff:

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife
Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.

Christie L. Stanifer **Date:** November 2, 2022
Christie L. Stanifer
Environ. Coordinator
Division of Fish and Wildlife



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Indiana Ecological Services Field Office
620 South Walker Street
Bloomington, IN 47403-2121
Phone: (812) 334-4261 Fax: (812) 334-4273

In Reply Refer To:

December 09, 2022

Project Code: 2023-0015386

Project Name: Des. 1902855, Rest Area Modernization Project, Clear Creek Welcome Center along I-70

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at - <http://www.fws.gov/midwest/endangered/section7/>

[s7process/index.html](#). This website contains step-by-step instructions which will help you determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process. For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of

Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. **Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.**

Attachment(s):

- Official Species List
- Migratory Birds
- Wetlands

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

(812) 334-4261

Project Summary

Project Code: 2023-0015386
Project Name: Des. 1902855, Rest Area Modernization Project, Clear Creek Welcome Center along I-70
Project Type: Road/Hwy - Maintenance/Modification
Project Description: The Indiana Department of Transportation, with funding from Federal Highway Administration, intends to proceed with a Rest Area Modernization project at the Clear Creek Welcome Center along I-70, Vigo County, Indiana (Des. No. 1902855).

The project is located at a welcome center on I-70 in Vigo County southwest of Terre Haute. The welcome center is located at mile marker 1 along the eastbound side of the highway. The project scope includes the demolishing and replacement of the existing rest area buildings and the reconfiguration of the parking areas to increase the number of car and truck parking spaces. Current wastewater treatment at the welcome center is carried out via a small package plant that discharges into a nearby stream. A new wastewater pipe will be installed for the welcome center to connect it to the municipal utility in Terre Haute. The wastewater pipe will begin at the welcome center and travel north and east along Old US 40. A new submersible lift station will be installed along Old US 40; the connection point for the wastewater pipe to tie into the municipal system is being evaluated, with the most likely point being a mobile home park on Gorham Place and the alternate point being a lift station at Darwin Road. Construction of the wastewater pipe will involve horizontal directional drilling along the roads that make up the route. Short-term lane closures may be required to place the boring equipment. In that case, traffic will be maintained with the use of flaggers. No lane closures will be required on I-64. The welcome center will be closed to traffic during construction. Utility easements will likely be needed along the roads as the apparent existing Right-Of-Way (ROW) does not extend beyond the edge of pavement. New ROW will also need to be purchased from land east of the welcome center to accommodate the parking area expansion. Temporary lighting may be required during construction. New permanent light poles will be installed at the welcome center and rest area as part of this remodel.

There is suitable summer habitat located within the project area. It is anticipated that approximately 8.12 acres of trees will be removed from the project area during the inactive season for bats in spring 2023. Of the 8.12 acres, 6.18 occur from 0 – 100 feet of paved surface. The remaining 1.94 acre is located within 100 to 300 feet of paved surface. A total 0.01 ac will be removed for new sewer line construction. No trees will be removed beyond 300 ft of paved surface. The dominant tree species to be

removed are black walnut (*Juglans nigra*), pin oak (*Quercus palustris*), and eastern cottonwood (*Populus deltoides*). To mitigate for 1.94 acre of tree impacts between 100 through 300 feet from edge of pavement, an in lieu payment of \$35,743.00 will be made to The Conservation Fund. This generated amount is based on the following: 1.94 acres between 100-300 ft. x (1.75 County Multiplier) x \$10,528.00 = \$35,742.56 = \$35,743.00.

A June 7, 2022, a review of the U.S. Fish and Wildlife Service database did not indicate the presence of endangered bat species within 0.5 mile of the project area. A total of six (6) building structures are located within the project and will be demolished as part of project construction. A Metric Environmental biologist completed an inspection of the buildings on October 26, 2022. No evidence of use by bats was observed.

The project is scheduled to begin in May 2023 and be completed by October 2024.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@39.446824899999996,-87.49467544305207,14z>



Counties: Vigo County, Indiana

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

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1. The [Migratory Birds Treaty Act](#) of 1918.
 2. The [Bald and Golden Eagle Protection Act](#) of 1940.
 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern \(BCC\) list](#) or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Sep 1 to Jul 31
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 20 to Jul 31
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25

NAME	BREEDING SEASON
Eastern Whip-poor-will <i>Antrastomus vociferus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Aug 20
Field Sparrow <i>Spizella pusilla</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds Mar 1 to Aug 15
Henslow's Sparrow <i>Ammodramus henslowii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3941	Breeds May 1 to Aug 31
Kentucky Warbler <i>Oporornis formosus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 20
Prairie Warbler <i>Dendroica discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 1 to Jul 31
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Aug 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see

below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

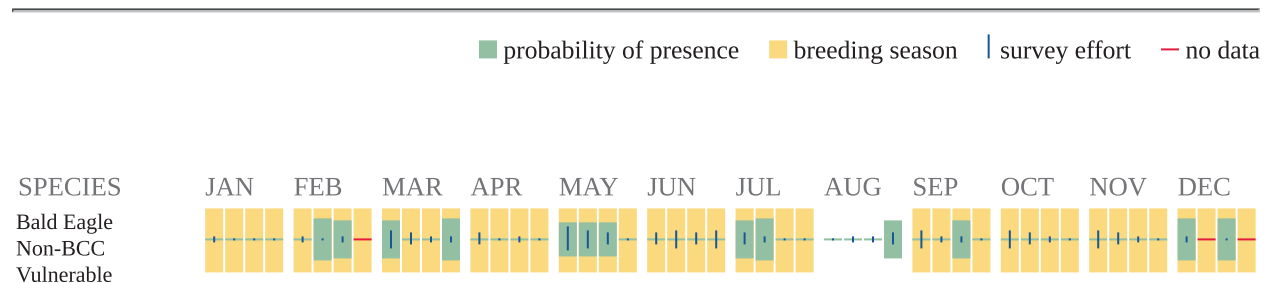
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.





Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of

certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Wetlands

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

RIVERINE

- [R2UBH](#)

FRESHWATER FORESTED/SHRUB WETLAND

- [PFO1A](#)

IPaC User Contact Information

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State: IN
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Lead Agency Contact Information

Lead Agency: Department of Transportation

Rest Area Modernization








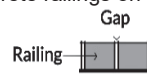
Bat Inspection for Des. No. 1902855

Legend

- B** Covered Picnic Area Bldg ID # 840302
- C** Rest Area Outbuilding Bldg ID # 840310
- F** Rest Area Outbuilding Bldg ID # 840311
- E** Rest Area Outbuilding Bldg ID # 840313
- D** Rest Area Outbuilding Bldg ID # 840314
- A** Rest Area Welcome Center Bldg ID # 840301











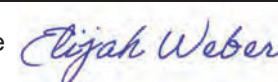
Bridge/Structure Bat Assessment Form

Date & Time of Assessment	26 October 2022	DOT Project Number	1902855	Route/Facility Carried	N/A	County	Vigo
Federal Structure ID	Bldg ID # 840301	Structure Coordinates (latitude and longitude)	39.441713 -87.500270	Structure Height (approximate)	30 Feet	Structure Length	176 Feet
Structure Type (check one)				Structure Material (check all that apply)			
<i>Bridge Construction Style</i>				<i>Deck Material</i>			
<input type="radio"/> Cast-in-place 		<input type="radio"/> Pre-stressed Girder 		<input type="checkbox"/> Metal <input type="checkbox"/> Concrete <input type="checkbox"/> Timber <input type="checkbox"/> Open grid <input type="checkbox"/> Other:		<input type="checkbox"/> None <input type="checkbox"/> Concrete <input type="checkbox"/> Steel <input type="checkbox"/> Timber <input type="checkbox"/> Other:	
<input type="radio"/> Flat Slab/Box 		<input type="radio"/> Steel I-beam 		<input type="checkbox"/> Concrete <input type="checkbox"/> Plastic <input type="checkbox"/> Stone/Masonry <input type="checkbox"/> Other:		<input type="checkbox"/> Concrete <input type="checkbox"/> Timber <input type="checkbox"/> Stone/Masonry <input type="checkbox"/> Other:	
<input type="radio"/> Truss 		<input type="radio"/> Covered 		<input type="checkbox"/> Culvert Material		<input type="checkbox"/> Yes <input type="checkbox"/> Unknown <input checked="" type="radio"/> No	
<input type="radio"/> Parallel Box Beam 		<input type="radio"/> Other:		<input type="checkbox"/> Metal <input type="checkbox"/> Concrete <input type="checkbox"/> Plastic <input type="checkbox"/> Stone/Masonry <input type="checkbox"/> Other:		Creosote Evidence <input type="checkbox"/> Yes <input checked="" type="radio"/> No	
Culvert Type				Other Structure			
<input type="radio"/> Box <input type="radio"/> Pipe/Round <input type="radio"/> Other:				<input checked="" type="radio"/> Rest Area Welcome Center			
Crossings Traversed (check all that apply)				Surrounding Habitat (check all that apply)			
<input type="checkbox"/> Bare ground <input type="checkbox"/> Rip-rap <input type="checkbox"/> Flowing water <input type="checkbox"/> Standing water <input type="checkbox"/> Seasonal water		<input type="checkbox"/> Open vegetation <input type="checkbox"/> Closed vegetation <input type="checkbox"/> Railroad <input type="checkbox"/> Road/trail - Type: <input checked="" type="checkbox"/> Other: Rest Area Welcome Center		<input type="checkbox"/> Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Residential-urban <input type="checkbox"/> Residential-rural <input checked="" type="checkbox"/> Woodland/forested		<input type="checkbox"/> Grassland <input type="checkbox"/> Ranching <input type="checkbox"/> Riparian/wetland <input checked="" type="checkbox"/> Mixed use <input type="checkbox"/> Other:	
Areas Assessed (check all that apply)							
Check all areas that apply. If an area is not present in the structure, check the "not present" box. Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.							
Area (check if assessed)		Assessment Notes		Evidence of Bats (include photos if present)			
<input type="checkbox"/> All crevices and cracks: Bridges/culverts: rough surfaces or imperfections in concrete Other structures: soffits, rafters, attic areas		<input type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input checked="" type="checkbox"/> Concrete surfaces (open roosting on concrete)		<input type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Spaces between concrete end walls and the bridge deck		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Crack between concrete railings on top of the bridge deck 		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Vertical surfaces on concrete I-beams		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Spaces between walls, ceiling joists		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Weep holes, scupper drains, and inlets/pipes		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> All guiderails		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> All expansion joints		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
Name: Elijah Weber				Signature: <i>Elijah Weber</i>			

Bridge/Structure Bat Assessment Form

Date of Assessment 26 October 2022	DO Project Number 1902855	Route/Facility Carried N/A	County Vigo
Federal Structure ID Bldg ID # 840302	Structure Coordinates Latitude and Longitude 39.441269 -87.500226	Structure Height Approximate 20 Feet	Structure Length 25 Feet
Structure Type <input type="checkbox"/> Structure Material <input type="checkbox"/>		Structure Material <input type="checkbox"/>	
Bridge Construction Style		Deck Material	Beam Material
<input type="radio"/> Cast-in-place	<input type="radio"/> Prestressed girder	<input type="checkbox"/> Metal	<input type="checkbox"/> None
<input type="radio"/> Flat slab/Box	<input type="radio"/> Steel I-beam	<input type="checkbox"/> Concrete	<input type="checkbox"/> Concrete
<input type="radio"/> Truss	<input type="radio"/> Corroded	<input type="checkbox"/> Timber	<input type="checkbox"/> Steel
<input type="radio"/> Parallel Box Beam	<input type="radio"/> Other	<input type="checkbox"/> Open grid	<input type="checkbox"/> Timber
		<input type="checkbox"/> Other	<input type="checkbox"/> Other
Culvert Type	Other Structure	Culvert Material	
<input type="radio"/> Box	<input type="radio"/> Covered Picnic Area	<input type="checkbox"/> Metal	<input type="checkbox"/> Concrete
<input type="radio"/> Pipe/Round		<input type="checkbox"/> Plastic	<input type="checkbox"/> Stone/ Mason
<input type="radio"/> Other		<input type="checkbox"/> Other	<input type="checkbox"/> Other
Crossings Traversed <input type="checkbox"/>		Surrounding Habitat <input type="checkbox"/>	
<input type="checkbox"/> Bare ground	<input type="checkbox"/> Open vegetation	<input type="checkbox"/> Agricultural	<input type="checkbox"/> Grassland
<input type="checkbox"/> Riparian	<input type="checkbox"/> Closed vegetation	<input type="checkbox"/> Commercial	<input type="checkbox"/> Ranching
<input type="checkbox"/> Floating water	<input type="checkbox"/> Railroad	<input type="checkbox"/> Residential-urban	<input type="checkbox"/> Riparian/wetland
<input type="checkbox"/> Standing water	<input type="checkbox"/> Road/trail - e	<input type="checkbox"/> Residential-rural	<input checked="" type="checkbox"/> Disturbed
<input type="checkbox"/> Seasonal water	<input checked="" type="checkbox"/> Other Rest Area Covered Picnic Area	<input checked="" type="checkbox"/> Woodland/forested	<input type="checkbox"/> Other
Areas Assessed <input type="checkbox"/>			
Check all areas that apply. If an area is not present in the structure check the not present box. Document all bat indicators observed during the assessment. Include the species present in notes and provide photo documentation as indicated.			
Area <input type="checkbox"/>	Assessment Notes	Evidence of Bats include photos present	
<input type="checkbox"/> All crevices and cracks	<input type="checkbox"/> Not present	<input type="checkbox"/> Visible - live #	<input type="checkbox"/> Visible - dead #
<input checked="" type="checkbox"/> Bridges/culverts: rough surfaces or imperfections in concrete		<input type="checkbox"/> Anno	<input type="checkbox"/> A dible
<input type="checkbox"/> Other structures: soot spots/rat droppings in areas		<input type="checkbox"/> Staining	<input type="checkbox"/> Odor
<input checked="" type="checkbox"/> Concrete surfaces open roosting on concrete		<input type="checkbox"/> Staining	<input type="checkbox"/> Photos
<input type="checkbox"/> Gaps between concrete end walls and the bridge deck	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visible - live #	<input type="checkbox"/> Visible - dead #
<input type="checkbox"/> Cracks between concrete railings on top of the bridge deck	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Anno	<input type="checkbox"/> A dible
<input type="checkbox"/> Vertical surfaces on concrete I-beams	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Staining	<input type="checkbox"/> Odor
<input type="checkbox"/> Gaps between ceiling joists	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Anno	<input type="checkbox"/> Photos
<input type="checkbox"/> Wee holes sewer drains and inlets/ pipes	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Staining	<input type="checkbox"/> A dible
<input type="checkbox"/> All girders	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visible - live #	<input type="checkbox"/> Visible - dead #
<input type="checkbox"/> All expansion joints	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Anno	<input type="checkbox"/> A dible
		<input type="checkbox"/> Staining	<input type="checkbox"/> Odor
		<input type="checkbox"/> Anno	<input type="checkbox"/> Photos
Name: Elijah Weber		Signature:	

Bridge/Structure Bat Assessment Form

Date of Assessment 26 October 2022	DO Project Number 1902855	Route/Facility Carried N/A	County Vigo
Federal Structure ID Bldg ID # 840310	Structure Coordinates Latitude and Longitude 39.442484 -87.498677	Structure Height Approximate 25 Feet	Structure Length 38 Feet
Structure Type <input checked="" type="checkbox"/> Bridge Construction Style		Structure Material <input checked="" type="checkbox"/> all that apply	
<input type="checkbox"/> Cast-in-place  <input type="checkbox"/> Pre-stressed girder 		Deck Material	Beam Material
<input type="checkbox"/> Flat slab/Box  <input type="checkbox"/> Steel I-beam 		<input type="checkbox"/> Metal	<input type="checkbox"/> None
<input type="checkbox"/> Truss  <input type="checkbox"/> Corroded 		<input type="checkbox"/> Concrete	<input type="checkbox"/> Concrete
<input type="checkbox"/> Parallel Beam  <input type="checkbox"/> Other		<input type="checkbox"/> Timber	<input type="checkbox"/> Steel
Culvert Type		<input type="checkbox"/> Open grid	<input type="checkbox"/> Timber
<input type="checkbox"/> Box <input type="checkbox"/> Pipe/Round <input type="checkbox"/> Other		<input type="checkbox"/> Other	<input type="checkbox"/> Other
Other Structure		Culvert Material	
<input checked="" type="checkbox"/> Rest Area Obstruction #1		<input type="checkbox"/> Metal	<input type="checkbox"/> Concrete
		<input type="checkbox"/> Plastic	<input type="checkbox"/> Stone/Asphalt
		<input type="checkbox"/> Stone/Asphalt	<input type="checkbox"/> Other
		Creosote Evidence	
		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
		Notes:	
Crossings Traversed <input checked="" type="checkbox"/> all that apply		Surrounding Habitat <input checked="" type="checkbox"/> all that apply	
<input type="checkbox"/> Bare ground	<input type="checkbox"/> Open vegetation	<input type="checkbox"/> Agricultural	<input type="checkbox"/> Grassland
<input type="checkbox"/> Riparian	<input type="checkbox"/> Closed vegetation	<input type="checkbox"/> Commercial	<input type="checkbox"/> Ranching
<input type="checkbox"/> Floating water	<input type="checkbox"/> Railroad	<input type="checkbox"/> Residential-urban	<input type="checkbox"/> Riparian/wetland
<input type="checkbox"/> Standing water	<input type="checkbox"/> Road/trail - levee	<input type="checkbox"/> Residential-rural	<input checked="" type="checkbox"/> Disturbed
<input type="checkbox"/> Seasonal water	<input checked="" type="checkbox"/> Other Rest Area Obstruction #1	<input checked="" type="checkbox"/> Woodland/forested	<input type="checkbox"/> Other
Areas Assessed <input checked="" type="checkbox"/> all that apply			
Check all areas that apply. If an area is not present in the structure check the not present box. Document all bat indicators observed during the assessment. Include the species present in notes and provide photo documentation as indicated.			
Area checked	Assessment Notes	Evidence of Bats include photos if present	
<input checked="" type="checkbox"/> All crevices and cracks Bridges/culverts: rough surfaces or imperfections in concrete Other structures: soot spots/rat droppings in areas	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> Audible <input type="checkbox"/> species <input type="checkbox"/> Odor <input type="checkbox"/> Photos
<input checked="" type="checkbox"/> Concrete surfaces open roosting on concrete	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> Audible <input type="checkbox"/> species <input type="checkbox"/> Odor <input type="checkbox"/> Photos
<input type="checkbox"/> Gaps between concrete end walls and the bridge deck	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> Audible <input type="checkbox"/> species <input type="checkbox"/> Odor <input type="checkbox"/> Photos
<input type="checkbox"/> Cracks between concrete railings on top of the bridge deck 	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> Audible <input type="checkbox"/> species <input type="checkbox"/> Odor <input type="checkbox"/> Photos
<input type="checkbox"/> Vertical surfaces on concrete I-beams	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> Audible <input type="checkbox"/> species <input type="checkbox"/> Odor <input type="checkbox"/> Photos
<input type="checkbox"/> Gaps between ceiling joists	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> Audible <input type="checkbox"/> species <input type="checkbox"/> Odor <input type="checkbox"/> Photos
<input type="checkbox"/> Wee holes sewer drains and inlets/pipes	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> Audible <input type="checkbox"/> species <input type="checkbox"/> Odor <input type="checkbox"/> Photos
<input type="checkbox"/> All girders	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> Audible <input type="checkbox"/> species <input type="checkbox"/> Odor <input type="checkbox"/> Photos
<input type="checkbox"/> All expansion joints	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> Audible <input type="checkbox"/> species <input type="checkbox"/> Odor <input type="checkbox"/> Photos
Name: Elijah Weber		Signature: 	








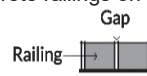
Bridge/Structure Bat Assessment Form

Date of Assessment 26 October 2022	DO Project Number 1902855	Route/Facility Carried N/A	County Vigo
Federal Structure ID Bldg ID # 840314	Structure Coordinates Latitude and Longitude 39.442472 -87.498141	Structure Height Approximate 12 Feet	Structure Length 10 Feet
Structure Type <input type="checkbox"/> Structure Material <input type="checkbox"/>		Structure Material <input type="checkbox"/>	
Bridge Construction Style		Deck Material	Beam Material
<input type="radio"/> Cast-in-place	<input type="radio"/> Prestressed girder	<input type="checkbox"/> Metal	<input type="checkbox"/> None
<input type="radio"/> Flat slab/Box	<input type="radio"/> Steel I-beam	<input type="checkbox"/> Concrete	<input type="checkbox"/> Concrete
<input type="radio"/> Truss	<input type="radio"/> Corroded	<input type="checkbox"/> Timber	<input type="checkbox"/> Steel
<input type="radio"/> Parallel Box Beam	<input type="radio"/> Other	<input type="checkbox"/> Open grid	<input type="checkbox"/> Timber
		<input type="checkbox"/> Other	<input type="checkbox"/> Other
Culvert Type	Other Structure	Culvert Material	
<input type="radio"/> Box	<input type="radio"/> Rest Area Obstruction #2	<input type="checkbox"/> Metal	<input type="checkbox"/> Concrete
<input type="radio"/> Pipe/Round		<input type="checkbox"/> Plastic	<input type="checkbox"/> Stone/ Masonry
<input type="radio"/> Other		<input type="checkbox"/> Other	<input type="checkbox"/> Other
Crossings Traversed <input type="checkbox"/>		Surrounding Habitat <input type="checkbox"/>	
<input type="checkbox"/> Bare ground	<input type="checkbox"/> Open vegetation	<input type="checkbox"/> Agricultural	<input type="checkbox"/> Grassland
<input type="checkbox"/> Riparian	<input type="checkbox"/> Closed vegetation	<input type="checkbox"/> Commercial	<input type="checkbox"/> Ranching
<input type="checkbox"/> Floating water	<input type="checkbox"/> Railroad	<input type="checkbox"/> Residential-urban	<input type="checkbox"/> Riparian/wetland
<input type="checkbox"/> Standing water	<input type="checkbox"/> Road/trail - levee	<input type="checkbox"/> Residential-rural	<input checked="" type="checkbox"/> Disturbed
<input type="checkbox"/> Seasonal water	<input checked="" type="checkbox"/> Other Rest Area Obstruction #2	<input checked="" type="checkbox"/> Woodland/forested	<input type="checkbox"/> Other
Areas Assessed <input type="checkbox"/>			
Check all areas that apply. If an area is not present in the structure check the not present box. Document all bat indicators observed during the assessment. Include the species present in notes and provide photo documentation as indicated.			
Area checked	Assessment Notes	Evidence of Bats include photos present	
<input checked="" type="checkbox"/> All crevices and cracks Bridges/culverts: rough surfaces or imperfections in concrete Other structures: soffits, rafters, attic areas	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
<input checked="" type="checkbox"/> Concrete surfaces open roosting on concrete	<input type="checkbox"/> Not present	<input type="checkbox"/> Scent	<input type="checkbox"/> Droppings
<input type="checkbox"/> Gaps between concrete end walls and the bridge deck	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Audible	<input type="checkbox"/> Species
<input type="checkbox"/> Cracks between concrete railings on top of the bridge deck 	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Scent	<input type="checkbox"/> Droppings
<input type="checkbox"/> Vertical surfaces on concrete I-beams	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
<input type="checkbox"/> Gaps between ceiling joists	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Scent	<input type="checkbox"/> Droppings
<input type="checkbox"/> Wee holes, sewer drains and inlets/pipes	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Audible	<input type="checkbox"/> Species
<input type="checkbox"/> All girders	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
<input type="checkbox"/> All expansion joints	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Scent	<input type="checkbox"/> Droppings
Name: Elijah Weber		Signature:	

Bridge/Structure Bat Assessment Form

Date of Assessment 26 October 2022	DO Project Number 1902855	Route/Facility Carried N/A	County Vigo
Federal Structure ID Bldg ID # 840313	Structure Coordinates Latitude and Longitude 39.442465 -87.498277	Structure Height Approximate 8 Feet	Structure Length 5 Feet
Structure Type check one		Structure Material check all that apply	
Bridge Construction Style		Deck Material	Beam Material
<input type="radio"/> Cast-in-place	<input type="radio"/> Prestressed girder	<input type="checkbox"/> Metal	<input type="checkbox"/> None
<input type="radio"/> Flat slab/Box	<input type="radio"/> Steel I-beam	<input type="checkbox"/> Concrete	<input type="checkbox"/> Concrete
<input type="radio"/> Truss	<input type="radio"/> Corroded	<input type="checkbox"/> Timber	<input type="checkbox"/> Steel
<input type="radio"/> Parallel Box Beam	<input type="radio"/> Other	<input type="checkbox"/> Open grid	<input type="checkbox"/> Timber
		<input type="checkbox"/> Other	<input type="checkbox"/> Other
Culvert Type	Other Structure	End/Back Wall Material	
<input type="radio"/> Box	<input checked="" type="radio"/> Rest Area Obstruction #3	<input type="checkbox"/> Concrete	<input type="checkbox"/> Concrete
<input type="radio"/> Pipe/Round		<input type="checkbox"/> Timber	<input type="checkbox"/> Stone/ Masonry
<input type="radio"/> Other		<input type="checkbox"/> Other	<input type="checkbox"/> Other
Crossings Traversed check all that apply		Culvert Material	
<input type="checkbox"/> Bare ground	<input type="checkbox"/> Open vegetation	<input type="checkbox"/> Metal	<input type="checkbox"/> Creosote Evidence
<input type="checkbox"/> Riparian	<input type="checkbox"/> Closed vegetation	<input type="checkbox"/> Concrete	<input type="checkbox"/> Yes
<input type="checkbox"/> Floating water	<input type="checkbox"/> Railroad	<input type="checkbox"/> Plastic	<input checked="" type="radio"/> No
<input type="checkbox"/> Standing water	<input type="checkbox"/> Road/trail - levee	<input type="checkbox"/> Stone/ Masonry	Notes:
<input type="checkbox"/> Seasonal water	<input checked="" type="checkbox"/> Other Rest Area Obstruction #3	<input type="checkbox"/> Other	
Surrounding Habitat check all that apply			
<input type="checkbox"/> Agricultural	<input type="checkbox"/> Commercial	<input type="checkbox"/> Grassland	
<input type="checkbox"/> Residential - Urban	<input type="checkbox"/> Residential - Rural	<input type="checkbox"/> Ranching	
<input type="checkbox"/> Woodland/ Forested	<input checked="" type="checkbox"/> Other	<input type="checkbox"/> Riparian/ Wetland	
Areas Assessed check all that apply			
Check all areas that apply. If an area is not present in the structure check the not present box. Document all bat indicators observed during the assessment. Include the species present in notes and provide photo documentation as indicated.			
Area check assessed	Assessment Notes	Evidence of Bats include photos if present	
<input checked="" type="checkbox"/> All crevices and cracks Bridges/culverts: rough surfaces or imperfections in concrete Other structures: soot spots, rat droppings, etc.	<input type="checkbox"/> Not present	<input type="checkbox"/> Visible - live #	<input type="checkbox"/> Audible
<input checked="" type="checkbox"/> Concrete surfaces open roosting on concrete		<input type="checkbox"/> dead #	<input type="checkbox"/> Odor
<input type="checkbox"/> Gaps between concrete end walls and the bridge deck	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Scent	<input type="checkbox"/> Photos
<input type="checkbox"/> Cracks between concrete railings on top of the bridge deck		<input type="checkbox"/> Trapping	
<input type="checkbox"/> Vertical surfaces on concrete I-beams	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visible - live #	<input type="checkbox"/> Audible
<input type="checkbox"/> Gaps between ceiling joists		<input type="checkbox"/> dead #	<input type="checkbox"/> Odor
<input type="checkbox"/> Wee holes, sewer drains and inlets/ pipes	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Scent	<input type="checkbox"/> Photos
<input type="checkbox"/> All girders	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Trapping	
<input type="checkbox"/> All expansion joints	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visible - live #	<input type="checkbox"/> Audible
		<input type="checkbox"/> dead #	<input type="checkbox"/> Odor
		<input type="checkbox"/> Scent	<input type="checkbox"/> Photos
Name: Elijah Weber		Signature:	

Bridge/Structure Bat Assessment Form

Date & Time of Assessment	26 October 2022	DOT Project Number	1902855	Route/Facility Carried	N/A	County	Vigo
Federal Structure ID	Bldg ID # 840311	Structure Coordinates (latitude and longitude)	39.442463 -87.498368	Structure Height (approximate)	8 Feet	Structure Length	4 Feet
Structure Type (check one)				Structure Material (check all that apply)			
<i>Bridge Construction Style</i>				<i>Deck Material</i>			
<input type="radio"/> Cast-in-place 		<input type="radio"/> Pre-stressed Girder 		<input type="checkbox"/> Metal <input type="checkbox"/> Concrete <input type="checkbox"/> Timber <input type="checkbox"/> Open grid <input type="checkbox"/> Other:		<input type="checkbox"/> None <input type="checkbox"/> Concrete <input type="checkbox"/> Steel <input type="checkbox"/> Timber <input type="checkbox"/> Other:	
<input type="radio"/> Flat Slab/Box 		<input type="radio"/> Steel I-beam 		<input type="checkbox"/> Concrete <input type="checkbox"/> Plastic <input type="checkbox"/> Stone/Masonry <input type="checkbox"/> Other:		<input type="checkbox"/> Concrete <input type="checkbox"/> Timber <input type="checkbox"/> Stone/Masonry <input type="checkbox"/> Other:	
<input type="radio"/> Truss 		<input type="radio"/> Covered 		<input type="checkbox"/> Culvert Material		<input type="checkbox"/> Yes <input type="checkbox"/> Unknown <input checked="" type="radio"/> No	
<input type="radio"/> Parallel Box Beam 		<input type="radio"/> Other:		<input type="checkbox"/> Metal <input type="checkbox"/> Concrete <input type="checkbox"/> Plastic <input type="checkbox"/> Stone/Masonry <input type="checkbox"/> Other:		Creosote Evidence <input type="checkbox"/> Yes <input checked="" type="radio"/> No	
Culvert Type				Notes:			
<input type="radio"/> Box <input type="radio"/> Pipe/Round <input type="radio"/> Other:		Other Structure <input checked="" type="radio"/> Rest Area Outbuilding #4					
Crossings Traversed (check all that apply)				Surrounding Habitat (check all that apply)			
<input type="checkbox"/> Bare ground <input type="checkbox"/> Rip-rap <input type="checkbox"/> Flowing water <input type="checkbox"/> Standing water <input type="checkbox"/> Seasonal water		<input type="checkbox"/> Open vegetation <input type="checkbox"/> Closed vegetation <input type="checkbox"/> Railroad <input type="checkbox"/> Road/trail - Type: <input checked="" type="checkbox"/> Other: Rest Area Outbuilding #4		<input type="checkbox"/> Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Residential-urban <input type="checkbox"/> Residential-rural <input checked="" type="checkbox"/> Woodland/forested		<input type="checkbox"/> Grassland <input type="checkbox"/> Ranching <input type="checkbox"/> Riparian/wetland <input checked="" type="checkbox"/> Mixed use <input type="checkbox"/> Other:	
Areas Assessed (check all that apply)							
Check all areas that apply. If an area is not present in the structure, check the "not present" box. Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.							
Area (check if assessed)		Assessment Notes		Evidence of Bats (include photos if present)			
<input type="checkbox"/> All crevices and cracks: Bridges/culverts: rough surfaces or imperfections in concrete Other structures: soffits, rafters, attic areas		<input type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input checked="" type="checkbox"/> Concrete surfaces (open roosting on concrete)		<input type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Spaces between concrete end walls and the bridge deck		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Crack between concrete railings on top of the bridge deck 		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Vertical surfaces on concrete I-beams		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Spaces between walls, ceiling joists		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Weep holes, scupper drains, and inlets/pipes		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> All guiderails		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> All expansion joints		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
Name: Elijah Weber				Signature: <i>Elijah Weber</i>			

Endangered Species Act Review

EVALUATING: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING NLEB OR INDIANA BAT

Qualification interview

The following questions will determine whether this key applies to your project and provide guidance to help you make appropriate determinations for the species covered by this key.

1. Is the project within the range of the Indiana bat^[1]? 001

[1] See [Indiana bat species profile](#)

Automatically answered

Yes

2. Is the project within the range of the Northern long-eared bat^[1]? 002

[1] See [Northern long-eared bat species profile](#)

Automatically answered

Yes

3. Which Federal Agency is the lead for the action? 003

A) Federal Highway Administration (FHWA)

4. Are *all* project activities limited to non-construction^[1] activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales) 004

[1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces^[1]? 005

[1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No

6. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum^[1]? 007

[1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

7. Is the project located **within** a karst area? 010

No

8. Is there *any* suitable^[1] summer habitat for Indiana Bat or NLEB **within** the project action area^[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat) 012

[1] See the Service's [summer survey guidance](#) for our current definitions of suitable habitat.

[2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the User's Guide for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat.

Yes

9. Will the project remove *any* suitable summer habitat^[1] and/or remove/trim any existing trees **within** suitable summer habitat? 013

[1] See the Service's summer survey guidance for our current definitions of suitable habitat.

Yes

10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail? 014

No

11. Have presence/probable absence (P/A) summer surveys^{[1][2]} been conducted^{[3][4]} **within** the suitable habitat located within your project action area? 017

[1] See the Service's summer survey guidance for our current definitions of suitable habitat.

[2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

[3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

[4] Negative presence/probable absence survey results obtained using the summer survey guidance are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

No

12. Does the project include activities **within documented Indiana bat habitat**^{[1][2]}? 022.Q

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

 No

13. Will the removal or trimming of habitat or trees occur **within suitable but undocumented Indiana bat roosting/foraging habitat or travel corridors**? 026.Q

 Yes

14. What time of year will the removal or trimming of habitat or trees **within suitable but undocumented Indiana bat roosting/foraging habitat or travel corridors** occur^[1]? 027

[1] Coordinate with the local Service Field Office for appropriate dates.

 B) During the inactive season

15. Does the project include activities **within documented NLEB habitat**^{[1][2]}? 030.Q

[1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics.

Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

[2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

16. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors? 034.Q

Yes

17. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur? 035

B) During the inactive season

18. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces? 043

Yes

19. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces? 044

Yes

20. Are *all* trees that are being removed clearly demarcated? 047

Yes

21. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting? 049
- Yes
22. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation? 053
- No
23. Does the project include slash pile burning? 055
- No
24. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)? 057
- No
25. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.) 089
- Yes
26. Is there *any* suitable habitat^[1] for Indiana bat or NLEB **within** 1,000 feet of the structure? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat) 090

[1] See the Service's current [summer survey guidance](#) for our current definitions of suitable habitat.

Yes

27. Has a structure assessment^[1] been conducted **within** the last 24 months^[2] to determine if bats are using the structure(s)?

[1] Structure assessment for occupied buildings means a cursory inspection for bat use. For abandoned buildings a more thorough evaluation is required (See [User Guide Appendix D](#) for bridge/abandoned structure assessment guidance).

[2] Assessments must be completed no more than 2 years prior to conducting any work on the structures, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that structure in subsequent years.

Yes

 [Bat Inspection Map.jpg](#)

 [21-0049-3 1902855 Metric Bat InspF 10262022.pdf](#)

 [21-0049-3 1902855 Metric Bat InspD 10262022.pdf](#)

 [21-0049-3 1902855 Metric Bat InspC 10262022.pdf](#)

 [21-0049-3 1902855 Metric Bat InspA 10262022.pdf](#)

 [21-0049-3 1902855 Metric Bat InspB 10262022.pdf](#)

28. Did the structure assessment detect *any* signs of Indiana bats and/or NLEBs roosting in/under the structure (bats, guano, etc.)^[1]?

[1] If bridge assessment detects signs of *any* species of bats, coordination with the local FWS office is needed to identify potential threatened or endangered bat species. Additional studies may be undertaken to try to identify which bat species may be utilizing the bridge prior to allowing *any* work to proceed.

No

29. Will the structure removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

Yes

30. Will the project involve the use of **temporary** lighting *during* the active season? 110

Yes

31. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **temporary** lighting will be used? 111

Yes

32. Will the project install *any* new or replace any existing **permanent** lighting in addition to the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities? 117

Yes

33. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **permanent** lighting (other than the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities) will be installed or replaced? 118

Yes

34. Does the project include percussives or other activities (**not including tree removal/trimming or bridge/structure work**) that will increase noise levels above existing traffic/background levels? 119.Q

No

35. Are *all* project activities that are **not associated with** habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives, limited to actions that DO NOT cause any additional stressors to the bat species? 129.Q

Examples: lining roadways, unlighted signage , rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

Yes

36. Will the project raise the road profile **above the tree canopy**?

131

No

37. Are the project activities that are not associated with habitat removal, tree removal/trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives consistent with a No Effect determination in this key? B020-NE

Automatically answered

Yes, other project activities are limited to actions that DO NOT cause any additional stressors to the bat species as described in the BA/BO

38. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key? B069-NLAA

Automatically answered

Yes, because the tree removal/trimming that occurs outside of the Indiana bat's active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost.

39. Is the habitat removal portion of this project consistent with a Likely to Adversely Affect determination in this key? B072-LAA

Automatically answered

Yes, because the tree removal that occurs outside the Indiana bat's active season is 100-300 feet from the existing road/rail surface, and is not in documented roosting/foraging habitat or travel corridors.

40. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key? B088-NLAA

Automatically answered

Yes, because the tree removal/trimming that occurs outside of the NLEB's active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost.

41. Is the habitat removal portion of this project consistent with a Likely to Adversely Affect determination in this key? B091-LAA

Automatically answered

Yes, because the tree removal that occurs outside the NLEB's active season is 100-300 feet from the existing road/rail surface, and is not in documented roosting/foraging habitat or travel corridors.

42. Is the structure removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key? B105-NE

Automatically answered

Yes, because the structure has been assessed using the criteria documented in the BA and no signs of bats were detected

EVALUATION PROGRESS

The Service reclassified the NLEB as an endangered species on November 30, 2022. As a result, the 2018 PBO requires reinitiation under 50 CFR §402.16. A revised 2022 PBO will be available in early 2023. Therefore, we recommend you use the 2022 FHWA, FRA, FTA PBO to complete consultation on your project.



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N758-ES
Indianapolis, Indiana 46204

PHONE: (317) 232-5113
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Eric Holcomb, Governor
Michael Smith, Commissioner

December 13, 2022

Robin McWilliams Munson
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
620 South Walker Street
Bloomington, IN 47403

Re: Programmatic Informal Consultation for the Indiana Bat and Northern Long-Eared Bat
Des. No. 1902855
Clear Creek Welcome Center Modernization, I-70
Vigo County, Indiana

Dear Ms. McWilliams Munson:

The Indiana Department of Transportation (INDOT) is acting on behalf of Federal Highway Administration (FHWA) and submitting this letter for standard informal consultation for the Indiana bat (*Myotis sodalis*) and Northern long-eared bat (*Myotis septentrionalis*) (NLEB). Based on the determination key provided on pages 23 - 32 below, the project is within the scope of the *Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana Bat and Northern Long-Eared Bat* due to proposed tree clearing between 100 feet to 300 feet from edge of pavement. In addition, the NLEB will be uplisted to federally endangered after the beginning of the year, 2023. Therefore, re-initiation of consultation may be required after January 30, 2023, when the new listing status takes effect.

Background

The project is located on I-70, in Vigo County, Indiana, at mile marker 1, approximately 4.1 miles west of Terre Haute. Specifically, the project is located within Sections 34 and 35, Township 12 North, Range 10 West of the Dennisville, Indiana 7.5-minute United States Geological Survey (USGS) topographic quadrangle. The need for the I-70 Clear Creek Welcome Center Modernization project is due to insufficient parking spaces and rest area facilities for the present and projected traffic volumes on I-70, as well as inadequate water supply and sewage for wastewater processing.

The project study area was entered into the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Construction (IPaC) website to obtain the Official Species List on December 9, 2022 (pages 7 to 22). A location map (page 36), project plans (pages 47 - 49), and tree removal graphics (pages 44 - 46) are provided below.

Proposed Improvements

The preferred alternative is to demolish and replace the existing welcome center and to reconfigure the parking lots to increase truck parking spaces. New permanent light poles will be installed as part of this remodel. New wastewater and water main routes will be installed for the welcome center. The proposed sanitary sewer route will follow W Old US 40 to connect with the existing lift station in the Town of Larimer Hill. The project area will encompass approximately 52.5 acres.

A new wastewater pipe will be installed for the welcome center to connect it to the municipal utility in Larimer Hill. The wastewater pipe will begin at the welcome center and travel north below I-70 to W Old US 40, following W Old US 40 to until it terminates at South Thorpe Place. A tie-in line extends north at South Gorham Place extending the line to the 40 West Mobile Home Park on the north side of National Avenue. The total length of the proposed wastewater pipe is approximately 1.2 miles. Construction of the wastewater pipe will involve horizontal directional drilling along the roads that make up the route. The Town of West Terre Haute will be responsible for maintaining traffic throughout the project area on local roads for the water line installation, but only temporary impacts are expected. Short-term lane closures may be required to place equipment or enable the boring equipment, in which case traffic will be maintained with the use of flaggers. Traffic will be maintained on I-70. The welcome center will be closed to traffic during construction, with standard barricades used to block off the entrances. Motorists will be advised of the work area with advanced sign placement, and signs that advertise the presence of the rest area will be placarded to indicate that the rest area is closed. No official or unofficial detour routes are anticipated during construction. No bridges or culverts are located within the project limits.

A total of 6.15 acres of trees will be removed from the project area to expand the parking areas, allow construction of new rest areas, and installation of new sanitary sewer lines. Of these 6.15 acres, 1.89 acres will be removed from the existing edge of pavement to 100 feet and 4.25 acres will be removed between 100 to 300 feet from edge of pavement. An additional 0.01 acre will be removed for new sewer line construction. No trees will be removed beyond 300 feet of paved surface.

Right-of-Way

An estimated six easements will be needed along local roads outside of the I-70 Right-of-Way (ROW) for construction of the wastewater route. No new permanent or temporary ROW will be necessary for project construction.

Construction Schedule

The project is scheduled to begin in May 2023 and be completed by October 2024. Tree removal is planned to be conducted prior to March 31, 2023.

Existing Habitat and Bat Data

The project area includes grass and trees within approximately 52.5 acres. Adjacent land use includes primarily agricultural, fragmented forest, and residential.

A review of the USFWS database did not indicate the presence of endangered bat species within 0.5 mile of the project area (page 6).

On October 26, 2022, a qualified Metric biologist inspected the six buildings within the I-70 Clear Creek Welcome Center. No signs of bats were seen or heard (pages 50 to 56).

On December 9, 2022, project information was submitted through the USFWS's Information for Planning and Consultation (IPaC) portal, and an official species list was generated (pages 7 - 22). There are no additional species or critical habitats within the project area under the jurisdiction of USFWS.

The Indiana Department of Natural Resource, Division of Fish and Wildlife (IDNR-DFW) responded on November 2, 2022, to the early coordination letter dated October 3, 2022. IDNR-DFW indicated that the Natural Heritage Program identified that the IDNR-DFW Wabashiki Fish & Wildlife Area (FWA), Indiana State University's Kieweg Woods, and a southwestern lowlands mesic upland forest natural community are located within 0.5 mile of the project area. The Division of Nature Preserves does not anticipate any impacts to the natural community as a result of this project. The IDNR-DFW response letter can be found on pages 33 to 35.

Water Resources and Wetland Impacts

The project area was surveyed for the presence of Waters of the U.S. by Metric Environmental on April 25, 2022. Six streams, totaling 4,662 linear feet (LFT), and two wetlands, totaling 0.188 acre, were identified within the welcome center project limits during the field reconnaissance. A second visit was completed on June 28, 2022, to examine the proposed sanitary sewer route corridor for Waters of the U.S. Two streams, totaling 364 linear feet (LFT) were identified within the sanitary sewer route corridor during the field reconnaissance. No wetlands were observed. The stream and wetland features were determined Waters of the U.S. Owing to the use of HDD for installation, there will be no impacts to any streams during this project to include the installation of new water and sewer lines.

The following stream features will be impacted as part of project construction at the I-70 Clear Creek Welcome Center. The streams are shown in the aerial photographs on pages 37 - 43 and are summarized below.

Clear Creek Welcome Center

- Stream: Unnamed Tributary (UNT) 1 to Clear Creek (2,006 LFT) is in the northeastern portion of the project area.
- Stream: UNT 5 to Clear Creek (227 LFT) is in the southeastern portion of the project area.

The following stream and wetland features will not be impacted as part of project construction at the I-70 Clear Creek Welcome Center. and wetlands

Clear Creek Welcome Center

- Stream: UNT 2 to Clear Creek (412 LFT) is in the northwestern portion of the project area.
- Stream: UNT 3 to Clear Creek (52 LFT) is in the northwestern portion of the project area and occurs outside of the construction limits.
- Stream: UNT 4 to Clear Creek (1,650 LFT) is in the northern portion of the project area.
- Stream: UNT 6 to Clear Creek (315 LFT) is in the southwestern portion of the project area.
- Wetland A (0.163 acre) is in the eastern portion of the project area.
- Wetland B (0.025 acre) is in the western portion of the project area.

New Sewer Line – No impacts are anticipated to any feature owing to use of HDD for installation.

- Stream: Clear Creek (258 LFT)
- Stream: UNT 1 to Clear Creek (106 LFT)

Permanent Impacts

Overall, there will be 163.91 cubic yards (CYS) of permanent impact within 0.051 acre of streams for a total of 205 linear feet (LFT) of stream impact.

UNT 1 to Clear Creek will be permanently impacted by 111.11 CYS of permanent impact over 0.034 acre below the ordinary high-water mark (OHWM), for a total of 150 LFT of permanent impact.

UNT 5 to Clear Creek will be permanently impacted by 52.8 CYS of permanent impact over 0.017 acre below the OHWM, for a total of 55 LFT of permanent impact.

UNT 2 to Clear Creek, UNT 3 to Clear Creek, UNT 4 to Clear Creek, and UNT 6 to Clear Creek, and Wetland A and Wetland B, will not be permanently impacted.

Habitat Impacts

The dominant tree species at the project area are black walnut (*Juglans nigra*), pin oak (*Quercus palustris*), and eastern cottonwood (*Populus deltoides*). Based on the presence of forest that contains mature trees, it is considered likely "suitable summer habitat."

During construction, noise and vibrations within the project area will include removing portions of existing concrete to construct the improvements, which would increase above current levels. Tree clearing is needed to construct the additional parking areas and buildings. The proposed tree clearing is shown on the aerial photographs on page 44 - 46 and is summarized below. The tree removal aerial for the welcome center on page 44 is expressed in distance from I-70 and includes all areas within the project limits. Tree clearing will not exceed 20 acres per 5-mile section of roadway. The building demolitions will occur during active bat season.

Table 1. Clear Creek Welcome Center – I-70 Tree Clearing Summary

	Tree Removal Acreage by Distance from Existing Paved Surface			
	Within 0 to 100 feet	Within 100 to 300 feet	Greater than 300 feet	Total Acres
Welcome Center	1.89	4.25	0.00	6.14
Sanitary Sewer Route	0.01	0.00	0.00	0.01
Total	1.9	4.25	0.00	6.15

The project will impact 4.25 acres of trees to be removed between 100 feet and 300 feet from edge of pavement. To mitigate for 4.25 acres of tree impacts between 100-300 feet from pavement edge, the amount to be paid to the Range-wide In-Lieu Fee Program, to be administered by The Conservation Fund, shall be \$78,302.00 (4.25 acres between 100 - 300 feet x (1.75 County Multiplier) x \$10,528.00 = \$78,302.00).

Commitments

The following commitments are proposed as Avoidance and Minimization Measures (AMM) to reduce potential impacts to the Indiana Bat and NLEB:

- General AMM 1: Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.
- Lighting AMM 1: Direct temporary lighting away from suitable habitat during the active season.
- Lighting AMM 2: When installing new or replacing existing permanent lights, use downward-facing, full cut-off2 lens lights (with same intensity or less for replacement lighting); or for those transportation the goal is to be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.
- Tree Removal AMM 1: Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to the extent practicable to avoid tree removal in excess of what is required to implement the project safely.
- Tree Removal AMM 2: Apply time of year (TOY) restrictions (April 1 - September 30) for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/rail surface and outside of documented roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed.
- Tree Removal AMM 3: Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).
- Tree Removal AMM 4: Do not remove documented Indiana bat or NLEB roosts that are still suitable for roosting; or trees within 0.25 miles of roosts; or documented foraging habitat any time of year.

- Contractors must take care when handling dead or injured bats (regardless of species), and any other federally listed species that are found at the Project site in order to preserve biological material in the best possible condition and protect the handler from exposure to diseases, such as rabies. Project personnel are responsible for ensuring that any evidence about determining the cause of death or injury is not unnecessarily disturbed. Reporting the discovery of dead or injured listed species is required in all cases to enable the Service to determine whether the level of incidental take exempted by the BO is exceeded, and to ensure that the terms and conditions are appropriate and effective. Parties finding a dead, injured, or sick specimen of any bat (regardless of species), or other endangered or threatened species, must promptly notify the USFWS Bloomington Field Office at (812) 334-4261.
- A “Reinitiation Notice” is required if: more than 6.15 acres of trees are to be cleared; the amount or extent of incidental take of Indiana bat is exceeded; new information about listed species is encountered; new species is listed or critical habitat designated that the project may affect; the project is modified in a manner that causes an effect to the listed species; or, new information reveals that the project may affect listed species or critical habitat in a manner not considered in the project information.
- The Project Sponsor will assure that \$78,302.00 of Preliminary Engineering funds will be allocated to the Range-wide In-Lieu Fee Program, administered by The Conservation Fund, to resolve formal consultation under the Range-wide Programmatic (4.25 acres between 100-300 feet x (1.75 County Multiplier) x \$10,528.00 = \$78,302). Payment shall be in process at the Ready for Contracts (RFC) date.
- Metric will re-initiate coordination with USFWS, after January 30, 2023, when the new NLEB listing status takes effect, to determine if an updated determination key is required.

Conclusion

Based on the review of existing data, assessment of likely suitable summer habitats, tree removal between 100 feet to 300 feet from edge of pavement, applied AMMs, and commitments, the FHWA has determined the proposed project has an effect finding of “**Likely to Adversely Affect (LAA)**” for the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*). The building demolitions will occur during active bat season.

The FHWA is requesting USFWS concurrence with this project “LAA” determination.

Please contact Jason Damm at (317) 605-2392 or Jason.d@metricenv.com if you have any questions or require additional information. We appreciate your attention to this project.

The attachments were intentionally removed. Please refer to Appendix B and Appendix F in the CE document.

Organization and Project Information

Project ID: 21-0049-3
Des. ID: 1902855
Project Title: I-70 Eastbound (EB) - Clear Creek Rest Area Modernization
Name of Organization: Metric Environmental, LLC.
Requested by: Joshua Netherton

Environmental Assessment Report

1. Geological Hazards:

- Potential Mine Subsidence ([CMIS](#))
- High liquefaction potential
- Floodway

2. Mineral Resources:

- Bedrock Resource: High Potential
- Sand and Gravel Resource: High Potential

3. Active or abandoned mineral resources extraction sites:

- Petroleum Exploration Wells
- Underground Coal Mines
- Surface Coal Mines
- Abandoned Industrial Minerals Sand Gravel Pits

*All map layers from Indiana Map (maps.indiana.edu)

DISCLAIMER:

This document was compiled by Indiana University, Indiana Geological Survey, using data believed to be accurate; however, a degree of error is inherent in all data. This product is distributed "AS-IS" without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability to a particular purpose or use. No attempt has been made in either the design or production of these data and document to define the limits or jurisdiction of any federal, state, or local government. The data used to assemble this document are intended for use only at the published scale of the source data or smaller (see the metadata links below) and are for reference purposes only. They are not to be construed as a legal document or survey instrument. A detailed on-the-ground survey and historical analysis of a single site may differ from these data and this document.

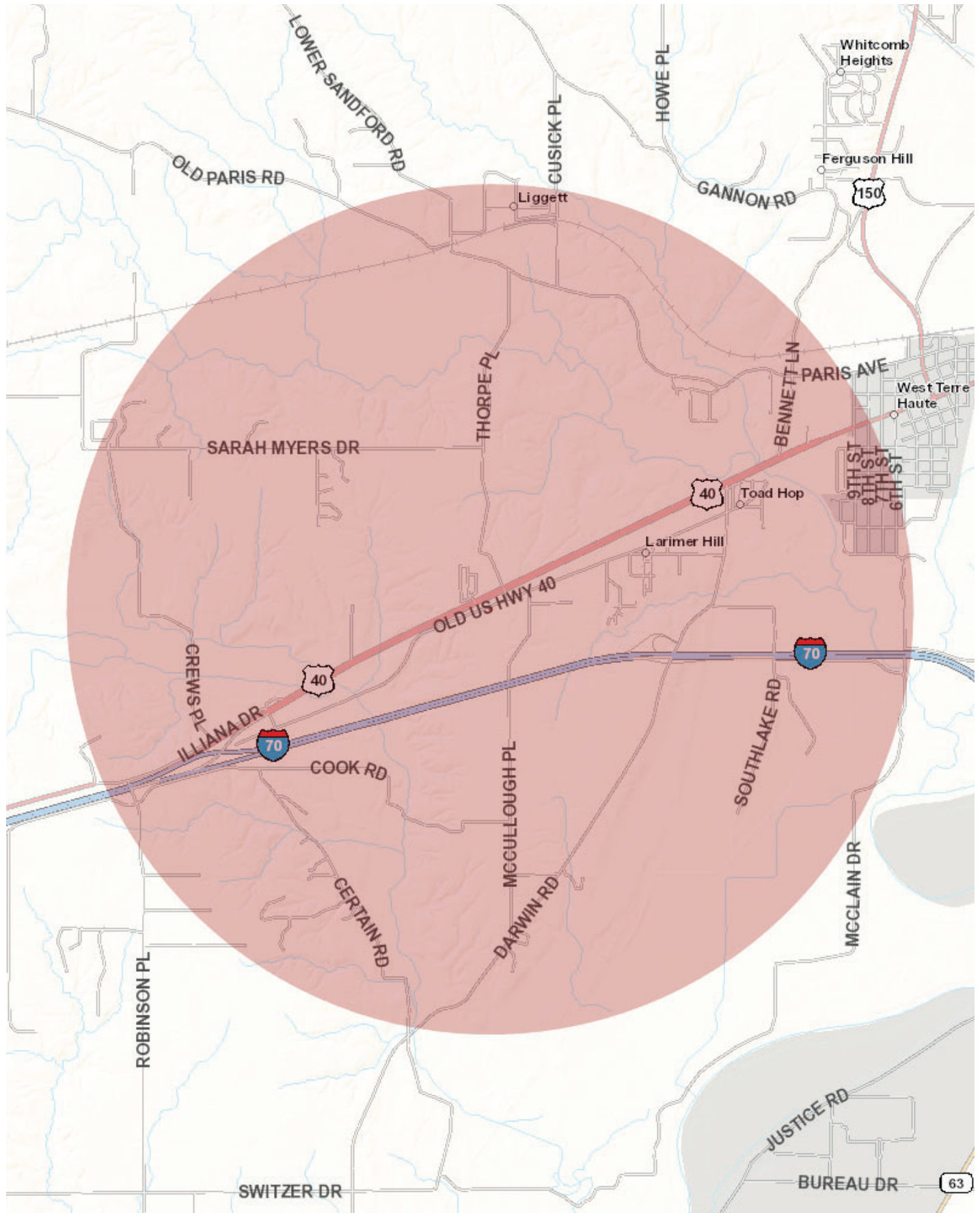
This information was furnished by Indiana Geological Survey

Address: 1001 E. 10th St., Bloomington, IN 47405

Email: IGSEnvir@indiana.edu

Phone: 812 855-7428

Date: November 08, 2022



Metadata:

- https://maps.indiana.edu/metadata/Geology/Petroleum_Wells.html
- https://maps.indiana.edu/metadata/Geology/Coal_Mines_Entries.html
- https://maps.indiana.edu/metadata/Geology/Coal_Mines_Underground.html
- https://maps.indiana.edu/metadata/Geology/Coal_Mines_Surface.html
- https://maps.indiana.edu/metadata/Geology/Industrial_Minerals_Sand_Gravel_Pits_Abandoned.html
- https://maps.indiana.edu/metadata/Geology/Seismic_Earthquake_Liquefaction_Potential.html
- https://maps.indiana.edu/metadata/Geology/Industrial_Minerals_Sand_Gravel_Resources.html
- https://maps.indiana.edu/metadata/Hydrology/Floodplains_FIRM.html
- https://maps.indiana.edu/metadata/Geology/Bedrock_Geology.html



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

October 17, 2022

Metric Environmental, LLC
Attention: Joshua Netherton
6958 Hillsdale Court
Indianapolis, IN 46250

Dear Joshua Netherton:

Re: Wellhead Protection Area
Proximity Determination
Des No 1902855
Rest Area Modernization Project,
Clear Creek Rest Area
I-70 Eastbound (EB), Mile Marker 2
Sugar Creek Township, Vigo County, Indiana

Upon review of the above referenced project site, it has been determined that the proposed project area **is not located within** a Wellhead Protection Area. However, the above referenced project site, it has been determined that the proposed project area **is located within 3,200 feet** of a Wellhead Protection Area. If the contact information is needed for the WHPA, please contact the reference located at the bottom of the letter for the appropriate information. The information is accurate to the best of our knowledge; however, there are in some cases a few factors that could impact the accuracy of this determination. Some Wellhead Protection Area Delineations have not been submitted, and many have not been approved by this office. In these cases, we use a 3,000-foot fixed radius buffer to make the proximity determination. To find the status of a Public Water Supply System's (PWSS's) Wellhead Protection Area Delineation please visit our tracking database at <http://www.in.gov/idem/cleanwater/2456.htm> and scroll to the bottom of the page.

The project area **is not located within** a Source Water Assessment Area for a PWSS's surface water intake. The Source Water Assessment Area relates to the surface water drainage area that water could potentially flow and influence water quality for a PWSS's source of drinking water.

In the future, **please consider using this self-service tool** if it suits your needs. The Drinking Water Branch has a self-service tool which allows one to determine wellhead proximity without submitting the application form. Go to <https://www.in.gov/idem/cleanwater/pages/wellhead/> and use the instructions at the bottom of the page.



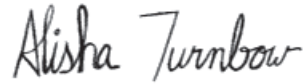
A State that Works

Please Reduce, Reuse, Recycle

Joshua Netherton
Page 2

If you have any additional questions, please feel free to contact me at the address above or at 317-233-9158 and aturnbow@idem.in.gov.

Sincerely,

A handwritten signature in black ink that reads "Alisha Turnbow". The signature is written in a cursive, flowing style.

Alisha Turnbow,
Environmental Manager
Ground Water Section
Drinking Water Branch
Office of Water Quality

October 27, 2022

Joshua Netherton
Metric Environmental
6971 Hillsdale Court
Indianapolis, Indiana 46250
joshuan@metricenv.com

Dear Mr. Netherton:

The proposed rest area modernization project in Vigo County, Indiana (Des. No. 1902855), as referred to in your letter received October 3, 2022, will not cause a conversion of prime farmland.

If you need additional information, please contact John Allen at 317-295-5859 or john.allen@usda.gov.

Sincerely,

JOHN ALLEN Digitally signed by JOHN ALLEN
Date: 2022.10.28 09:39:50 -04'00'

JOHN ALLEN
State Soil Scientist

Enclosers

IDNR Office of Reclamation Early Coordination Response

Subject: RE: Early Coordination Letter - I-70 Clear Creek Rest Area Modernization Project, EB Mile 2.0 (Des. No. 1902855)

From: Archer, Michael D <MArcher1@dnr.IN.gov>

Sent: Friday, December 2, 2022 10:23 AM

To: Joshua Netherton <joshuan@metricenv.com>

Cc: Weinzapfel, Steve J <sweinzapfel@dnr.IN.gov>; Ripley, Andrew B <ARipley@dnr.IN.gov>

Subject: RE: Early Coordination Letter - I-70 Clear Creek Rest Area Modernization Project, EB Mile 2.0 (Des. No. 1902855)

Hello Joshua Netherton,

I hope you are having a fantastic day. My name is Michael Archer and I work as an Environmental Specialist for the Division of Reclamation's Abandoned Mine Land program. I generally review and respond to Agency Early Coordination requests for the division.

I have reviewed the documents sent to this office on December 2nd, 2022 regarding the I-70 Clear Creek Rest Area Modernization Project, EB Mile 2.0 (Des. No. 1902855), in Vigo County, Indiana. After consulting our Coal Mine Information System (CMIS) web map, no surface or underground mines were found to be adjacent to the project boundary. The closest are the Robinson Mine that had a start date of 1930 and an end date of 1935 that has a coal member that is found at 145ft deep and a seam thickness of 5.5 feet; as well as the National Mine that had a start date of 1911 and an end date of 1927 with a coal member at 184 feet deep and a seam thickness of 4.17ft. The Abandoned Mine Land program has had no projects to address safety, health, or environmental hazards in relation to these mines and there have been no AML projects within the project limits of Des. No. 1902855. Given the scope of Des. No. 1902855, past mining activities should have no foreseeable impact on your work. Furthermore, after review of the information sent I do not foresee any adverse effects incurred as a result of this project. If you would like more detailed information on the mining history of this area, please see our CMIS web application. CMIS provides a map view of where mining has occurred in the state of Indiana showing location, a mine record, and a mine map if available.

CMIS Link: <https://indnr.maps.arcgis.com/apps/webappviewer/index.html?id=f30ca6a781cb4209b6e614789ca7185b>

- Just type the address into the search bar or scroll to the location you're looking for. If you click on the surface mine (orange) or underground mine (blue), it will open an information box. If you click more information, the mine record will open in a new tab.

If you need written records, you will need to fill out a form to request additional information for the mine. The directions to do this are below.

Form to request additional information on the mine: [form \(PDF\)](#)

Fill out Request for Public Record form and email to pac@dnr.in.gov

or mail to DNR, Public Record Request

Indiana Government Center South

402 W. Washington St., Room W256

Indianapolis, Indiana 46204

(317) 232-4200

(317) 233-6811

Please let me know if you have any questions or concerns.

Thank you for taking the time to read this, and I hope you have a fantastic day as well as a fantastic weekend.

--

Michael Archer
Environmental Specialist 2
Indiana Department of Natural Resources
Office of Reclamation
Office Phone: (812)665-2207
Mobile Phone: (812)652-8365
Marcher1@dnr.in.gov
Dnr.in.gov

From: Weinzapfel, Steve J <sweinzapfel@dnr.IN.gov>
Sent: Friday, December 2, 2022 8:00 AM
To: Archer, Michael D <MArcher1@dnr.IN.gov>; Royer, Brian <BRoyer@dnr.IN.gov>
Subject: FW: Early Coordination Letter - I-70 Clear Creek Rest Area Modernization Project, EB Mile 2.0 (Des. No. 1902855)

Gentlemen,

Please respond directly to Joshua Netherton if there are any AML or orphan well issues in the project area.

Thanks.

Steve Weinzapfel
Director, Division of Reclamation
Indiana Department of Natural Resources
14619 State Road 48 West
Jasonville, IN 47438
(812)665-2207
www.dnr.IN.gov

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Vigo County Surveyor's Office



Bruce Allen Jr.
Vigo County Surveyor

143 Oak Street • Terre Haute • Indiana • 47807 • Phone (812)462-3380 • Fax (812)234-1154 • Email: bruce.allen@vigocounty.in.gov

October 18, 2022

Re:
Des No: 1902855

Dear Josh Netherton:

Our office has reviewed the information included in your letter regarding **Des No 1902855**. We have identified **Four (4)** existing survey markers located in the proposed construction area of **Des. No. 1902855 Rest Area Modernization Project, Clear Creek Rest Area, Vigo County, Indiana**. We have reason to believe that said survey markers may be disturbed or damaged due to the proposed construction.

There are no Legal Drains Maintained by this office in the proposed construction area.

We have identified **One (1)** existing Benchmark located in the proposed construction area of **Des. No. 1902855 Rest Area Modernization Project, Clear Creek Rest Area, Vigo County, Indiana**.

We have reason to believe that said Benchmark will be destroyed or damaged due to the proposed construction. We would like to see said Benchmark preserved, if possible. If not and it is destroyed, we would like to see the information transferred to a New Benchmark and that information filed in our office.

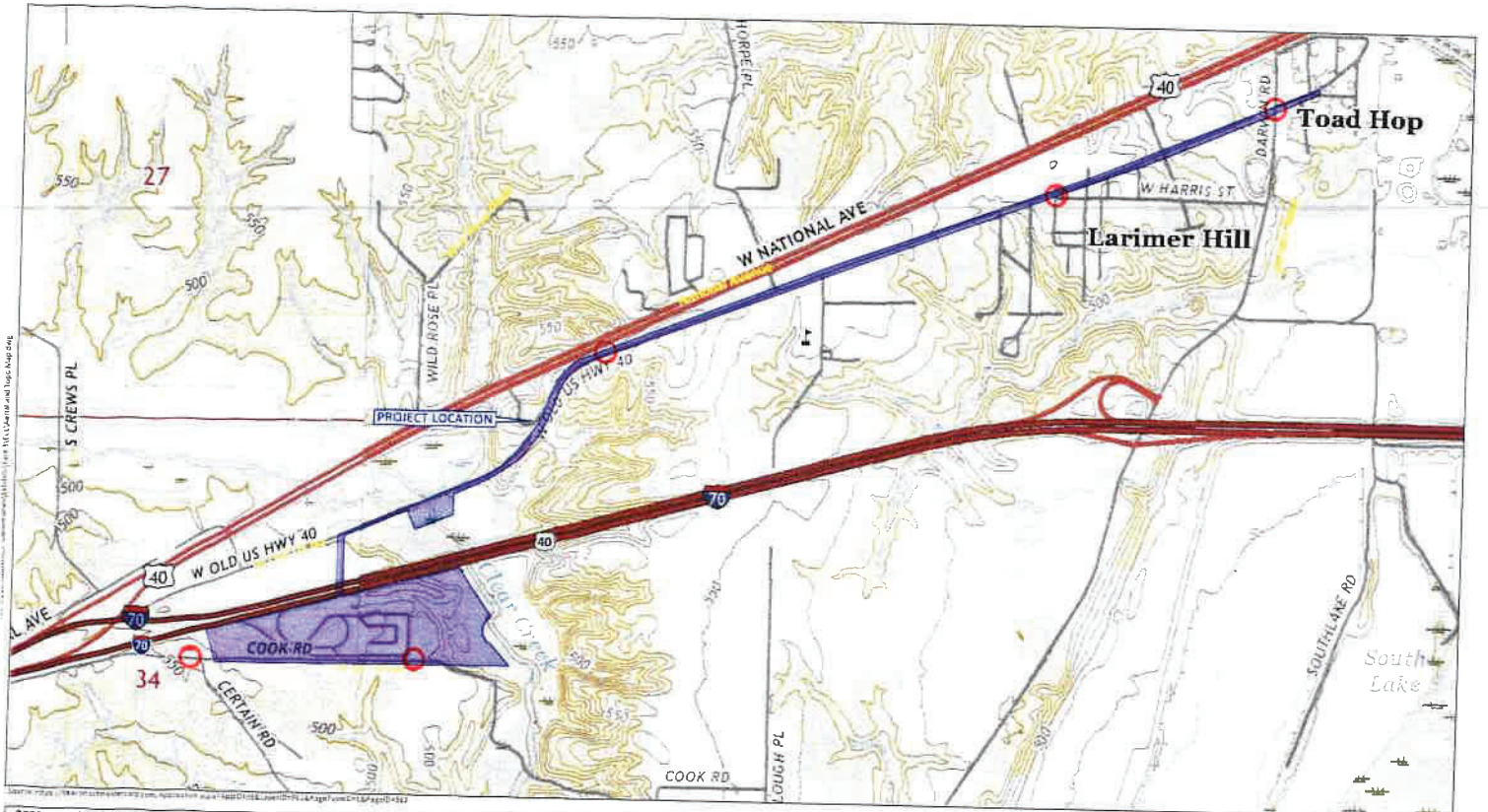
We have included a Map of the subject area and info from our stone books and Benchmark files for your review. Also we further require that if a Survey Marker is disturbed or destroyed that it be reset with a Harrison Survey Marker, supplied by this office. We also ask that paperwork be filed in our office showing tie-in information before the points are disturbed, and then paperwork showing coordinates at the time of resetting said monuments.

If you have any further questions or need additional information, please feel free to contact our office at: 812-462-3380.

Sincerely,

A blue ink signature of Bruce Allen Jr., consisting of stylized initials and a surname.

Bruce Allen Jr.
Vigo County Surveyor



2022 Aerial Photograph
 Environmental Services
 I-70 Rest Area Modernization - Clear Creek Welcome Center
 Vigo County, Indiana
 Des. No. 1902855
 Metric Project #21-0049-3

Note: All locations are approximate
 Base map:
 2019 Terre Haute, IN and
 2018 Demoson, IL
 7.5 Minute Quadrangle



METRIC
 ENVIRONMENTAL
 Drawn by: JLL
 Checked by: SC
 Authorized by: LHM
 Date: October, 2022



United States Department of the Interior
Fish and Wildlife Service



Indiana Field Office (ES)
620 South Walker Street
Bloomington, IN 47403-2121
Phone: (812) 334-4261 Fax: (812) 334-4273

December 30, 2022

Ms. Karstin Carmany-George
Federal Highway Administration
575 N. Pennsylvania St. Room 254
Indianapolis, Indiana 46204 (sent via email)

IPAC Project Code: 2023-0015386

RE: Des. 1902855, Clear Creek Welcome Center Modernization, I-70, Vigo County, Indiana

Dear Ms. Carmany-George:

The U.S. Fish and Wildlife Service (Service) received your letter dated December 19, 2022, regarding the proposed Clear Creek Welcome Center Modernization project (Project) located in Vigo County, Indiana. The Federal Highway Administration has determined the construction of the Project is likely to adversely affect the Indiana bat (*Myotis sodalis*) and/or the threatened northern long-eared bat (NLEB) (*Myotis septentrionalis*) due to winter tree clearing impacts between 100-300 feet from an existing roadway/parking area. You requested our concurrence that the Project may rely on the February 5, 2018, Programmatic Biological Opinion (PBO) for federally funded or approved transportation projects given the potential for adverse effects to these two listed bat species.

This letter provides the Service's response as to whether the Federal Highway Administration may rely on the PBO to comply with Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) for the Project's effects to the Indiana bat and/or NLEB.

Conclusion

The Service has reviewed the effects of the proposed Project, which includes the Federal Highway Administration's commitment to implement any applicable mitigation measures as indicated in their determination letter. We confirmed that the proposed Project's effects are consistent with those analyzed in the PBO and we have determined that construction projects consistent with the conservation measures and scope of the program analyzed in the PBO are not likely to jeopardize the continued existence of the Indiana bat and/or the NLEB. In coordination with your agency and the other sponsoring Federal Transportation Agencies, the Service will reevaluate this conclusion annually in light of any new pertinent information under the adaptive management provisions of the PBO.

Incidental Take

Indiana Bat

The Service anticipates that tree removal associated with the proposed Project will adversely affect Indiana bats resulting in take as defined in the ESA. As described in the Incidental Take Statement (ITS) of the PBO, such taking will be difficult to detect. The Service determined it is appropriate to use the loss of suitable habitat as a surrogate for the take of individual bats assessed under the PBO.

The proposed Project will remove 6.15 acres of trees from habitat that is suitable for the Indiana bat. All tree removal will occur in winter (October 1 – March 30) and comply with all other conservation measures in the PBO. Based on the PBO, 1.9 acres of the removal are within 100 feet of the edge of pavement and therefore not anticipated to result in any adverse effects; 4.25 acre(s) are within 100- 300 feet and expected to result in adverse effects.

The Federal Highway Administration will use the mitigation ratio of 1.75 from Table 3 of the PBO¹ to calculate the compensatory mitigation required to offset these adverse impacts for a total of 7.4375 acres² of trees that is suitable for the Indiana bat.

To comply with the mitigation requirements of the PBO, the Federal Highway Administration will contribute \$78,302.00 to The Conservation Fund (TCF) within 1 year of this letter or prior to the start of construction, whichever is earliest. These calculations are based on the mitigation identified above² and the August – December 2022 Land Use Values in Table 2 of Exhibit E in TCF's In-lieu Fee Instrument. If payment is made later than 1 year from the date of this letter, the mitigation cost may change because of updated land use values in Table 2 of Exhibit E³. At the time of payment, the Federal Highway Administration or designated non-federal representative shall notify the Service of compliance with the compensatory mitigation requirements as described above. The Federal Highway Administration or non-federal representative must notify TCF at least five days prior to payment so TCF can verify that the appropriate land value has been used.

The purchase of species conservation credits and/or in-lieu fee contributions shall occur prior to construction of a transportation project covered under this programmatic consultation. Exceptions to this program stipulation include emergency projects that do not require a letting prior to construction. In these cases, purchase of credits and/or in-lieu fee contributions shall occur within three months of completion of the project. This timeframe allows for measuring the acres of habitat affected by the emergency project and for financial processing.

¹ <https://www.fws.gov/media/compensatory-mitigation-ratios-indiana-bat-table-3-biological-opinion>

² XX acres * XX ratio

³ https://www.fws.gov/midwest/endangered/section7/fhwa/pdf/IBAT_ExhibitE_Table2_FeeSchedule_LandValues.pdf

In addition, the Project may take up to five (5) Indiana bats that were not detected during bridge/culvert and structure bat assessments conducted prior to implementing the proposed work. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service (refer to User Guide Appendix E - Post Assessment Discovery of Bats at Bridge/Structure Form). Although such take is reasonably certain to occur at up to 10 projects per year as included in the scope of the PBO, it is a remote possibility for any individual project that is implemented consistent with the conservation measures of the PBO.

The Service will add the acreage of Project-related tree removal to the annual total acreage attributed to the PBO as a surrogate measure of Indiana bat incidental take and exempted from the prohibitions of Section 9 of the ESA. Such exemption is effective as long as your agency implements the reasonable and prudent measure (RPM) and accompanying terms and conditions of the PBO's ITS.

The RPM of the PBO's ITS requires the Federal Transportation Agencies to ensure that State/Local transportation agencies, who choose to include eligible projects under the programmatic action, incorporate all applicable conservation measures in the project proposals submitted to the Service for ESA section 7 compliance using the PBO. The implementing terms and conditions for this RPM require the Federal Transportation Agencies to offer training to appropriate personnel about using the PBO, and promptly report sick, injured, or dead bats (regardless of species) or any other federally listed species located in project action areas.

Northern Long-eared Bat

In March 2022, the Service proposed to reclassify the NLEB from its current status as federally threatened to federally endangered. The original NLEB listing and current reclassification proposal are due to dramatic population declines associated with white-nose syndrome (WNS), a deadly fungal disease affecting hibernating bats such as the NLEB. On November 30, 2022, the reclassification action was finalized, and the new listing will go into effect January 30, 2023. Once the new classification is effective, re-initiation on this project due to the change in listing status for the NLEB will be required. At that time, an updated 2023 Programmatic Consultation and determination key (via the Information for Planning and Consultation website; IPAC) will be available for use.

The Service anticipates that tree removal associated with the Project will cause incidental take of NLEBs. However, the Project is consistent with the current PBO, and such projects will not cause take of NLEBs that is prohibited under the ESA section 4(d) rule for this species (50 CFR §17.40(o)). Therefore, until the time the reclassification rule becomes effective, incidental take of NLEBs resulting from this Project does not require exemption from the Service.

Reporting Dead or Injured Bats

The Federal Highway Administration, its State/Local cooperators, and any contractors must take care when handling dead or injured Indiana bats and/or NLEBs, or any other federally listed species that are found at the Project site to preserve biological material in the best possible condition and to protect the handler from exposure to diseases, such as rabies. Project personnel are responsible for ensuring that any evidence about determining the cause of death or injury is not unnecessarily disturbed. Reporting the discovery of dead or injured listed species is required

in all cases to enable the Service to determine whether the level of incidental take exempted by this PBO is exceeded, and to ensure that the terms and conditions are appropriate and effective. Parties finding a dead, injured, or sick specimen of any endangered or threatened species must promptly notify this Service Office.

Reinitiation Notice

This letter concludes consultation for the Project, which qualifies for inclusion in the PBO issued to the Federal Transportation Agencies. To maintain this inclusion, a reinitiation of this Project-level consultation is required where the Federal Highway Administration discretionary involvement or control over the Project has been retained (or is authorized by law) and if/when:

1. the amount or extent of incidental take of Indiana bat is exceeded;
2. new information reveals that the Project may affect listed species or critical habitat in a manner or to an extent not considered in the PBO;
3. the Project is subsequently modified in a manner that causes an effect to listed species or designated critical habitat not considered in the PBO; or
4. a new species is listed or critical habitat designated that the Project may affect.

Per condition #1 above, the anticipated incidental take is exceeded when:

- the Project removes more than the requested 4.25 acre(s) of suitable Indiana bat habitat between 100-300 feet from the edge of pavement; or
- the Project takes more than 5 Indiana bats resulting from work on bridges/structures.

Per condition #4 above, the NLEB will be reclassified from threatened to endangered on January 30, 2023 and re-initiation of consultation may be required.

In instances where the amount or extent of incidental take is exceeded, the Federal Highway Administration is required to immediately request a reinitiation of this Project-level consultation.

We appreciate your continued efforts to ensure that this Project is fully consistent with all applicable provisions of the PBO. If you have any questions regarding our response or if you need additional information, please contact Robin McWilliams Munson at Robin_Mcwilliams@fws.gov.

Sincerely,

PATRICE
ASHFIELD

Digitally signed by
PATRICE ASHFIELD
Date: 2022.12.30
15:18:18 -05'00'

Patrice Ashfield
Acting Field Supervisor

Cc (via email):

Sandy Bowman, INDOT, Indianapolis, IN
Benjamin Neild, INDOT, Crawfordsville, IN
Susan Castle, Metric, Indianapolis, IN
Ibat ILF coordinator – to be sent by INDOT at later date

APPENDIX D:
**Section 106 of the National Historic
Preservation Act**

**FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECT
ELIGIBILITY DETERMINATIONS
EFFECT FINDING
INTERSTATE 70 (I-70)/CLEAR CREEK REST AREA PROJECT
DES. NO.: 1902855**

**AREA OF POTENTIAL EFFECTS
(Pursuant to 36 CFR Section 800.4(a)(1))**

The Area of Potential Effects (APE) extends 500 feet beyond the project limits at the rest area, and 10 feet on each side of the water and sewer lines. The APE is wider around the rest area due to the larger scope of work and is narrower around the water and sewer lines because of limited sightlines and minor work scope. The APE for archaeology was the project footprint. A map of the APE can be found in Appendix A.

**ELIGIBILITY DETERMINATIONS
(Pursuant to 36 CFR 800.4(c)(2))**

The APE contains no properties listed, or eligible for listing, in the National Register of Historic Places (NRHP).

EFFECT FINDING

INDOT, acting on FHWA's behalf, has determined a "No Historic Properties Affected" finding is appropriate for this undertaking. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of effect.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

This undertaking will not convert property from any Section 4(f) historic property to a transportation use; the INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is "No Historic Properties Affected"; therefore no Section 4(f) evaluation is required.



Matthew S. Coon, for FHWA
Acting Manager
INDOT Cultural Resources

November 1, 2022

Approved Date

**FEDERAL HIGHWAY ADMINISTRATION
DOCUMENTATION OF SECTION 106 FINDING OF
NO HISTORIC PROPERTIES AFFECTED
SUBMITTED TO THE STATE HISTORIC PRESERVATION OFFICER
PURSUANT TO 36 CFR Section 800.4(d)(1)
INTERSTATE 70 (I-70)/CLEAR CREEK REST AREA PROJECT
DES. NO.: 1902855; DHPA NO.: 29400**

1. DESCRIPTION OF THE UNDERTAKING

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with the Interstate 70 (I-70)/Clear Creek Rest Area Project (Des. No. 1902855). The proposed undertaking is on eastbound I-70 at mile marker 2 between the Indiana State Line and Terre Haute, and it encompasses approximately 52.5 acres in Vigo County, Indiana. It is within Sugar Creek Township, on the Dennisville, Indiana USGS Topographic Quadrangle, in Sections 34 and 35, Township 12 N, Range 10 W.

The project is located in a rural and low-density residential area on mostly flat terrain surrounded by hilly woodlands. Old US 40 and I-70 runs east-west through the project area. Clear Creek flows east of the Clear Creek Rest Area. Residences are scattered along West Old US 40 and West 21st Road divided by wooded areas. Most of the residences date from the 1950s to present day.

The eastbound Clear Creek Rest Area was built in 1992 and it is a one-and-a-half-story building within a park-like setting among open grassy areas and shade trees, with large parking areas adjacent. The Clear Creek Rest Area has a large number of picnic tables, some of which are under shelters. The rest area building is a gable front building with a U-shaped cut-out in the gables, creating a recessed wall that contains a large round window in both gable ends. The rest area walls are clad in brick and concrete veneer. Northeast of the rest area are two sheds (refer to Appendix B for project site photographs).

The purpose of this project is to create a new rest area in accordance with INDOT's Long Range Plan for Rest Areas and Welcome Centers. The need for the project is due to the current condition of Clear Creek eastbound rest area, which does not offer most of these proposed modernizations, and its water and sewer lines are undersized to meet current demands. Secondly, the parking lot does not offer an adequate number of parking spaces for either automobile or semi-truck drivers.

The preferred alternative is to demolish and replace the existing rest area building and to reconfigure the parking lots to increase truck parking spaces. Ancillary work items include a new wastewater line installation, reconstruction of entrance and exit ramps, utility work, and landscaping. As stated in previous project descriptions, a new water line will also be constructed; however, that will be built under a separate Des. No. (1600203) and is not part of this undertaking. Current wastewater treatment at the welcome center is carried out via a small package plant that discharges into a nearby stream. A new wastewater pipe will be installed for the welcome center to connect it to the municipal utility in Terre Haute, a distance

of approximately 1.2 miles. The wastewater pipe will begin at the welcome center and travel north and east along Old US 40. A new submersible lift station will be installed along Old US 40; the connection point for the wastewater pipe to tie into the municipal system will be at Old US 40 and South Gorham Place, and will terminate at the intersection of Old US 40 and South Thorpe Place. Construction of the wastewater pipe will involve horizontal directional drilling along the roads that make up the route. No other permanent or temporary right-of-way will be needed for the undertaking.

The rest area would be closed during construction from June 2023 to December 2024. No detour routes are anticipated to be needed for construction of the water and wastewater lines. The exact project letting date at this time is unknown, but it is anticipated to occur in March or April 2023.

The Area of Potential Effects (APE) is the “geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties. The APE is influenced by the scale and nature of an undertaking. . .” (36 CFR 800.9(a)), which includes all locations where the project may result in disturbance of the ground; all locations from which elements of the project may be visible or audible; all locations where activity may result in changes in traffic patterns, land use, or public access; and all areas where there may be direct or indirect effects due to elements of the project.

The APE is wider around the two rest areas due to the larger scope of work at each location. The APE is narrower around the proposed sanitary sewer route because of limited sightlines and minor work scope. Please refer to Appendix A for maps of the project area and the APE, Appendix B for photographs of the project area, Appendix F for project plans, and Appendix G for a schematic showing the new wastewater line alignment.

2. EFFORTS TO IDENTIFY HISTORIC PROPERTIES

Early Coordination

Per 36 CFR 800.2(c)(1) the Federal agency fulfilling the Section 106 requirements is statutorily obligated to involve stakeholders in consultation. Per Section 101 (b)(3) of the National Historic Preservation Act of 1966, the Indiana State Historic Preservation Office (SHPO) is responsible for consulting on Federal undertakings that may affect historic properties.

On June 14, 2022, an Early Coordination Letter (ECL) was sent via email to the SHPO and to other stakeholders and interested parties. The INDOT-CRO sent the ECL via email to Tribes on June 15, 2022. The ECL provided project information, project location maps, and invited recipients to become consulting parties to the undertaking (the list of invited consulting parties can be referenced in Appendix E). The parties were requested to indicate whether they agreed or did not agree to participate as a consulting party within 30 days of receipt of the invitation. It was noted that if the invited consulting party did not reply, they would not be considered a consulting party and would not receive further information about the undertaking unless the scope changed. A hard copy of the ECL was also mailed to the SHPO on June 14, 2022.

In an email correspondence dated June 14, 2022, Marla Flowers of the Vigo County History Center accepted the invitation and provided updated contact information for herself, and stated Susan Tingley is no longer associated with the Vigo County Historical Society. In an email correspondence from Ms. Flowers on June 15, 2022, she stated the contact information for the county commissioners who were invited to become consulting parties in the ECL was incorrect and offered to provide the correct contact information. In the same email Ms. Flowers suggested adding the Terre Haute Chamber of Commerce as a consulting party and offered to provide the contact information for that organization, as well. In an email response to Ms. Flowers on June 16, 2022, Candace Hudziak of Metric Environmental, LLC, stated the updated contact information for both the commissioners and the chamber of commerce would be appreciated. Ms. Flowers did not respond to this reply; however, consulting party invitations are being made to the current Vigo County Commissioners and to the Terre Haute Chamber of Commerce (please see Appendix D for the list of consulting parties).

In a letter dated June 16, 2022, the Peoria Tribe of Indians of Oklahoma accepted the invitation to participate as a consulting party and stated that if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of the project, the Miami Tribe requests immediate consultation.

In a letter dated June 17, 2022, the Miami Tribe of Oklahoma accepted the invitation to participate as a consulting party and stated that if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of the project, the Miami Tribe requests immediate consultation.

In an email correspondence dated June 17, 2022, the Shawnee Tribe accepted the invitation to participate as a consulting party and stated that if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of the project, the Shawnee Tribe requests immediate consultation.

In a letter dated June 22, 2022, the SHPO acknowledged receipt of the ECL and noted they were not aware of any further stakeholders who should be invited to be consulting parties.

In an email dated June 23, 2022, the Forest County Potawatomi Community accepted the invitation to participate as a consulting party and stated in the event of an Inadvertent Discovery during any phase of the project in which human remains or archaeological materials are exposed as a part of project activities, work should cease immediately and their office and the SHPO should be consulted.

In an email dated July 21, 2022, the Eastern Shawnee Tribe accepted the invitation to participate as a consulting party and proposes No Adverse Effect or endangerment to known Eastern Shawnee sites. They also stated in the event of an Inadvertent Discovery during any phase of the project in which human remains or archaeological materials are exposed as a part of project activities, work should cease immediately and their office and the SHPO should be consulted.

All consulting parties' correspondence can be found in Appendix E.

Above-ground Investigation

To determine the presence of historic properties within the project's APE, a historic property short report (HPSR) was prepared by Timothy Miller of Metric Environmental, LLC (Miller, 9/21/2022). Miller is a Qualified Professional (QP) architectural historian who meets the Secretary of the Interior's Professional Qualification Standards pursuant to 36 CFR Section 800.4(b).

Miller conducted a literature review by examining the Indiana State Historic Architectural and Archaeological Research Database (SHAARD), Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBM), National Register of Historic Places (NRHP) database, the Indiana Historic Bridges Inventory, the INDOT-Cultural Resources Office (CRO) Public Web Map App, and the *Vigo County Historic Sites and Structures Inventory Interim Report* (1984). The literature review determined the APE contains no resources listed in the NRHP or in the Indiana Register of Historic Sites and Structures.

Additionally, Timothy Miller conducted a field survey on June 30, 2022, for the project.

As a result of identification and evaluation efforts for this project, the HPSR recommended no properties within the APE as eligible for listing in the NRHP. The full HPSR document may be downloaded from IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE).

The management summary and conclusion sections of the HPSR are presented in Appendix C.

Archaeological Survey

A Phase Ia Archaeology Report was prepared by Samuel Snell of Metric Environmental, LLC, (Snell, 8/3/2022). Snell is a Qualified Professional (QP) archaeologist who meets the Secretary of the Interior's Professional Qualification Standards pursuant to 36 CFR Section 800.4(b). A literature review of the SHAARD database indicated that there are five previously recorded archaeological sites within 0.5 miles of the project area. There is one cemetery within 0.5 miles of the project.

On June 23, 24, 28, and 29, 2022, Metric staff conducted field work that included a visual inspection, shovel probing, and soil coring within a survey area of 52.5 acres. Metric archaeologists located no archaeological resources eligible for listing in the National Register of Historic Places within the project area. The report recommended the project be allowed to proceed with no additional work. The Phase Ia Archaeology Report's results and recommendations are presented in Appendix D.

The HPSR and the Phase Ia Archaeology Report were distributed to consulting parties for review and comment on September 22, 2022.

On September 26, 2022, the Forest County Potawatomi acknowledged receipt of the HPSR and ASR materials and accepted the consulting party invitation. They offered no objection to the undertaking but

requested to be immediately notified and consulted if human remains or Native American cultural items are discovered during any phase of the proposed project.

On October 21, 2022, the SHPO acknowledged receipt of the HPSR and the Phase Ia Archaeological Report. Their office stated the HPSR's APE appears to be of adequate size, and that they agree with the conclusions of the HPSR that there are no NRHP eligible properties within the APE. The letter also included their office's concurrence with the Phase Ia report's recommendations that no archaeological resources are present within the project area, and that no further archaeological investigation is necessary. The letter stated that if any archaeological artifacts or human remains are uncovered during construction it must be reported to the SHPO within two business days.

As per a request made by Marla Flowers of the Vigo County Historical Society on June 15, 2022, a consulting party invitation is hereby being issued to the current Vigo County Commissioners: Mike Morris, Chris Switzer, and Brandan Kearns, as well as to the Terre Haute Chamber of Commerce, to provide these parties an opportunity to review and comment upon this undertaking and INDOT's finding of "No Historic Properties Affected" within 30 days of receipt.

Copies of consulting parties' correspondence are located in Appendix E.

No other consulting parties offered an objection to the proposed APEs and NRHP eligibility recommendations of both the project historian and archaeologist. Thus, since no historic properties are present within the APE, a finding of "No Historic Properties Affected" has been made for this undertaking.

3. BASIS FOR FINDING

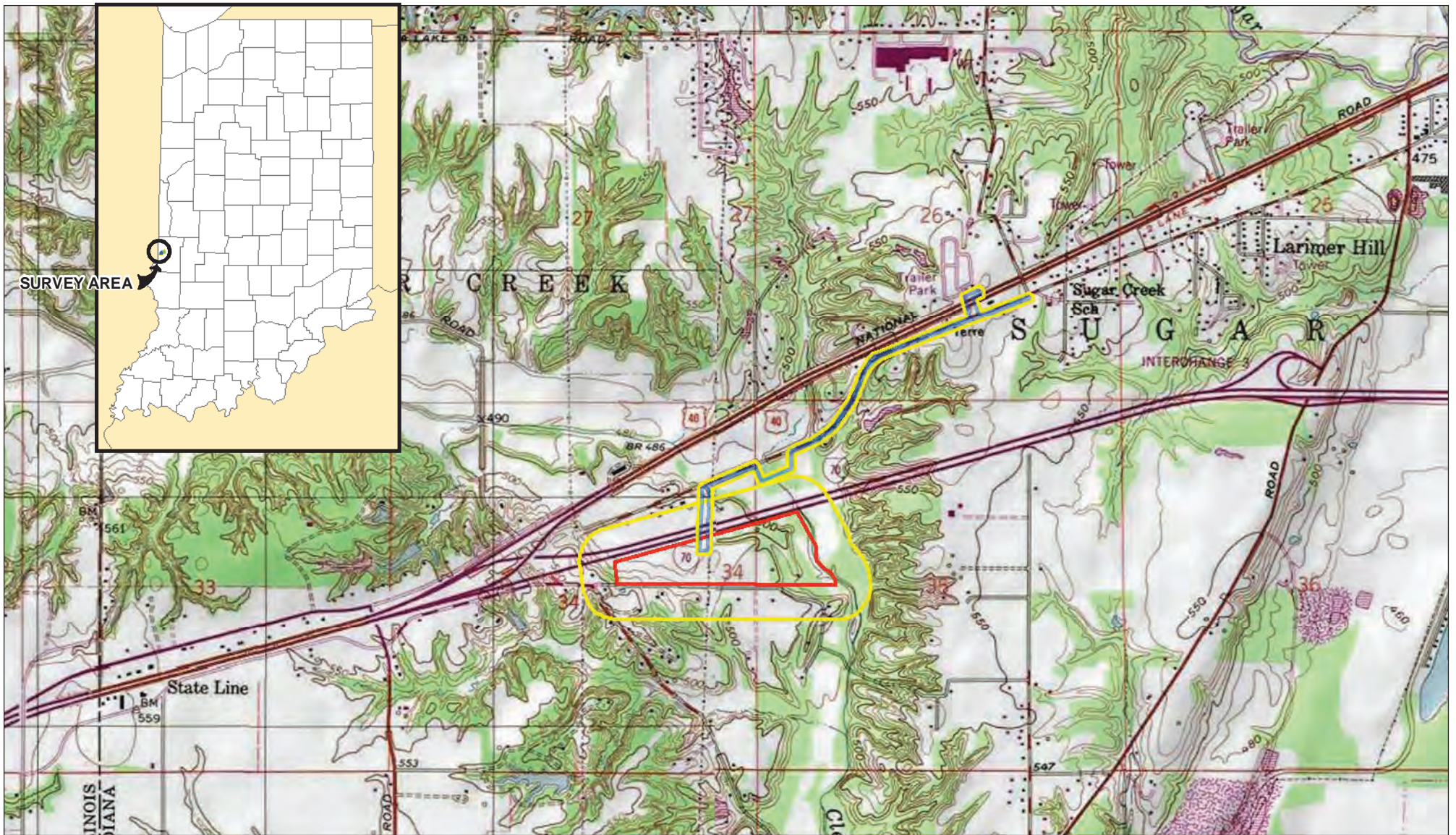
No historic properties are present within the APE.

INDOT's Finding, made on behalf of the FHWA, and supporting 800.11[d] documentation are hereby provided to the SHPO for a final 30-day comment period. Views of the public are being concurrently sought through publication of the Finding in the Terre Haute (Vigo Co) *Tribune-Star* newspaper. This document will be revised, if necessary, if public comment warrants it.

APPENDICES

- A. Project Location Maps and APE
- B. Project Site Photographs and Key Maps
- C. Historic Property Short Report Management Summary and Conclusions
- D. Phase Ia Archaeology Report Results and Recommendations
- E. Consulting Parties' List and Correspondence
- F. Project Plans
- G. New Wastewater Pipe Alignment Schematic

Appendix A: Project Location Maps and APE



- APE
- Project Area Rest Area
- Project Area Sewer Line

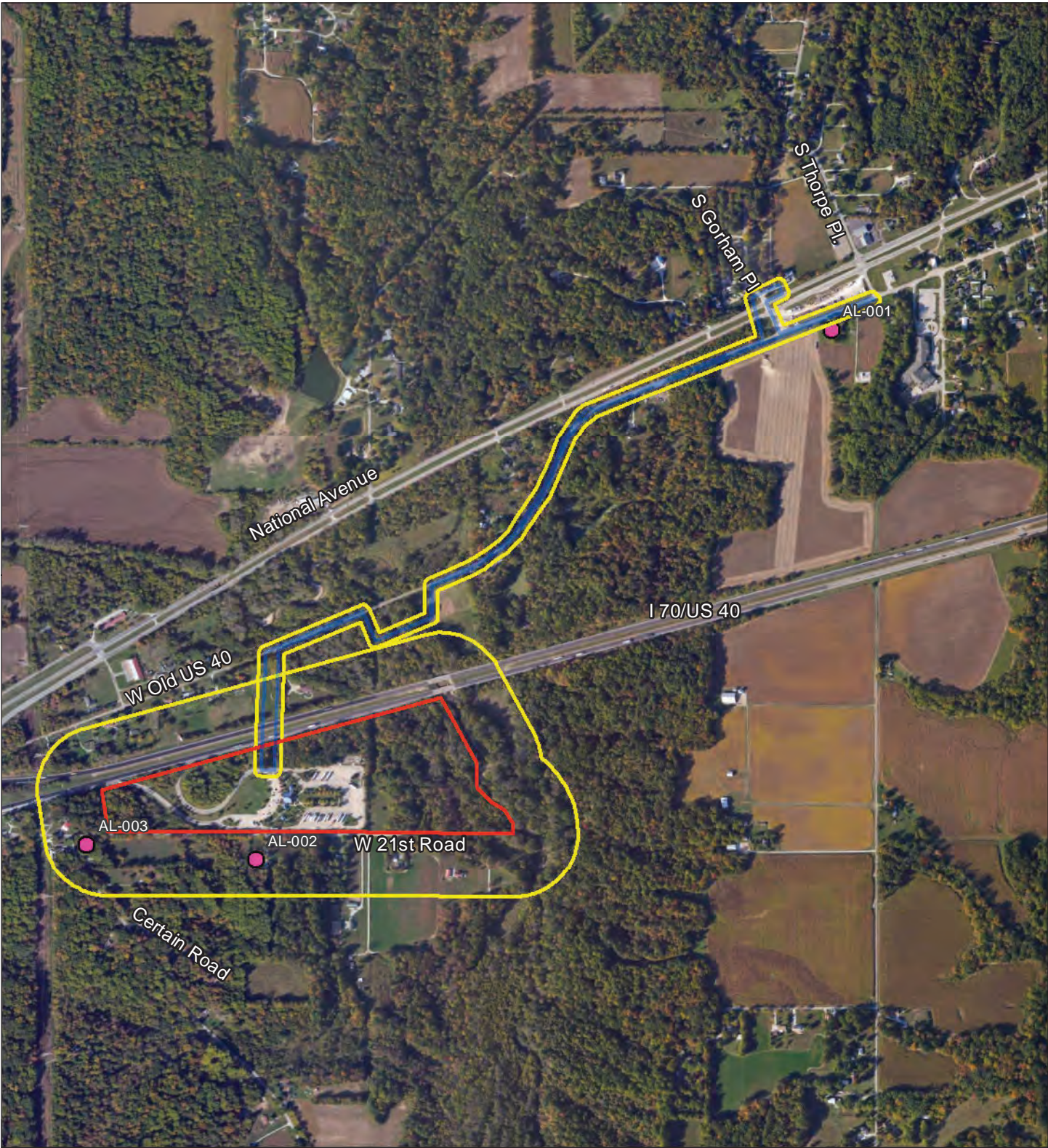
Figure 1. Project area on a portion of the 1986 Terre Haute and 1972 Dennison, IN, 7.5 Minute Quadrangle
 I-70 Rest Area Modernization
 Clear Creek Welcome Center
 Vigo County, Indiana
 Des. No. 1902855
 Metric Project No. 21-0049-3 Map Date: 06/15/2022

All locations approximate
 Source: Imagery Date 1986



1 inch = 2,000 feet





- Wastewater Line Project Area ■ APE
- Rest Area Project Area ● Architectural Location

Figure 2. Project area and proposed APE on an aerial photograph
 I-70 Rest Area Modernization
 Clear Creek Welcome Center
 Vigo County, Indiana
 Des. No. 1902855
 Metric Project No. 21-0049-3
 Map Date: 06/15/2022

All Locations Approximate
 2012 Basemap
 Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

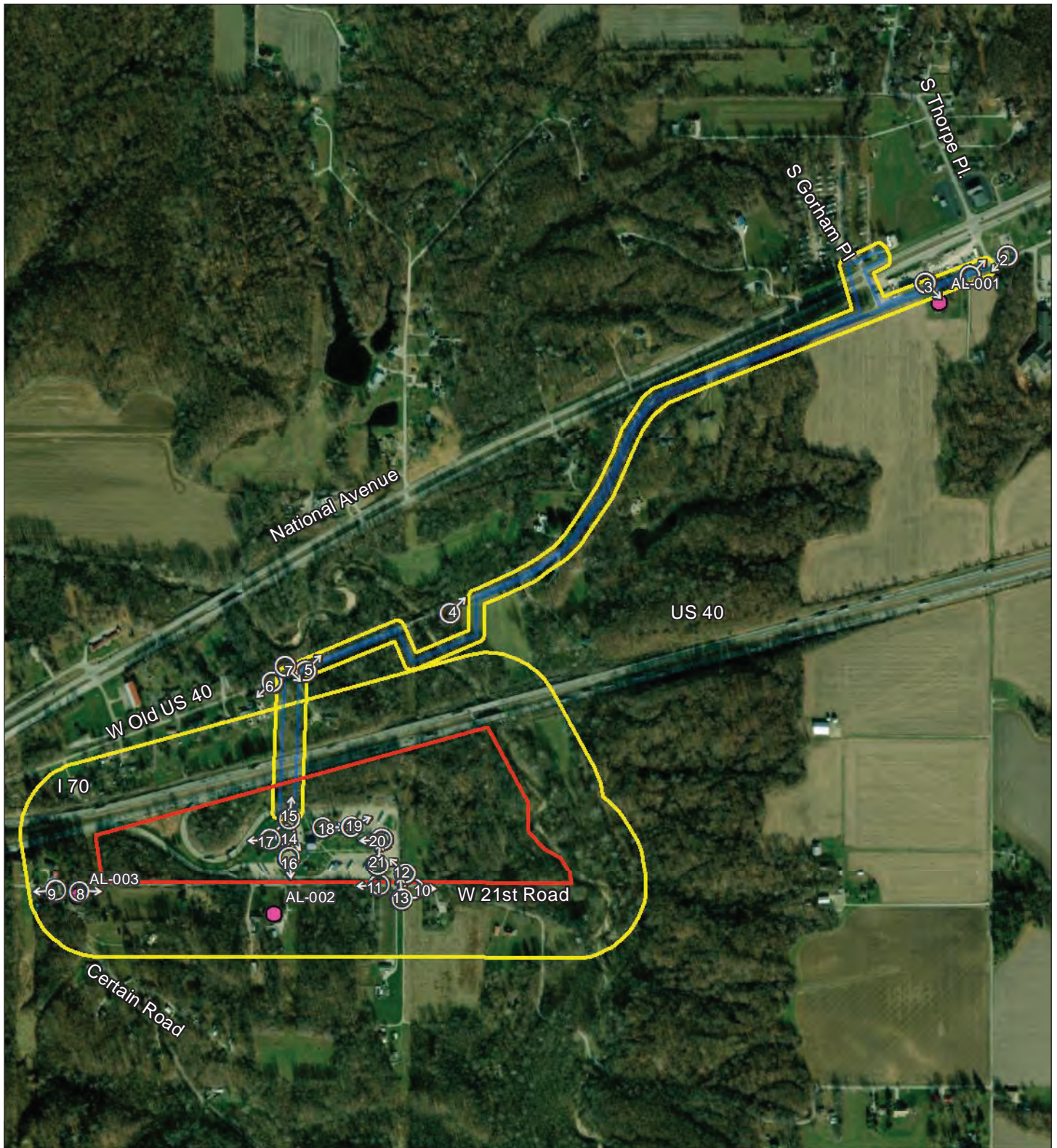
N

1 inch = 1,083 feet

Feet
 0 500 1,000



Appendix B. Project Site Photographs and Key Maps



- Wastewater Line Project Area
- Rest Area Project Area
- APE
- Architectural Location
- Photo Direction

Figure 3. Photo Locations Key Map
 I-70 Rest Area Modernization
 Clear Creek Welcome Center
 Vigo County, Indiana
 Des. No. 1902855
 Metric Project No. 21-0049-3
 Map Date: 07/11/2022

All Locations Approximate
 2012 Basemap
 Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics,
 and the GIS User Community





- ▭ Wastewater Line Project Area
- ▭ Rest Area Project Area
- APE
- Architectural Location
- Photo Direction

Figure 4. Photo Location Map 1
 I-70 Rest Area Modernization
 Clear Creek Welcome Center
 Vigo County, Indiana
 Des. No. 1902855
 Metric Project No. 21-0049-3
 Map Date: 07/11/2022

All Locations Approximate 2012 Basemap
 Service Layer Credits: Source: Esri, Maxar, Earthstar Geographics,
 and the GIS User Community





Photo 1. View of W Old US 40 facing southwest showing the east end of the project area from the intersection of W Old US 40 and S Thorpe Place



Photo 2. View of W Old US 40 facing northeast showing the east end of the project area from the intersection of W Old US 40 and S Thorpe Place



Photo 3. View of 4378 W Old US 40 (AL-001, rated Contributing) facing north from W Old US 40



Photo 4. View of W Old US 40 facing northeast from W Old US 40



Photo 5. View of W Old US 40 facing southwest showing the northwest end of the project area from W Old US 40



Photo 6. View of W Old US 40 facing northeast showing the northwest end of the project area from W Old US 40



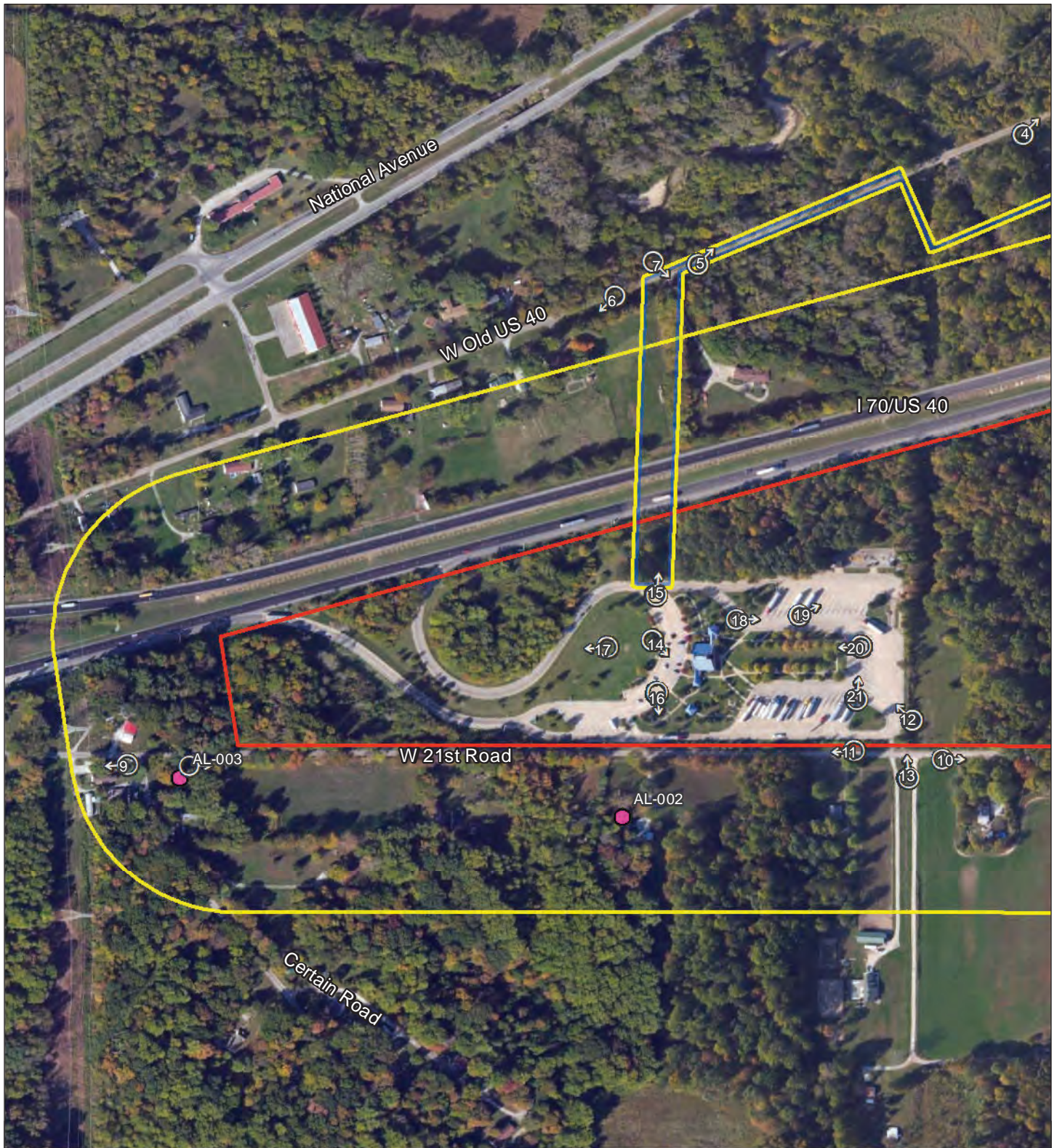
Photo 7. View of W Old US 40 facing south showing the northwest end of the project area from W Old US 40



Photo 8. View of W 21st Road facing east from 2130 Certain Road (AL-003, rated Contributing) in the western APE



Photo 9. View of W 21st Road facing west showing the western APE from W 21st Road



- Wastewater Line Project Area
- APE
- Rest Area Project Area
- Architectural Location
- Photo Direction

Figure 5. Photo Location Map 2
 I-70 Rest Area Modernization
 Clear Creek Welcome Center
 Vigo County, Indiana
 Des. No. 1902855
 Metric Project No. 21-0049-3
 Map Date: 07/11/2022

All Locations Approximate
 2012 Basemap
 Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye,
 Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID,
 IGN, and the GIS User Community

N

1 inch = 417 feet

Feet
 0 200 400





Photo 10. View of W 21st Road facing east from the intersection of W 21st Road and the Clear Creek Rest Area southeast entrance



Photo 11. View of W 21st Road facing west from the intersection of W 21st Road and the Clear Creek Rest Area southeast entrance



Photo 12. View of the Clear Creek Rest Area facing east from the intersection of W 21st Road and the Clear Creek Rest Area southeast entrance



Photo 13. View of W 21st Road facing north from the intersection of W 21st Road and the Clear Creek Rest Area southeast entrance



Photo 14. View of the Clear Creek Rest Area west facade facing southeast from the Clear Creek Rest Area parking lot



Photo 15. View of the Clear Creek Rest Area facing south from the Clear Creek Rest Area parking lot



Photo 16. View of the Clear Creek Rest Area facing north from the Clear Creek Rest Area parking lot



Photo 17. View of the Clear Creek Rest Area facing west from the Clear Creek Rest Area parking lot



Photo 18. View of the Clear Creek Rest Area facing east from the Clear Creek Rest Area truck parking lot



Photo 19. View of the Clear Creek Rest Area facing northeast from the Clear Creek Rest Area truck parking lot



Photo 20. View of the Clear Creek Rest Area east façade facing west from the Clear Creek Rest Area truck parking lot



Photo 21. View of the Clear Creek Rest Area facing north from the Clear Creek Rest Area truck parking lot

**Appendix C: Historic Property Short Report Management
Summary and Conclusions**

Excerpt

HISTORIC PROPERTY SHORT REPORT

INTERSTATE 70 (I-70)/CLEAR CREEK REST AREA PROJECT
SUGAR CREEK TOWNSHIP, VIGO COUNTY, INDIANA

DES. NO. 1902855/DHPA NO. 29400

PREPARED FOR:

**JANSSEN & SPAANS ENGINEERING
9120 HARRISON PARK COURT
INDIANAPOLIS, IN 46216**

LEAD AGENCY:

FEDERAL HIGHWAY ADMINISTRATION

Prepared by:



Complex Environment. Creative Solutions.

6958 Hillsdale Court
Indianapolis, IN 46256
Telephone: 317.400.1633
www.metricenv.com

Timothy Miller

Timothy Miller, QP
Principal Investigator
timothym@metricenv.com
September 21, 2022

MANAGEMENT SUMMARY

This report documents the identification and evaluation efforts for properties included in the proposed Area of Potential Effects (APE) for the Interstate 70 (I-70)/Clear Creek Rest Area Project, Sugar Creek Township, Vigo County, Indiana. Above-ground resources located within the proposed APE were identified and evaluated in accordance with Section 106, National Historic Preservation Act (NHPA) of 1966, as amended, and the regulations implementing Section 106 (36 CFR Part 800).

As a result of the NHPA, as amended, and CFR Part 800, federal agencies are required to take into account the impact of federal undertakings upon historic properties in the area of the undertaking. Historic properties include buildings, structures, sites, objects, and/or districts that are eligible for or listed in the National Register of Historic Places (NRHP). As this project is receiving funding from the Federal Highway Administration (FHWA), it is subject to a Section 106 review.

The proposed APE contains no properties listed in the NRHP.

The proposed APE contains no properties that are recommended eligible for listing in the National Register.



CONCLUSIONS

The proposed APE contains no properties listed in the NRHP.

As a result of identification and evaluation efforts for this project, no properties are recommended eligible for listing in the NRHP.

**Appendix D. Phase Ia Archaeology Report Results
and Recommendations**

Excerpt

ARCHAEOLOGICAL REPORT

PHASE IA ARCHAEOLOGICAL SURVEY FOR THE
INTERSTATE 70/ CLEAR CREEK REST AREA PROJECT,
SUGAR CREEK TOWNSHIP, VIGO COUNTY, INDIANA
(INDOT DES NO. 1902855; DHPA NO. 29400)

PREPARED FOR:

JANSSEN & SPAANS ENGINEERING, INC.
9120 HARRISON PARK COURT
INDIANAPOLIS, IN 46216

LEAD AGENCY:

FEDERAL HIGHWAY ADMINISTRATION

Prepared by:

Megan Copenhaver, MA, RPA



Complex Environment. Creative Solutions.

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Indianapolis, IN 46256
Telephone: 317.400.1633
www.metricenv.com

A handwritten signature in black ink that reads "Samuel P. Snell".

Samuel P. Snell, MS, RPA
Archaeological Principal Investigator
sams@metricenv.com

September 20, 2022

ABSTRACT

Under contract with Janssen & Spaans Engineering, Inc., Metric Environmental, LLC, has completed a Phase Ia archaeological survey for the proposed Interstate 70/Clear Creek Rest Area Project in Sugar Creek Township, Vigo County, Indiana (Indiana Department of Transportation Des. No. 1902855; Indiana Division of Historic Preservation and Archeology No. 29400). The project encompasses the eastbound Clear Creek Welcome Center and Rest Area and extends northeast along W Old US 40, intersects with W National Drive at S Gorham Place and terminates at the intersection of W Old US 40 and S Thorpe Place. The Phase Ia survey area encompasses 21.2 hectares (52.5 acres).

The project proposes to demolish and replace the existing eastbound Clear Creek rest area building, including architectural, structural, and mechanical services, as well as to reconfigure the parking lot to increase parking spaces, reconstruct the entrance and exit ramps, and add landscaping elements. Utility work will also be required and a sanitary sewer line approximately 1.9 kilometers (1.2 miles) in length will be constructed within the paved areas along W Old US 40. It is unknown if right-of-way will need to be acquired at this time.

The Phase Ia archaeological fieldwork involved visual inspection, soil cores, and shovel probing throughout the 21.2-hectare (52.5-acre) survey area. Two 20th century historic archaeological sites (12Vi1864 and 12Vi1865) were recorded. Site 12Vi1864 consists of a historic concrete foundation and two metal nails, which were collected during shovel probing. No evidence of additional artifact deposits and/or features was encountered, and it is considered unlikely that further investigation at the site would yield additional data significant to local or regional history. Site 12Vi1864 is not recommended as eligible for the National Register of Historic Places.

Site 12Vi1865 consists of historic concrete foundations associated with a house and probable garage. A total of 106 historic artifacts (mostly consisting of glass and ceramic household items) were collected from the ground surface. No evidence of sub-surface artifact deposits and/or additional features was encountered, and it is considered unlikely that further investigation at the site would yield additional data significant to local or regional history. Site 12Vi1865 is not recommended as eligible for the National Register of Historic Places.

Based on the results of the Phase Ia investigation, no further archaeological work is recommended for the project. In the unlikely event that archaeological deposits or human remains are encountered during the construction phase of the project, all work will cease and archaeologists from the Indiana Department of Transportation—Cultural Resources Office and Indiana Division of Historic Preservation and Archaeology will be notified.



CONCLUSIONS AND RECOMMENDATIONS

Under contract with Janssen & Spaans Engineering, Inc., Metric has completed a Phase Ia archaeological survey for the proposed Interstate 70/Clear Creek Rest area Project in Sugar Creek Township, Vigo County, Indiana (INDOT Des. No. 1902855; DHPA 29400). The project encompasses the current Clear Creek Welcome Center and extends northeast along W Old US 40, intersects with W National Drive at S Gorham Place and terminates at the intersection of W Old US 40 and S Thorpe Place. The Phase Ia survey area encompasses 21.2 ha (52.5 ac). The Phase Ia archaeological fieldwork involved visual inspection, shovel probing, and soil coring. Two 20th Century historic archaeological sites (12Vi1864 and 12Vi1865) were recorded.

Site 12Vi1864 consists of a historic concrete foundation and two metal nails, which were collected during shovel probing. No evidence of additional artifact deposits and/or features was encountered, and it is considered unlikely that further investigation at the site would yield additional data significant to local or regional history. Site 12Vi1864 is not recommended as eligible for the NRHP.

Site 12Vi1865 consists of historic concrete foundations associated with a house and probable garage. A total of 106 historic artifacts (mostly consisting of glass and ceramic household items) were collected from the ground surface. No evidence of sub-surface artifact deposits and/or additional features was encountered, and it is considered unlikely that further investigation at the site would yield additional data significant to local or regional history. Site 12Vi1864 is not recommended as eligible for the NRHP.

Based on the results of the Phase Ia investigation, no further archaeological work is recommended for the project. In the unlikely event that archaeological deposits or human remains are encountered during the construction phase of the project, all work will cease and archaeologists from the INDOT-Cultural Resources Office and DHPA will be notified.



Appendix E. Consulting Parties' List and Correspondence

List of Invited Consulting Parties (with those who accepted in **bold**)

**Indiana State Historic Preservation Office
Department of Natural Resources
Division of Historic Preservation and
Archaeology
402 West Washington Street, Room W274
Indianapolis, IN 46204-2739**

Indiana Landmarks
Tommy Kleckner, Director
Western Regional Office
669 Ohio Street
Terre Haute, IN 47807
tkleckner@indianalandmarks.org

Vigo County Historian
Timothy Crumrin
4603 Springfield Drive
Terre Haute, IN 47803
tcrumrin@yahoo.com

**Vigo County Historical Society
Marla Flowers, Executive Director
929 Wabash Avenue
Terre Haute, IN 47807
marla.flowers@vchsmuseum.org**

Wabash Valley Genealogy Society
PO Box 7012
Terre Haute, IN 47802-7012
wvgs@inwvgs.org

West Central Indiana Economic Development
District, Inc.
1718 Wabash Avenue
PO Box 359
Terre Haute, IN 47808
mpo@westcentralin.com

Vigo Highway Superintendent
Daniel Bennett
3250 E Haythorne Ave
Terre Haute, IN 47807
Dan.Bennett@vigocounty.in.gov

Vigo County Commissioners

- Mike Morris,
mike.morris@vigocounty.in.gov
- Chris Switzer,
chris.switzer@vigocounty.in.gov
- Brandan Kearns,
Brendan.kearns@vigocounty.in.gov

650 South 1st Street
Terre Haute, IN 47807

Terre Haute Chamber of Commerce
Kristin Craig, Executive Director
630 Wabash Avenue, Suite 105
Terre Haute, IN 47807
kcraig@terrehautechamber.com

Tribal Contacts:

Eastern Shawnee Tribe of Oklahoma

Miami Tribe of Oklahoma

Pokagon Band of Potawatomi Indians

Peoria Tribe of Indians of Oklahoma

Shawnee Tribe

Delaware Tribe of Indians

Forest County Potawatomi Community



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N758-ES
Indianapolis, Indiana 46204

PHONE: (855) 463-6848

Eric Holcomb, Governor
Michael Smith, Commissioner

June 14, 2022

This letter was sent to the listed parties.

RE: Dual Review Project
Interstate 70 (I-70)/Clear Creek Rest Area Project
Sugar Creek Township, Vigo County, Indiana
Designation Number (Des. No.) 1902855

Dear Consulting Party (see attached list),

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with reconfiguration and reconstruction of the Clear Creek eastbound rest area along I-70 in Vigo County, Indiana (Des No. 1902855). Metric Environmental, LLC, is under contract with Janssen & Spaans Engineering, Inc, on behalf of INDOT, to advance the environmental documentation for the referenced project.

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

The proposed undertaking is on eastbound I-70 at mile marker 2 between the Indiana State Line and Terre Haute, and it encompasses approximately forty-eight acres in Vigo County, Indiana. It is within Sugar Creek Township, on the Dennisville, Indiana USGS Topographic Quadrangle, in Sections 34 and 35, Township 12 N, Range 10 W.

The eastbound Clear Creek rest area opened in 1992 and it offers 77 parking spots for cars (including handicap parking) and 50 spots for trucks as well as a sheltered picnic area. The purpose of this project is to create a new rest area in accordance with INDOT's Long Range Plan for Rest Areas and Welcome Centers. This long range plan calls for modernizing ten of the state's welcome centers by 2031 to include family restrooms, ADA accessibility, pet areas, walking trails, and other design and tourism amenities. The need for the project is due to the current condition of Clear Creek eastbound rest area, which does not offer most of these proposed modernizations, and its water and sewer lines are undersized to meet current demands. Secondly, the parking lot does not offer an adequate number of parking spaces for either automobile or semi-truck drivers.

The preferred alternative is to demolish and replace the existing rest area building, including architectural, structural, and mechanical services (such as new water and sewer line installations), as well as to reconfigure the parking lot to increase parking spaces, reconstruct the entrance and exit ramps, add landscaping elements, and some utility work will also be required. It is unknown if right-of-way will need to be acquired at this time. The facility would also be incorporated into INDOT's Truck Parking Information Management System, which provides drivers with information such as the number of available parking spots at rest areas in real time.

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic and archaeological properties. In accordance with 36 CFR 800.2 (c), you are hereby requested to be a consulting party to participate in the Section 106 process. Entities that have been invited to participate in the Section 106 consultation process for this project are identified in the attached list. Per 36 CFR 800.3(f), we hereby request that the Indiana State Historic Preservation Officer (SHPO) notify this office if the SHPO staff is aware of any other parties that may be entitled to be consulting parties or should be contacted as potential consulting parties for the project.

The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize or mitigate any adverse effects on historic properties. For more information regarding the protection of historic resources, please see the Advisory Council on Historic Preservation's guide: *Protecting Historic Properties: A Citizen's Guide to Section 106 Review* available online at <https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf>.

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. At this time, no cultural resource investigations have occurred; however, the results of cultural resource identification and evaluation efforts, both above-ground and archaeological, will be forthcoming. Consulting parties will receive notification when these reports are completed.

Please review the information and comment within thirty (30) calendar days of receipt. If you indicate that you do not desire to be a consulting party, or if you do not respond, you will not be included on the list of consulting parties for this project. If we do not receive your response in the time allotted, the project will proceed consistent with the proposed design, and you will not receive further information about the project unless the design changes. Tribal consulting parties may enter the process at any time and are encouraged to respond to this notification with any comments or concerns at their earliest convenience.

For questions concerning specific project details, you may contact Candace Hudziak of Metric Environmental, LLC at 317-443-4123 or candaceh@metricenv.com. All future responses regarding the proposed project should be forwarded to Metric Environmental, LLC at the following address:

Candace Hudziak
Architectural Historian
Metric Environmental, LLC
6958 Hillside Court
Indianapolis, Indiana, 46250
candaceh@metricenv.com

Tribal contacts may contact Patty Jo Korzeniewski at pkorzeniewski@indot.in.gov or 317-416-4377 or Kari Carmany-George at FHWA at K.CarmanyGeorge@dot.gov or 317-226-5629.

Sincerely,



Matthew S. Coon, Acting Manager
Cultural Resources Office
Environmental Services

Enclosures:
Project Location Maps

Distribution List:

Department of Natural Resources
Division of Historic Preservation and Archaeology
402 West Washington Street, Room W274
Indianapolis, IN 46204-2739
Beth McCord
BMCCord@dnr.IN.gov
Chad Slider
CSlider@dnr.IN.gov

Indiana Landmarks
Tommy Kleckner, Director
Western Regional Office
669 Ohio Street
Terre Haute, IN 47807
tkleckner@indianalandmarks.org

Vigo County Historian
Timothy Crumrin
4603 Springfield Drive
Terre Haute, IN 47803
tcrumrin@yahoo.com

Vigo County Historical Society
Susan Tingley, Executive Director
929 Wabash Avenue
Terre Haute, IN 47807
susan.tingley@vchsmuseum.org

Wabash Valley Genealogy Society
PO Box 7012
Terre Haute, IN 47802-7012
wvgs@inwvgs.org

West Central Indiana Economic Development District, Inc.
1718 Wabash Avenue
PO Box 359
Terre Haute, IN 47808
mpo@westcentralin.com

Vigo Highway Superintendent
Daniel Bennett
3250 E Haythorne Ave
Terre Haute, IN 478075
Dan.Bennett@vigocounty.in.gov

Please note: the project limits were adjusted after the distribution of the early coordination letter, and the following two maps portray outdated/inaccurate project limits. Refer to the maps in Appendix A for accurate limits.

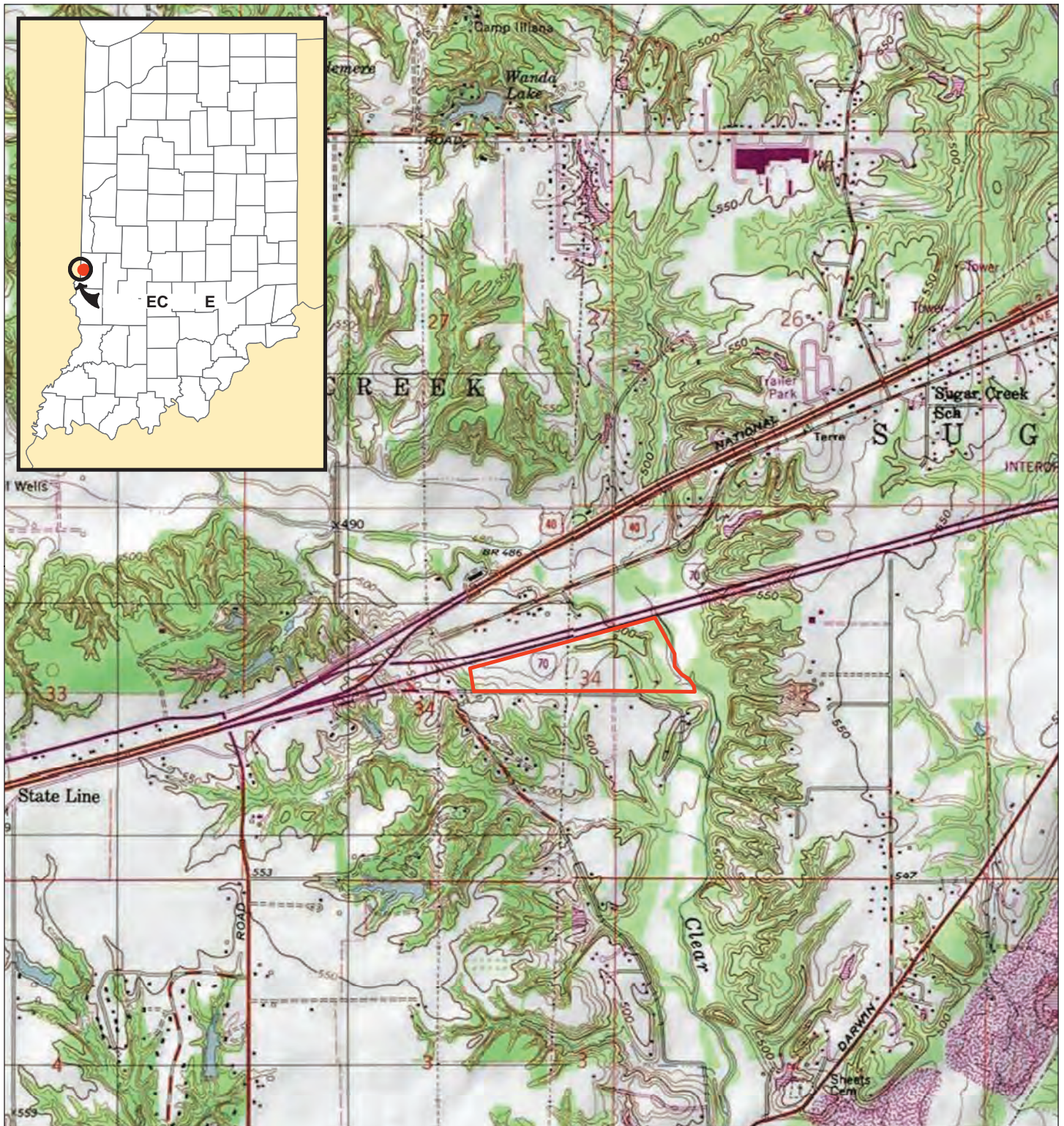
Vigo County Commissioners

650 South 1st Street
Terre Haute, IN 47807

1. Brad Anderson
brad.anderson@vigocounty.in.gov
2. Brendan Kearns
jon.marvel@vigocounty.in.gov
3. Judith A. Anderson
Judith.Anderson@vigocounty.in.gov

Tribal Contacts:

Eastern Shawnee Tribe of Oklahoma
Miami Tribe of Oklahoma
Pokagon Band of Potawatomi Indians
Peoria Tribe of Indians of Oklahoma
Shawnee Tribe
Delaware Tribe of Indians
Forest County Potawatomi Community




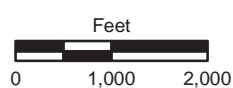
 Clear Creek Welcome Center Project Area

Figure 1. Project area on a portion of the
 1986 Terre Haute, IN, 7.5 Minute Quadrangle
 I-70 Rest Area Modernization
 Clear Creek Welcome Center
 Vigo County, Indiana
 Des. No. 1902855
 Metric Project No. 21-0049-3
 Map Date: 05/20/2022

All Locations Approximate
 1986 Basemap



1 inch = 2,000 feet






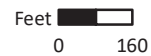
 Clear Creek Welcome Center Project Area

Figure 2. Project area on an aerial photograph
 I-70 Rest Area Modernization
 Clear Creek Welcome Center
 Vigo County, Indiana
 Des. No. 1902855
 Metric Project No. 21-0049-3
 Map Date: 05/20/2022

All locations approximate
 Source: Imagery Date 2012 Aerial



1 inch = 416.67 feet



From: [Candace Hudziak](#)
To: [McCord, Beth K](#); [Slider, Chad \(DNR\)](#); tkleckner@indianalandmarks.org; tcrumrin@yahoo.com; susan.tingley@vchsmuseum.org; wvgs@inwvgs.org; mpe@westcentralin.com; dan.bennett@vigocounty.in.gov; brad.anderson@vigocounty.in.gov; jon.marvel@vigocounty.in.gov; judith.anderson@vigocounty.in.gov
Cc: [Branigin, Susan](#); [Coon, Matthew](#); [Kelly, Clint](#); [Luella Beth Hillen](#); [Sam Snell](#); [Dalal, Imtiyaz](#); [Hedlund, David](#); [Timothy Miller](#)
Subject: FHWA Project: Des. No. 1902855; Early Coordination Letter, Interstate 70 (I-70)/ Clear Creek Rest Area Project, Vigo County, Indiana
Date: Tuesday, June 14, 2022 10:47:34 AM
Attachments: [image001.png](#)
[I70ClearCreekRestAreaProject_Des1902855_Early_Coordination_2022-06-14.pdf](#)

Des. No.: 1902855

Project Description: Interstate 70 (I-70)/Clear Creek Rest Area Project

Location: Sugar Creek Township, Vigo County, Indiana

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with the Interstate 70 (I-70)/Clear Creek Rest Area Project (Des. No. 1902855).

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are being invited to become consulting parties:

Indiana State Historic Preservation Office
Indiana Landmarks, Western Regional Office
Vigo County Historian, Timothy Crumrin
Vigo County Historical Society
Wabash Valley Genealogy Society
West Central Indiana Economic Development District, Inc.
Vigo Highway Superintendent, Daniel Bennett
Vigo County Commissioners – Brad Anderson, Brendan Kearns, Judith A. Anderson
Eastern Shawnee Tribe of Oklahoma
Miami Tribe of Oklahoma
Pokagon Band of Potawatomi Indians
Peoria Tribe of Indians of Oklahoma
Shawnee Tribe
Delaware Tribe of Indians
Forest County Potawatomi Community

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

Please review the attached letter, which is also located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with your comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your

related opinions and other input to be considered in the preparation of the environmental document. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comments. If we do not receive a response from an invited consulting party within the time allotted, the project will proceed consistent with the proposed design. **Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.**

Tribal contacts may contact Patty Jo Korzeniewski at pkorzeniewski@indot.in.gov or 317-416-4377 or Kari Carmany-George at FHWA at K.CarmanyGeorge@dot.gov or 317-226-5629.

Thank you in advance for your input,



Candace Hudziak, MA, QP

Architectural Historian

Cultural Resources

O 317.643.8535

M 317.443.4123

6958 Hillside Court
Indianapolis, IN 46250
www.metricenv.com

Certified DBE/MBE/SBE Company
Indiana | Kentucky | Ohio | West Virginia

From: [Korzeniewski, Patricia J](#)
To: thpo@estoo.net; THPO@MiamiNation.com; cechohawk@peoriatribe.com; benjamin.rhodd@fcp-nsn.gov; Matthew.Bussler@pokagonband-nsn.gov; Section106@shawnee-tribe.com; lheady@delawaretribe.org
Cc: [Branigin, Susan](#); [Kelly, Clint](#); [Candace Hudziak](#); [Korzeniewski, Patricia J](#); [Carmany-George, Karstin \(FHWA\)](#)
Subject: FHWA Project: Des. No. 1902855; Early Coordination Letter, Interstate 70 (I-70)/ Clear Creek Rest Area Project, Vigo County, Indiana
Date: Wednesday, June 15, 2022 7:58:02 AM
Attachments: [I70ClearCreekRestAreaProject_Des1902855_Early_Coordination_2022-06-14.pdf](#)

External Message: *This message originated outside of Metric Environmental.
Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Des. No.: 1902855
Project Description: Interstate 70 (I-70)/Clear Creek Rest Area Project
Location: Sugar Creek Township, Vigo County, Indiana

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with the Interstate 70 (I-70)/Clear Creek Rest Area Project (Des. No. 1902855).

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are being invited to become consulting parties:

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Indiana Landmarks, Western Regional Office
Vigo County Historian, Timothy Crumrin
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West Central Indiana Economic Development District, Inc.
Vigo Highway Superintendent, Daniel Bennett
Vigo County Commissioners – Brad Anderson, Brendan Kearns, Judith A. Anderson
Eastern Shawnee Tribe of Oklahoma
Miami Tribe of Oklahoma
Pokagon Band of Potawatomi Indians
Peoria Tribe of Indians of Oklahoma
Shawnee Tribe
Delaware Tribe of Indians
Forest County Potawatomi Community

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

Please review the attached letter, which is also located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with your comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

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Tribal contacts may contact Patty Jo Korzeniewski at pkorzeniewski@indot.in.gov or 317-416-4377 or Kari Carmany-George at FHWA at K.CarmanyGeorge@dot.gov or 317-226-5629.

Thank you in advance for your input,

Patricia Jo Korzeniewski
Archaeologist and Environmental Manager
INDOT, Cultural Resources Office
100 North Senate Avenue, N758-ES
Indianapolis, Indiana 46204
PKorzeniewski@indot.in.gov
1-317-416-4377
M-F 8:00 - 4:00

From: [Marla Flowers](#)
To: [Candace Hudziak](#)
Subject: Re: FHWA Project: Des. No. 1902855; Early Coordination Letter, Interstate 70 (I-70)/ Clear Creek Rest Area Project, Vigo County, Indiana
Date: Tuesday, June 14, 2022 12:29:52 PM
Attachments: [image001.png](#)



IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender marla.flowers@vchsmuseum.org

Thank you for the information. I look forward to digging in and learning more about this project.

Susan Tingley is no longer with the Vigo County Historical Society. Could you please update your records to reflect my contact information?

Marla Flowers - marla.flowers@vchsmuseum.org

Many thanks and I'll get back to you soon after reviewing the project.

Marla

Marla Flowers
Executive Director
Vigo County History Center
929 Wabash Avenue
Terre Haute, IN 47807
812-235-9717



On Tue, Jun 14, 2022 at 10:47 AM Candace Hudziak <candaceh@metricenv.com> wrote:

Des. No.: 1902855

Project Description: Interstate 70 (I-70)/Clear Creek Rest Area Project

Location: Sugar Creek Township, Vigo County, Indiana

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with the Interstate 70 (I-70)/Clear Creek Rest Area Project (Des. No. 1902855).

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following

From: [Marla Flowers](#)
To: [Candace Hudziak](#)
Subject: Re: FHWA Project: Des. No. 1902855; Early Coordination Letter, Interstate 70 (I-70)/ Clear Creek Rest Area Project, Vigo County, Indiana
Date: Wednesday, June 15, 2022 2: :19 PM
Attachments: [image001.png](#)

Thank you! I also noticed that the Commissioner's that are included in your email are no longer there. Do you want me to provide updated contacts for them as well?
I recently worked at the Terre Haute Chamber of Commerce as their Director of Community Engagement. My role was to oversee progress of the 2025 Community Plan. This comprehensive plan includes a section on Tourism. It seems they would be a good fit in your early conversation as well, being that this rest area would be the first impression for our community. Let me know if you want those contacts as well.
Marla

Marla Flowers
Executive Director
Vigo County History Center
929 Wabash Avenue
Terre Haute, IN 47807
812-235-9717



On Tue, Jun 14, 2022 at 5:11 PM Candace Hudziak <candaceh@metricenv.com> wrote:

Hi Marla,

Yes I will definitely update my contact information for VCHS, and you will be receiving future correspondence about this project.

Thank you!



Candace Hudziak, MA, QP

Architectural Historian

Cultural Resources

From: [Candace Hudziak](#)
To: [Marla Flowers](#)
Subject: RE: FHWA Project: Des. No. 1902855; Early Coordination Letter, Interstate 70 (I-70)/ Clear Creek Rest Area Project, Vigo County, Indiana
Date: Thursday, June 1, 2022 8:07:00 AM

Yes please, thank you!



Candace Hudziak, MA, QP

*Architectural Historian
Cultural Resources*

O 317.643.8535
M 317.443.4123

6958 Hillside Court
Indianapolis, IN 46250
www.metricenv.com

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Indiana | Kentucky | Ohio | West Virginia

From: Marla Flowers <marla.flowers@vchsmuseum.org>
Sent: Wednesday, June 15, 2022 2:33 PM
To: Candace Hudziak <candaceh@metricenv.com>
Subject: Re: FHWA Project: Des. No. 1902855; Early Coordination Letter, Interstate 70 (I-70)/ Clear Creek Rest Area Project, Vigo County, Indiana

Thank you! I also noticed that the Commissioner's that are included in your email are no longer there. Do you want me to provide updated contacts for them as well?

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Marla

Marla Flowers
Executive Director
Vigo County History Center
929 Wabash Avenue
Terre Haute, IN 47807
812-235-9717

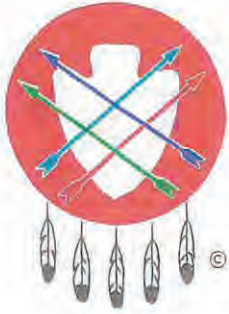


On Tue, Jun 14, 2022 at 5:11 PM Candace Hudziak <candaceh@metricenv.com> wrote:

Hi Marla,

Yes I will definitely update my contact information for VCHS, and you will be receiving future correspondence about this project.

Thank you!



PEORIA TRIBE OF INDIANS OF OKLAHOMA

118 S. Eight Tribes Trail (918) 540-2535 FAX (918) 540-2538

P. O. Box 1527

MIAMI, OKLAHOMA 74355

CHIEF
Craig Harper

SECOND CHIEF
Rosanna Dobbs

June 16, 2022

Candace Hudziak
Architectural Historian
Metric Environmental, LLC
6958 Hillsdale Court
Indianapolis, IN 46250

Re: Des#1902855; reconfiguration of Clear Creek rest area along I-70 in Vigo County

Thank you for providing notice of the referenced project. The Peoria Tribe of Indians of Oklahoma is unaware of a direct link to the newly proposed project location.

The Peoria Tribe of Indians of Oklahoma is also unaware of items covered under Native American Graves Protection and Repatriation Act (NAGPRA) to be associated with the proposed project site, including funerary or sacred objects; objects of cultural patrimony; or ancestral human remains.

The Peoria Tribe has no objection at this time to the proposed project. If, however, at any time items are discovered which fall under the protection of NAGPRA, the Peoria Tribe requests immediate notification and consultation. In addition, state, local and tribal authorities should be advised as to the findings and construction halted until consultation with all concerned parties has occurred.

Please feel free to contact me directly at the number above if additional consultation is necessary. Thank you again for your consideration with this matter.

Sincerely,

Charla K. EchoHawk
Director of Cultural Preservation

TREASURER
Hank Downum

SECRETARY
Tonya Mathews

FIRST COUNCILMAN
Carolyn Ritchey

SECOND COUNCILMAN
Kara North

THIRD COUNCILMAN
Isabella Clifford

48



Miami Tribe of Oklahoma

3410 P St. NW, Miami, OK 74354 • P.O. Box 1326, Miami, OK 74355
Ph: (918) 541-1300 • Fax: (918) 542-7260
www.miamination.com



Via email: PKorzeniewski@indot.in.gov

June 17, 2022

Patricia Jo Korzeniewski
Archaeologist and Environmental Manager
INDOT, Cultural Resources Office
100 North Senate Avenue, N758-ES
Indianapolis, Indiana 46204

Re: Des. No. 1902855, Interstate 70 (I-70)/Clear Creek Rest Area Project, Vigo County, Indiana –
Comments of the Miami Tribe of Oklahoma

Dear Ms. Korzeniewski:

Aya, kikwehsitoole – I show you respect. The Miami Tribe of Oklahoma, a federally recognized Indian tribe with a Constitution ratified in 1939 under the Oklahoma Indian Welfare Act of 1936, respectfully submits the following comments regarding Des. No. 1902855, Interstate 70 (I-70)/Clear Creek Rest Area Project in Vigo County, Indiana.

The Miami Tribe offers no objection to the above-referenced project at this time, as we are not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site. However, given the Miami Tribe's deep and enduring relationship to its historic lands and cultural property within present-day Indiana, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery. In such a case, please contact me at 918-541-8966 or by email at THPO@miamination.com to initiate consultation.

The Miami Tribe accepts the invitation to serve as a consulting party to the proposed project. In my capacity as Tribal Historic Preservation Officer I am the point of contact for consultation.

Respectfully,

Diane Hunter
Tribal Historic Preservation Officer

From: [_orzeniewski, Patricia J](#)
To: [Candace Hudziak](#)
C: [_elly, Clint](#); [_ranigin, usan](#); [_orzeniewski, Patricia J](#)
Subject: FW: FHWA Project: Des. No. 1902855; Early Coordination Letter, Interstate 70 (I-70)/ Clear Creek Rest Area Project, Vigo County, Indiana
Date: Monday, June 20, 2022 10:44:15 AM
Attachments: [image001.png](#)

External Message: *This message originated outside of Metric Environmental.
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Good morning,

Please find the Shawnee Tribe's response accepting the CP invitation below.

Patricia Jo Korzeniewski
Archaeologist and Tribal Liaison
INDOT, Cultural Resources Office
100 North Senate Avenue, N758-ES
Indianapolis, Indiana 46204
PKorzeniewski@indot.in.gov
1-317-416-4377
M-F 7:30 - 3:30

From: Section106 <section106@shawnee-tribe.com>
Sent: Friday, June 17, 2022 3:40 PM
To: Korzeniewski, Patricia J <PKorzeniewski@indot.IN.gov>
Subject: RE: FHWA Project: Des. No. 1902855; Early Coordination Letter, Interstate 70 (I-70)/ Clear Creek Rest Area Project, Vigo County, Indiana

****** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ******

This letter is in response to the above referenced project.

The Shawnee Tribe's Tribal Historic Preservation Department concurs that no known historic properties will be negatively impacted by this project. However, there is still potential for the discovery of unknown resources. [We would like to accept your invitation for consultation.](#)

We have no issues or concerns at this time, but in the event that archaeological materials are encountered during construction, use, or maintenance of this location, please re-notify us at that time as we would like to resume immediate consultation under such a circumstance.

If you have any questions, you may contact me via email at Section106@shawnee-tribe.com

Thank you for giving us the opportunity to comment on this project.

Sincerely,



Erin a en
TRIBAL HISTORIC PRESERVATION
SPECIALIST

ice: (918) 542-2441, x140
Email: epaden@shawnee-tribe.com
29 S Hwy 69A
Miami, OK 74354
shawnee-tribe.com

From: Korzeniewski, Patricia J <PKorzeniewski@indot.IN.gov>
Sent: Wednesday, June 15, 2022 6:58 AM
To: thpo@estoo.net; THPO@MiamiNation.com; cechohawk@peoriatribe.com; benjamin.rhodd@fcp-nsn.gov; Matthew.Bussler@pokagonband-nsn.gov; Section106 <section106@shawnee-tribe.com>; lheady@delawaretribe.org
Cc: Branigin, Susan <SBranigin@indot.IN.gov>; Kelly, Clint <CKelly1@indot.IN.gov>; candaceh@metricenv.com; Korzeniewski, Patricia J <PKorzeniewski@indot.IN.gov>; Carmany-George, Karstin (FHWA) <k.carmanygeorge@dot.gov>
Subject: FHWA Project: Des. No. 1902855; Early Coordination Letter, Interstate 70 (I-70)/ Clear Creek Rest Area Project, Vigo County, Indiana

CAUTION: External email. Do not click links or open attachments unless you are confident the content is safe.

Des. No.: 1902855
Project Description: Interstate 70 (I-70)/Clear Creek Rest Area Project
Location: Sugar Creek Township, Vigo County, Indiana

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with the Interstate 70 (I-70)/Clear Creek Rest Area Project (Des. No. 1902855).

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West Central Indiana Economic Development District, Inc.
Vigo Highway Superintendent, Daniel Bennett
Vigo County Commissioners – Brad Anderson, Brendan Kearns, Judith A. Anderson
Eastern Shawnee Tribe of Oklahoma
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From: [_orzeniewski, Patricia J](#)
To: [Candace Hudziak](#)
c: [_ranigin, usan](#); [_elly, Clint](#); [_orzeniewski, Patricia J](#)
Subject: FW: FHWA Project: Des. No. 1902855; Early Coordination Letter, Interstate 70 (I-70)/ Clear Creek Rest Area Project, Vigo County, Indiana
Date: Thursday, June 2, 2022 9:50:17 AM

External Message: *This message originated outside of Metric Environmental.
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Good morning,

Attached is a response to the ECL notification from the Forest County Potawatomi.

Patricia Jo Korzeniewski
Archaeologist and Tribal Liaison
INDOT, Cultural Resources Office
100 North Senate Avenue, N758-ES
Indianapolis, Indiana 46204
PKorzeniewski@indot.in.gov
1-317-416-4377
M-F 7:30 – 3:30

From: Benjamin Rhodd <Benjamin.Rhodd@fcp-nsn.gov>
Sent: Tuesday, June 21, 2022 5:40 PM
To: Korzeniewski, Patricia J <PKorzeniewski@indot.IN.gov>
Subject: RE: FHWA Project: Des. No. 1902855; Early Coordination Letter, Interstate 70 (I-70)/ Clear Creek Rest Area Project, Vigo County, Indiana

****** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ******

Ms. Korzeniewski,

Pursuant to consultation under Section 106 of the National Historic Preservation Act (1966 as amended) the Forest County Potawatomi Community (FCPC), a Federally Recognized Native American Tribe, reserves the right to comment on Federal undertakings, as defined under the act.

The Tribal Historic Preservation Office (THPO) staff has reviewed the information you provided for the project. Upon review of site data and supplemental cultural history within our Office, the FCPC THPO is pleased to offer a finding of No Historic Properties affected of significance to the FCPC. However, we do wish to remain as a consulting party for this project.

As a standard caveat sent with each proposed project reviewed by the FCPC THPO, the following applies. In the event an Inadvertent Discovery (ID) occurs at any phase of a project or undertaking as defined, and human remains or archaeological materials are exposed as a result of project activities, work should cease immediately, and the Tribe(s) must be included with the SHPO in any consultation regarding treatment and disposition of the find.

Thank you for protecting cultural and historic properties and if you have any questions or concerns, please contact me at the email or number listed below.

Respectfully,

Ben Rhodd, MS, RPA Tribal Historic Preservation Officer
Forest County Potawatomi
Historic Preservation Office
8130 Mish ko Swen Drive, P.O. Box 340, Crandon, Wisconsin 54520
P: 715-478-7354 C: 715-889-0202 Main: 715-478-7474
Email: Benjamin.Rhodd@fcp-nsn.gov
www.fcpotawatomi.com

From: Korzeniewski, Patricia J <PKorzeniewski@indot.IN.gov>
Sent: Wednesday, June 15, 2022 6:58 AM
To: thpo@estoo.net; THPO@MiamiNation.com; cechohawk@peoriatribe.com; Benjamin Rhodd <Benjamin.Rhodd@fcp-nsn.gov>; Matthew.Bussler@pokagonband-nsn.gov; Section106@shawnee-tribe.com; lheady@delawaretribe.org
Cc: Branigin, Susan <SBranigin@indot.IN.gov>; Kelly, Clint <CKelly1@indot.IN.gov>; candaceh@metricenv.com; Korzeniewski, Patricia J <PKorzeniewski@indot.IN.gov>; Carmany-George, Karstin (FHWA) <k.carmanygeorge@dot.gov>
Subject: FHWA Project: Des. No. 1902855; Early Coordination Letter, Interstate 70 (I-70)/ Clear Creek Rest Area Project, Vigo County, Indiana

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Des. No.: 1902855
Project Description: Interstate 70 (I-70)/Clear Creek Rest Area Project
Location: Sugar Creek Township, Vigo County, Indiana

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with the Interstate 70 (I-70)/Clear Creek Rest Area Project (Des. No. 1902855).

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are being invited to become consulting parties:

Indiana State Historic Preservation Office
Indiana Landmarks, Western Regional Office
Vigo County Historian, Timothy Crumrin
Vigo County Historical Society
Wabash Valley Genealogy Society
West Central Indiana Economic Development District, Inc.
Vigo Highway Superintendent, Daniel Bennett
Vigo County Commissioners – Brad Anderson, Brendan Kearns, Judith A. Anderson
Eastern Shawnee Tribe of Oklahoma
Miami Tribe of Oklahoma
Pokagon Band of Potawatomi Indians
Peoria Tribe of Indians of Oklahoma
Shawnee Tribe
Delaware Tribe of Indians
Forest County Potawatomi Community

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

Please review the attached letter, which is also located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/>

Division of Historic Preservation & Archaeology · 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646 · Fax 317-232-0693 · dhpa@dnr.IN.gov ·



June 22, 2022

Candace Hudziak
Architectural Historian
Metric Environmental, LLC
6958 Hillside Court
Indianapolis, Indiana 46250

Federal Agency: Indiana Department of Transportation (“INDOT”),
on behalf of Federal Highway Administration, Indiana Division (“FHWA”)

Re: Early coordination letter for the Interstate 70 Clear Creek Rest Area Project
(Des. No. 1902855; DHPA No. 29400)

Dear Ms. Hudziak:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the “Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana,” the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO”) has reviewed your June 14, 2022, review request submittal form which enclosed INDOT’s early coordination letter, received by our office the same day, for this project in Sugar Creek Township, Vigo County, Indiana.

We are not aware of any parties who should be invited to participate in the Section 106 consultation on this federal undertaking, beyond those whom INDOT already has invited. In your next regular correspondence on this project, please advise us as to which of the invited consulting parties has accepted the invitation.

We look forward to reviewing the proposed area of potential effects and the reports on investigations of above-ground cultural resources and archaeological resources that the early coordination letter indicated will be forthcoming.

The Indiana SHPO staff’s archaeological reviewer for this project is Wade T. Tharp, and the structures reviewer is Danielle Kauffmann. However, if you have a question about the Section 106 process, please contact initially the INDOT Cultural Resources staff members who are assigned to this project. In all future correspondence about the I-70 Clear Creek Rest Area project in Vigo County (Des. No. 1902855), please refer to DHPA No. 29400.

Very truly yours,

Beth K. McCord
Deputy State Historic Preservation Officer

BKM:DMK:dmk

emc: Matt Coon, INDOT
Susan Branigin, INDOT
Candace Hudziak, Metric Environmental, LLC
Danielle Kauffmann, DNR-DHPA
Wade T. Tharp, DNR-DHPA



**EASTERN SHAWNEE
CULTURAL PRESERVATION DEPARTMENT**

70500 East 128 Road, Wyandotte, OK 74370

July 21, 2022

INDOT - Indiana Department of Transportation
100 N. Senate Ave. IGCN642
Indianapolis, IN 46201

RE: Des No. 1902855, Vigo County, Indiana

Dear Ms. Korzeniewski,

The Eastern Shawnee Tribe has received your letter regarding the above referenced project(s) within Vigo County, Indiana. The Eastern Shawnee Tribe is committed to protecting sites important to Tribal Heritage, Culture and Religion. Furthermore, the Tribe is particularly concerned with historical sites that may contain but not limited to the burial(s) of human remains and associated funerary objects.

As described in your correspondence, and upon research of our database(s) and files, we find our people occupied these areas historically and/or prehistorically. However, the project proposes **NO Adverse Effect** or endangerment to known sites of interest to the Eastern Shawnee Tribe. Please continue project as planned. However, should this project inadvertently discover an archeological site or object(s) we request that you immediately contact the Eastern Shawnee Tribe, as well as the appropriate state agencies (within 24 hours). We also ask that all ground disturbing activity stop until the Tribe and State agencies are consulted. Please note that any future changes to this project will require additional consultation.

In accordance with the NHPA of 1966 (16 U.S.C. § 470-470w-6), federally funded, licensed, or permitted undertakings that are subject to the Section 106 review process must determine effects to significant historic properties. As clarified in Section 101(d)(6)(A-B), historic properties may have religious and/or cultural significance to Indian Tribes. Section 106 of NHPA requires Federal agencies to consider the effects of their actions on all significant historic properties (36 CFR Part 800) as does the National Environmental Policy Act of 1969 (43 U.S.C. § 4321-4347 and 40 CFR § 1501.7(a)). This letter evidences NHPA and NEPA historic properties compliance pertaining to consultation with this Tribe regarding the referenced proposed projects.

Thank you, for contacting the Eastern Shawnee Tribe, we appreciate your cooperation. Should you have any further questions or comments please contact our Office.

Sincerely,

Paul Barton, Tribal Historic Preservation Officer (THPO)
Eastern Shawnee Tribe of Oklahoma
(918) 666-5151 Ext:1833
THPO@estoo.net



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
N758-
Indiana, Indiana 47004

HN 855 43-848

Eric Holcomb, Governor
Michael Smith, Commissioner

September 22, 2022

This letter was sent to the listed parties.

RE:

Interstate 70 (I-70)/Clear Creek Rest Area Project
Sugar Creek Township, Vigo County, Indiana
Des. No. 1902855/DHPA No. 29400/Public Works Project No. 06002001-22-060-C1

Dear Consulting Party,

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with reconfiguration and reconstruction of the Clear Creek eastbound rest area along I-70 in Vigo County, Indiana (Des. No. 1902855).

This letter is part of the Section 106 review process for this project. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. We are requesting comments from you regarding the possible effects of this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study. Also please note that the early coordination letter erroneously stated this undertaking would be a dual review project; a dual review is not needed.

A Section 106 early coordination letter was distributed to the non-tribal consulting parties on June 14 and to the tribal consulting parties June 15, 2022.

The proposed undertaking is on eastbound I-70 at mile marker 2 between the Indiana State Line and Terre Haute, and it encompasses approximately 52.5 acres in Vigo County, Indiana. It is within Sugar Creek Township, on the Dennisville, Indiana USGS Topographic Quadrangle, in Sections 34 and 35, Township 12 N, Range 10 W.

The eastbound Clear Creek rest area opened in 1992 and it offers 77 parking spots for cars (including accessible parking) and 50 spots for trucks as well as a sheltered picnic area. The purpose of this project is to create a new rest area in accordance with INDOT's Long Range Plan for Rest Areas and Welcome Centers. This long-range plan calls for modernizing ten of the state's welcome centers by 2031 to include family restrooms, ADA accessibility, pet areas, walking trails, and other design and tourism amenities. The need for the project is due to the current condition of Clear Creek eastbound rest area, which does not offer most of these proposed modernizations, and its water and sewer lines are undersized to meet current demands. Secondly, the parking lot does not offer an adequate number of parking spaces for either automobile or semi-truck drivers.

The preferred alternative is to demolish and replace the existing rest area building, including architectural, structural, and mechanical services (such as new water and sewer line installations), as well as to reconfigure the parking lot to increase parking spaces, reconstruct the entrance and exit ramps, add landscaping elements, and some utility work will

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also be required. It is unknown if right-of-way will need to be acquired at this time. The facility would also be incorporated into INDOT's Truck Parking Information Management System, which provides drivers with information such as the number of available parking spots at rest areas in real time.

Since the ECL, the project limits have changed. The project area has expanded to 52.5 acres and now includes the addition of a sewer line. The line begins at the north driveway of the Clear Creek Rest Area extending north along the transmission line corridor to the south side of W Old US 40. The sewer line turns east following West Old US 40 to about 100 feet west of Vigo County Bridge 252 (HB-2287) where the line diverts southeast about 225 feet. The line then turns northeast to parallel West Old US 40 for about 460 feet when the line turns north for about 230 feet to return to West Old US 40. The line continues to parallel West Old US 40 to where it terminates at South Thorpe Place. A tie-in line extends north at South Gorham Place extending the line to the 40 West Mobile Home Park on the north side of National Avenue. Construction of the wastewater pipe will involve horizontal directional drilling along the roads that make up the route. Utility easements will likely be needed along the roads as the apparent existing right-of-way does not extend beyond the edge of pavement. New right-of-way will also need to be purchased from land east of the welcome center to accommodate the parking area expansion.

Metric Environmental is under contract with Janssen & Spaans Engineering, Inc. to advance the environmental documentation for the referenced project.

In accordance with 36 CFR 800.2 (c), you were invited to become a consulting party as part of the Section 106 process, or you are hereby invited to become a consulting party as part of the Section 106 process. Entities that have previously accepted consulting party status--as well as additional entities that are currently being invited to become consulting parties--are identified in the attached list.

The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, to assess the undertaking's effects and to seek ways to avoid, minimize, or mitigate any adverse effects on historic properties. For more information regarding the protection of historic resources, please see the Advisory Council on Historic Preservation's guide: *Protecting Historic Properties: A Citizen's Guide to Section 106 Review* available online at <https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf>.

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. The APE contains no resources listed in the National Register of Historic Places (NRHP).

A historian who meets the Secretary of the Interior's Professional Qualification Standards identified and evaluated above-ground resources within the APE for potential eligibility for the NRHP. As a result of the historic property identification and evaluation efforts, no above-ground resources are recommended as eligible for listing in the NRHP.

With regard to archaeological resources, an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards identified two sites within the project area. As a result of these efforts, site 12Vi1864 and site 12Vi1865 were recommended not eligible for listing in the NRHP and no further work is recommended.

In an email dated June 14, 2022, Marla Flowers of the Vigo County History Center accepted the invitation and provided updated contact information for herself, and stated Susan Tingley is no longer associated with the Vigo County Historical Society. Her correspondence is attached.

In a letter dated June 16, 2022, the Peoria Tribe of Indians of Oklahoma accepted the invitation to participate as a consulting party and stated that if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of the project, the Miami Tribe requests immediate consultation.

In a letter dated June 17, 2022, the Miami Tribe of Oklahoma accepted the invitation to participate as a consulting party and stated that if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of the project, the Miami Tribe requests immediate consultation.

In a letter dated June 17, 2022, the Shawnee Tribe accepted the invitation to participate as a consulting party and stated that if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of the project, the Shawnee Tribe requests immediate consultation.

In an email dated June 23, 2022, the Forest County Potawatomi Community accepted the invitation to participate as a consulting party and stated in the event of an Inadvertent Discovery during any phase of the project in which human remains or archaeological materials are exposed as a part of project activities, work should cease immediately and their office and the SHPO should be consulted.

In an email dated July 21, 2022, the Eastern Shawnee Tribe accepted the invitation to participate as a consulting party and proposes No Adverse Effect or endangerment to known Eastern Shawnee sites. They also stated in the event of an Inadvertent Discovery during any phase of the project in which human remains or archaeological materials are exposed as a part of project activities, work should cease immediately and their office and the SHPO should be consulted.

The Historic Property Report and Archaeology Report (Tribes only) are available for review in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE). You are invited to review these documents and to respond with comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Please review the information and comment within thirty (30) calendar days of receipt. If you indicate that you do not desire to be a consulting party or if you have not previously accepted consulting party status and you do not respond to this letter, you will not be included on the list of consulting parties for this project and will not receive further information about the project unless the design changes.

For questions concerning specific project details, you may contact Candace Hudziak of Metric Environmental, LLC, at 317-443-4123 or candaceh@metricenv.com. All future responses regarding the proposed project should be forwarded to Metric Environmental, LLC, at the following address:

Candace Hudziak
Architectural Historian
Metric Environmental, LLC
6958 Hillside Court
Indianapolis, Indiana, 46250
candaceh@metricenv.com

Tribal Contacts please respond to INDOT's Tribal Liaison, Matt Coon at mcoon@indot.in.gov (317- 697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany-George at K.CarmanyGeorge@dot.gov (317-226-5629).

Sincerely,



Matthew S. Coon, Acting Manager
Cultural Resources Office
Environmental Services

Please note: to avoid duplication, the location map is located in Appendix A, and Ms. Flowers' correspondence is located in Appendix E.

Enclosures:

Project Location Map showing the revised project footprint
Email correspondence from Marla Flowers of the Vigo County History Center (6/14/2022)

Distribution List:

Department of Natural Resources
Division of Historic Preservation and Archaeology
402 West Washington Street, Room W274
Indianapolis, IN 46204-2739

Danielle Kauffmann
dkauffmann@dnr.in.gov

Wade T. Tharp
Wtharp1@dnr.in.gov

Marla Flowers, Executive Director
Vigo County History Center
929 Wabash Avenue
Terre Haute, IN 47807
marla.flowers@vchsmuseum.org

Tribal Contacts:

Eastern Shawnee Tribe of Oklahoma
Miami Tribe of Oklahoma
Pokagon Band of Potawatomi Indians
Peoria Tribe of Indians of Oklahoma
Shawnee Tribe
Delaware Tribe of Indians
Forest County Potawatomi Community

From: [Candace Hudziak](#)
To: [au_mann, Danielle M](#); [T_arp, Wade](#); [Marla Flowers](#)
c: [Coon, Matt ew](#); [elly, Clint](#); [ranigin, usan](#); [am_nell](#); [Timot_y Miller](#); [Luella et Hillen](#); [Hedlund, Da id](#); [Dalal, Imtiyaz](#)
Subject: FHWA Project: Des. No. 1902855; HPR and Archaeology Report, Interstate 70 (I-70)/Clear Creek Rest Area Project, Vigo County, Indiana
Date: Thursday, September 22, 2022 1:08:4 PM
Attachments: [image001.png](#)

Des. No.: 1902855

Project Description: Interstate 70 (I-70)/Clear Creek Rest Area Project

Location: Sugar Creek Township, Vigo County, Indiana

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with Interstate 70 (I-70)/Clear Creek Rest Area Project Sugar Creek Township, Vigo County, Indiana. The Section 106 Early Coordination Letter for this project was originally distributed to the non-tribal consulting parties on June 14, 2022, and to the tribal consulting parties on June 15, 2022.

As part of Section 106 of the National Historic Preservation Act, a Historic Property Report and Archaeology Report have been prepared and are ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.

Tribal Contacts please respond to INDOT's Tribal Liaison, Matt Coon at mcoon@indot.in.gov (317-697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany-George at K.CarmanyGeorge@dot.gov (317-226-5629).

Thank you in advance for your input,



Candace Hudziak, MA, QP

*Architectural Historian
Cultural Resources*

O 317.643.8535

M 317.443.4123

6958 Hillside Court
Indianapolis, IN 46250
www.metricenv.com

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Indiana | Kentucky | Ohio | West Virginia

From: clint_kelly@indot.in.gov
To: tpo@estoo.net; THP@MiamiNation.com; cec@oawkpeoriatrie.com; Matt_ew_ussler@pokagonandnsn.gov; action10@sawnee-trie.com; l_eady@delawaretrie.org; usan@ac.or; enjamin.r.odd@cp-nsn.gov
Cc: Coon_Matt_ew; ranigin@usan; Wil_urn_Lauren; Mcaoy_te_e; Candace_Hudziak; Carmany-george_arstin@FHWA
Subject: FHWA Project: Des. No. 1902855; HPR and Archaeology Report, Interstate 70 (I-70)/Clear Creek Rest Area Project, Vigo County, Indiana
Date: Thursday, September 22, 2022 1:4 :25 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

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Des. No.: 1902855
Project Description: Interstate 70 (I-70)/Clear Creek Rest Area Project
Location: Sugar Creek Township, Vigo County, Indiana

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Thank you in advance for your input,

Clint Kelly

Historian

Cultural Resources Office

Environmental Services

100 N. Senate Ave., Rm. N758-ES

Indianapolis, IN 46204

Office: (317) 447-8707

Email: ckelly1@indot.in.gov

Core Office Hours: M-F 7:30-3:30



From: [_elly_Clint](#)
To: [Candace Hudziak](#); [Timothy Miller](#); [Coon, Matt Lew](#)
Cc: [_ranighin_usan](#)
Subject: FW: FHWA Project: Des. No. 1902855; HPR and Archaeology Report, Interstate 70 (I-70)/Clear Creek Rest Area Project, Vigo County, Indiana
Date: Tuesday, September 27, 2022 8:50:50 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

External Message: This message originated outside of Metric Environmental.
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See below for a response from the Forest County Potawatomi.

Clint Kelly

Historian

Cultural Resources Office

Environmental Services

100 N. Senate Ave., Rm. N758-ES

Indianapolis, IN 46204

Office: (317) 447-8707

Email: ckelly1@indot.in.gov

Core Office Hours: M-F 7:30-3:30



From: Benjamin Rhodd <Benjamin.Rhodd@fcp-nsn.gov>

Sent: Monday, September 26, 2022 11:36 AM

To: Kelly, Clint <CKelly1@indot.IN.gov>

Subject: RE: FHWA Project: Des. No. 1902855; HPR and Archaeology Report, Interstate 70 (I-70)/Clear Creek Rest Area Project, Vigo County, Indiana

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Mr. Kelly,

Pursuant to consultation under Section 106 of the National Historic Preservation Act (1966 as amended) the Forest County Potawatomi Community (FCPC), a Federally Recognized Native American Tribe, reserves the right to comment on Federal undertakings, as defined under the act.

The Tribal Historic Preservation Office (THPO) staff has reviewed the information you provided for the project. Upon review of site data and supplemental cultural history within our Office, the FCPC THPO is pleased to offer a finding of No Historic Properties affected of significance to the FCPC, however, we do wish to remain as a consulting party for this project.

As a standard caveat sent with each proposed project reviewed by the FCPC THPO, the following applies. In the event an Inadvertent Discovery (ID) occurs at any phase of a project or undertaking as defined, and human remains or archaeological materials are exposed as a result of project activities, work should cease immediately,

and the Tribe(s) must be included with the SHPO in any consultation regarding treatment and disposition of the find.

Thank you for protecting cultural and historic properties and if you have any questions or concerns, please contact me at the email or number listed below.

Respectfully,

Ben Rhodd, MS, RPA Tribal Historic Preservation Officer
Forest County Potawatomi
Historic Preservation Office
8130 Mish ko Swen Drive, P.O. Box 340, Crandon, Wisconsin 54520
P: 715-478-7354 C: 715-889-0202 Main: 715-478-7474
Email: Benjamin.Rhodd@fcp-nsn.gov
www.fcpotawatomi.com

From: Kelly, Clint <CKelly1@indot.IN.gov>
Sent: Thursday, September 22, 2022 12:43 PM
To: thpo@estoo.net; THPO@MiamiNation.com; cechohawk@peoriatribe.com; Matthew.Bussler@pokagonband-nsn.gov; Section106@shawnee-tribe.com; lheady@delawaretribe.org; Susan Bachor <sbachor@DelawareTribe.onmicrosoft.com>; Benjamin Rhodd <Benjamin.Rhodd@fcp-nsn.gov>
Cc: Coon, Matthew <mcoon@indot.IN.gov>; Branigin, Susan <SBranigin@indot.IN.gov>; Wilburn, Lauren <LWilburn@indot.IN.gov>; Mcavoy, Steve <SMCAVOY@indot.IN.gov>; Candace Hudziak <candaceh@metricenv.com>; Carmany-George, Karstin (FHWA) <k.carmanygeorge@dot.gov>
Subject: FHWA Project: Des. No. 1902855; HPR and Archaeology Report, Interstate 70 (I-70)/Clear Creek Rest Area Project, Vigo County, Indiana

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Des. No.: 1902855

Project Description: Interstate 70 (I-70)/Clear Creek Rest Area Project

Location: Sugar Creek Township, Vigo County, Indiana

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Please review this documentation located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment. Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.

Tribal Contacts please respond to INDOT's Tribal Liaison, Matt Coon at mcoon@indot.in.gov (317-697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany-George at K.CarmanyGeorge@dot.gov (317-226-5629).

Thank you in advance for your input,

Division of Historic Preservation & Archaeology · 402 W. Washington Street, W274 · Indianapolis, IN 46204-2739
Phone 317-232-1646 · Fax 317-232-0693 · dhp@dnr.IN.gov



October 21, 2022

Candace Hudziak
Architectural Historian
Metric Environmental, LLC
6958 Hillside Court
Indianapolis, Indiana, 46250

Federal Agency: Indiana Department of Transportation (“INDOT”),
on behalf of Federal Highway Administration, Indiana Division (“FHWA”)

Re: Historic property short report (Miller, 9/21/2022), and Phase Ia archaeological reconnaissance
survey report (Snell, 09/20/2022), for the Interstate 70 Clear Creek Rest Area Project (Des.
No. 1902855; DHPA No. 29400)

Dear Ms. Hudziak:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the “Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana,” the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO”) has reviewed your September 22, 2022, review request submittal form which enclosed the historic property short report (“HPSR”; Miller, 9/21/2022), and Phase Ia archaeological reconnaissance survey report (Snell, 09/20/2022), received by our office the same day, for this project in Sugar Creek Township, Vigo County, Indiana.

The area of potential effects (“APE”) proposed in the HPSR appears to be of adequate size to encompass the geographic area in which direct and indirect effects of a project of this nature could occur.

For the purposes of the Section 106 review of this federal undertaking, we agree with the conclusions of the HPSR that there are no historic properties listed in or eligible for listing in the National Register of Historic Places (NRHP) within the area of potential effects.

Additionally, based on the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the NRHP within the additional portions of the proposed project area. We concur with the opinion of the archaeologist, as expressed in the Phase Ia archaeological reconnaissance survey report (Snell, 09/20/2022), that archaeological sites 12-Vi-1864 and 12-Vi-1865—both of which were identified during the archaeological investigations—do not appear eligible for inclusion in the NRHP, and we concur that no further archaeological investigations appear necessary at this proposed project area.

We note that the archaeological site survey forms associated with these archaeological investigations have not been submitted to the Indiana DHPA SHAARD system database. Once these have been submitted, they will be reviewed,

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29) requires that the discovery be reported to the Indiana DNR-DHPA within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. Part 800.

Unless another consulting party expresses a different opinion about this project's effects, it might now be appropriate to ask INDOT for a finding.

The Indiana SHPO staff's archaeological reviewer for this project is Wade T. Tharp, and the structures reviewer is Caitlin Lehman. However, if you have a question about the Section 106 process, please contact initially the INDOT Cultural Resources staff members who are assigned to this project.

In all future correspondence about the Interstate 70 Clear Creek Rest Area project in Vigo County (Des. No. 1902855), please refer to DHPA No. 29400.

Very truly yours,



Beth K. McCord
Deputy State Historic Preservation Officer

BKM:CML:WTT:wt

emc: Kari Carmany-George, FHWA
Matt Coon, INDOT
Susan Branigin, INDOT
Candace Hudziak, Metric Environmental
Marla Flowers, Vigo County History Center
Caitlin Lehman, Indiana DNR-DHPA
Wade T. Tharp, Indiana DNR-DHPA



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N758-ES
Indianapolis, Indiana 46204

PHONE: (855) 463-6848

Eric Holcomb, Governor
Michael Smith, Commissioner

November 1, 2022

This letter was sent to the listed parties.

RE: Interstate 70 (I-70)/Clear Creek Rest Area Project
Sugar Creek Township, Vigo County, Indiana
Des. No. 1902855/DHPA No. 29400/Public Works Project No. 06002001-22-060-C1

Dear Consulting Party,

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with the Interstate 65 (I-65)/Lebanon Rest Areas (both northbound and southbound) Project (Des. No. 1902651).

This letter is part of the Section 106 review process for this project. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties. We are requesting comments from you regarding the possible effects of this project. Please use the above Des. Number and project description in your reply and your comments will be incorporated into the formal environmental study.

A Section 106 early coordination letter was distributed to non-Tribal consulting parties on June 14, 2022, and on June 15, 2022, the letter was distributed to Tribal consulting parties. In addition, an email distributed on September 22, 2022, notified consulting parties that a Historic Property Short Report and an Archaeology Report were available for review and comment.

The proposed undertaking is on eastbound I-70 at mile marker 2 between the Indiana State Line and Terre Haute, and it encompasses approximately 52.5 acres in Vigo County, Indiana. It is within Sugar Creek Township, on the Dennisville, Indiana USGS Topographic Quadrangle, in Sections 34 and 35, Township 12 N, Range 10 W. The project area can be viewed online at <https://arcg.is/jqueP> (the Des. No. is the most efficient search term once in the CRO - Public Web Map App).

The eastbound Clear Creek rest area opened in 1992 and it offers 77 parking spots for cars (including accessible parking) and 50 spots for trucks as well as a sheltered picnic area. The purpose of this project is to create a new rest area in accordance with INDOT's Long Range Plan for Rest Areas and Welcome Centers. This long-range plan calls for modernizing ten of the state's welcome centers by 2031 to include family restrooms, ADA accessibility, pet areas, walking trails, and other design and tourism amenities. The need for the project is due to the current condition of Clear Creek eastbound rest area, which does not offer most of these proposed modernizations, and its water and sewer lines are undersized to meet current demands. Secondly, the parking lot does not offer an adequate number of parking spaces for either automobile or semi-truck drivers.

The preferred alternative is to demolish and replace the existing rest area building and to reconfigure the parking lots to increase truck parking spaces. Ancillary work items include a new wastewater line installation, reconstruction of entrance and exit ramps, utility work, and landscaping. As stated in previous project descriptions, a new water line will also be constructed; however, that will be built under a separate Des. No. (1600203) and is not part of this undertaking. Current wastewater treatment at the welcome center is carried out via a small package plant that discharges into a nearby stream. A new wastewater pipe will be installed for the welcome center to connect it to the municipal utility in Terre Haute, a distance of approximately 1.2 miles. The wastewater pipe will begin at the welcome center and travel north and east along Old US 40. A new submersible lift station will be installed along Old US 40; the connection point for the wastewater pipe to tie into the municipal system will be at Old US 40 and South Gorham Place, and will terminate at the intersection of Old US 40 and South Thorpe Place. Construction of the wastewater pipe will involve horizontal directional drilling along the roads that make up the route.

The new right-of-way needed east of the welcome center to accommodate the parking area expansion has been acquired by INDOT since distribution of the Historic Property Short Report on September 22, 2022. No other right-of-way is needed for the welcome center.

Metric Environmental, LLC, is under contract with Janssen & Spaans Engineering, Inc, on the behalf of INDOT, to advance the environmental documentation for the referenced project.

In accordance with 36 CFR 800.2 (c), you were invited to become a consulting party as part of the Section 106 process, or you are hereby invited to become a consulting party as part of the Section 106 process. Entities that have previously accepted consulting party status--as well as additional entities that are currently being invited to become consulting parties--are identified in the attached list.

The Section 106 process involves efforts to identify historic properties potentially affected by the undertaking, to assess the undertaking's effects and to seek ways to avoid, minimize, or mitigate any adverse effects on historic properties. For more information regarding the protection of historic resources, please see the Advisory Council on Historic Preservation's guide: *Protecting Historic Properties: A Citizen's Guide to Section 106 Review* available online at <https://www.achp.gov/sites/default/files/documents/2017-01/CitizenGuide.pdf>.

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. The APE contains no resources listed in the National Register of Historic Places (NRHP).

A historian who meets the Secretary of the Interior's Professional Qualification Standards identified and evaluated above-ground resources within the APE for potential eligibility for the NRHP. As a result of the historic property identification and evaluation efforts, no above-ground resources are recommended as eligible for listing in the NRHP.

With regard to archaeological resources, an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards identified no sites within the project area. As a result of these efforts, no further work is recommended.

As per a request made by Marla Flowers of the Vigo County Historical Society on June 15, 2022, a consulting party invitation is hereby being issued to the current Vigo County Commissioners: Mike Morris, Chris Switzer, and Brandan Kearns, as well as to the Terre Haute Chamber of Commerce.

The No Historic Properties Affected finding and 800.11 documentation is available for review in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE). You are invited to review these documents and to respond with comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days

Please review the information and comment within thirty (30) calendar days of receipt. If you indicate that you do not desire to be a consulting party or if you have not previously accepted consulting party status and you do not respond to this letter, you will not be included on the list of consulting parties for this project and will not receive further information about the project unless the design changes.

For questions concerning specific project details, you may contact Candace Hudziak of Metric Environmental, LLC, at 317-443-4123 or candaceh@metricenv.com. All future responses regarding the proposed project should be forwarded to Metric Environmental, LLC, at the following address:

Candace Hudziak
Architectural Historian
Metric Environmental, LLC
6958 Hillside Court
Indianapolis, Indiana, 46250
candaceh@metricenv.com

Tribal Contacts please respond to INDOT's Tribal Liaison, Matt Coon at mcoon@indot.in.gov (317-697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany-George at K.CarmanyGeorge@dot.gov (317-226-5629).

Sincerely,



Matthew S. Coon, Acting Manager
Cultural Resources Office
Environmental Services

Distribution List:

New Invitees

Vigo County Commissioners

- Mike Morris, mike.morris@vigocounty.in.gov
- Chris Switzer, chris.switzer@vigocounty.in.gov
- Brandan Kearns, Brendan.kearns@vigocounty.in.gov

650 South 1st Street
Terre Haute, IN 47807

Terre Haute Chamber of Commerce

Kristin Craig, Executive Director

630 Wabash Avenue, Suite 105

Terre Haute, IN 47807

kcraig@terrehautechamber.com

Previous Invitees

Department of Natural Resources

Division of Historic Preservation and Archaeology

402 West Washington Street, Room W274

Indianapolis, IN 46204-2739

Danielle Kauffmann

dkauffmann@dnr.in.gov

Wade T. Tharp

Wtharp1@dnr.in.gov

Marla Flowers, Executive Director

Vigo County History Center

929 Wabash Avenue

Terre Haute, IN 47807

marla.flowers@vchsmuseum.org

Tribal Contacts:

Eastern Shawnee Tribe of Oklahoma

Miami Tribe of Oklahoma

Peoria Tribe of Indians of Oklahoma

Shawnee Tribe

Forest County Potawatomi Community

From: [Candace Hudziak](#)
To: mike.morris@vigocounty.in.gov; chris.switzer@vigocounty.in.gov; brandan.kearns@vigocounty.in.gov; kcraig@terrehautechamber.com; [Kauffmann, Danielle M](#); [Tharp, Wade](#); [Marla Flowers](#)
Cc: [Branigin, Susan](#); [Coon, Matthew](#); [Kelly, Clint](#); [Luella Beth Hillen](#); [Sam Snell](#); [Timothy Miller](#); [Hedlund, David](#); [Dalal, Imtiyaz](#)
Subject: FHWA Project: Des. No. 1902855; NHPA Finding, Interstate 70 (I-70)/Clear Creek Rest Area Project, Vigo County, Indiana
Date: Tuesday, November 1, 2022 11:31:13 AM
Attachments: [image001.png](#)

Des. No.: 1902855

Project Description: Interstate 70 (I-70)/Clear Creek Rest Area Project

Location: Sugar Creek Townships, Vigo County, Indiana

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with the Interstate 70 (I-70)/Clear Creek Rest Area Project (Des. No. 1902855). The Section 106 Early Coordination Letter for this project was originally distributed on June 14 and 15, 2022. A Historic Property Short Report and an Archaeology Report were distributed on September 22, 2022.

INDOT, on behalf of FHWA, has signed a determination of “No Historic Properties Affected” for this Section 106 undertaking. In accordance with 36 CFR 800.4(d), you and the other consulting parties that responded to the early coordination letter are being provided the documentation for this finding. You can view the determination of “No Historic Properties Affected” electronically by accessing INDOT’s Section 106 document posting website IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE). If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment.

Tribal Contacts please respond to INDOT’s Tribal Liaison, Matt Coon at mcoon@indot.in.gov (317-697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany-George at K.CarmanyGeorge@dot.gov (317-226-5629).

Thank you in advance for your input,



Candace Hudziak, MA, QP

*Architectural Historian
Cultural Resources*

○ 317.643.8535

M 317.443.4123

6958 Hillside Court
Indianapolis, IN 46250
www.metricenv.com

Certified DBE/MBE/SBE Company
Indiana | Kentucky | Ohio | West Virginia

From: [Kelly, Clint](#)
To: thpo@estoo.net; THPO@MiamiNation.com; cechohawk@peoriatribes.com; Section106@shawnee-tribe.com; benjamin.rhodd@fcp-nsn.gov
Cc: [Coon, Matthew](#); [Branigin, Susan](#); [Wilburn, Lauren](#); [Candace Hudziak](#); [Carmany-George, Karstin \(FHWA\)](#)
Subject: FHWA Project: Des. No. 1902855; NHPA Finding, Interstate 70 (I-70)/Clear Creek Rest Area Project, Vigo County, Indiana
Date: Tuesday, November 1, 2022 2:12:36 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image006.png](#)

External Message: *This message originated outside of Metric Environmental. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Des. No.: 1902855

Project Description: Interstate 70 (I-70)/Clear Creek Rest Area Project

Location: Sugar Creek Townships, Vigo County, Indiana

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration, proposes to proceed with the Interstate 70 (I-70)/Clear Creek Rest Area Project (Des. No. 1902855). The Section 106 Early Coordination Letter for this project was originally distributed on June 14 and 15, 2022. A Historic Property Short Report and an Archaeology Report were distributed on September 22, 2022.

INDOT, on behalf of FHWA, has signed a determination of “No Historic Properties Affected” for this Section 106 undertaking. In accordance with 36 CFR 800.4(d), you and the other consulting parties that responded to the early coordination letter are being provided the documentation for this finding. You can view the determination of “No Historic Properties Affected” electronically by accessing INDOT’s Section 106 document posting website IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE). If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30) calendar days from receipt of this information to review and provide comment.

Tribal Contacts please respond to INDOT’s Tribal Liaison, Matt Coon at mcoon@indot.in.gov (317-697-9752) with any responses pertaining to this project including to provide INDOT/Indiana FHWA additional information about Tribal resources/concerns and questions/comments regarding cultural resources. The FHWA point of contact is Kari Carmany-George at K.CarmanyGeorge@dot.gov (317-226-5629).

Thank you in advance for your input,

Clint Kelly

Section 106 Specialist/Historian

Cultural Resources Office

Environmental Services

100 N. Senate Ave., Rm. N758-ES

Indianapolis, IN 46204

Office: (317) 447-8707

Email: ckelly1@indot.in.gov

Core Office Hours: M-F 7:30-3:30





November 15, 2022

Candace Hudziak
Architectural Historian
Metric Environmental, LLC
6958 Hillside Court
Indianapolis, Indiana, 46250

Federal Agency: Indiana Department of Transportation (“INDOT”),
on behalf of Federal Highway Administration, Indiana Division (“FHWA”)

Re: Indiana Department of Transportation’s finding of “no historic properties affected” on behalf
of the Federal Highway Administration for the Interstate 70 Clear Creek Rest Area Project
(Des. No. 1902855; DHPA No. 29400)

Dear Ms. Hudziak:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the “Programmatic Agreement (PA) Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana,” the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO”) has reviewed your November 1, 2022, submission, which enclosed INDOT’s finding and supporting documentation, received by our office the same day for this project in Sugar Creek Township, Vigo County, Indiana.

As previously stated, for the purposes of the Section 106 review of this federal undertaking, we agree with the conclusions of the HPSR that there are no historic properties listed in or eligible for listing in the National Register of Historic Places (NRHP) within the area of potential effects.

Additionally, based on the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the NRHP within the additional portions of the proposed project area. We concur with the opinion of the archaeologist, as expressed in the Phase Ia archaeological reconnaissance survey report (Snell, 09/20/2022), that archaeological sites 12-Vi-1864 and 12-Vi-1865—both of which were identified during the archaeological investigations—do not appear eligible for inclusion in the NRHP, and we concur that no further archaeological investigations appear necessary at this proposed project area.

Accordingly, we concur with INDOT’s November 1, 2022, Section 106 finding of “No Historic Properties Affected” on behalf of FHWA for this federal undertaking.

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and -29) requires that the discovery be reported to the Indiana SHPO within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code

14-21-1-27 and -29 does not obviate the need to adhere to applicable federal statutes and regulations, including but not limited to 36 C.F.R. Part 800.

The Indiana SHPO staff's archaeological reviewer for this project is Wade T. Tharp, and the structures reviewer is Caitlin Lehman. However, if you have a question about the Section 106 process, please contact initially the INDOT Cultural Resources staff members who are assigned to this project.

In all future correspondence about the Interstate 70 Clear Creek Rest Area project in Vigo County (Des. No. 1902855), please refer to DHPA No. 29400.

Very truly yours,



Beth K. McCord
Deputy State Historic Preservation Officer

BKM:CML:cml

emc: Kari Carmany-George, FHWA
Matt Coon, INDOT
Susan Branigin, INDOT
Candace Hudziak, Metric Environmental
Wade T. Tharp, DNR-DHPA
Caitlin Lehman, DNR-DHPA
Marla Flowers, Vigo County History Center