

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

Road No./County:	State Road (SR) 244/ Rush County
Designation Number(s):	1901370
Project Description/Termini:	SR 244 Slide Correction Project, 0.45 mile east of CR 250 E to 0.53 mile east of CR 250 E

X	Categorical Exclusion, Level 2 – Required Signatories: INDOT DE and/or INDOT ESD
	Categorical Exclusion, Level 3 – Required Signatories: INDOT ESD
	Categorical Exclusion, Level 4 – Required Signatories: INDOT ESD and FHWA
	Environmental Assessment (EA) – Required Signatories: INDOT ESD and FHWA
	Additional Investigation (AI) – The proposed action included a design change from the original approved environmental document. Required Signatories must include the appropriate environmental approval authority

Approval

_____	_____
INDOT DE Signature and Date	INDOT ESD Signature and Date

FHWA Signature and Date	

Release for Public Involvement

	<u>TD</u> <u>8/10/2021</u>	<u>N/A</u>
	INDOT DE Initials and Date	INDOT ESD Initials and Date

Certification of Public Involvement

INDOT Consultant Services Signature and Date

INDOT DE/ESD Reviewer Signature and Date: _____

Name and Organization of CE/EA Preparer: Samantha Beaupre/ Lochmueller Group, Inc.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

Part I – Public Involvement

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

Does the project have a historic bridge processed under the Historic Bridges PA*?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If No, then:		
Opportunity for a Public Hearing Required?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

Notice of Entry letters were mailed to potentially affected property owners near the project area on September 12, 2019 notifying them about the project and that individuals responsible for land surveying and field activities may be seen in the area. A sample copy of the Notice of Entry letter is included in Appendix G, G1.

The project will meet the minimum requirements described in the current Indiana Department of Transportation (INDOT) Public Involvement Manual which requires the project sponsor to offer the public an opportunity to submit comments and/or request a public hearing. Therefore, a legal notice will appear in a local publication contingent upon the release of this document for public involvement. This document will be revised after the public involvement requirements are fulfilled.

Public Controversy on Environmental Grounds

Discuss public controversy concerning community and/or natural resource impacts, including what is being done during the project to minimize impacts.

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

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

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

Sponsor of the Project: INDOT INDOT District: Greenfield

Local Name of the Facility: SR 244

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

*If other is selected, please identify the funding source: N/A

PURPOSE AND NEED:

The need should describe the specific transportation problem or deficiency that the project will address. The purpose should describe the goal or objective of the project. The solution to the traffic problem should NOT be discussed in this section.

Need:

The need for this project is due to the erosion occurring along the eastbound roadway embankment of SR 244, causing the shoulder pavement, guardrail, and embankment to deteriorate and fail, documented in the 2020 Engineering Assessment (Appendix I, I11 to I67). This erosion is caused by the flow of North Fork Clifty Creek along the south side of SR 244.

Purpose:

The purpose of the project is to correct the slope failure caused by North Fork Clifty Creek and stabilize the bank of North Fork Clifty Creek to prevent further deterioration of the eastbound shoulder, guardrail, streambank, and embankment which will result in improved safety and mobility along SR 244.

PROJECT DESCRIPTION (PREFERRED ALTERNATIVE):

County: Rush Municipality: N/A

Limits of Proposed Work: The project extends 0.45 mile east of CR 250 E to 0.53 mile east of CR 250 E

Total Work Length: 0.08 Mile(s) Total Work Area: 1.09 Acre(s)

Is an Interstate Access Document (IAD)1 required?

If yes, when did the FHWA provide a Determination of Engineering and Operational Acceptability?

Table with Yes/No columns and Date row. No is checked.

1If an IAD is required; a copy of the approved CE/EA document must be submitted to the FHWA with a request for final approval of the IAD.

Describe location of project including township, range, city, county, roads, etc. Existing conditions should include current conditions, current deficiencies, roadway description, surrounding features, etc. Preferred alternative should include the scope of work, anticipated impacts, and how the project will meet the Purpose and Need. Logical termini and independent utility also need discussed.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

Location:

The proposed project is located in southeastern Rush County along SR 244, 4.79 miles east of SR 3. Specifically, the project is located in Sections 10, 11, 14, and 15, Township 12 North, Range 10 East in Richland Township as depicted on the Milroy Quadrangle U. S. Geological Survey 7.5 minute quadrangle (Appendix B, B2).

Existing Conditions:

Within the project area, SR 244 is functionally classified as a major collector. The typical cross-section of SR 244 consists of two 11-foot wide travel lanes (one in each direction) and a 1-foot paved shoulder on both sides of the roadway. Erosion is occurring on the south side of the roadway along the north bank of North Fork Clifty Creek. There is not currently a roadside ditch along the south side of SR 244. The existing speed limit along SR 244 is 55 miles per hour.

Bridge No. 244-70-05846 A is a prestressed concrete continuous box beam bridge located within the project area. The bridge was built in 1968 and reconstructed in 1992. The structure is 101.4 feet in length and has an out-to-out deck width of 33 feet.

Adjacent land use consists of agricultural, forested areas, and isolated rural residences.

Preferred Alternative:

The preferred alternative involves correction of the existing slide along the south side of SR 244, 4.79 miles east of SR 3 in Rush County, Indiana. The proposed project will involve the reconstruction of the eastbound roadway embankment with riprap and the construction of riprap spur dikes within the existing North Fork Clifty Creek bank to correct the erosional slide. Six spur dikes will be constructed from Class I rip rap within North Fork Clifty Creek at an angle to slow the flow of the stream and reduce erosion. The existing eastbound travel lane will be widened from 11 feet to 12 feet wide and the eastbound shoulder will be widened from 1 foot to 4 feet wide to accommodate new guardrail construction. A 5-foot earthen shoulder and roadside ditch will be constructed along the westbound lane. The guardrail on the eastbound side of the roadway (south side of SR 244) will be reconstructed and tie into the existing bridge concrete barriers. Due to the guardrail and roadway embankment reconstruction, partial pavement reconstruction is required. The roadway and shoulder will be widened by 9 feet in the area of embankment reconstruction. The roadway and shoulder will be widened by 6 feet in areas of only guardrail construction. Additionally, milling to a depth of 1.5 inches and overlay is proposed for the existing pavement of the eastbound and westbound lanes for 380 feet within the project limits. No work is expected on Bridge No. 244-70-05846 A or the bridge approach except for the new guardrail and riprap turnout (Appendix B, B14 to B20). The project extends 400 feet along SR 244.

Logical Termini/Independent Utility:

The termini of the project provide the logical beginning and end point necessary to complete the slide correction, widen the eastbound lane and shoulder, and resurface the pavement. The project is independent of any other action and able to be constructed without relying on the completion of any other project.

Maintenance of Traffic (MOT):

The MOT plan will involve a road closure along SR 244 within the project limits. The detour will utilize SR 3 and US 52. The detour route will be approximately 29 miles in length and will be in place for approximately 4 months. Access will be maintained for property owners during construction of the project. The MOT will be implemented per the Indiana Design Manual guidelines. Refer to the *Maintenance of Traffic (MOT) During Construction* section of this document for more information.

Every effort to avoid, minimize, and/or mitigate project impacts will be made.

The project meets the purpose and need by addressing the erosion occurring along the eastbound roadway embankment of SR 244 and the failing embankment.

OTHER ALTERNATIVES CONSIDERED:

This is page 4 of 27 Project name: SR 244 Slide Correction Project Date: July 27, 2021

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

Provide a header for each alternative. Describe all discarded alternatives, including the No Build Alternative. Explain why each discarded alternative was not selected. Make sure to state how each alternative meets or does not meet the Purpose and Need and why.

Alternative 1: No Build Alternative:

This alternative would involve no improvements to the erosion occurring along SR 244. While this alternative eliminates costs and any environmental impacts, it would not meet the purpose and need of the project. This alternative would result in continued erosion and further deterioration. Therefore, this alternative was discarded from further consideration.

Alternative 2: Gabion Baskets:

This alternative would involve the construction of a gabion basket wall parallel to the SR 244 embankment. Gabion baskets are galvanized steel baskets that are filled with stone. This alternative was not chosen due to long-term maintenance of the gabion baskets. Additionally, the INDOT Greenfield District has had experiences with gabion baskets failing in areas with flooding. Failure of the gabion baskets would result in erosion of the embankment and pavement failure, resulting in the project not meeting the purpose and need. Furthermore, this alternative does not include measures to prevent the stream channel from approaching the roadway which would reduce further erosion. Therefore, this alternative would not meet the purpose and need and was discarded from further consideration.

Alternative 3: Sheet Pile Wall:

This alternative would involve the construction of a sheet pile wall parallel to the SR 244 embankment. The preliminary construction costs were determined to be higher than the preferred alternative. A geotechnical investigation identified a hard loam soil layer that would make the typical sections associated with the sheet pile wall design infeasible to construct. Additionally, this alternative does not include measures to prevent the stream channel from approaching the roadway which would reduce further erosion. Therefore, the project would not have met the purpose and need and this alternative was discarded from further consideration.

Alternative 4: Sheet Pile Wall with Spur Dike Construction:

This alternative would involve the construction of a sheet pile wall parallel to the SR 244 embankment along with riprap spur dikes within the existing channel. A geotechnical investigation identified a hard loam soil layer that would make the typical sections associated with the sheet pile wall design infeasible to construct. Therefore, this alternative was discarded from further consideration.

The No Build Alternative is not feasible, prudent or practicable because (Mark all that apply):

It would not correct existing capacity deficiencies;

It would not correct existing safety hazards;

It would not correct the existing roadway geometric deficiencies;

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

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

Other (Describe):

X

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

ROADWAY CHARACTER:

If the proposed action includes multiple roadways, complete and duplicate for each roadway.

Name of Roadway	<u>SR 244</u>			
Functional Classification:	<u>Major Collector</u>			
Current ADT:	<u>1320</u>	<u>VPD (2022)</u>	Design Year ADT:	<u>1439</u> <u>VPD (2042)</u>
Design Hour Volume (DHV):	<u>143</u>	Truck Percentage (%)	<u>8.37</u>	
Designed Speed (mph):	<u>55</u>	Legal Speed (mph):	<u>55</u>	

	Existing		Proposed	
Number of Lanes:	2		2	
Type of Lanes:	through		through	
Pavement Width:	22	ft.	23	ft.
Shoulder Width:	2	ft.	5	ft.
Median Width:	N/A	ft.	N/A	ft.
Sidewalk Width:	N/A	ft.	N/A	ft.

Setting:	<input type="checkbox"/> Urban	<input type="checkbox"/> Suburban	<input checked="" type="checkbox"/> Rural
Topography:	<input type="checkbox"/> Level	<input checked="" type="checkbox"/> Rolling	<input type="checkbox"/> Hilly

BRIDGES AND/OR SMALL STRUCTURE(S):

If the proposed action includes multiple structures, complete and duplicate for each bridge and/or small structure. Include both existing and proposed bridge(s) and/or small structure(s) in this section.

Structure/NBI Number(s): 244-70-05846 A Sufficiency Rating: 94.8, Bridge Inspection Report
(Rating, Source of Information)

	Existing		Proposed	
Bridge/Structure Type:	Prestressed concrete continuous box beam		Prestressed concrete continuous box beam	
Number of Spans:	3		3	
Weight Restrictions:	N/A	ton	N/A	ton
Height Restrictions:	N/A	ft.	N/A	ft.
Curb to Curb Width:	30	ft.	30	ft.
Outside to Outside Width:	33	ft.	33	ft.
Shoulder Width:	3	ft.	3	ft.

Describe impacts and work involving bridge(s), culvert(s), pipe(s), and small structure(s). Provide details for small structure(s): structure number, type, size (length and dia.), location and impacts to water. Use a table if the number of small structures becomes large. If the table exceeds a complete page, put it in the appendix and summarize the information below with a citation to the table.

Bridge No. 244-70-05846 A (NBI #0301770) is located within the project area and is not a historic bridge. The guardrail on the eastbound side of the roadway will be reconstructed and extended to the bridge concrete barriers. No work is expected on Bridge No. 244-70-05846 A or the bridge approach except for the attachment of new guardrail.

No other structures or bridges will be impacted by the proposed project.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

MAINTENANCE OF TRAFFIC (MOT) DURING CONSTRUCTION:

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

Discuss closures and/or facilities (if any) that will be provided for maintenance of traffic. Any known impacts from these temporary measures should be quantified to the extent possible, particularly with respect to properties such as Section 4(f) resources and wetlands. Any local concerns about access and traffic flow should be detailed as well.

The MOT for the project will involve the closure of SR 244 within the project limits. The detour will utilize SR 3 and US 52. The detour route will be approximately 29 miles in length and will be in place for approximately 4 months (Appendix B, B19). Access will be maintained for property owners during construction of the project. The MOT will be implemented per the Indiana Design Manual guidelines.

The road closure and detour will pose a temporary inconvenience to traveling motorists (including school buses and emergency services); however, no significant delays are anticipated, and all inconveniences and delays will cease upon project completion.

ESTIMATED PROJECT COST AND SCHEDULE:

Engineering: \$ 100,000 (2020) Right-of-Way: \$ 5,000 (2020) Construction: \$ 110,614 (2020-2021)

Anticipated Start Date of Construction: Fall 2022

RIGHT OF WAY:

Land Use Impacts	Amount (acres)	
	Permanent	Temporary
Residential	0.02	0
Commercial	0	0
Agricultural	0.28	0
Forest	0.13	0
Wetlands	0	0
Other: Maintained Roadside	0.45	0
Other:	0	0
TOTAL	0.88	0

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

The existing right-of-way (ROW) within the project area is the edge of pavement. The typical and maximum existing ROW width extends 11 feet wide north and south of the roadway centerline (22 feet wide total).

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

The project requires approximately 0.88 acre of permanent ROW from residential (0.02 acre), agricultural (0.28 acre), forest (0.13 acre), and maintained roadside (0.45 acre) in order to establish INDOT-owned ROW on the north side and install the spur dikes on the south side. The new typical ROW width will be 45 feet wide north and south of the roadway centerline (90 feet wide total). The new maximum ROW width will be 120 feet wide to the south and 45 feet wide to the north of the roadway centerline (165 feet wide total). The project does not require temporary ROW.

If the scope of work or permanent or temporary right-of-way amounts change, the INDOT Environmental Services Division (ESD) and the INDOT District Environmental Section will be contacted immediately.

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

SECTION A - EARLY COORDINATION:

List the date(s) coordination was sent and all resource agencies that were contacted as a part of the development of this Environmental Study. Also, include the date of their response or indicate that no response was received.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

Early coordination letters were sent on November 5, 2020 (Appendix C, C1 to C5).

Agency	Date Sent	Date Response Received	Appendix
Natural Resources Conservation Service (NRCS), Indianapolis Office	November 5, 2020	November 18, 2020	Appendix C, C17 to C18
U.S. Army Corps of Engineers (USACE), Louisville District	November 5, 2020	No response received	N/A
U.S. Housing and Urban Development (U.S. HUD)	November 5, 2020	No response received	N/A
National Park Service	November 5, 2020	No response received	N/A
Federal Highway Administration (FHWA), Indiana Division	November 5, 2020	No response received	N/A
Indiana Department of Natural Resources (IDNR), Division of Fish and Wildlife (DFW)	November 5, 2020	December 4, 2020	Appendix C, C19 to C21
Indiana Department of Environmental Management (IDEM)	November 5, 2020	November 5, 2020	Appendix C, C6 to C14
INDOT Project Manager(PM)	November 5, 2020	No response received	N/A
INDOT Environmental Services Division (ESD)	November 5, 2020	No response received	N/A
INDOT, Greenfield District	November 5, 2020	No response received	N/A
Indiana Geological & Water Survey (IGWS)	November 5, 2020	November 5, 2020	Appendix C, C15 to C17
Rush County Board of Commissioners	November 5, 2020	No response received	N/A
Rush County Council	November 5, 2020	No response received	N/A
Rush County Highway Department	November 5, 2020	No response received	N/A
Rush County Surveyor's Office	November 5, 2020	No response received	N/A
Rush County Emergency Management Agency	November 5, 2020	No response received	N/A
Rush County Sheriff's Department	November 5, 2020	No response received	N/A
Richland Township Trustee	November 5, 2020	No response received	N/A
Rush County Schools	November 5, 2020	No response received	N/A
Anderson Township Volunteer Fire Department	November 5, 2020	No response received	N/A
Anderson Township Regional Sewer District	November 5, 2020	No response received	N/A
Floodplain Administrator	November 5, 2020	No response received	N/A
Eighth Coast Guard District	November 5, 2020	No response received	N/A

All applicable recommendations are included in the Environmental Commitments section of this CE document.

The early coordination letter dated November 5, 2020 stated that the project would involve widening the westbound travel lane, reconstruction of the guardrail on the north side of the road, and a new roadside ditch on the north side of the road. This work was removed from the project scope to reduce project costs since it is not required to correct the slide. Since the project changes would represent a reduction in impacts, re-coordination was not initiated with agencies.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

SECTION B – ECOLOGICAL RESOURCES:

Streams, Rivers, Watercourses & Other Jurisdictional Features

- Federal Wild and Scenic Rivers
- State Natural, Scenic or Recreational Rivers
- Nationwide Rivers Inventory (NRI) listed
- Outstanding Rivers List for Indiana
- Navigable Waterways

Presence

X

Impacts

Yes	No
X	

Total stream(s) in project area: 210 Linear feet Total impacted stream(s): 210 Linear feet

Stream Name	Classification	Total Size in Project Area (linear feet)	Impacted linear feet	Comments (i.e. location, flow direction, likely Water of the US, appendix reference)
North Fork Clifty Creek	perennial	210	210	Likely Water of the US (Appendix F, F14)
RSD	Roadside ditch	199	53	Not likely Water of the US (Appendix F, F14)

Describe all streams, rivers, watercourses and other jurisdictional features adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if the streams or rivers are listed on any federal or state lists for Indiana. Include if features are subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.

Based on the desktop review, the aerial map of the project area, and the RFI report (Appendix E, E1 to E9), there are five streams, rivers, watercourse or other jurisdictional features within the 0.5 mile search radius. One stream and one roadside ditch (RSD) within the survey area was confirmed by the site visit on October 12, 2020 by Lochmueller Group.

A *Waters of the U.S. Determination / Wetland Delineation Report* was approved by INDOT Ecology and Waterway Permitting Office on January 28, 2021. Please refer to Appendix F, F1 to F19 for the *Waters of the U.S. Determination / Wetland Delineation Report*. It was determined that North Fork Clifty Creek would likely be considered a jurisdictional resource due to its designation as a perennial channel, status as a relatively permanent water (RPW), and connectivity to the East Fork of the White River, via Clifty Creek. The East Fork of the White River is a traditionally navigable water (TNW) from its junction with the White River for 189 miles to its junction with the Flatrock and Driftwood Rivers (near Columbus). Therefore, North Fork Clifty Creek is subject to USACE jurisdiction under section 404 of the Clean Water Act.

One roadside ditch was identified on the north side of SR 244. The roadside ditch lacked a defined bed and bank and therefore would not likely be considered a jurisdictional feature. Approximately 53 linear feet will be impacted by re-grading the ditch. The USACE makes all final determinations regarding jurisdiction.

The project will likely impact approximately 210 linear feet (0.16 acre) of North Fork Clifty Creek below its OHWM. Impacts are related to the excavation and reconstruction of the existing North Fork Clifty Creek bank and the construction of the riprap spur dikes. Due to the permanent impacts to a likely "Waters of the U.S.," an IDEM Section 401 Water Quality Certification (WQC) and a USACE Section 404 Regional General Permit (RGP) will likely be required. Mitigation is required when cumulative stream and wetland impacts meet or exceed 300 linear feet or 0.1 acre below the OHWM. As the anticipated impacts for the project are above this threshold, mitigation is likely required. The mitigation will occur through the purchase of in-lieu mitigation.

North Branch Clifty Creek is impaired for *E. coli*. Workers who are working in or near water with *E. coli* should take care to wear appropriate PPE, observe proper hygiene procedures, including regular hand washing, and limit personal exposure. This is included in the *Environmental Commitments* section of this document.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

The IDNR DFW responded on December 4, 2020 with recommendations that included bank stabilization, time of year restrictions, and erosion controls (Appendix C, C19 to C21).

The project falls under the category of "Programmatic Coordination" per the USFWS Interim Policy for the Review of Highway Transportation Projects in Indiana dated May 29, 2013 (Interim Policy). Applicable recommendations from the Interim Policy include restricting channel work to minimize stream disturbance and time of year restrictions for fish spawning season.

An automated letter was generated from the IDEM website on November 5, 2020 (Appendix C, C6 to C14). Applicable recommendations from the Proposed Roadway Letter include limiting stream disturbances and coordinating with appropriate permitting agencies.

All applicable recommendations are included in the Environmental Commitments section of this CE document.

Open Water Feature(s)	Presence	Impacts	
		Yes	No
Reservoirs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lakes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Farm Ponds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Retention/Detention Basin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Storm Water Management Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Describe all open water feature(s) identified adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if features are subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.

Based on the desktop review, the aerial map of the project area, and the RFI report (Appendix E, E1 to E9), there is one open water feature within the 0.5 mile search radius. No open water features are present within or adjacent to the project area, therefore, no impacts are expected. That number was confirmed by the site visit on October 12, 2020 by Lochmueller Group.

The IDNR DFW responded on December 4, 2020 but did not have recommendations related to open water features (Appendix C, C19 to C21).

An automated letter was generated from the IDEM website on November 5, 2020 (Appendix C, C6 to C14). Applicable recommendations from the Proposed Roadway Letter include coordinating with appropriate permitting agencies.

All applicable recommendations are included in the Environmental Commitments section of this CE document.

Wetlands	Presence	Impacts	
		Yes	No
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Total wetland area: N/A Acre(s) Total wetland area impacted: N/A Acre(s)

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

Wetland No.	Classification	Total Size (Acres)	Impacted Acres	Comments (i.e. location, likely Water of the US, appendix reference)
N/A	N/A	N/A	N/A	N/A

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

Wetlands (Mark all that apply)

Wetland Determination
 Wetland Delineation
 USACE Isolated Waters Determination

Documentation

X

ESD Approval Dates

January 28, 2021

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

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

Describe all wetlands identified adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if features are subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.

Based on the desktop review, the aerial map of the project area, and the RFI report (Appendix E, E1 to E9), there are five wetlands within the 0.5 mile search radius. No wetlands are present within or adjacent to the project area, therefore, no impacts are expected. That number was confirmed by the site visit on October 12, 2020 by Lochmueller Group.

A *Waters of the U.S. Determination / Wetland Delineation Report* was approved by *INDOT Ecology and Waterway Permitting Office* on January 28, 2021. Please refer to Appendix F, F1 to F19 for the *Waters of the U.S. Determination / Wetland Delineation Report*. It was determined that no wetlands are located within the survey area. The USACE makes all final determinations regarding jurisdiction.

The IDNR DFW responded on December 4, 2020 with recommendations to limit excavation within wetlands and get the appropriate permit for wetland impacts (Appendix C, C19 to C21).

The project falls under the category of "Programmatic Coordination" per the USFWS Interim Policy for the Review of Highway Transportation Projects in Indiana dated May 29, 2013 (Interim Policy). No recommendations from the Interim Policy include are applicable to wetlands.

An automated letter was generated from the IDEM website on November 5, 2020 (Appendix C, C6 to C14). Applicable recommendations from the Proposed Roadway Letter include limiting wetland disturbances and coordinating with appropriate permitting agencies.

All applicable recommendations are included in the Environmental Commitments section of this CE document.

Terrestrial Habitat

Presence

X

Impacts

Yes	No
X	

Total terrestrial habitat in project area: 0.53 Acre(s) Total tree clearing: 0.13 Acre(s)

Describe types of terrestrial habitat (i.e. forested, grassland, farmland, lawn, etc.) adjacent or within the project area. Include whether or not impacts will occur to habitat identified. Include total terrestrial habitat impacted and total tree clearing that will occur. Discuss measure to avoid, minimize, and mitigate if impacts will occur.

Based on a desktop review, a site visit on October 12, 2020 by Lochmueller Group, and the aerial map of the project area (Appendix B, B3), there are riparian, agricultural, existing roadway, and herbaceous vegetated areas within the project area. Dominant vegetation consists of boxelder (*Acer negundo*), honey locust (*Gleditsia triacanthos*), Osage orange (*Maclura pomifera*), green ash (*Fraxinus pennsylvanica*), hackberry (*Celtis occidentalis*), panicled aster (*Symphotrichum lanceolatum*), and buckwheat (*Fagopyrum esculentum*). The project will require 0.13 acre of tree clearing within 100 feet

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

of the existing roadway. Approximately 0.44 acre of other terrestrial habitat will be disturbed by the project. The avoidance of these impacts is not feasible as the project limits are required for the preferred alternative that meets the purpose and need for the project, as outlined in the Purpose and Need section of this document. Because the project will result in less than one acre of land disturbance, an IDEM Rule 5 Notice of Intent will not be required.

The IDNR DFW responded on December 4, 2020 with recommendations to revegetate disturbed areas, limiting tree clearing, and using proper erosion and sediment controls (Appendix C, C19 to C21).

The project falls under the category of "Programmatic Coordination" per the USFWS Interim Policy for the Review of Highway Transportation Projects in Indiana dated May 29, 2013 (Interim Policy). Applicable recommendations from the Interim Policy include limiting tree clearing and erosion control.

An automated letter was generated from the IDEM website on November 5, 2020 (Appendix C, C6 to C14). Applicable recommendations from the Proposed Roadway Letter include coordinating with appropriate permitting agencies.

All applicable recommendations are included in the Environmental Commitments section of this CE document.

Protected Species

Federally Listed Bats

Information for Planning and Consultation (IPaC) determination key completed
 Section 7 informal consultation completed (IPaC cannot be completed)
 Section 7 formal consultation Biological Assessment (BA) required

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

Determination Received for Listed Bats from USFWS: NE NLAA LAA

Other Species not included in IPaC

Additional federal species found in project area (based on IPaC species list)
 State species (not bird) found in project area (based upon consultation with IDNR)

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

Migratory Birds

Known usage or presence of birds (i.e. nests)
 State bird species based upon coordination with IDNR

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

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

Discuss IDNR coordination and species identified. Describe USFWS Section 7 consultation and determination received for Indiana bat and northern long-eared bat impacts. Discuss if other federally listed species were identified. If so, include consultation that has occurred and the determination that was received. Discuss if migratory birds have been observed and any impacts.

Based on a desktop review and the RFI report (Appendix E, E1 to E9), completed by Lochmueller Group on November 22, 2019, the IDNR Rush County Endangered, Threatened and Rare (ETR) Species List has been checked. According to the IDNR DFW early coordination response letter dated December 4, 2020 (Appendix C, C19 to C21), the Natural Heritage Program's Database has been checked and to date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity.

Project information was submitted through the USFWS's Information for Planning and Consultation (IPaC) portal, and an official species list was generated (Appendix C, C22 to C27). The project is within range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (NLEB) (*Myotis septentrionalis*). No additional species were generated in the IPaC species list other than the Indiana bat and northern long-eared bat.

The project qualifies for the *Range-wide Programmatic Informal Consultation for the Indiana bat and northern long-eared bat (NLEB)*, dated May 2016 (revised February 2018), between FHWA, Federal Railroad Administration (FRA), Federal Transit Administration (FTA), and USFWS. A bridge inspection occurred on October 12, 2020 and no signs of bats using the structure were identified (Appendix C, C40). An effect determination key was completed on January 20, 2021, and based on the responses provided, the project was found to "not likely to adversely affect" the Indiana bat and/or the NLEB (Appendix C, C28 to C39). INDOT reviewed and verified the effect finding on January 20, 2021 and requested USFWS's review of the finding. No response was received from USFWS within the 14-day review period; therefore, it was concluded they concur with the finding. Avoidance and Minimization Measures (AMMs) include time of year restriction for tree clearing and directing temporary lighting away from suitable bat habitat. AMMs and/or commitments are included as firm commitments in the *Environmental Commitments* section of this document.

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

Geological and Mineral Resources

- Project located within the Potential Karst Features Area of Indiana
- Karst features identified within or adjacent to the project area
- Oil/gas or exploration/abandoned wells identified in the project area

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

Date Karst Study/Report reviewed by INDOT EWPO (if applicable): N/A

Discuss if project is located in Potential Karst Features Area of Indiana and if any karst features have been identified in the project area (from RFI). Discuss response received from IGWS coordination. Discuss if any mines, oil/gas, or exploration/abandoned wells were identified and if impacts will occur. Describe if any impacts will occur to any karst features. Include discussion of karst study/report was completed and results. (Karst investigation must comply with the current Karst MOU and coordinated and reviewed by INDOT EWPO)

Based on a desktop review, the project is located outside the designated karst region of Indiana as outlined in the October 13, 1993 Karst Memorandum of Understanding (MOU). According to the topo map of the project area (Appendix B, B2) and the RFI report (Appendix E, E1 to E9), there are no karst features identified within or adjacent to the project area. In the early coordination response dated November 5, 2020, the Indiana Geological and Water Survey (IGWS) did not indicate that karst features exist in the project area (Appendix C, C15 to C17). The response also stated that the project area has moderate liquefaction potential, high potential for bedrock resources, and low potential for sand and gravel resources. The response from IGWS was communicated with the designer on April 14, 2021. No impacts are expected.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

SECTION C – OTHER RESOURCES

Drinking Water Resources

- Wellhead Protection Area(s)
- Source Water Protection Area(s)
- Water Well(s)
- Urbanized Area Boundary
- Public Water System(s)

Presence

X

Impacts

Yes	No
	X

- Is the project located in the St. Joseph Sole Source Aquifer (SSA):
- If Yes, is the FHWA/EPA SSA MOU Applicable?
- If Yes, is a Groundwater Assessment Required?

Yes	No
	X

Check the appropriate boxes and discuss each topic below. Provide details about impacts and summarize resource-specific coordination responses and any mitigation commitments. Reference responses in the Appendix.

Sole Source Aquifer

The project is located in Rush County, which is not located within the area of the St. Joseph Sole Source Aquifer, the only legally designated sole source aquifer in the state of Indiana. Therefore, the FHWA/EPA Sole Source Aquifer Memorandum of Understanding (MOU) is not applicable to this project, a detailed groundwater assessment is not needed, and no impacts are expected.

Wellhead Protection Area and Source Water

The IDEM Wellhead Proximity Determinator website (<http://www.in.gov/idem/cleanwater/pages/wellhead/>) was accessed on March 11, 2021 by Lochmueller Group. This project is located within a Source Water Area. The features will not be affected because water quality will be improved by addressing the erosion at this part of North Clifty Creek. Currently available records on IDEM's Source Water Assessment Program website (<https://www.in.gov/idem/cleanwater/information-about/groundwater-monitoring-and-source-water-protection/source-water-assessment-program/>), accessed by the consultant on April 15, 2021, did not contain information regarding this particular source water protection area or a susceptibility rating. For this project, the most prominent source of contamination is the small amount of new impervious surface that would likely be treated with de-icing agents during the winter season for safety. As portions of the project area already consist of impervious surface, the project is not anticipated to cause a significant impact to the Source Water Area.

Water Wells

The IDNR Water Well Record Database website (<https://www.in.gov/dnr/water/3595.htm>) was accessed on March 11, 2021 by Lochmueller Group. No wells are located near this project. Therefore, no impacts are expected.

Urban Area Boundary

Based on a desktop review of the INDOT MS4 map (<https://entapps.indot.in.gov/MS4/>) by Lochmueller Group on March 11, 2021, this project is not located in an Urban Area Boundary. No impacts are expected.

Public Water System

Based on a desktop review, a site visit on October 12, 2020 by Lochmueller Group, the aerial map of the project area (Appendix B, B3), and the design plans (Appendix B, B14 to B20), no public water systems were identified. Therefore, no impacts are expected.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

Floodplains

Project located within a regulated floodplain

Longitudinal encroachment

Transverse encroachment

Homes located in floodplain within 1000' up/downstream from project

Presence

X
X

Impacts

Yes	No
X	
X	

If applicable, indicate the Floodplain Level?

Level 1

Level 2

Level 3

Level 4

Level 5

Use the IDNR Floodway Information Portal to help determine potential impacts. Include floodplain map in appendix. Discuss impacts according to the classification system. If encroachment on a flood plain will occur, coordinate with the Local Flood Plain Administrator during design to insure consistency with the local flood plain planning.

Based on a desktop review of the Indiana Department of Natural Resources Indiana Floodway Information Portal website (<http://dnrmmaps.dnr.in.gov/appsphp/fdms/>) by Lochmueller Group on March 11, 2021, and the RFI report, this project is located in a regulatory floodplain as determined from approved IDNR floodplain maps (Appendix F, F19). An early coordination letter was sent on November 5, 2020, to the local Floodplain Administrator. The floodplain administrator did not respond within the 30-day time frame. This project qualifies as a Category 3 per the current INDOT CE Manual, which states:

“The modifications to drainage structures included in this project will result in an insubstantial change in their capacity to carry flood water. This change could cause a minimal increase in flood heights and flood limits. These minimal increases will not result in any substantial adverse impacts on the natural and beneficial floodplain values; they will not result in substantial change in flood risks or damage; and they do not have substantial potential for interruption or termination of emergency service or emergency routes; therefore, it has been determined that this encroachment is not substantial.”

Farmland

Agricultural Lands

Prime Farmland (per NRCS)

Presence

X
X

Impacts

Yes	No
X	
X	

Total Points (from Section VII of CPA-106/AD-1006*) 103

*If 160 or greater, see CE Manual for guidance.

Discuss existing farmland resources in the project area, impacts that will occur to farmland, and mitigation and minimization measures considered.

Based on a desktop review, a site visit on October 12, 2020 by Lochmueller Group and the aerial map of the project area (Appendix B, B3), the project will convert 0.28 acre of farmland as defined by the Farmland Protection Policy Act. An early coordination letter was sent on November 5, 2020 to Natural Resources Conservation Service (NRCS). Coordination with NRCS resulted in a score of 103 on the NRCS-CPA-106 (Appendix C, C17 to C18). When early coordination was initiated, the project scope involved widening the westbound travel lane, reconstruction of the guardrail on the north side of the road, and a new roadside ditch on the north side of the road. This work was removed from the project scope. Therefore, the impacts to farmland have reduced from the 0.35 acre listed in the NRCS form. NRCS's threshold score for significant impacts to farmland that result in the consideration of alternatives is 160. Since this project score is less than the threshold, no significant loss of prime, unique, statewide, or local important farmland will result from this project. No alternatives other than those previously discussed in this document will be investigated without reevaluating impacts to prime farmland.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

SECTION D – CULTURAL RESOURCES

Minor Projects PA **Category(ies) and Type(s)** B-3 and B-10 **INDOT Approval Date(s)** February 12, 2021 **N/A**

Full 106 Effect Finding

No Historic Properties Affected No Adverse Effect Adverse Effect

Eligible and/or Listed Resources Present

NRHP Building/Site/District(s) Archaeology NRHP Bridge(s)

Documentation Prepared (mark all that apply)

APE, Eligibility and Effect Determination
 800.11 Documentation
 Historic Properties Report or Short Report
 Archaeological Records Check and Assessment **X**
 Archaeological Phase Ia Survey Report **X**
 Archaeological Phase Ic Survey Report
 Other:

ESD Approval Date(s)

SHPO Approval Date(s)

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> X	January 20, 2021	N/A
<input checked="" type="checkbox"/> X	January 20, 2021	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

MOA Signature Dates (List all signatories)

Memorandum of Agreement (MOA)

If the project falls under the MPPA, describe the category(ies) that the project falls under and any approval dates. If the project requires full Section 106, use the headings provided. The completion of the Section 106 process requires that a Legal Notice be published in local newspapers. Please indicate the publication date, name of the paper(s) and the comment period deadline. Include any further Section 106 work which must be completed at a later date, such as mitigation from a MOA or avoidance commitments.

On February 12, 2021 the INDOT Cultural Resource Office (CRO) determined that this project falls within the guidelines of Category B, Type 3 and Category B, Type 10 under the Minor Projects Programmatic Agreement (Appendix D, D1 to D4).

Category B, Type 3 projects involve construction of added travel, turning, or auxiliary lanes and shoulder widening in undisturbed soils when work is not adjacent to National Register-listed or National Register-eligible resources.

Category B, Type 10 projects involve slide corrections, slope repairs, and other erosion control measures in undisturbed soils when work is not adjacent to National Register-listed or National Register-eligible resources.

An archaeological records check and Phase Ia reconnaissance survey of the project area was conducted by CRA, Inc. One site identified in a previous survey was confirmed. The site was determined to be ineligible for inclusion in the National Register of Historic Places (NRHP). INDOT CRO approved the archaeology report on January 20, 2021. Therefore, there are no archaeological concerns.

No further consultation is required. This completes the Section 106 process and the responsibilities of the FHWA under Section 106 have been fulfilled.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

SECTION E – SECTION 4(f) RESOURCES/ SECTION 6(f) RESOURCES

	<u>Presence</u>	<u>Use</u>	
		Yes	No
Parks and Other Recreational Land			
Publicly owned park	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Publicly owned recreation area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (school, state/national forest, bikeway, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wildlife and Waterfowl Refuges			
National Wildlife Refuge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Natural Landmark	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Wildlife Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Nature Preserve	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Historic Properties			
Site eligible and/or listed on the NRHP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Evaluations Prepared</u>			
Programmatic Section 4(f)	<input type="checkbox"/>		
“De minimis” Impact	<input type="checkbox"/>		
Individual Section 4(f)	<input type="checkbox"/>		
Any exception included in 23 CFR 774.13	<input type="checkbox"/>		

Discuss Programmatic Section 4(f) and “de minimis” Section 4(f) impacts in the discussion below. Individual Section 4(f) documentation must be included in the appendix and summarized below. Discuss proposed alternatives that satisfy the requirements of Section 4(f). FHWA has identified various exceptions to the requirement for Section 4(f) approval. Refer to 23 CFR § 774.13 - Exceptions.

Section 4(f) of the U.S. Department of Transportation Act of 1966 prohibits the use of certain public and historic lands for federally funded transportation facilities unless there is no feasible and prudent alternative. The law applies to significant publicly owned parks, recreation areas, wildlife / waterfowl refuges, and NRHP eligible or listed historic properties regardless of ownership. Lands subject to this law are considered Section 4(f) resources.

Based on a desktop review, the aerial map of the project area (Appendix B, B3), and the RFI report (Appendix E, E1 to E9), there are no potential Section 4(f) resources located within the 0.5 mile search radius. According to additional research and the site visit on October 12, 2020 by Lochmueller Group, there are no Section 4(f) resources within or adjacent to the project area. Therefore, no use is expected.

Section 6(f) Involvement	<u>Presence</u>	<u>Use</u>	
Section 6(f) Property	<input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Discuss Section 6(f) resources present or not present. Discuss if any conversion would occur as a result of this project. If conversion will occur, discuss the conversion approval.

The U.S. Land and Water Conservation Fund Act of 1965 established the Land and Water Conservation Fund (LWCF), which was created to preserve, develop, and assure accessibility to outdoor recreation resources. Section 6(f) of this Act prohibits conversion of lands purchased with LWCF monies to a non-recreation use. A review of Section 6(f) properties on the INDOT ESD website revealed no properties in Rush County (<https://www.in.gov/indot/2523.htm>). Therefore, there will be no impacts to Section 6(f) resources.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

SECTION F – Air Quality

STIP/TIP and Conformity Status of the Project

	Yes	No
Is the project in the most current STIP/TIP?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the project located in an MPO Area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is the project in an air quality non-attainment or maintenance area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, then:		
Is the project in the most current MPO TIP?	<input type="checkbox"/>	<input type="checkbox"/>
Is the project exempt from conformity?	<input type="checkbox"/>	<input type="checkbox"/>
If No, then:		
Is the project in the Transportation Plan (TP)?	<input type="checkbox"/>	<input type="checkbox"/>
Is a hot spot analysis required (CO/PM)?	<input type="checkbox"/>	<input type="checkbox"/>

Location in STIP: Page 456

Name of MPO (if applicable): N/A

Location in TIP (if applicable): N/A

Level of MSAT Analysis required?

Level 1a Level 1b Level 2 Level 3 Level 4 Level 5

Describe if the project is listed in the STIP and if it is in a TIP. Describe the attainment status of the county(ies) where the project is located. Indicate whether the project is exempt from a conformity determination. If the project is not exempt, include information about the TP and TIP. Describe if a hot spot analysis is required and the MSAT Level.

STIP/TIP

This project is included in the Fiscal Year (FY) 2020-2024 Statewide Transportation Improvement Program (STIP) (Appendix H, H1).

Attainment Status

This project is located in Rush County, which is currently in attainment for all criteria pollutants according to the IDEM website (https://www.in.gov/idem/airquality/files/nonattainment_areas_map.pdf). Therefore, the conformity procedures of 40 CFR Part 93 do not apply.

Mobile Source Air Toxic (MSAT)

This project is of a type qualifying as a categorical exclusion (Group 1) under 23 CFR 771.117(c), or exempt under the Clean Air Act conformity rule under 40 CFR 93.126, and as such, a Mobile Source Air Toxics analysis is not required.

SECTION G - NOISE

	Yes	No
Is a noise analysis required in accordance with FHWA regulations and INDOT's traffic noise policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Date Noise Analysis was approved/technically sufficient by INDOT ESD: _____

Describe if the project is a Type I or Type III project. If it is a Type I project, describe the studies completed to date and if noise impacts were identified. If noise impacts were identified, describe if abatement is feasible and reasonable and include a statement of likelihood.

This project is a Type III project. In accordance with 23 CFR 772 and the current *Indiana Department of Transportation Traffic Noise Analysis Procedure*, this action does not require a formal noise analysis.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

SECTION H – COMMUNITY IMPACTS

Regional, Community & Neighborhood Factors

- Will the proposed action comply with the local/regional development patterns for the area?
- Will the proposed action result in substantial impacts to community cohesion?
- Will the proposed action result in substantial impacts to local tax base or property values?
- Will construction activities impact community events (festivals, fairs, etc.)?
- Does the community have an approved transition plan?
If No, are steps being made to advance the community's transition plan?
- Does the project comply with the transition plan? (explain in the discussion below)

Yes	No
X	
	X
	X
	X
X	
X	

Discuss how the project complies with the area's local/regional development patterns; whether the project will impact community cohesion; and impact community events. Discuss how the project conforms with the ADA Transition Plan.

The project will ultimately be beneficial to local properties due to the improvements to the slide and the associated improvements to SR 244. Overall, the negative impacts to property owners within the project area will be minimal and will consist primarily of short-term construction impacts. Slower traffic due to the road closure and detour will pose a temporary inconvenience to traveling motorists (including school buses and emergency services); however, no significant delays are anticipated, and all temporary inconveniences will cease upon project completion. Property owners will be provided access throughout the duration of the project to reduce impacts as much as possible. The project is not anticipated to result in substantial impacts to community cohesion, because it will not change access to properties within the area. The proposed project is not expected to impact the surrounding community or cause economic impacts to the surrounding area. Therefore, this project will have minimal or no negative impacts to the community or local economy.

According to the Fairs and Festivals website (<https://www.indianafestivals.org/>), accessed on March 12, 2021 by Lochmueller Group, there are no fairs or festivals planned near the project area. The search radius included all of Rush County and the nearest planned festival is in Rushville, approximately 8 miles northwest of the project area.

The Americans with Disabilities Act (ADA) Transition Plan for Rush County, Indiana was approved and implemented in 2012. The project will comply with the published ADA Transition Plan and will not create any additional barriers to access. No pedestrian facilities will be impacted or constructed as a part of this project.

Public Facilities and Services

Discuss what public facilities and services are present in the project area and impacts (such as MOT) that will occur to them. Include how the impacts have been minimized and what coordination has occurred. Some examples of public facilities and services include health facilities, educational facilities, public and private utilities, emergency services, religious institutions, airports, transportation or public pedestrian and bicycle facilities.

Based on a desktop review, the aerial map of the project area (Appendix B, B3) and the RFI report (Appendix E, E1 to E9), there are no public facilities within the 0.5 mile search radius. That number was confirmed by the site visit on October 12, 2020 by Lochmueller Group. There are no public facilities within or adjacent to the project area, therefore, no impacts are expected. Access to all properties will be maintained during construction.

Early Coordination letters were sent to Rush County Emergency Management Agency, Rush County Sheriff's Department, and Rush County Schools on November 5, 2020 (Appendix C, C1 to C5). These agencies did not respond to early coordination.

It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

Environmental Justice (EJ) (Presidential EO 12898)

During the development of the project were EJ issues identified?

Does the project require an EJ analysis?

If YES, then:

Are any EJ populations located within the project area?

Will the project result in adversely high and disproportionate impacts to EJ populations?

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

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

Indicate if EJ issues were identified during project development. If an EJ analysis was not required, discuss why. If an EJ analysis was required, describe how the EJ population was identified. Include if the project has a disproportionately high and adverse effect on EJ populations and explain your reasoning. If yes, describe actions to avoid, minimize and mitigate these effects.

Under FHWA Order 6640.23A, FHWA and the project sponsor, as a recipient of funding from FHWA, are responsible to ensure that their programs, policies, and activities do not have a disproportionately high and adverse effect on minority or low-income populations. Per the current INDOT Categorical Exclusion Manual, an Environmental Justice (EJ) Analysis is required for any project that has two or more relocations or 0.5 acre of additional permanent right-of-way. The project will require 0.88 acre of permanent ROW. Therefore, an EJ Analysis is required.

Potential EJ impacts are detected by locating minority and low-income populations relative to a reference population to determine if populations of EJ concern exists and whether there could be disproportionately high and adverse impacts to them. The reference population may be a county, city or town and is called the community of comparison (COC). In this project, the COC is Rush County, Indiana. The community that overlaps the project area is called the affected community (AC). In this project, the AC is Richland Township, Rush County, Indiana. An AC has a population of concern for EJ if the population is more than 50% minority or low-income or if the low-income or minority population is 125% of the COC. Data from the American Community Survey (2015-2019) was obtained from the U.S. Census Bureau's webpage (<https://data.census.gov/cedsci/>) on April 7, 2021 by Lochmueller Group. The data collected for minority and low-income populations within the AC are summarized in the below table.

Table: Minority and Low-Income Data (2015-2019 American Community Survey 5-Year Estimates)		
	COC – Rush County, Indiana	AC-Richland Township, Rush County, Indiana
Percent Minority	4.3%	0.0%
125% of COC	5.4%	AC < 125% COC
EJ Population of Concern		No
Percent Low-Income	14.5%	25.2%
125% of COC	18.1%	AC > 125% COC
EJ Population of Concern		Yes

A review of the data revealed that the AC did not contain a population greater than or equal to 50% low-income or minority population. The data for the low-income populations determined that the AC population (25.2%) was greater than 125% of the COC (18.1%). Therefore, the AC contains a low-income population of EJ concern. The data for the minority populations determined that the AC population (0.0%) was not greater than 125% of the COC (5.4%). Therefore, no minority populations of EJ concern are present within the AC.

Overall, the negative impacts to property owners within the project area will be minimal and consist primarily of short-term construction impacts and the loss of strip ROW. No relocations are anticipated. The ROW to be acquired will not substantially diminish the existing use of the affected property owners. The MOT during construction will involve a closing this section of SR 244 and detouring traffic along SR 3 and US 52. Property owners will be provided access throughout the duration of the project to reduce impacts as much as possible. No permanent impacts to community cohesion are anticipated.

Impacts from the project to any EJ community in this area will be beneficial due to the improvement to the roadway from the slide correction project. It is expected that the project will not have a disproportionately high and adverse environmental or health impact to low-income or minority populations of EJ concern when compared to non EJ populations.

INDOT ESD reviewed and concurred with the EJ Analysis on April 29, 2021 (Appendix I, I10).

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

Relocation of People, Businesses or Farms

Will the proposed action result in the relocation of people, businesses or farms?
Is a BIS or CSRS required?

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

Number of relocations: Residences: 0 Businesses: 0 Farms: 0 Other: 0

Discuss any relocations that will occur due to the project. If a BIS or CSRS is required, discuss the results in the discussion below.

No relocations of people, businesses, or farms will take place as a result of this project.

SECTION I – HAZARDOUS MATERIALS & REGULATED SUBSTANCES

Hazardous Materials & Regulated Substances (Mark all that apply)

Documentation

- Red Flag Investigation (RFI)
- Phase I Environmental Site Assessment (Phase I ESA)
- Phase II Environmental Site Assessment (Phase II ESA)
- Design/Specifications for Remediation required?

X

Date RFI concurrence by INDOT SAM (if applicable): December 6, 2019

Include a summary of the potential hazardous material concerns found during review. Discuss in depth sites found within, directly adjacent to, or ones that could impact the project area. Refer to current INDOT SAM guidance. If additional documentation (special provisions, pay quantities, etc.) will be needed, include in discussion. Include applicable commitments.

Based on a review of GIS and available public records, a RFI was concurred by INDOT SAM on December 6, 2019 by Lochmueller Group (Appendix E, E1 to E9). No sites with hazardous material concerns (hazmat sites) or sites involved with regulated substances were identified in or within 0.5 mile of the project area.

Since the RFI was approved more than a year ago, a supplemental review of the RFI GIS layers was performed by Lochmueller Group on March 12, 2021. The review did not identify any additional resources. Therefore, an RFI Addendum was not prepared. Further investigation for hazardous material concerns is not required at this time.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

Part IV – Permits and Commitments

PERMITS CHECKLIST

Permits (mark all that apply)

Likely Required

Army Corps of Engineers (404/Section10 Permit)

Nationwide Permit (NWP)	
Regional General Permit (RGP)	X
Individual Permit (IP)	
Other	

IN Department of Environmental Management (401/Rule 5)

Nationwide Permit (NWP)	
Regional General Permit (RGP)	X
Individual Permit (IP)	
Isolated Wetlands	
Rule 5	
Other	

IN Department of Natural Resources

Construction in a Floodway	X
Navigable Waterway Permit	
Other	

Mitigation Required

US Coast Guard Section 9 Bridge Permit	X
Others (Please discuss in the discussion below)	

List the permits likely required for the project and summarize why the permits are needed, including permits designated as "Other."

A total of 210 linear feet (0.16 acre) of North Fork Clifty Creek will be impacted by the project. Impacts will be limited to the portion of the creek within the construction limits. A USACE Section 404 RGP and IDEM 401 WQC will be required. A formal jurisdictional determination has not yet been made by the USACE, which will be required during the permitting phase.

Mitigation is required when cumulative stream and/or wetland impacts meet or exceed 300 linear feet or 0.1 acre below OHWM. Due to the cumulative impacts of 210 linear feet (0.16 acre below OHWM) to stream features, it is anticipated that stream mitigation may be required for the IDEM Section 401 WQC. Applicable recommendations provided by resource agencies are included in the Environmental Commitments section of this document. If permits are found to be necessary, the conditions of the permit will be requirements of the project and will supersede these recommendations.

This project will require the formal approval for construction in a floodway from the IDNR under the Flood Control Act.

It is the responsibility of the project sponsor to identify and obtain all required permits.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

ENVIRONMENTAL COMMITMENTS

List all commitments and include the name of agency/organization requesting/requiring the commitment(s). Listed commitments should be numbered.

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

Firm:

1. If the scope of work or permanent or temporary right-of-way amounts change, the INDOT Environmental Services Division (ESD) and the INDOT District Environmental Section will be contacted immediately. (INDOT ESD and INDOT District)
2. It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access. (INDOT ESD)
3. **Tree Removal AMM 1:** Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal.
4. **Lighting AMM 1:** Direct temporary lighting away from suitable habitat during the active season.
5. **Tree Removal AMM 2:** Apply time of year restrictions 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. (USFWS)
6. **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). (USFWS)
7. **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. (USFWS)
8. **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. (USFWS)
9. North Branch Clifty Creek is impaired for *E. coli*. Workers who are working in or near water with *E. coli* should take care to wear appropriate PPE, observe proper hygiene procedures, including regular hand washing, and limit personal exposure. (INDOT SAM)
10. Any work in a wetland area within INDOT's right of way or in borrow/waste areas is prohibited unless specifically allowed in the USACE or IDEM permit. (INDOT ESD)
11. The mitigation of the impacts to North Fork Clifty Creek will occur through the purchase of in-lieu mitigation. (INDOT ESD)

For Further Consideration:

12. Riprap must not be placed in the active thalweg channel or placed in the streambed in a manner that precludes fish or aquatic organism passage (riprap must not be placed above the existing streambed elevation). Riprap may be used only at the toe of the sideslopes up to the ordinary high water mark (OHWM). The banks above the OHWM must be restored, stabilized, and revegetated using geotextiles and a mixture of grasses, sedges, wildflowers, shrubs, and trees native to Eastern Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion. (IDNR DFW)
13. 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, at least 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10" dbh or greater (5:1 mitigation based on the number of large trees) 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. (IDNR DFW)
14. 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. (IDNR DFW)
15. Do not excavate in the low flow area except for the placement of piers, foundations, and riprap, or removal of the old structure. (IDNR DFW)
16. Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds. (IDNR DFW)
17. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids. (IDNR DFW)
18. Avoid all work within the inundated part of the stream channel during the fish spawning season (April 1 through June 30); except for work within sealed structures such as caissons or cofferdams that were installed prior to the spawning season. No equipment shall be operated below Ordinary High Water Mark during this time unless the machinery is within the caissons or on the cofferdams. (USFWS)
19. Evaluate wildlife crossings under bridge/culverts projects in appropriate situations. Suitable crossings include flat areas below bridge abutments with suitable ground cover, high water shelves in culverts, amphibian tunnels, and diversion fencing. (USFWS)

Indiana Department of Transportation

County Rush

Route SR 244

Des. No. 1901370

- 20. Minimize the extent of hard armor (riprap) in bank stabilization by using bioengineering techniques whenever possible. If riprap is utilized for bank stabilization, extend it below low-water elevation to provide aquatic habitat. (USFWS)
- 21. Restrict below low-water work in streams to placement of culverts, piers, pilings, and/or footings, shaping of the spill slopes around the bridge abutments, and placement of riprap. (USFWS)
- 22. Culverts should span the active stream channel, should be either embedded or a 3-sided or open-arch culvert, and be installed where practicable on an essentially flat slope. When an open-bottom culvert or arch is used in a stream, which has a good natural bottom substrate, such as gravel, cobbles, and boulders, the existing substrate should be left undisturbed beneath the culvert to provide natural habitat for the aquatic community. (USFWS)

Appendix A: INDOT Supporting Documentation

Threshold Chart A1

Appendix B: Graphics

General Location Map B1
 USGS Topographic Map (Milroy Quadrangle) B2
 Aerial Map (2017) B3
 Photo Location Map..... B4
 Site Photographs B5-B13
 Preliminary Plan Sheets B14-B20

Appendix C: Early Coordination

Sample Early Coordination Letter (November 5, 2020) C1-C5
 Indiana Department of Environmental Management
 Proposed Roadway Construction Letter (November 5, 2020) C6-C14
 Indiana Geological Survey
 Electronic Response (November 5, 2020) C15-C16
 Natural Resources Conservation Service
 Response Letter (November 18, 2020)..... C17-C18
 Indiana Department of Natural Resources (IDNR), Division of Fish and Wildlife
 Response Letter (December 4, 2020) C19-C21
 United States Fish and Wildlife Service
 IPaC Official Species List (July 26, 2021) C22-C27
 IPaC Concurrence Verification Letter (January 20, 2021) C28-C39
 Bridge/Structure Assessment Form (October 12, 2020)..... C40

Appendix D: Section 106 of the National Historic Preservation Act (NHPA)

MPPA Project Assessment Form..... D1-D4

Appendix E: Red Flag Investigation

Red Flag Investigation E1-E9

Appendix F: Water Resources

Waters of the U.S. Determination Report F1-F6
 SSURGO Soils Map..... F7-F10
 NWI Wetlands Map F11
 FEMA Floodplain Map F12
 StreamStats Map..... F13
 Water Resources Map F14
 Preliminary Jurisdictional Determination..... F15-F18
 IDNR Floodplain Map F19

Appendix G: Public Involvement

Notice of Survey..... G1

Appendix H: Air Quality

Relevant pages from the INDOT 2020-2024 STIP H1

Appendix I: Other Information

EJ Analysis Report I1-I2
 EJ Map I3
 Census Data Sheets I4-I8
 Data Summary Sheet I9
 INDOT ESD Approval Email..... I10
 Engineering Assessment I11-I67

Categorical Exclusion
Appendix A
INDOT Supporting Documentation

Categorical Exclusion Level Thresholds

	PCE	Level 1	Level 2	Level 3	Level 4 ¹
Section 106	Falls within guidelines of Minor Projects PA	"No Historic Properties Affected"	"No Adverse Effect"	-	"Adverse Effect" Or Historic Bridge involvement ²
Stream Impacts ³	No construction in waterways or water bodies	< 300 linear feet of stream impacts	≥ 300 linear feet of stream impacts	-	USACE Individual 404 Permit ⁴
Wetland Impacts ³	No adverse impacts to wetlands	< 0.1 acre	-	< 1.0 acre	≥ 1.0 acre
Right-of-way ⁵	Property acquisition for preservation only or none	< 0.5 acre	≥ 0.5 acre	-	-
Relocations	None	-	-	< 5	≥ 5
Threatened/Endangered Species (Species Specific Programmatic for Indiana bat & northern long eared bat)*	"No Effect", "Not likely to Adversely Affect" (With select AMMs ⁶)	"Not likely to Adversely Affect" (With any AMMs or commitments)	-	"Likely to Adversely Affect"	Project does not fall under Species Specific Programmatic ⁷
Threatened/Endangered Species (Any other species)*	Falls within guidelines of USFWS 2013 Interim Policy or "No Effect"	"Not likely to Adversely Affect"	-	-	"Likely to Adversely Affect"
Environmental Justice	No disproportionately high and adverse impacts	-	-	-	Potential ⁸
Sole Source Aquifer	No Detailed Groundwater Assessment	-	-	-	Detailed Groundwater Assessment
Floodplain	No Substantial Impacts	-	-	-	Substantial Impacts
Section 4(f) Impacts	None	-	-	-	Any ⁹
Section 6(f) Impacts	None	-	-	-	Any
Permanent Traffic Alteration	None	-	-	-	Any
Noise Analysis Required	No	-	-	-	Yes
Air Quality Analysis Required	No	-	-	-	Yes ¹⁰
Approval Level <ul style="list-style-type: none"> • District Env. (DE) • Env. Serv. Div. (ESD) • FHWA 	Concurrence by DE or ESD	DE or ESD	DE or ESD	DE and/or ESD	DE and/or ESD; and FHWA

¹ Coordinate with INDOT Environmental Services Division. INDOT will then coordinate with the appropriate FHWA Environmental Specialist.

² Any involvement with a bridge processed under the Historic Bridge Programmatic Agreement.

³ Total permanent impacts to streams (linear feet) and wetlands (acres).

⁴ US Army Corps of Engineers Individual 404 Permit

⁵ Total permanent and temporary right-of-way. This does not include reacquisition of existing apparent right-of-way.

⁶ Avoidance and Mitigation Measures (AMMs) determined by the IPAC determination key to be required that are not tree AMMs, bridge AMMs, or structure AMMs.

⁷ Projects that do not fall under a Species Specific Programmatic and results in a "Likely to Adversely Affect". Other findings can be processed as a lower level CE.

⁸ Potential for causing a disproportionately high and adverse impact.

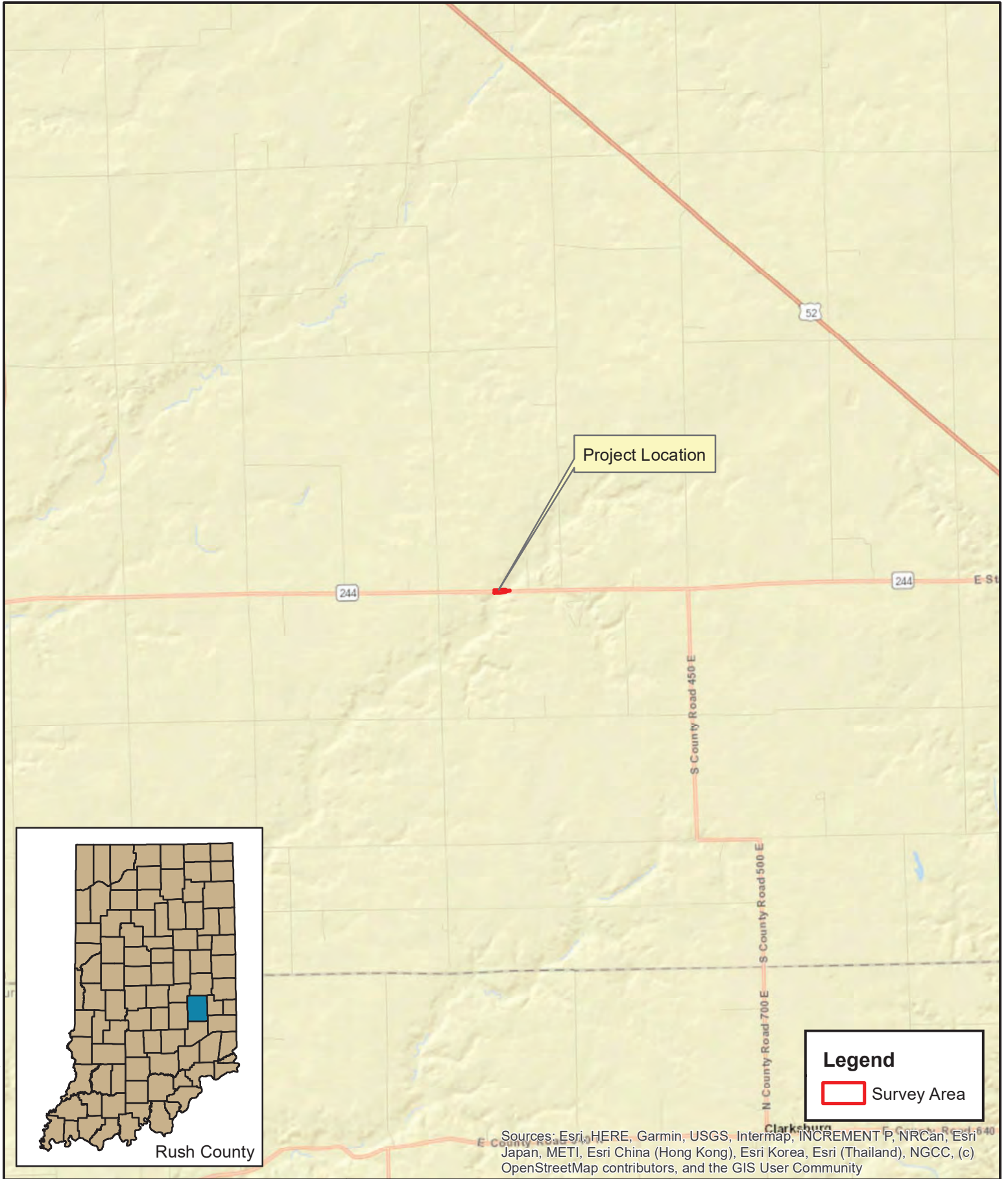
⁹ Section 4(f) use resulting in an Individual, Programmatic, or *de minimis* evaluation. The only exception is a *de minimis* evaluation for historic properties (Effective January 2, 2020). If a historic property *de minimis* and no other use, mark the *None* column.

¹⁰ Hot Spot Analysis and/or MSAT Quantitative Emission Analysis.

* Includes the threatened/endangered species critical habitat

Note: Substantial public or agency controversy may require a higher-level NEPA document.

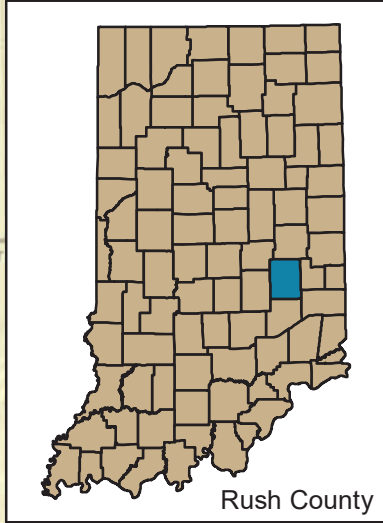
Categorical Exclusion
Appendix B
Graphics



Legend

Survey Area

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



LOCHMUELLER GROUP

3502 Woodview Trace, Suite 150
 Indianapolis, IN 46268
 Phone: (317) 222-3880
 Fax: (317) 222-3881

General Location Map
 Des. No. 1901370

0 0.75 1.5
 Miles

County: Rush
 Township: Richland
 State: Indiana

Slide Correction Project
 SR 244, 4.79 miles east of SR 3
 Created: 11/3/2020, S. Beaupre



Source: USGS (1:24,000) Map, Milroy Quadrangle

Legend

Survey Area




LOCHMUELLER GROUP

3502 Woodview Trace, Suite 150
 Indianapolis, IN 46268
 Phone: (317) 222-3880
 Fax: (317) 222-3881

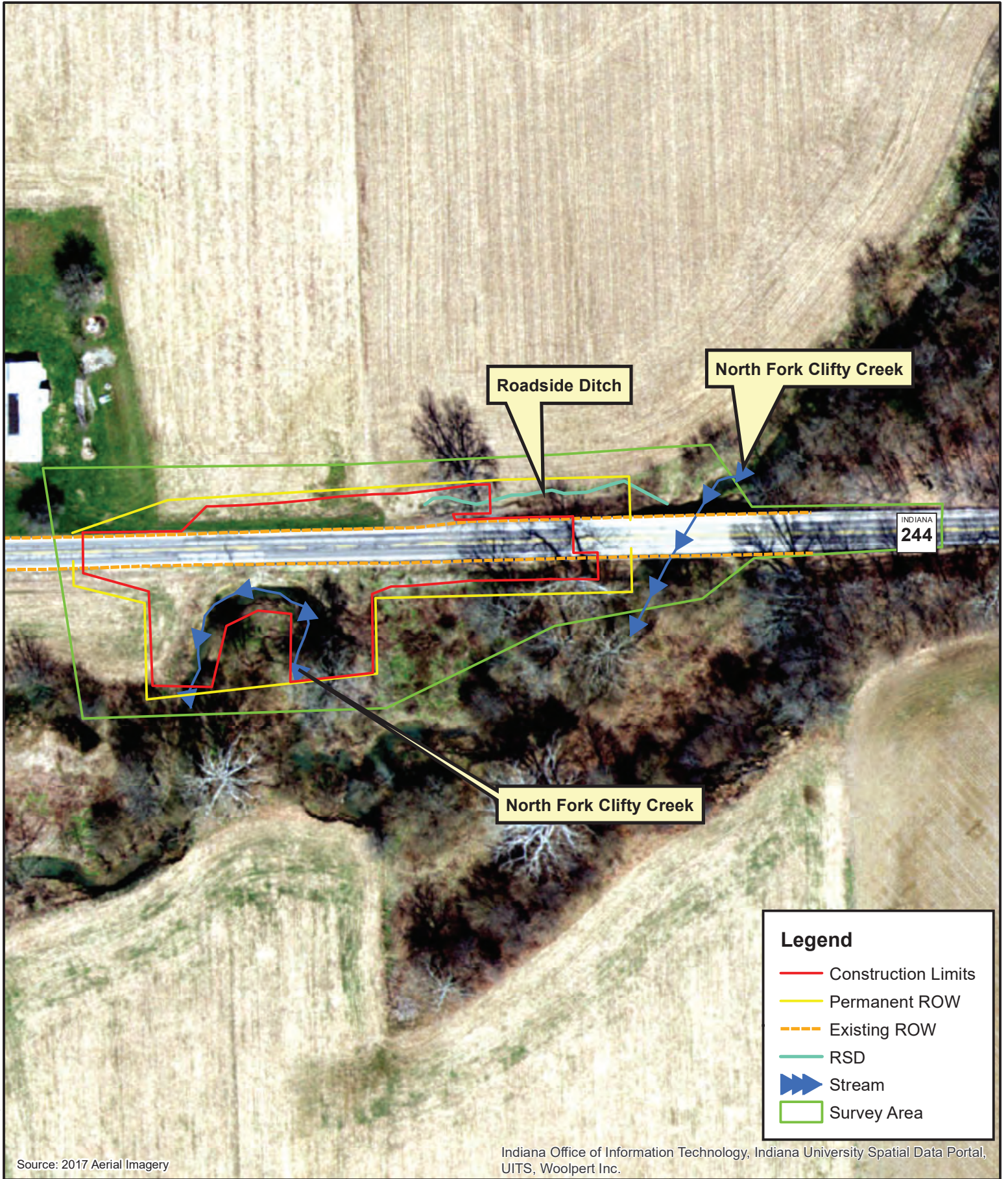
USGS Topographic Map
Milroy Quadrangle
 Des. No. 1901370

0 0.25 0.5
 Miles



County: Rush
 Township: Richland
 State: Indiana

Slide Correction Project
 SR 244, 4.79 miles east of SR 3
 Created: 11/3/2020, S. Beaupre



Source: 2017 Aerial Imagery

Indiana Office of Information Technology, Indiana University Spatial Data Portal, UITS, Woolpert Inc.

LOCHMUELLER GROUP
 3502 Woodview Trace, Suite 150
 Indianapolis, IN 46268
 Phone: (317) 222-3880
 Fax: (317) 222-3881

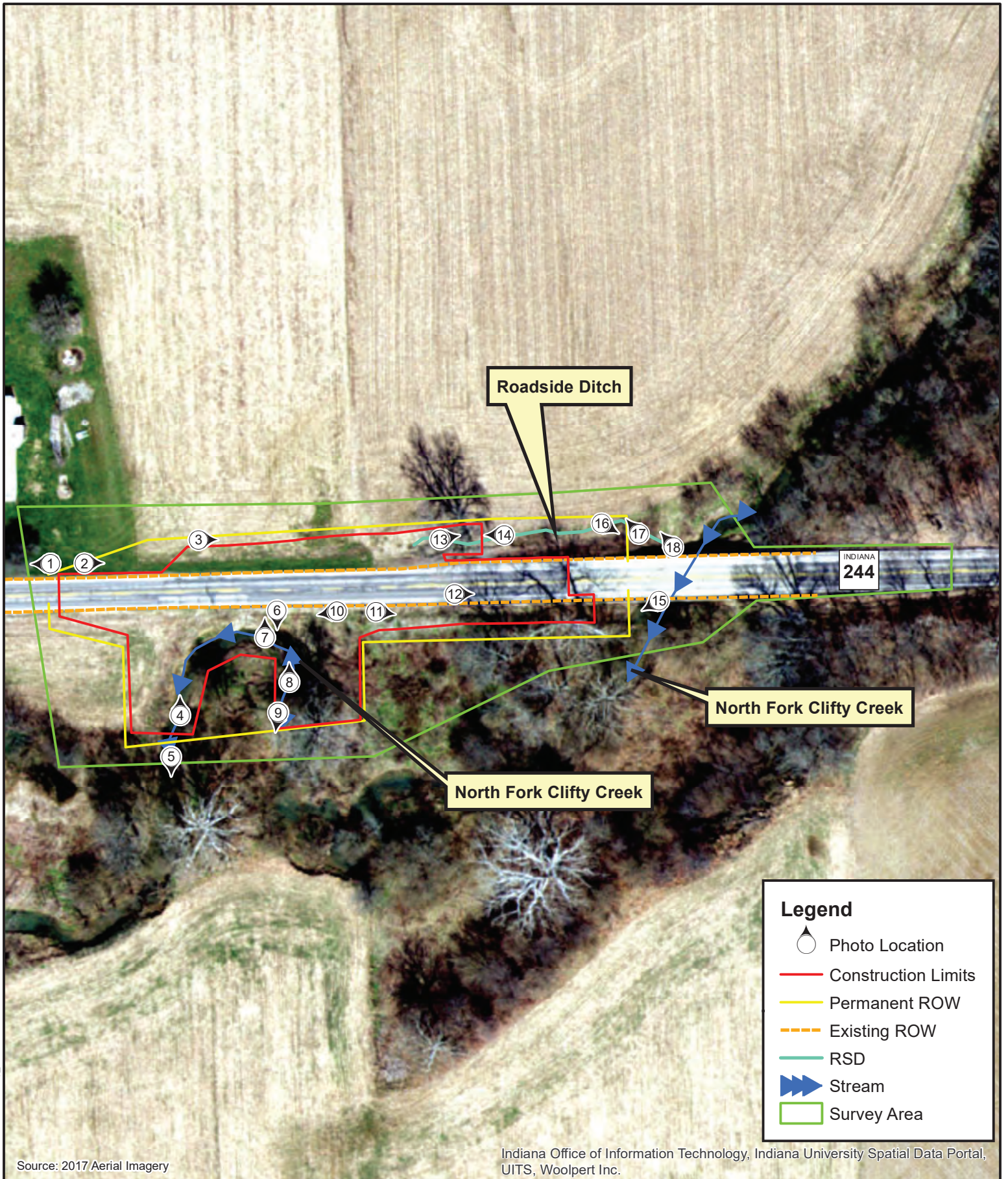
Aerial Map (2017)
 Des. No. 1901370

0 75 150
 Feet

County: Rush
 Township: Richland
 State: Indiana

Slide Correction Project
 SR 244, 4.79 miles east of SR 3
 Created: 5/13/2021, S. Beaupre

S:\2018\218-0062\10\Env\InfoMap\mxd\Aerial_Map.mxd



Legend

- Photo Location
- Construction Limits
- Permanent ROW
- Existing ROW
- RSD
- Stream
- Survey Area

Source: 2017 Aerial Imagery

Indiana Office of Information Technology, Indiana University Spatial Data Portal, UITS, Woolpert Inc.

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Photo Location Map

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0 75 150
 Feet

County: Rush
 Township: Richland
 State: Indiana

Slide Correction Project
 SR 244, 4.79 miles east of SR 3
 Created: 5/13/2021, S. Beaupre



1. Looking west along SR 244



2. Looking east along SR 244



3. Looking east along SR 244



4. Looking north along North Fork Clifty Creek



5. Looking south along North Fork Clifty Creek



6. Looking south at North Fork Clifty Creek from roadside



7. Looking north at slide to be corrected



8. Looking north along North Fork Clifty Creek



9. Looking south along North Fork Clifty Creek



10. Looking west along roadside



11. Looking east along roadside



12. Looking east along SR 244



13. Looking east along roadside ditch



14. Looking west along roadside ditch



15. Looking at southwest quadrant from bridge



16. Looking southeast at confluence of roadside ditch and North Fork Clifty Creek



17. Looking northwest along roadside ditch



18. Looking at northwest quadrant from bridge

PROJECT	DESIGNATION
1901370	1901370
CONTRACT	BRIDGE FILE
R-42031	-----

INDIANA DEPARTMENT OF TRANSPORTATION

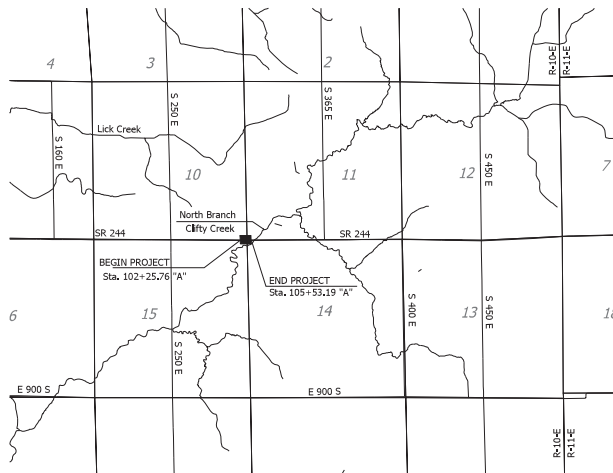


ROAD PLANS

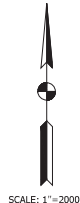
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 PROJECT NO. ----- R/W
 PROJECT NO. ----- CONST.

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Slide Correction Located Along U.S. 244, Approximately 4.79 Miles East of S.R. 3, in Sections 10, 11, 14, and 15, T12N, R10E in Richland TWP, Rush County Indiana.

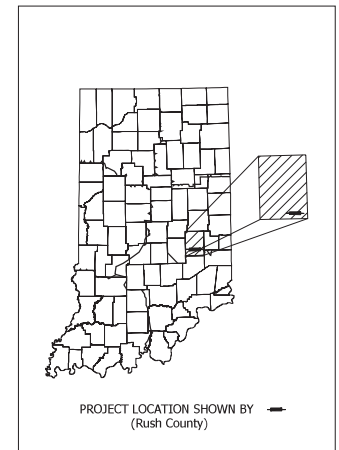


LOCATION MAP



SCALE: 1"=2000'

TRAFFIC DATA		
A.A.D.T.	2022	1320 V.P.D.
A.A.D.T.	2042	1439 V.P.D.
D.A.V.	2042	143 V.P.H.
DIRECTIONAL DISTRIBUTION		69.51 %
TRUCKS		6.37 A.A.D.T.
		7.75 D.A.V.
DESIGN DATA		
DESIGN SPEED		55 M.P.H.
PROJECT DESIGN CRITERIA		3R (Non-Freeway)
FUNCTIONAL CLASSIFICATION		State Collector
RURAL/URBAN		Rural
TERRAIN		Level
ACCESS CONTROL		None



LATITUDE: 39°29'50" N LONGITUDE: 85°23'10" N

BRIDGE LENGTH:	N/A	MI.
ROADWAY LENGTH:	0.062	MI.
TOTAL LENGTH:	0.062	MI.
MAX. GRADE:	2.19	%
H.U.C. 14	05120206010030	

INDIANA DEPARTMENT OF TRANSPORTATION
STANDARD SPECIFICATIONS DATED 2020
TO BE USED WITH THESE PLANS

Plans Prepared By:

LOCHMUELLER GROUP
6200 Vogel Road
Evansville, Indiana 47715
Phone: 812.479.6200
Toll Free: 800.423.7411

SOIL CONSULTANTS
EARTH EXPLORATION, INC
7770 WEST NEW YORK STREET
INDIANAPOLIS, INDIANA 46214

PLANS PREPARED BY: _____ (_____) _____ PHONE NUMBER _____

CERTIFIED BY: _____ DATE _____

APPROVED FOR LETTING: _____ DATE _____

INDIANA DEPARTMENT OF TRANSPORTATION

BRIDGE FILE	
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SURVEY BOOK	1 of 1
CONTRACT	R-42031
PROJECT	1901370

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UTILITIES

ELECTRIC DISTRIBUTION

DUKE ENERGY
100 S. Mill Creek Road
Noblesville, IN 46062
Contact: Cindy Rowland
Phone: 317-776-5341
Email: cindy.rowland@duke-energy.com

COMMUNICATIONS

FRONTIER
1191 Rich Road
Richmond, IN 47374
Contact: Rick Ferris
Phone: 740-513-9496
Email: rick.ferris@ftr.com



GENERAL NOTES

INDEX

SHEET NO.	DRAWINGS INDEX
1	TITLE
2	INDEX
3-4	TYPICAL SECTIONS
5	PLAT NO. 1
6	MAINTENANCE OF TRAFFIC
7	PLAN AND PROFILE
8-10	CROSS SECTIONS

REVISIONS

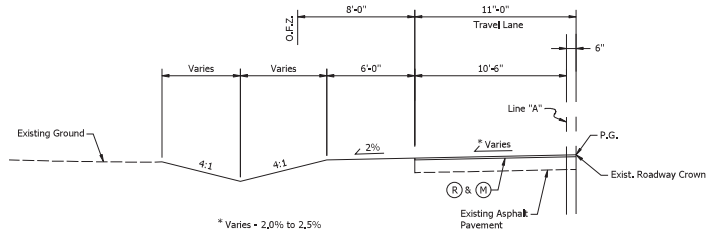
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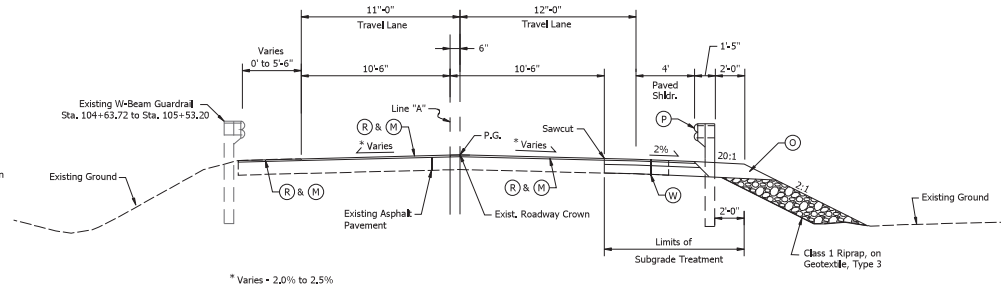
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			CONTRACT	PROJECT
			R-42031	1901370

INDIANA DEPARTMENT OF TRANSPORTATION

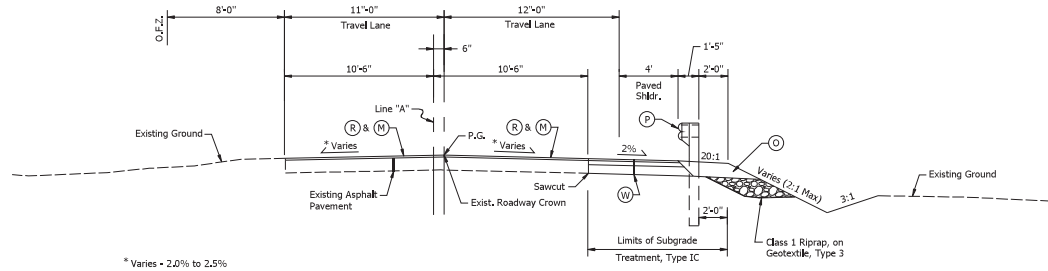
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TYPICAL SECTION
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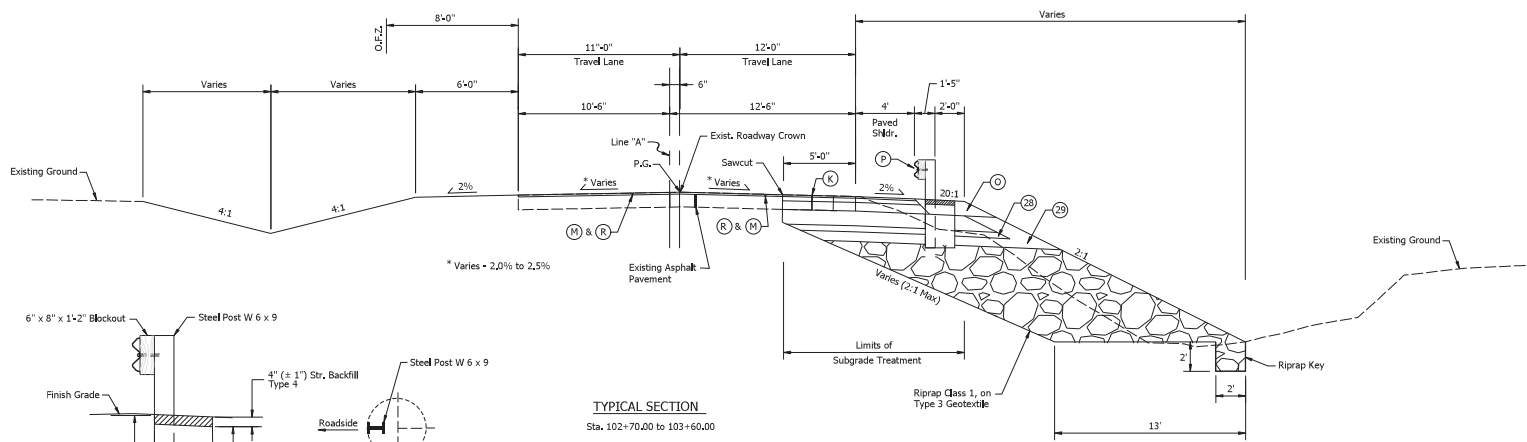


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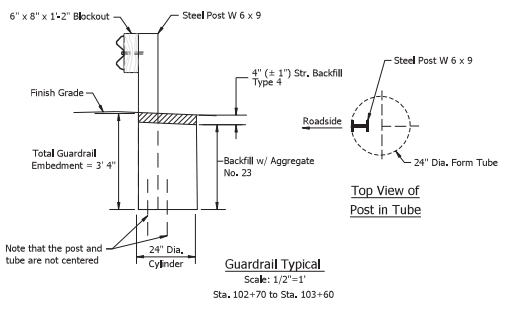
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 - (C) Compacted Aggregate No. 53, 12"
 - (P) Guardrail, MGS, W-Beam
 - (R) 165#/SYS QC/QA-HMA Surface (Min.)
 - (W) Widening With HMA - Type B, on Subgrade Treatment Type IC
 - (2B) Compacted Aggregate No. 5, 6"
 - (2C) Compacted Aggregate No. 2, 8"
 - O.F.Z. Obstruction Free Zone

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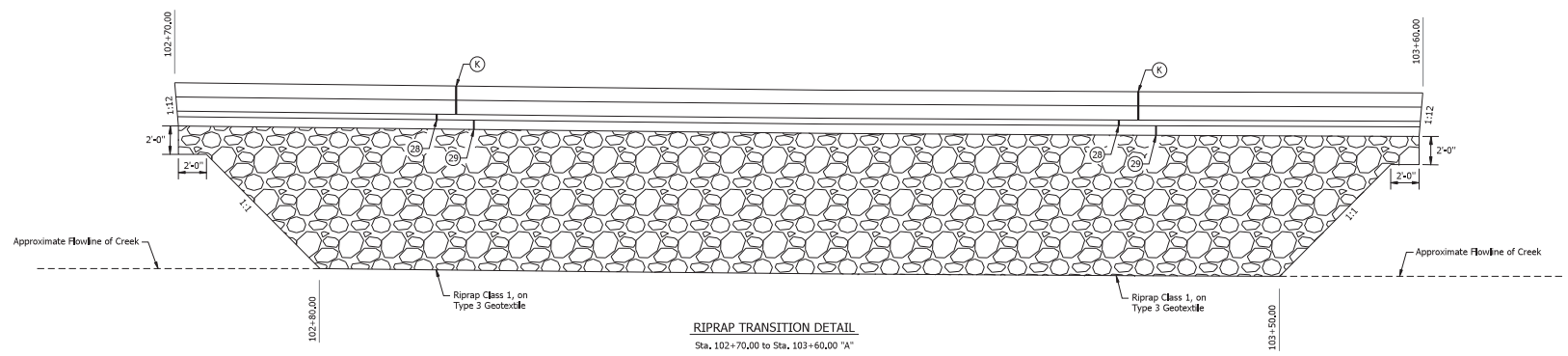
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			SURVEY BOOK CONTRACT R=2031		SHEETS 3 of 11 PROJECT 1901370	



- LEGEND**
- (K) Full Depth HMA Pavement Subgrade Treatment Type IC
 - (M) Milling, Asphalt, 1.5"
 - (O) Compacted Aggregate No. 53, 12"
 - (P) Guardrail, MGS, W-Beam
 - (R) 165#/SYS QC/QA-HMA Surface (Min.)
 - (W) Widening With HMA - Type B, on Subgrade Treatment Type IC
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- O.F.Z. Obstruction Free Zone



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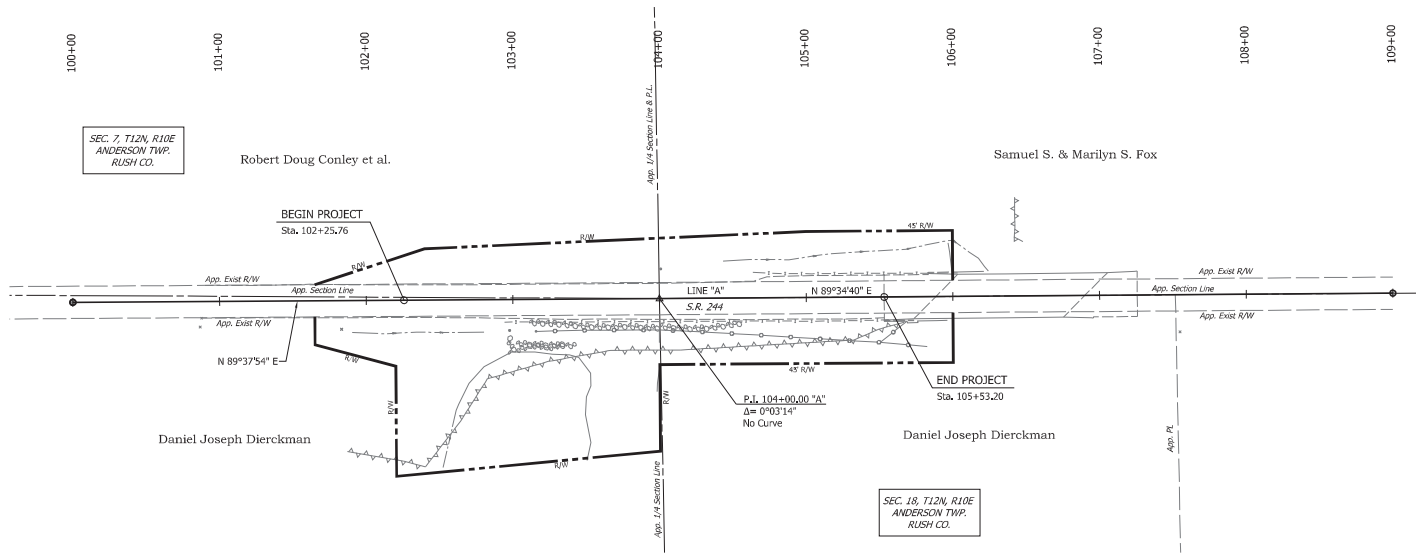
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CHECKED: JAW	CHECKED: NAW	

INDIANA DEPARTMENT OF TRANSPORTATION

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VERTICAL SCALE	DESIGNATION
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SURVEY BOOK	SHEETS
	4 of --
CONTRACT	PROJECT
R=2031	1901370



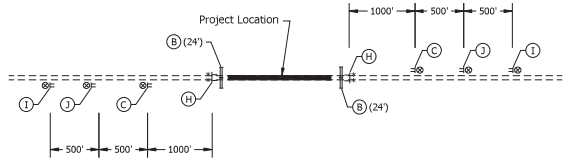
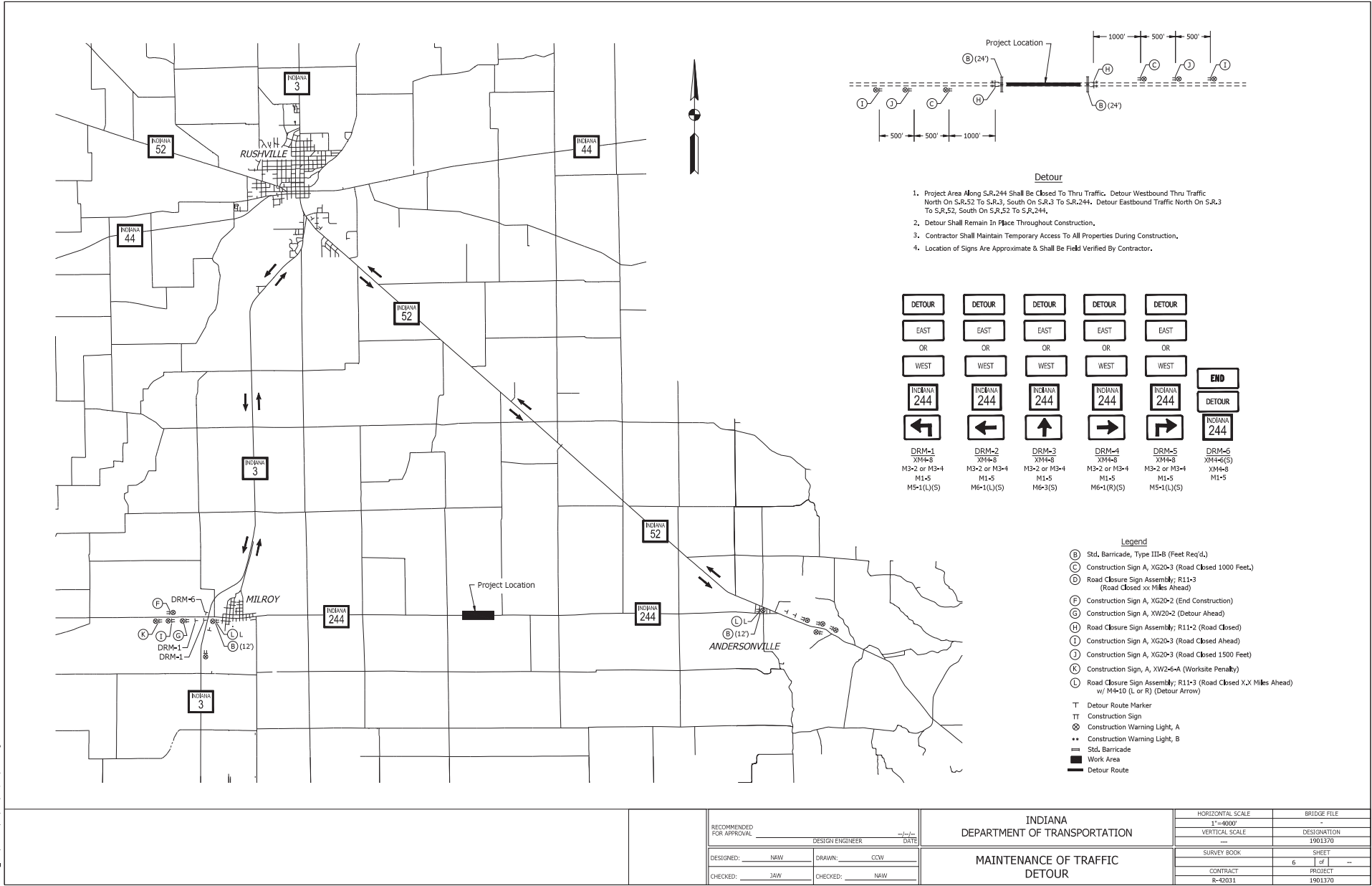
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DESIGN ENGINEER		
DESIGNED: NAW	DRAWN: CCW	
CHECKED: JAW	CHECKED: NAW	

INDIANA
 DEPARTMENT OF TRANSPORTATION

 PLAT NO. 1

HORIZONTAL SCALE	BRIDGE FILE
VERTICAL SCALE	DESIGNATION
SURVEY BOOK	SHEET
CONTRACT	of 1
	PROJECT



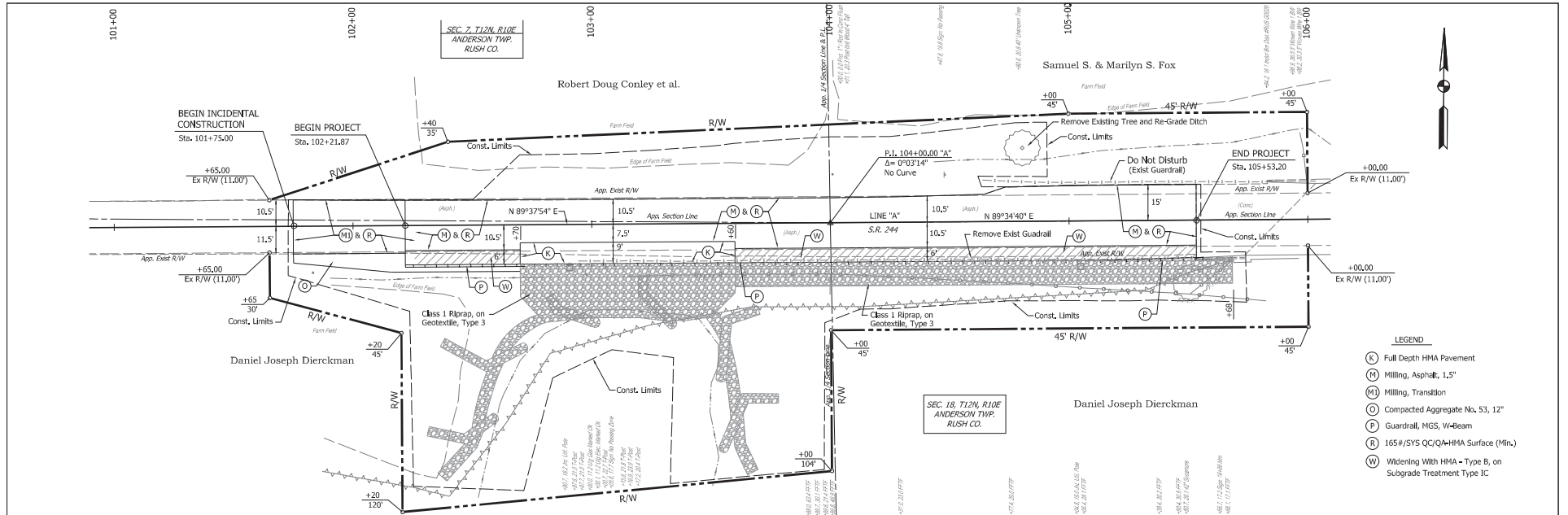
- Detour**
1. Project Area Along S.R.244 Shall Be Closed To Thru Traffic. Detour Westbound Thru Traffic North On S.R.52 To S.R.3, South On S.R.3 To S.R.244. Detour Eastbound Traffic North On S.R.3 To S.R.52, South On S.R.52 To S.R.244.
 2. Detour Shall Remain In Place Throughout Construction.
 3. Contractor Shall Maintain Temporary Access To All Properties During Construction.
 4. Location of Signs Are Approximate & Shall Be Field Verified By Contractor.

DETOUR	DETOUR	DETOUR	DETOUR	DETOUR	DETOUR
EAST	EAST	EAST	EAST	EAST	EAST
OR	OR	OR	OR	OR	OR
WEST	WEST	WEST	WEST	WEST	WEST
INDIANA 244	INDIANA 244	INDIANA 244	INDIANA 244	INDIANA 244	INDIANA 244
←	←	↑	→	→	END
DRM-1 XM4-8 M3-2 or M3-4 M1-5 M5-1(L)(S)	DRM-2 XM4-8 M3-2 or M3-4 M1-5 M6-1(L)(S)	DRM-3 XM4-8 M3-2 or M3-4 M1-5 M6-3(S)	DRM-4 XM4-8 M3-2 or M3-4 M1-5 M6-1(R)(S)	DRM-5 XM4-8 M3-2 or M3-4 M1-5 M5-1(L)(S)	DRM-6 XM4-6(S) XM4-8 M1-5

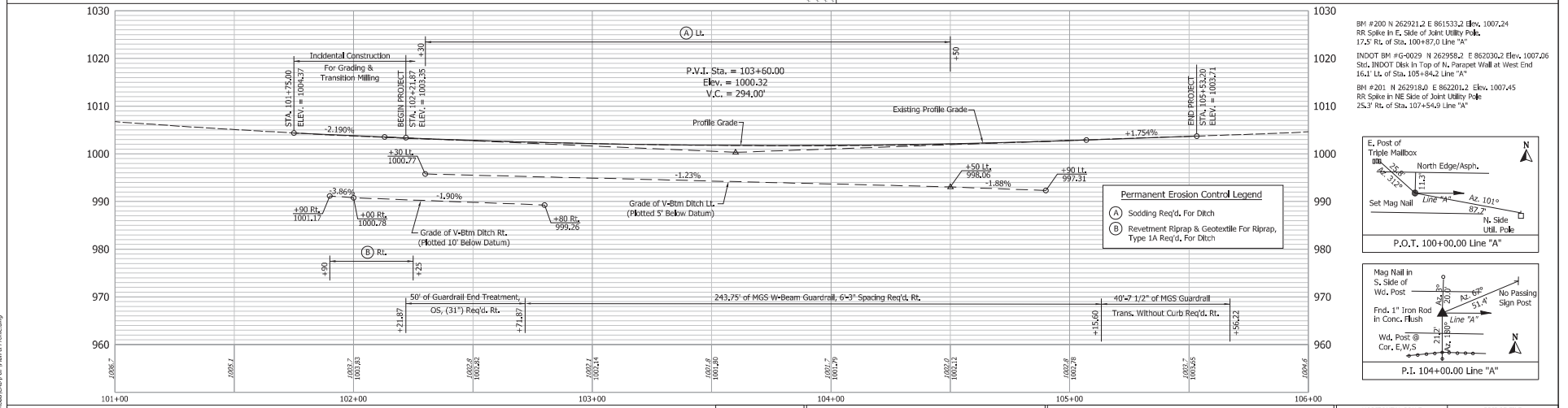
- Legend**
- (B) Std. Barricade, Type III-B (Feet Req'd.)
 - (C) Construction Sign A, XG20-3 (Road Closed 1000 Feet.)
 - (D) Road Closure Sign Assembly; R11-3 (Road Closed xx Miles Ahead)
 - (E) Construction Sign A, XG20-2 (End Construction)
 - (G) Construction Sign A, XW20-2 (Detour Ahead)
 - (H) Road Closure Sign Assembly; R11-2 (Road Closed)
 - (I) Construction Sign A, XG20-3 (Road Closed Ahead)
 - (J) Construction Sign A, XG20-3 (Road Closed 1500 Feet)
 - (K) Construction Sign A, XW2-6-A (Worksite Penalty)
 - (L) Road Closure Sign Assembly; R11-3 (Road Closed X.X Miles Ahead) w/ M4-10 (L or R) (Detour Arrow)
 - T Detour Route Marker
 - TT Construction Sign
 - ⊗ Construction Warning Light, A
 - ⊗ Construction Warning Light, B
 - == Std. Barricade
 - Work Area
 - Detour Route

RECOMMENDED FOR APPROVAL _____ DATE _____	DESIGN ENGINEER _____ DATE _____	INDIANA DEPARTMENT OF TRANSPORTATION		HORIZONTAL SCALE	BRIDGE FILE
		MAINTENANCE OF TRAFFIC DETOUR		VERTICAL SCALE	DESIGNATION
DESIGNED: NAW	DRAWN: CCW	CONTRACT PROJECT		SURVEY BOOK	SHEET
CHECKED: JAW	CHECKED: NAW			R-42031	6 of --
				1"=400'	1901370

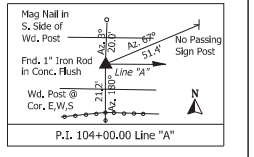
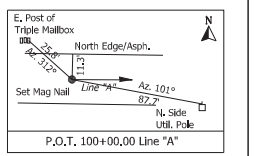
Date: April 20, 2023 12:45pm
 File: S:\2023\1901370\1901370.dwg
 User: S:\2023\1901370\1901370.dwg



- LEGEND**
- (K) Full Depth HMA Pavement
 - (M) Milling, Asphalt, 1.5"
 - (MI) Milling, Transition
 - (C) Compacted Aggregate No. 53, 12"
 - (P) Guardrail, MGS, W-Beam
 - (R) 165#/SYS QC/QA-HMA Surface (Min.)
 - (W) Widening With HMA - Type B, on Subgrade Treatment Type IC



BM #200 N 262921.2 E 861533.2 Elev. 1007.24
RR Spike in E. Side of Joint Utility Pole
17.5' Rt. of Sta. 100+87.0 Line "A"
INDOT BM #G-0029 N 262958.2 E 862030.2 Elev. 1007.06
Std. INDOT Disk in Top of N. Parapet Wall at West End
16.1' Lt. of Sta. 105+84.2 Line "A"
BM #201 N 262918.0 E 862201.2 Elev. 1007.45
RR Spike in NE Side of Joint Utility Pole
25.3' Rt. of Sta. 107+54.9 Line "A"



Date: Apr 16, 2012 1:21pm User Name: NAW
File: S:\WORK\18-002\18002A\DWG\18002A-01-PLAN & PROFILE.DWG

RECOMMENDED FOR APPROVAL:	DESIGN ENGINEER	DATE
DESIGNED: NAW	DRAWN: CCW	
CHECKED: JAW	CHECKED: NAW	

**INDIANA
DEPARTMENT OF TRANSPORTATION**

**PLAN & PROFILE
LINE "A"**

HORIZONTAL SCALE	BRIDGE FILE
1"=20'	
VERTICAL SCALE	DESIGNATION
1"=10'	1901370
SURVEY BOOK	SHEET
CONTRACT	7 of 1
R-42031	PROJECT
	1901370

Categorical Exclusion
Appendix C
Early Coordination



100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204

PHONE: (317) 232-5113
FAX: (317) 233-4929

Eric Holcomb, Governor
Joe McGuinness,
Commissioner

November 5, 2020

«AgencyCompany»

«Name», «Title»

«Address_1»

«Address_2»

«City», «State» «Zip»

Re: Des. No.: 1901370
Slide Correction Project
State Project
State Road (SR) 244, 4.79 miles east of SR 3
Rush County, Indiana

Sample Early Coordination Letter

Dear «Salu»:

The Federal Highway Administration and Indiana Department of Transportation (INDOT) – Greenfield District, intend to proceed with a slide correction project along SR 244 within Rush County, Indiana.

This letter is part of the early coordination phase of the environmental review. At this time, we are requesting comments from your area of expertise regarding any possible environmental effects (social and natural) associated with this project. **Please use the above Des. No. and project description in your reply.** Your comments will be incorporated into the formal environmental study. Your cooperation in this endeavor is appreciated.

Project Location and Existing Conditions

The proposed project is located in southeastern Rush County along SR 244, 4.79 miles east of SR 3. Specifically, the project is located in Sections 10, 11, 14, and 15, Township 12 North, Range 10 East in Richland Township as depicted on the Milroy Quadrangle U. S. Geological Survey 7.5 minute quadrangle. Adjacent land use consists of agricultural, forested areas, and isolated rural residences. Please see attachments for maps and photographs of the proposed project area.

Within the project area, SR 244 is functionally classified as a major collector. The typical cross-section of SR 244 is two 11-foot wide travel lanes (one in each direction) and a 1-foot paved shoulder on both sides of the roadway. Erosion is occurring on the south side of the roadway where there is an oxbow to North Fork Clifty Creek. The existing speed limit along SR 244 is 55 miles per hour.

Bridge No. 244-70-05846 A is a prestressed concrete continuous box beam bridge located within the project area. The bridge was built in 1968 and reconstructed in 1992. The structure is 101.4 feet in length and has an out-to-out deck width of 33 feet.

Purpose and Need

The need for this project is due to the erosion occurring along the eastbound roadway embankment of SR 244, causing the shoulder pavement, guardrail, and embankment to deteriorate and fail. This erosion is occurring because North Fork Clifty Creek has an oxbow that occurs adjacent to SR 244.

The purpose of the project is to correct the slope failure to prevent further deterioration of the eastbound shoulder, guardrail, and embankment which will result in improved safety and mobility along SR 244.

Proposed Project

The proposed project will involve the excavation and reconstruction of the existing North Fork Clifty Creek bank to a slope of 2:1 with riprap where it crosses into the southwest quadrant of the project area. Four stone spurs will be used to minimize erosion. Three will be placed perpendicular to the channel and the furthest upstream will be placed at an angle. The riprap slope will be placed at the top of the bank approximately 8 feet away from the edge of the travel lane.

The existing travel lanes will be widened from 11 feet to 12 feet wide and the shoulder will be widened from 1 foot to 4 feet wide. Additionally, a mill and overlay is proposed for the existing pavement within the project limits. The guardrail on both sides of the roadway will be reconstructed and extended to the bridge concrete barriers. A new riprap turnout will be constructed on the south side of the bridge. No work is expected on Bridge No. 244-70-05846 A or the bridge approach except for the new guardrail and riprap turnout.

A new roadside ditch will be constructed on the north side of the roadway to carry runoff from the north. The new ditch will carry runoff under two farm field entrances. Two box culverts, 5-foot by 2-foot, will be constructed to carry the ditch under the farm field entrances. Additionally, an existing ditch downstream will be reconstructed to accommodate flow from the newly constructed ditch.

The maintenance of traffic (MOT) plan will involve lane closures along SR 244. Temporary traffic signals will be utilized to maintain traffic flow during the lane closures. Access will be maintained for property owners during construction of the project. The MOT will be implemented per the *Indiana Design Manual* guidelines.

Construction is anticipated to begin in Fall 2022.

Right-of-Way (ROW)

The title to the existing right-of-way along this section of SR 244 is uncertain, making the edge of pavement the presumed apparent right-of-way. Approximately 0.5 acre of permanent ROW is anticipated to be required for the proposed project. No temporary ROW is anticipated. The project is anticipated to require approximately 0.15 acre of tree clearing.

Environmental Resources

A Red Flag Investigation (RFI) was performed for a 0.5-mile radius for the project area. Some “Red Flags” were identified within the 0.5-mile search radius; however, not all will impact the proposed project. One stream, North Fork Clifty Creek, is located within the project area and is impaired for *E. coli*. The project area is located within a regulated floodplain. Due to the proximity of water resources in the project area, a full wetland and stream delineation will be conducted, and a *Waters of the U.S. Determination Report* will be completed as a part of the project. This project is outside the Karst Memorandum of Understanding Potential Karst Features Region.

Section 106

The National Register of Historic Places (National Register) and the Indiana Register of Historic Sites and Structures (State Register) were reviewed using the State Historic Architectural and Archaeological Research Database (SHAARD) and SHAARD Geographic Information System (GIS) data published online. No above-ground historical resources on either list are within the project area. The 1988 *Rush County Interim Report: Indiana Historic Sites and Structures Inventory* (IHSSI) data was also examined; no surveyed resources from this inventory were located within 500 feet of the project area. The *Indiana Historic Bridge Inventory Volume 2: Listing of Historic and Non-Historic Bridges* by Mead & Hunt (2009) was reviewed. No bridges eligible for listing in the National Register are within the project area. No cemeteries were noted within the vicinity of the project area. It is anticipated that this project will qualify for the Minor Projects Programmatic Agreements (MPPA).

Range-wide Informal Programmatic Consultation

Rush County is within the range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*). The U.S. Fish and Wildlife Service (USFWS) Range-wide Programmatic Informal Consultation for the Indiana bat and northern long-eared bat (NLEB) will be completed for this project.

Land use in the vicinity of the project is primarily rural with agricultural, forested areas, and isolated rural residences. Completion of the appropriate determination key through the USFWS Information for Planning and Consultation (IPaC) portal will occur. If a determination of “Not Likely to Adversely Affect,” or “Likely to Adversely Affect” is reached then additional consultation with the USFWS will occur through INDOT.

Early Coordination

This letter is part of the early coordination review process. You are asked to review this information and provide any comments you may have relative to anticipated impacts of the project on areas in which you have jurisdiction or special expertise. We will incorporate your comments into a study of the project’s environmental impacts. To facilitate the development of this project, you are asked to reply within **30 calendar days** of receipt of this letter. If no response is received by that date, it will be assumed you have no comments at the present time. 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 project, please feel free to contact me at (317) 222-3880 or at sbeaupre@lochgroup.com. Additionally, should you want to contact the sponsor of this project, INDOT-Greenfield District, please contact the Project Manager, Mark Blake at (317) 467-3982 or a mblake@indot.in.gov.

Thank you in advance for your input.

Sincerely,



Samantha Beaupre
Environmental Biologist
Lochmueller Group, Inc.

Attachments:

- General Location Map
- USGS Topographic Map
- Aerial Map Removed to avoid duplication; see Appendices B & E
- Red Flag Investigation Maps
- Photo Location Map & Project Photographs

Distribution List:

- Natural Resources Conservation Service, Indianapolis Office (electronic submission)
- U.S. Army Corps of Engineers, Louisville District (electronic submission)
- U.S. Housing and Urban Development (electronic submission)
- National Park Service
- FHWA – Indiana Division (electronic submission)
- IDNR, Division of Fish and Wildlife (electronic submission)
- IDEM (electronic submission)
- INDOT, Project Manager (electronic submission)
- INDOT, Environmental Services (electronic submission)
- INDOT, Greenfield District (electronic submission)
- Indiana Geological Survey (electronic submission)
- Rush County Board of Commissioners (electronic submission)
- Rush County Council (electronic submission)
- Rush County Highway Department (electronic submission)
- Rush County Surveyor's Office (electronic submission)
- Rush County Emergency Management Agency (electronic submission)
- Rush County Sheriff's Department
- Richland Township Trustee (electronic submission)
- Rush County Schools

- Anderson Township Volunteer Fire Department (electronic submission)
- Anderson Township Regional Sewer District
- Floodplain Administrator (electronic submission)
- Eight Coast Guard District (electronic submission)



Indiana Department of Environmental Management

We Protect Hoosiers and Our Environment.

100 North Senate Avenue - Indianapolis, IN 46204
(800) 451-6027 - (317) 232-8603 - www.idem.IN.gov

Indiana Department of Transportation
Heather Johnson
32 S Broadway Street
Greenfield , IN 46140

Lochmueller Group
Samantha Beaupre
3502 Woodview Trace
Suite 150
Indianapolis , IN 46268

Date

To Engineers and Consultants Proposing Roadway Construction Projects:

RE: The Federal Highway Administration and Indiana Department of Transportation (INDOT) – Greenfield District, intend to proceed with a slide correction project along SR 244 within Rush County, Indiana. The proposed project is located in southeastern Rush County along SR 244, 4.79 miles east of SR 3. Specifically, the project is located in Sections 10, 11, 14, and 15, Township 12 North, Range 10 East in Richland Township as depicted on the Milroy Quadrangle U. S. Geological Survey 7.5 minute quadrangle. Adjacent land use consists of agricultural, forested areas, and isolated rural residences. Please see attachments for maps and photographs of the proposed project area. Within the project area, SR 244 is functionally classified as a major collector. The typical cross-section of SR 244 is two 11-foot wide travel lanes (one in each direction) and a 1-foot paved shoulder on both sides of the roadway. Erosion is occurring on the south side of the roadway where there is an oxbow to North Fork Clifty Creek. The existing speed limit along SR 244 is 55 miles per hour. Bridge No. 244-70-05846 A is a prestressed concrete continuous box beam bridge located within the project area. The bridge was built in 1968 and reconstructed in 1992. The structure is 101.4 feet in length and has an out-to-out deck width of 33 feet. The need for this project is due to the erosion occurring along the eastbound roadway embankment of SR 244, causing the shoulder pavement, guardrail, and embankment to deteriorate and fail. This erosion is occurring because North Fork Clifty Creek has an oxbow that occurs adjacent to SR 244. The purpose of the project is to correct the slope failure to prevent further deterioration of the eastbound shoulder, guardrail, and embankment which will result in improved safety and mobility along SR 244. The proposed project will involve the excavation and reconstruction of the existing North Fork Clifty Creek bank to a slope of 2:1 with riprap where it crosses into the southwest quadrant of the project area. Four stone spurs will be used to minimize erosion. Three will be placed perpendicular to the channel and the furthest upstream will be placed at an angle. The riprap slope will be placed at the top of the bank approximately 8 feet away from the edge of the travel lane. The existing travel lanes will be widened from 11 feet to 12 feet wide and the shoulder will be widened from 1 foot to 4 feet wide. Additionally, a mill and overlay is proposed for the existing pavement within the project limits. The guardrail on both sides of the roadway will be reconstructed and extended to the bridge concrete barriers. A new riprap turnout will be constructed on the south side of the bridge. No work is expected on Bridge No. 244-70-05846 A or the bridge approach except for the new guardrail and riprap turnout. A new roadside ditch will be constructed on the north side of the roadway to carry runoff from the north. The new ditch will carry runoff under two farm field entrances. Two box culverts, 5-foot by 2-foot, will be constructed to carry the ditch under the farm field entrances. Additionally, an existing ditch downstream will be reconstructed to accommodate flow from the newly constructed ditch. The

maintenance of traffic (MOT) plan will involve lane closures along SR 244. Temporary traffic signals will be utilized to maintain traffic flow during the lane closures. Access will be maintained for property owners during construction of the project. The MOT will be implemented per the Indiana Design Manual guidelines. Construction is anticipated to begin in Fall 2022. The title to the existing right-of-way along this section of SR 244 is uncertain, making the edge of pavement the presumed apparent right-of-way. Approximately 0.5 acre of permanent ROW is anticipated to be required for the proposed project. No temporary ROW is anticipated. The project is anticipated to require approximately 0.15 acre of tree clearing. A Red Flag Investigation (RFI) was performed for a 0.5-mile radius for the project area. Some "Red Flags" were identified within the 0.5-mile search radius; however, not all will impact the proposed project. One stream, North Fork Clifty Creek, is located within the project area and is impaired for E. coli. The project area is located within a regulated floodplain. Due to the proximity of water resources in the project area, a full wetland and stream delineation will be conducted, and a Waters of the U.S. Determination Report will be completed as a part of the project. This project is outside the Karst Memorandum of Understanding Potential Karst Features Region. The National Register of Historic Places (National Register) and the Indiana Register of Historic Sites and Structures (State Register) were reviewed using the State Historic Architectural and Archaeological Research Database (SHAARD) and SHAARD Geographic Information System (GIS) data published online. No above-ground historical resources on either list are within the project area. The 1988 Rush County Interim Report: Indiana Historic Sites and Structures Inventory (IHSSI) data was also examined; no surveyed resources from this inventory were located within 500 feet of the project area. The Indiana Historic Bridge Inventory Volume 2: Listing of Historic and Non-Historic Bridges by Mead & Hunt (2009) was reviewed. No bridges eligible for listing in the National Register are within the project area. No cemeteries were noted within the vicinity of the project area. It is anticipated that this project will qualify for the Minor Projects Programmatic Agreements (MPPA). Rush County is within the range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*). The U.S. Fish and Wildlife Service (USFWS) Range-wide Programmatic Informal Consultation for the Indiana bat and northern long-eared bat (NLEB) will be completed for this project. Land use in the vicinity of the project is primarily rural with agricultural, forested areas, and isolated rural residences. Completion of the appropriate determination key through the USFWS Information for Planning and Consultation (IPaC) portal will occur. If a determination of "Not Likely to Adversely Affect," or "Likely to Adversely Affect" is reached then additional consultation with the USFWS will occur through INDOT.

This letter from the Indiana Department of Environmental Management (IDEM) serves as a standardized response to enquiries inviting IDEM comments on roadway construction, reconstruction, or other improvement projects within existing roadway corridors when the proposed scope of the project is beneath the threshold requiring a formal National Environmental Policy Act-mandated Environmental Assessment or Environmental Impact Statement. As the letter attempts to address all roadway-related environmental topics of potential concern, it is possible that not every topic addressed in the letter will be applicable to your particular roadway project.

For additional information on specific roadway-related topics of interest, please visit the appropriate Web pages cited below, many of which provide contact information for persons within the various program areas who can answer questions not fully addressed in this letter. Also please be mindful that some environmental requirements may be subject to change and so each person intending to include a copy of this letter in their project documentation packet is advised to download the most recently revised version of the letter, found at: <http://www.in.gov/idem/5283.htm> (<http://www.in.gov/idem/5283.htm>),

To ensure that all environmentally-related issues are adequately addressed, IDEM recommends that you read this letter in its entirety, and consider each of the following issues as you move forward with the planning of your proposed roadway construction, reconstruction, or improvement project.

WATER AND BIOTIC QUALITY

1. Section 404 of the Clean Water Act requires that you obtain a permit from the U.S. Army Corps of Engineers (USACE) before discharging dredged or fill materials into any wetlands or other waters, such as rivers, lakes, streams, and ditches. Other activities regulated include the relocation, channelization, widening, or other such alteration of a stream, and the mechanical clearing (use of heavy construction equipment) of wetlands. Thus, as a project owner or sponsor, it is your responsibility to ensure that no wetlands are disturbed without the proper permit. Although you may initially refer to the U.S. Fish and Wildlife Service National Wetland Inventory maps as a means of identifying potential areas of concern, please be mindful that those maps do not depict jurisdictional wetlands regulated by the USACE or the Department of Environmental Management. A valid jurisdictional wetlands determination can only be made by the USACE, using the 1987 Wetland Delineation Manual.

USACE recommends that you have a consultant check to determine whether your project will abut, or lie within, a wetland area. To view a list of consultants that have requested to be included on a list posted by the USACE on their Web site, see USACE Permits and Public Notices (<http://www.lrl.usace.army.mil/orf/default.asp>) (<http://www.lrl.usace.army.mil/orf/default.asp>) and then click on "Information" from the menu on the right-hand side of that page. Their "Consultant List" is the fourth entry down on the "Information" page. Please note that the USACE posts all consultants that request to appear on the list, and that inclusion of any particular consultant on the list does not represent an endorsement of that consultant by the USACE, or by IDEM.

Much of northern Indiana (Newton, Lake, Porter, LaPorte, St. Joseph, Elkhart, LaGrange, Steuben, and Dekalb counties; large portions of Jasper, Starke, Marshall, Noble, Allen, and Adams counties; and lesser portions of Benton, White, Pulaski, Kosciusko, and Wells counties) is served by the USACE District Office in Detroit (313-226-6812). The central and southern portions of the state (large portions of Benton, White, Pulaski, Kosciusko, and Wells counties; smaller portions of Jasper, Starke, Marshall, Noble, Allen, and Adams counties; and all other Indiana counties located in north-central, central, and southern Indiana) are served by the USACE Louisville District Office (502-315-6733).

Additional information on contacting these U.S. Army Corps of Engineers (USACE) District Offices, government agencies with jurisdiction over wetlands, and other water quality issues, can be found at <http://www.in.gov/idem/4396.htm> (<http://www.in.gov/idem/4396.htm>). IDEM recommends that impacts to wetlands and other water resources be avoided to the fullest extent.

2. In the event a Section 404 wetlands permit is required from the USACE, you also must obtain a Section 401 Water Quality Certification from the IDEM Office of Water Quality Wetlands Program. To learn more about the Wetlands Program, visit: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>).
3. If the USACE determines that a wetland or other water body is isolated and not subject to Clean Water Act regulation, it is still regulated by the state of Indiana. A State Isolated Wetland permit from IDEM's Office of Water Quality (OWQ) is required for any activity that results in the discharge of dredged or fill materials into isolated wetlands. To learn more about isolated wetlands, contact the OWQ Wetlands Program at 317-233-8488.
4. If your project will involve over a 0.5 acre of wetland impact, stream relocation, or other large-scale alterations to water bodies such as the creation of a dam or a water diversion, you should seek additional input from the OWQ Wetlands Program staff. Consult the Web at: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>) for the appropriate staff contact to further discuss your project.
5. Work within the one-hundred year floodway of a given water body is regulated by the Department of Natural Resources, Division of Water. The Division issues permits for activities regulated under the follow statutes:

- IC 14-26-2 Lakes Preservation Act 312 IAC 11
- IC 14-26-5 Lowering of Ten Acre Lakes Act No related code
- IC 14-28-1 Flood Control Act 310 IAC 8-1
- IC 14-29-1 Navigable Waterways Act 312 IAC 6
- IC 14-29-3 Sand and Gravel Permits Act 312 IAC 6
- IC 14-29-4 Construction of Channels Act No related code

For information on these Indiana (statutory) Code and Indiana Administrative Code citations, see the DNR Web site at: <http://www.in.gov/dnr/water/9451.htm> (<http://www.in.gov/dnr/water/9451.htm>) . Contact the DNR Division of Water at 317-232-4160 for further information.

The physical disturbance of the stream and riparian vegetation, especially large trees overhanging any affected water bodies should be limited to only that which is absolutely necessary to complete the project. The shade provided by the large overhanging trees helps maintain proper stream temperatures and dissolved oxygen for aquatic life.

6. For projects involving construction activity (which includes clearing, grading, excavation and other land disturbing activities) that result in the disturbance of one (1), or more, acres of total land area, contact the Office of Water Quality – Watershed Planning Branch (317/233-1864) regarding the need for of a Rule 5 Storm Water Runoff Permit. Visit the following Web page
 - <http://www.in.gov/idem/4902.htm> (<http://www.in.gov/idem/4902.htm>)

To obtain, and operate under, a Rule 5 permit you will first need to develop a Construction Plan (<http://www.in.gov/idem/4917.htm#constreq> (<http://www.in.gov/idem/4917.htm#constreq>)), and as described in 327 IAC 15-5-6.5 (<http://www.in.gov/legislative/lac/T03270/A00150> [PDF] (<http://www.in.gov/legislative/lac/T03270/A00150.PDF>), pages 18 through 19). Before you may apply for a Rule 5 Permit, or begin construction, you must submit your Construction Plan to your county Soil and Water Conservation District (SWCD) (<http://www.in.gov/isda/soil/contacts/map.html>) (<http://www.in.gov/isda/soil/contacts/map.html>)).

Upon receipt of the construction plan, personnel of the SWCD or the Indiana Department of Environmental Management will review the plan to determine if it meets the requirements of 327 IAC 15-5. Plans that are deemed deficient will require re-submittal. If the plan is sufficient you will be notified and instructed to submit the verification to IDEM as part of the Rule 5 Notice of Intent (NOI) submittal. Once construction begins, staff of the SWCD or Indiana Department of Environmental Management will perform inspections of activities at the site for compliance with the regulation.

Please be mindful that approximately 149 Municipal Separate Storm Sewer System (MS4) areas are now being established by various local governmental entities throughout the state as part of the implementation of Phase II federal storm water requirements. All of these MS4 areas will eventually take responsibility for Construction Plan review, inspection, and enforcement. As these MS4 areas obtain program approval from IDEM, they will be added to a list of MS4 areas posted on the IDEM Website at: <http://www.in.gov/idem/4900.htm> (<http://www.in.gov/idem/4900.htm>).

If your project is located in an IDEM-approved MS4 area, please contact the local MS4 program about meeting their storm water requirements. Once the MS4 approves the plan, the NOI can be submitted to IDEM.

Regardless of the size of your project, or which agency you work with to meet storm water requirements, IDEM recommends that appropriate structures and techniques be utilized both during the construction phase, and after completion of the project, to minimize the impacts associated with storm water runoff. The

use of appropriate planning and site development and appropriate storm water quality measures are recommended to prevent soil from leaving the construction site during active land disturbance and for post construction water quality concerns. Information and assistance regarding storm water related to construction activities are available from the Soil and Water Conservation District (SWCD) offices in each county or from IDEM.

7. For projects involving impacts to fish and botanical resources, contact the Department of Natural Resources - Division of Fish and Wildlife (317/232-4080) for addition project input.
8. For projects involving water main construction, water main extensions, and new public water supplies, contact the Office of Water Quality - Drinking Water Branch (317-308-3299) regarding the need for permits.
9. For projects involving effluent discharges to waters of the State of Indiana , contact the Office of Water Quality - Permits Branch (317-233-0468) regarding the need for a National Pollutant Discharge Elimination System (NPDES) permit.
10. For projects involving the construction of wastewater facilities and sewer lines, contact the Office of Water Quality - Permits Branch (317-232-8675) regarding the need for permits.

AIR QUALITY

The above-noted project should be designed to minimize any impact on ambient air quality in, or near, the project area. The project must comply with all federal and state air pollution regulations. Consideration should be given to the following:

1. Regarding open burning, and disposing of organic debris generated by land clearing activities; some types of open burning are allowed (<http://www.in.gov/idem/4148.htm> (<http://www.in.gov/idem/4148.htm>)) under specific conditions. You also can seek an open burning variance from IDEM.

However, IDEM generally recommends that you take vegetative wastes to a registered yard waste composting facility or that the waste be chipped or shredded with composting on site (you must register with IDEM if more than 2,000 pounds is to be composted; contact 317/232-0066). The finished compost can then be used as a mulch or soil amendment. You also may bury any vegetative wastes (such as leaves, twigs, branches, limbs, tree trunks and stumps) onsite, although burying large quantities of such material can lead to subsidence problems, later on.

Reasonable precautions must be taken to minimize fugitive dust emissions from construction and demolition activities. For example, wetting the area with water, constructing wind barriers, or treating dusty areas with chemical stabilizers (such as calcium chloride or several other commercial products). Dirt tracked onto paved roads from unpaved areas should be minimized.

Additionally, if construction or demolition is conducted in a wooded area where blackbirds have roosted or abandoned buildings or building sections in which pigeons or bats have roosted for 3-5 years precautionary measures should be taken to avoid an outbreak of histoplasmosis. This disease is caused by the fungus *Histoplasma capsulatum*, which stems from bird or bat droppings that have accumulated in one area for 3-5 years. The spores from this fungus become airborne when the area is disturbed and can cause infections over an entire community downwind of the site. The area should be wetted down prior to cleanup or demolition of the project site. For more detailed information on histoplasmosis prevention and control, please contact the Acute Disease Control Division of the Indiana State Department of Health at (317) 233-7272.

2. The U.S. EPA and the Surgeon General recommend that people not have long-term exposure to radon at levels above 4 pCi/L. (For a county-by-county map of predicted radon levels in Indiana, visit: <http://www.in.gov/idem/4145.htm> (<http://www.in.gov/idem/4145.htm>).

The U.S. EPA further recommends that all homes (and apartments within three stories of ground level) be tested for radon. If in-home radon levels are determined to be 4 pCi/L, or higher, EPA recommends a follow-up test. If the second test confirms that radon levels are 4 pCi/L, or higher, EPA recommends the installation of radon-reduction measures. (For a list of qualified radon testers and radon mitigation (or reduction) specialists visit: http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf (http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf.) It also is recommended that radon reduction measures be built into all new homes, particularly in areas like Indiana that have moderate to high predicted radon levels.

To learn more about radon, radon risks, and ways to reduce exposure visit:

<http://www.in.gov/isdh/regsvcs/radhealth/radon.htm> (<http://www.in.gov/isdh/regsvcs/radhealth/radon.htm>), <http://www.in.gov/idem/4145.htm> (<http://www.in.gov/idem/4145.htm>), or <http://www.epa.gov/radon/index.html> (<http://www.epa.gov/radon/index.html>).

3. With respect to asbestos removal: all facilities slated for renovation or demolition (except residential buildings that have (4) four or fewer dwelling units and which will not be used for commercial purposes) must be inspected by an Indiana-licensed asbestos inspector prior to the commencement of any renovation or demolition activities. If regulated asbestos-containing material (RACM) that may become airborne is found, any subsequent demolition, renovation, or asbestos removal activities must be performed in accordance with the proper notification and emission control requirements.

If no asbestos is found where a renovation activity will occur, or if the renovation involves removal of less than 260 linear feet of RACM off of pipes, less than 160 square feet of RACM off of other facility components, or less than 35 cubic feet of RACM off of all facility components, the owner or operator of the project does not need to notify IDEM before beginning the renovation activity.

For questions on asbestos demolition and renovation activities, you can also call IDEM's Lead/Asbestos section at 1-888-574-8150.

However, in all cases where a demolition activity will occur (even if no asbestos is found), the owner or operator must still notify IDEM 10 working days prior to the demolition, using the form found at <http://www.in.gov/icpr/webfile/formsdiv/44593.pdf> (<http://www.in.gov/icpr/webfile/formsdiv/44593.pdf>).

Anyone submitting a renovation/demolition notification form will be billed a notification fee based upon the amount of friable asbestos containing material to be removed or demolished. Projects that involve the removal of more than 2,600 linear feet of friable asbestos containing materials on pipes, or 1,600 square feet or 400 cubic feet of friable asbestos containing material on other facility components, will be billed a fee of \$150 per project; projects below these amounts will be billed a fee of \$50 per project. All notification remitters will be billed on a quarterly basis.

For more information about IDEM policy regarding asbestos removal and disposal, visit:

<http://www.in.gov/idem/4983.htm> (<http://www.in.gov/idem/4983.htm>).

4. With respect to lead-based paint removal: IDEM encourages all efforts to minimize human exposure to lead-based paint chips and dust. IDEM is particularly concerned that young children exposed to lead can suffer from learning disabilities. Although lead-based paint abatement efforts are not mandatory, any abatement that is conducted within housing built before January 1, 1978, or a child-occupied facility is required to

comply with all lead-based paint work practice standards, licensing and notification requirements. For more information about lead-based paint removal visit: <http://www.in.gov/isdh/19131.htm> (<http://www.in.gov/isdh/19131.htm>).

5. Ensure that asphalt paving plants are permitted and operate properly. The use of cutback asphalt, or asphalt emulsion containing more than seven percent (7%) oil distillate, is prohibited during the months April through October. See 326 IAC 8-5-2 , Asphalt Paving Rule (<http://www.ai.org/legislative/iac/T03260/A00080.PDF> (<http://www.ai.org/legislative/iac/T03260/A00080.PDF>)).
6. If your project involves the construction of a new source of air emissions or the modification of an existing source of air emissions or air pollution control equipment, it will need to be reviewed by the IDEM Office of Air Quality (OAQ). A registration or permit may be required under 326 IAC 2 (View at: www.ai.org/legislative/iac/t03260/a00020.pdf (<http://www.ai.org/legislative/iac/t03260/a00020.pdf>)). New sources that use or emit hazardous air pollutants may be subject to Section 112 of the Clean Air Act and corresponding state air regulations governing hazardous air pollutants.
7. For more information on air permits visit: <http://www.in.gov/idem/4223.htm> (<http://www.in.gov/idem/4223.htm>), or to initiate the IDEM air permitting process, please contact the Office of Air Quality Permit Reviewer of the Day at (317) 233-0178 or OAMPROD at adem.state.in.us.

LAND QUALITY

In order to maintain compliance with all applicable laws regarding contamination and/or proper waste disposal, IDEM recommends that:

1. If the site is found to contain any areas used to dispose of solid or hazardous waste, you need to contact the Office of Land Quality (OLQ) at 317-308-3103.
2. All solid wastes generated by the project, or removed from the project site, need to be taken to a properly permitted solid waste processing or disposal facility. For more information, visit <http://www.in.gov/idem/4998.htm> (<http://www.in.gov/idem/4998.htm>).
3. If any contaminated soils are discovered during this project, they may be subject to disposal as hazardous waste. Please contact the OLQ at 317-308-3103 to obtain information on proper disposal procedures.
4. If PCBs are found at this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding management of any PCB wastes from this site.
5. If there are any asbestos disposal issues related to this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding the management of asbestos wastes (Asbestos removal is addressed above, under Air Quality).
6. If the project involves the installation or removal of an underground storage tank, or involves contamination from an underground storage tank, you must contact the IDEM Underground Storage Tank program at 317/308-3039. See: <http://www.in.gov/idem/4999.htm> (<http://www.in.gov/idem/4999.htm>).

FINAL REMARKS

Should you need to obtain any environmental permits in association with this proposed project, please be mindful that IC 13-15-8 requires that you notify all adjoining property owners and/or occupants within ten days your submittal of each permit application. However, if you are seeking multiple permits, you can still meet the

notification requirement with a single notice if all required permit applications are submitted with the same ten day period.

Should the scope of the proposed project be expanded to the extent that a National Environmental Policy Act Environmental Assessment (EA) or Environmental Impact Statement (EIS) is required, IDEM will actively participate in any early interagency coordination review of the project.

Meanwhile, please note that this letter does not constitute a permit, license, endorsement or any other form of approval on the part of the Indiana Department of Environmental Management regarding any project for which a copy of this letter is used. Also note that it is the responsibility of the project engineer or consultant using this letter to ensure that the most current draft of this document, which is located at <http://www.in.gov/idem/5284.htm> (<http://www.in.gov/idem/5284.htm>), is used.

Signature(s) of the Applicant

I acknowledge that the following proposed roadway project will be financed in part, or in whole, by public monies.

Project Description

The Federal Highway Administration and Indiana Department of Transportation (INDOT) – Greenfield District, intend to proceed with a slide correction project along SR 244 within Rush County, Indiana. The proposed project is located in southeastern Rush County along SR 244, 4.79 miles east of SR 3. Specifically, the project is located in Sections 10, 11, 14, and 15, Township 12 North, Range 10 East in Richland Township as depicted on the Milroy Quadrangle U. S. Geological Survey 7.5 minute quadrangle. Adjacent land use consists of agricultural, forested areas, and isolated rural residences. Please see attachments for maps and photographs of the proposed project area. Within the project area, SR 244 is functionally classified as a major collector. The typical cross-section of SR 244 is two 11-foot wide travel lanes (one in each direction) and a 1-foot paved shoulder on both sides of the roadway. Erosion is occurring on the south side of the roadway where there is an oxbow to North Fork Clifty Creek. The existing speed limit along SR 244 is 55 miles per hour. Bridge No. 244-70-05846 A is a prestressed concrete continuous box beam bridge located within the project area. The bridge was built in 1968 and reconstructed in 1992. The structure is 101.4 feet in length and has an out-to-out deck width of 33 feet. The need for this project is due to the erosion occurring along the eastbound roadway embankment of SR 244, causing the shoulder pavement, guardrail, and embankment to deteriorate and fail. This erosion is occurring because North Fork Clifty Creek has an oxbow that occurs adjacent to SR 244. The purpose of the project is to correct the slope failure to prevent further deterioration of the eastbound shoulder, guardrail, and embankment which will result in improved safety and mobility along SR 244. The proposed project will involve the excavation and reconstruction of the existing North Fork Clifty Creek bank to a slope of 2:1 with riprap where it crosses into the southwest quadrant of the project area. Four stone spurs will be used to minimize erosion. Three will be placed perpendicular to the channel and the furthest upstream will be placed at an angle. The riprap slope will be placed at the top of the bank approximately 8 feet away from the edge of the travel lane. The existing travel lanes will be widened from 11 feet to 12 feet wide and the shoulder will be widened from 1 foot to 4 feet wide. Additionally, a mill and overlay is proposed for the existing pavement within the project limits. The guardrail on both sides of the roadway will be reconstructed and extended to the bridge concrete barriers. A new riprap turnout will be constructed on the south side of the bridge. No work is expected on Bridge No. 244-70-05846 A or the bridge approach except for the new guardrail and riprap turnout. A new roadside ditch will be constructed on the north side of the roadway to carry runoff from the north. The new ditch will carry runoff under two farm field entrances. Two box culverts, 5-foot by 2-foot, will be constructed to carry the ditch under the farm field entrances. Additionally, an existing ditch downstream will be reconstructed to accommodate flow from the newly constructed ditch. The maintenance of

traffic (MOT) plan will involve lane closures along SR 244. Temporary traffic signals will be utilized to maintain traffic flow during the lane closures. Access will be maintained for property owners during construction of the project. The MOT will be implemented per the Indiana Design Manual guidelines. Construction is anticipated to begin in Fall 2022. The title to the existing right-of-way along this section of SR 244 is uncertain, making the edge of pavement the presumed apparent right-of-way. Approximately 0.5 acre of permanent ROW is anticipated to be required for the proposed project. No temporary ROW is anticipated. The project is anticipated to require approximately 0.15 acre of tree clearing. A Red Flag Investigation (RFI) was performed for a 0.5-mile radius for the project area. Some "Red Flags" were identified within the 0.5-mile search radius; however, not all will impact the proposed project. One stream, North Fork Clifty Creek, is located within the project area and is impaired for E. coli. The project area is located within a regulated floodplain. Due to the proximity of water resources in the project area, a full wetland and stream delineation will be conducted, and a Waters of the U.S. Determination Report will be completed as a part of the project. This project is outside the Karst Memorandum of Understanding Potential Karst Features Region. The National Register of Historic Places (National Register) and the Indiana Register of Historic Sites and Structures (State Register) were reviewed using the State Historic Architectural and Archaeological Research Database (SHAARD) and SHAARD Geographic Information System (GIS) data published online. No above-ground historical resources on either list are within the project area. The 1988 Rush County Interim Report: Indiana Historic Sites and Structures Inventory (IHSSI) data was also examined; no surveyed resources from this inventory were located within 500 feet of the project area. The Indiana Historic Bridge Inventory Volume 2: Listing of Historic and Non-Historic Bridges by Mead & Hunt (2009) was reviewed. No bridges eligible for listing in the National Register are within the project area. No cemeteries were noted within the vicinity of the project area. It is anticipated that this project will qualify for the Minor Projects Programmatic Agreements (MPPA). Rush County is within the range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*). The U.S. Fish and Wildlife Service (USFWS) Range-wide Programmatic Informal Consultation for the Indiana bat and northern long-eared bat (NLEB) will be completed for this project. Land use in the vicinity of the project is primarily rural with agricultural, forested areas, and isolated rural residences. Completion of the appropriate determination key through the USFWS Information for Planning and Consultation (IPaC) portal will occur. If a determination of "Not Likely to Adversely Affect," or "Likely to Adversely Affect" is reached then additional consultation with the USFWS will occur through INDOT.

With my signature, I do hereby affirm that I have read the letter from the Indiana Department of Environment that appears directly above. In addition, I understand that in order to complete that project in which I am interested, with a minimum of impact to the environment, I must consider all the issues addressed in the aforementioned letter, and further, that I must obtain any required permits.

Date: 12-17-2020

Signature of the INDOT
Project Engineer or Other Responsible Agent *Heather Johnson*

Heather Johnson

Date: 12/15/2020

Signature of the
For Hire Consultant *Samantha Beaupre*

Samantha Beaupre



Organization and Project Information

Project ID:
Des. ID: 1901370
Project Title: SR 244 Slide Correction Project
Name of Organization: Lochmueller Group
Requested by: Samantha Beaupre

Environmental Assessment Report

1. Geological Hazards:

- Moderate liquefaction potential
- 1% Annual Chance Flood Hazard

2. Mineral Resources:

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

3. Active or abandoned mineral resources extraction sites:

- None documented in the area

*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.

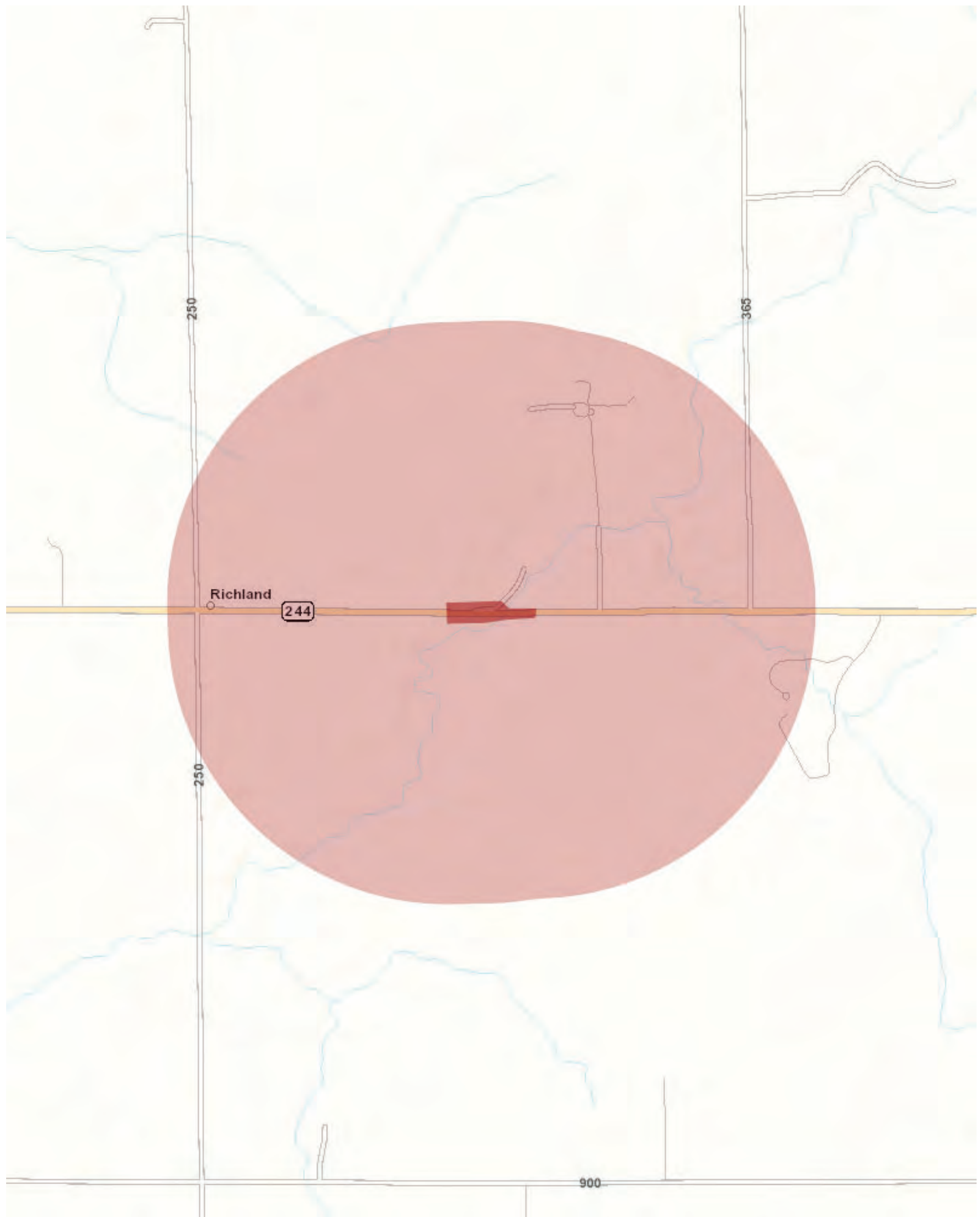
This information was furnished by Indiana Geological Survey

Address: 420 N. Walnut St., Bloomington, IN 47404

Email: IGSEnvir@indiana.edu

Phone: 812 855-7428

Date: November 05, 2020





November 18, 2020

Samantha Beaupre
Lochmueller Group, Inc.
3502 Woodview Trace, Suite 150
Indianapolis, Indiana 46268

Dear Ms. Beaupre:

The proposed project to address the erosion occurring along the eastbound roadway along State Road 244 in Rush County, Indiana, (Des No 1901370), as referred to in your letter received November 18, 2020, will cause a conversion of prime farmland.

The attached packet of information is for your use competing Parts VI and VII of the AD-1006. After completion, the federal funding agency needs to forward one copy to NRCS for our records.

If you need additional information, please contact John Allen at 317-295-5859.

Sincerely,

RICHARD
NEILSON

Digitally signed by
RICHARD NEILSON
Date: 2020.11.18
15:46:25 -05'00'

RICK NEILSON
State Soil Scientist

Enclosures

Helping People Help the Land.



USDA is an equal opportunity provider, employer and lender.

**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency)	3. Date of Land Evaluation Request 11/5/20	4. Sheet 1 of <u>1</u>
---	--	------------------------

1. Name of Project SR 244 Slide Correction Des. No. 1901370	5. Federal Agency Involved FHWA
--	--

2. Type of Project Slide Correction	6. County and State Rush County, IN
--	--

PART II (To be completed by NRCS)	1. Date Request Received by NRCS 11/5/20	2. Person Completing Form JRA
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3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	4. Acres Irrigated Average Farm Size 379 ac
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5. Major Crop(s) Corn	6. Farmable Land in Government Jurisdiction Acres: 255,429 % 98	7. Amount of Farmland As Defined in FPPA Acres: 241,962 % 93
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8. Name of Land Evaluation System Used LESA	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS 11/18/20
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PART III (To be completed by Federal Agency)	Alternative Corridor For Segment			
	Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly	0.35			
B. Total Acres To Be Converted Indirectly, Or To Receive Services	0			
C. Total Acres In Corridor	0.50			

PART IV (To be completed by NRCS) Land Evaluation Information	
A. Total Acres Prime And Unique Farmland	0.21
B. Total Acres Statewide And Local Important Farmland	0.00
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	<0.001
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	92

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)	
	66

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points				
1. Area in Nonurban Use	15	15			
2. Perimeter in Nonurban Use	10	10			
3. Percent Of Corridor Being Farmed	20	2			
4. Protection Provided By State And Local Government	20	0			
5. Size of Present Farm Unit Compared To Average	10	0			
6. Creation Of Nonfarmable Farmland	25	0			
7. Availability Of Farm Support Services	5	5			
8. On-Farm Investments	20	5			
9. Effects Of Conversion On Farm Support Services	25	0			
10. Compatibility With Existing Agricultural Use	10	0			
TOTAL CORRIDOR ASSESSMENT POINTS	160	37	0	0	0

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100	66	0	0	0
Total Corridor Assessment (From Part VI above or a local site assessment)	160	37	0	0	0
TOTAL POINTS (Total of above 2 lines)	260	103	0	0	0

1. Corridor Selected: Corridor A	2. Total Acres of Farmlands to be Converted by Project: 0.21	3. Date Of Selection: 12/31/20	4. Was A Local Site Assessment Used? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--	--	--	---

5. Reason For Selection:
Corridor A was selected because the corridor assessment criteria was less than 160 and this alternative impacts prime farmland the least.

Signature of Person Completing this Part: <i>Samantha Beaupre</i>	DATE 12/31/20
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NOTE: Complete a form for each segment with more than one Alternate Corridor

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

DNR #: ER-23201

Request Received: November 5, 2020

Requestor: Lochmueller Group Inc
Samantha Beaupre
3502 Woodview Trace, Suite 150
Indianapolis, IN 46268

Project: SR 244 slide correction at the bridge over North Branch Clifty Creek, about 4.79 miles east of SR 3; Des #1901370

County/Site info: Rush

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 for construction in a floodway under the Flood Control Act, IC 14-28-1. Please submit a copy of this letter with the permit application.

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

Fish & Wildlife Comments: 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) Bank Stabilization:

Establishing vegetation along the banks is critical for stabilization and erosion control. In addition to vegetation, some other form of bank stabilization may be needed. While hard armoring alone (e.g. riprap or glacial stone) may be needed in certain instances, soft armoring and bioengineering techniques should be considered first. In many instances, one or more methods are necessary to increase the likelihood of vegetation establishment. Combining vegetation with most bank stabilization methods can provide additional bank protection and help reduce impacts upon fish and wildlife. Information about bioengineering techniques can be found at <http://www.in.gov/legislative/iac/20120404-IR-312120154NRA.xml.pdf>. Also, the following is a USDA/NRCS document that outlines many different bioengineering techniques for streambank stabilization: <http://directives.sc.egov.usda.gov/17553.wba>.

Riprap must not be placed in the active thalweg channel or placed in the streambed in a manner that precludes fish or aquatic organism passage (riprap must not be placed above the existing streambed elevation). Riprap may be used only at the toe of the sideslopes up to the ordinary high water mark (OHWM). The banks above the OHWM must be restored, stabilized, and revegetated using geotextiles and a mixture of grasses, sedges, wildflowers, shrubs, and trees native to Eastern Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion.

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

2) Riparian Habitat:

We recommend a mitigation plan be developed (and submitted with the permit application) for any unavoidable habitat impacts that will occur. 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, at least 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10" dbh or greater (5:1 mitigation based on the number of large trees) 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.

3) Stream/Wetland Habitat:

For any stream and/or wetland impacts, you may need to contact the Indiana Department of Environmental Management (IDEM) 401 program and the US Army Corps of Engineers (USACE) 404 program. Impacts to wetland habitat should be mitigated at the appropriate ratio according to the 1991 INDOT/IDNR/USFWS Memorandum of Understanding.

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 that will not be mowed and maintained with a mixture of grasses, sedges, and wildflowers native to Central Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion; turf-type grasses (including low-endophyte, friendly endophyte, and endophyte free tall fescue but excluding all other varieties of tall fescue) may be used in regularly mowed areas only.
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. Do not excavate in the low flow area except for the placement of piers, foundations, and riprap, or removal of the old structure.
6. Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds.
7. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids.
8. Do not use broken concrete as riprap.
9. Underlay the riprap with a bedding layer of well graded aggregate or a geotextile to prevent piping of soil underneath the riprap.
10. Minimize the movement of resuspended bottom sediment from the immediate project area.
11. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are

THIS IS NOT A PERMIT

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

stabilized.

12. 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 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.

13. Do not excavate or place fill in any riparian wetland.

Contact Staff:

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

Christie L. Stanifer

Date: December 4, 2020

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

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>

In Reply Refer To:

July 26, 2021

Consultation Code: 03E12000-2021-SLI-0524

Event Code: 03E12000-2021-E-08047

Project Name: SR 244 Slide Correction Project (Des. No. 1901370)

Subject: Updated 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 attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service if they determine their project “may affect” listed species or critical habitat.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website <http://ecos.fws.gov/ipac/> at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

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.

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*) and Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at <http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html> to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number 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

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

Consultation Code: 03E12000-2021-SLI-0524

Event Code: 03E12000-2021-E-08047

Project Name: SR 244 Slide Correction Project (Des. No. 1901370)

Project Type: TRANSPORTATION

Project Description: The Federal Highway Administration and Indiana Department of Transportation (INDOT) – Greenfield District, intend to proceed with a slide correction project along SR 244 within Rush County, Indiana. The proposed project will involve the excavation and reconstruction of the existing North Fork Clifty Creek bank to a slope of 2:1 with riprap where it crosses into the southwest quadrant of the project area. Four stone spurs will be used to minimize erosion.

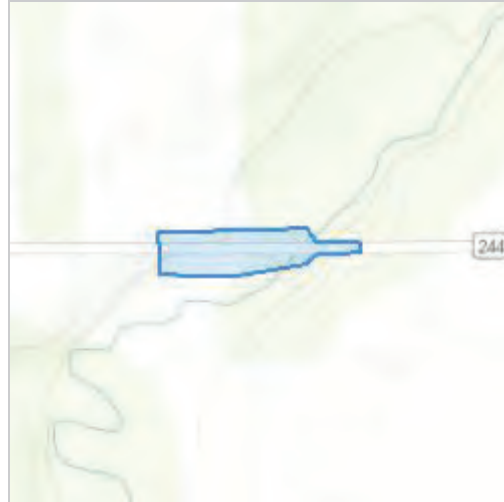
The existing eastbound travel lane will be widened from 11 feet to 12 feet wide and the eastbound shoulder will be widened from 1 foot to 4 feet wide. Additionally, a mill and overlay is proposed for the existing pavement of the eastbound lane within the project limits. The guardrail on the eastbound side of the roadway will be reconstructed and extended to the bridge concrete barriers. A new riprap turnout will be constructed in the southwest quadrant of the project area. No work is expected on Bridge No. 244-70-05846 A or the bridge approach except for the new guardrail and riprap turnout. Construction is anticipated to begin in Fall 2022. Permanent lighting will not be installed as a part of the project. Temporary lighting may be used during construction.

Approximately 0.5 acre of permanent ROW is anticipated to be required for the proposed project. No temporary ROW is anticipated. Suitable summer habitat is located on the north and south side of SR 244. The project is anticipated to require approximately 0.15 acre of tree clearing during the inactive bat season. The tree clearing will occur within 100 feet of the existing roadway. The dominant tree species present are boxelder (*Acer negundo*), honey locust (*Gleditsia triacanthos*), Osage orange (*Maclura pomifera*), and green ash (*Fraxinus pennsylvanica*).

A review of the USFWS GIS database for Indiana bat and Northern long-eared bat roosting, hibernacula and capture sites was conducted for the project on October 30, 2019 by INDOT Greenfield District staff. There are no documented sites within a half mile the project area. An inspection of Bridge No. 244-70-05846 A by Lochmueller Group on October 12, 2020 did not identify evidence of bats using the structure.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@39.49728145,-85.38583507138169,14z>



Counties: Rush County, Indiana

Endangered Species Act Species

There is a total of 2 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. Note that 1 of these species should be considered only under certain conditions.

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.

-
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. The location of the critical habitat is not available. 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. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Incidental take of the NLEB is not prohibited here. Federal agencies may consult using the 4(d) rule streamlined process. Transportation projects may consult using the programmatic process. See www.fws.gov/midwest/endangered/mammals/nleb/index.html Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

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



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

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>

In Reply Refer To:

January 20, 2021

Consultation code: 03E12000-2021-I-0524

Event Code: 03E12000-2021-E-02764

Project Name: SR 244 Slide Correction Project (Des. No. 1901370)

Subject: Concurrence verification letter for the 'SR 244 Slide Correction Project (Des. No. 1901370)' project under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request to verify that the **SR 244 Slide Correction Project (Des. No. 1901370)** (Proposed Action) may rely on the concurrence provided in the February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures, and may affect, but is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*).

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

For Proposed Actions that include bridge/structure removal, replacement, and/or maintenance activities: If your initial bridge/structure assessments failed to detect Indiana bats, but you later detect bats during construction, please submit the Post Assessment Discovery of Bats at Bridge/Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service.

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or Northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required. If the Proposed Action may affect any other federally-listed or proposed species, and/or any designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please contact this Service Office.

Project Description

The following project name and description was collected in IPaC as part of the endangered species review process.

Name

SR 244 Slide Correction Project (Des. No. 1901370)

Description

The Federal Highway Administration and Indiana Department of Transportation (INDOT) – Greenfield District, intend to proceed with a slide correction project along SR 244 within Rush County, Indiana. The proposed project will involve the excavation and reconstruction of the existing North Fork Clifty Creek bank to a slope of 2:1 with riprap where it crosses into the southwest quadrant of the project area. Four stone spurs will be used to minimize erosion. The existing eastbound travel lane will be widened from 11 feet to 12 feet wide and the eastbound shoulder will be widened from 1 foot to 4 feet wide. Additionally, a mill and overlay is proposed for the existing pavement of the eastbound lane within the project limits. The guardrail on the eastbound side of the roadway will be reconstructed and extended to the bridge concrete barriers. A new riprap turnout will be constructed in the southwest quadrant of the project area. No work is expected on Bridge No. 244-70-05846 A or the bridge approach except for the new guardrail and riprap turnout. Construction is anticipated to begin in Fall 2022. Permanent lighting will not be installed as a part of the project. Temporary lighting may be used during construction.

Approximately 0.5 acre of permanent ROW is anticipated to be required for the proposed project. No temporary ROW is anticipated. Suitable summer habitat is located on the north and south side of SR 244. The project is anticipated to require approximately 0.15 acre of tree clearing during the inactive bat season. The tree clearing will occur within 100 feet of the existing roadway. The dominant tree species present are boxelder (*Acer negundo*), honey locust (*Gleditsia triacanthos*), Osage orange (*Maclura pomifera*), and green ash (*Fraxinus pennsylvanica*).

A review of the USFWS GIS database for Indiana bat and Northern long-eared bat roosting, hibernacula and capture sites was conducted for the project on October 30, 2019 by INDOT Greenfield District staff. There are no documented sites within a half mile the project area. An inspection of Bridge No. 244-70-05846 A by Lochmueller Group on October 12, 2020 did not identify evidence of bats using the structure.

Determination Key Result

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the threatened Northern long-eared bat, therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required. However, also based on your answers provided, this project may rely on the concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

Qualification Interview

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

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

Automatically answered

Yes

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

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

Automatically answered

Yes

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

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)

[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]?

[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]?

[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?

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)

[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 [national consultation FAQs](#).

Yes

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

[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?
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?

[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]}?

[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 triangulation/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?

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]?

[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]}?

[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 triangulation/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?

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?

B) During the inactive season

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

Yes

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

No

20. Are *all* trees that are being removed clearly demarcated?
Yes
21. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?
No
22. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?
No
23. Does the project include slash pile burning?
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)?
Yes
25. Is there *any* suitable habitat^[1] for Indiana bat or NLEB **within** 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

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

Yes

26. Has a bridge assessment^[1] been conducted **within** the last 24 months^[2] to determine if the bridge is being used by bats?

[1] See [User Guide Appendix D](#) for bridge/structure assessment guidance

[2] Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, 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 bridge/structure in subsequent years.

Yes

SUBMITTED DOCUMENTS

- *Bridge Culvert Bat Assessment Form.pdf* <https://ecos.fws.gov/ipac/project/W7TZUYIELJDW3I5JY7MDXT662E/projectDocuments/98532957>

27. Did the bridge assessment detect *any* signs of Indiana bats and/or NLEBs roosting in/under the bridge (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.

Note: There is a small chance bridge assessments for bat occupancy do not detect bats. Should a small number of bats be observed roosting on a bridge just prior to or during construction, such that take is likely to occur or does occur in the form of harassment, injury or death, the PBO requires the action agency to report the take. Report all unanticipated take within 2 working days of the incident to the USFWS. Construction activities may continue without delay provided the take is reported to the USFWS and is limited to 5 bats per project.

No

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

No

29. 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.)

No

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

Yes

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

Yes

32. Will the project install new or replace existing **permanent** lighting?

No

33. 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?

No

34. 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?

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

Yes

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

No

36. 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?

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

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

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.

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

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.

39. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

Automatically answered

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

40. **General AMM 1**

Will the project 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 Avoidance and Minimization Measures?

Yes

41. Tree Removal AMM 1

Can *all* phases/aspects of the project (e.g., temporary work areas, alignments) be modified, to the extent practicable, to avoid tree removal^[1] in excess of what is required to implement the project safely?

Note: Tree Removal AMM 1 is a minimization measure, the full implementation of which may not always be practicable. Projects may still be NLAA as long as Tree Removal AMMs 2, 3, and 4 are implemented and LAA as long as Tree Removal AMMs 3, 5, 6, and 7 are implemented.

[1] The word “trees” as used in the AMMs refers to trees that are suitable habitat for each species within their range. See the USFWS’ current summer survey guidance for our latest definitions of suitable habitat.

Yes

42. Tree Removal AMM 3

Can tree removal be 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)?

Yes

43. Tree Removal AMM 4

Can the project avoid cutting down/removal of *all* (1) **documented**^[1] Indiana bat or NLEB roosts^[2] (that are still suitable for roosting), (2) trees **within** 0.25 miles of roosts, and (3) documented foraging habitat any time of year?

[1] The word documented means habitat where bats have actually been captured and/or tracked.

[2] 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.)

Yes

44. Lighting AMM 1

Will *all* **temporary** lighting be directed away from suitable habitat during the active season?

Yes

Project Questionnaire

1. Have you made a No Effect determination for *all* other species indicated on the FWS IPaC generated species list?

N/A

2. Have you made a May Affect determination for *any* other species on the FWS IPaC generated species list?

N/A

3. How many acres^[1] of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

[1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

0.15

4. Please describe the proposed bridge work:

The guardrail on the eastbound side of the roadway will be reconstructed and extended to the bridge concrete barriers. A new riprap turnout will be constructed in the southwest quadrant of the project area.

5. Please state the timing of all proposed bridge work:

Fall 2022

6. Please enter the date of the bridge assessment:

10/12/2020

Avoidance And Minimization Measures (AMMs)

This determination key result includes the commitment to implement the following Avoidance and Minimization Measures (AMMs):

TREE REMOVAL AMM 1

Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal.

LIGHTING AMM 1

Direct temporary lighting away from suitable habitat during the active season.

TREE REMOVAL AMM 2

Apply time of year restrictions 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.

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.









Determination Key Description: FHWA, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat

This key was last updated in IPaC on December 29, 2020. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects](#). The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

Bridge/Structure Bat Assessment Form

Date & Time of Assessment 10/12/2020; 11:00 AM	DOT Project Number Des. No. 1901370	Route/Facility Carried SR 244	County Rush
Federal Structure ID 244-70-05846 A NBI: 030170	Structure Coordinates (latitude and longitude) 39.49737, -85.38514	Structure Height (approximate)	Structure Length 101.4 ft
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"/> Pre-stressed Girder 	<input type="checkbox"/> Metal	<input type="checkbox"/> None
<input type="radio"/> Flat Slab/Box 	<input type="radio"/> Steel I-beam 	<input checked="" type="checkbox"/> Concrete	<input type="checkbox"/> Concrete
<input type="radio"/> Truss 	<input type="radio"/> Covered 	<input type="checkbox"/> Timber	<input type="checkbox"/> Steel
<input type="radio"/> Parallel Box Beam 	<input checked="" type="radio"/> Other: Pre-stressed continuous concrete	<input type="checkbox"/> Open grid	<input type="checkbox"/> Timber
		<input type="checkbox"/> Other:	<input type="checkbox"/> Other:
Culvert Type	Other Structure	Culvert Material	Creosote Evidence
<input type="radio"/> Box	<input type="radio"/>	<input type="checkbox"/> Metal	<input type="radio"/> Yes <input checked="" type="radio"/> No
<input type="radio"/> Pipe/Round	<input type="radio"/>	<input type="checkbox"/> Concrete	<input type="radio"/> Unknown
<input type="radio"/> Other:	<input type="radio"/>	<input type="checkbox"/> Plastic	Notes:
		<input type="checkbox"/> Stone/Masonry	
		<input type="checkbox"/> Other:	
Crossings Traversed (check all that apply)		Surrounding Habitat (check all that apply)	
<input type="checkbox"/> Bare ground	<input type="checkbox"/> Open vegetation	<input checked="" type="checkbox"/> Agricultural	<input type="checkbox"/> Grassland
<input type="checkbox"/> Rip-rap	<input type="checkbox"/> Closed vegetation	<input type="checkbox"/> Commercial	<input type="checkbox"/> Ranching
<input checked="" type="checkbox"/> Flowing 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 - Type:	<input checked="" type="checkbox"/> Residential-rural	<input type="checkbox"/> Mixed use
<input type="checkbox"/> Seasonal water	<input type="checkbox"/> Other:	<input checked="" type="checkbox"/> Woodland/forested	<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 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 type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Guano	<input type="checkbox"/> Odor
		<input type="checkbox"/> Staining	<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"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Guano	<input type="checkbox"/> Odor
		<input type="checkbox"/> Staining	<input type="checkbox"/> Photos
<input checked="" type="checkbox"/> Spaces between concrete end walls and the bridge deck	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Guano	<input type="checkbox"/> Odor
		<input type="checkbox"/> Staining	<input type="checkbox"/> Photos
<input checked="" type="checkbox"/> Crack between concrete railings on top of the bridge deck 	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Guano	<input type="checkbox"/> Odor
		<input type="checkbox"/> Staining	<input type="checkbox"/> Photos
<input checked="" type="checkbox"/> Vertical surfaces on concrete I-beams	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Guano	<input type="checkbox"/> Odor
		<input type="checkbox"/> Staining	<input type="checkbox"/> Photos
<input checked="" type="checkbox"/> Spaces between walls, ceiling joists	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Guano	<input type="checkbox"/> Odor
		<input type="checkbox"/> Staining	<input type="checkbox"/> Photos
<input checked="" type="checkbox"/> Weep holes, scupper drains, and inlets/pipes	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Guano	<input type="checkbox"/> Odor
		<input type="checkbox"/> Staining	<input type="checkbox"/> Photos
<input checked="" type="checkbox"/> All guiderails	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Guano	<input type="checkbox"/> Odor
		<input type="checkbox"/> Staining	<input type="checkbox"/> Photos
<input checked="" type="checkbox"/> All expansion joints	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Guano	<input type="checkbox"/> Odor
		<input type="checkbox"/> Staining	<input type="checkbox"/> Photos
Name: Samantha Beaupre		Signature: 