

Appendix C

Early Coordination

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INDIANA DEPARTMENT OF TRANSPORTATION

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Room N642
Indianapolis, Indiana 46204

PHONE: (317) 232-5113
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Eric Holcomb, Governor
Joe McGuinness, Commissioner

April 23, 2020

Example Early Coordination Letter

{See Attached List}

Re: Des. No. 1700050
Intersection Improvement
State Road 3 and State Road 46
Near reference post 117 on State Road 3
Decatur County, Indiana

Dear Sir or Madam:

The Indiana Department of Transportation (INDOT), with funding from the Federal Highway Administration (FHWA), is proposing to proceed with improvements to the State Road (SR) 3 and SR 46 north junction in Washington Township, Decatur County, Indiana, Des No 1700050. This letter is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above designation number and description in your reply. We will incorporate your comments into a study of the project's environmental impacts. Your cooperation in this endeavor is appreciated.

Project Location

The project is located in the center of Decatur County, Indiana, approximately 2.04 miles west/southwest of Greensburg, Indiana. The project extends approximately 800 feet (ft) northeast of the main intersection to approximately 500 ft southwest of the main intersection along SR 3 and approximately 890 feet northwest of the main intersection along County Road (CR) 250 (Base Rd) to approximately 555 ft southeast of the main intersection along SR 46. Specifically, the project is located within Section 9 and 10, Township 10 North, Range 9 East as shown on the attached 7.5 minute Forest Hill, Indiana, United States Geological (USGS) quadrangle map.

Existing Conditions

SR 3 is classified as a Principal Arterial road. SR 3 is designated as part of the National Highway System and the National Truck Network. The road has a posted speed limit of 55 miles per hour (mph). The existing road through the project area is a north-south, four-lane, divided highway. The road consists of 12 ft travel lanes, 10 ft paved shoulders, 11 ft useable shoulders, and a 48 ft grass median. At the intersection with SR 46, in both directions, SR 3 has a left turn lane, two through lanes, and a right turn lane. A railroad spur, at grade crossing exists on the SR3/SR 46 northbound approach approximately 700 ft from the intersection. Cantilevered RR signal arms are present at the grade crossing in both directions.

SR 46 is classified as a Principal Arterial. SR 46 has a posted speed limit of 45 mph. The existing road within the project area is an east-west two-lane highway. The road consists of 12 ft travel lanes, 10 ft paved shoulders, and 11 ft usable shoulders. At the intersection with SR 3, SR 46 has a left turn lane, a through lane, and a right turning lane.

CR 250W is classified as a minor collector road. CR 250W has a posted speed limit of 45 mph. The existing road within the project area is an east-west two-lane roadway. The road consists of 12 ft travel lanes, 4 ft paved shoulders, and 8 ft usable shoulders. At the intersection with SR 3, CR 250W has a left turn lane, a through lane, and a right turning lane.

Land use in the project vicinity consists of agricultural land and commercial land uses. The project is located near the Greensburg Municipal Airport, Decatur County Fairgrounds, Greensburg City Park, and a combined feeding operation (CFO). A railroad travels east to west, abutting, though not included within, the southern project limits. A number of utilities were noted throughout the project area, including underground fiber optic, electric, and pipeline. Please see the attached location maps and ground level photographs.

The National Wetland Inventory (NWI) map and the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) maps were reviewed for the presence of water features in the project area. No water features were mapped within the project area, however due to the proximity of Greensburg City Park Lake and Muddy Fork Sand Creek it is likely that additional water resources, such as unnamed tributaries, regulated drains, wetlands, and roadside ditches are located in the project area. Field investigations were conducted on October 14, 2019 to verify this information. A Waters of the US Report will be prepared and coordination with INDOT ES Ecology and Waterway Permitting will occur. The range-wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's Information for Planning and Consultation (IPaC) System for Listed Bat Consultation for INDOT Projects".

Traffic Volume

Existing traffic counts show an annual average daily traffic (AADT) in 2017 of 11,002 vehicles per day (vpd) on SR 3, including 13% trucks. Existing traffic counts for SR 46 show an AADT in 2017 of 4,773 vpd, including 9% trucks. Existing traffic counts show an AADT in 2017 for CR 250W of 1,193 vpd, including 11% trucks. The AADT for SR 3 is expected to increase to 14,242 vpd in design year 2042 according to the traffic forecast included in the February 22, 2019 Engineer's Report. The AADT is expected to increase to 5,501 vpd for SR 46 and 1,284 vpd for CR 250W according to the traffic forecast included in the February 22, 2019 Engineer's Report.

Project Need and Purpose

There are a higher than average number of crashes at the SR 3 and SR 46 northern junction and those crashes are more severe. The project need is the above average crash severity at the existing intersection. Per RoadHAT 3.0 analysis (traffic engineering safety modeling software) of 2014-2016 crash data, the most recent data available at the time of this analysis, the index of crash frequency is 0.27 (above average) and the index of crash cost is 1.92 (well above average). These indices compare the crash cost and crash frequency for this intersection to intersections with similar volumes, roadway classification, and control type throughout Indiana. The index of crash cost exceeds the threshold of 1.5 set by INDOT's Office of Traffic Safety, prompting further study. Based upon the crash analysis, following the methodology set within the INDOT Intersection Decision Guide, the property damage only (PDO) equivalent crash frequency, a weighted metric of crash severity level based on a ratio of factors, of the existing intersection is 34 crashes annually. The purpose of the project is to reduce the PDO equivalent crash frequency by more than 15 crashes.

Proposed Improvements

This proposed intersection improvement project will decrease the frequency of high severity crashes at the SR 3 and SR 46 intersection by reconfiguring the existing intersection as an unsignalized Median U-turn (MUT) intersection. The reconfiguration will close the median of SR 3 at the intersection and provide MUTs along SR 3, 800 ft north of the intersection and 500 ft south of the intersection. The existing eastbound CR 250W-southbound SR 3 and northbound SR 3-eastbound SR 46 turning roadways will be removed. Cross culverts will be removed where the ramps are being removed and culvert extensions will be placed where the roads are widened. New pavement will be placed for the shoulders and the new turn lanes. All remaining existing pavement will be milled and resurfaced. Excavation depths will vary, but are expected to range from 3-5 feet.

Maintenance of traffic will be conducted under a partial detour and traffic will be maintained through one lane in each direction on SR 3. Traffic will be maintained, as usual, on SR 46 and CR 250 W through one lane in each direction during each stage. Maintenance of traffic will occur in four stages. In the first two stages, traffic will be shifted to the outside lanes on SR 3 while the u-turn lanes and right turn lanes from SR 46 and CR 250W are being constructed. In stages 3 and 4 the traffic will be shifted to the inside lanes of SR 3 and traffic will begin using the MUT lanes. No right-of-way will be required for the proposed project area. Construction is anticipated to begin December 17, 2021.

HISTORIC RESOURCES

The activities included in this proposed project fall within Categories A-2, A-3 and A-4 of the Minor Projects Programmatic Agreement (Minor Projects PA). Category A-2 includes "work within interchanges and within medians of divided highways in previously disturbed soils." Category A-3 includes "replacement, repair, lining or extension of culverts and other drainage structures that do not exhibit wood, stone, or brick structures or parts therein and are in previously disturbed soils." Category A-4 includes "roadway work associated with surface replacement, reconstruction, rehabilitation, or resurfacing projects, including overlays, shoulder treatments, pavement repair, seal coating, pavement grinding, and pavement marking within previously disturbed soils where replacement, repair, or installation of curbs, ramps or sidewalks will not be required." This MPPA describes the Federal minor highway projects that would qualify

as Categorical Exclusions which do not individually or cumulatively have a significant impact on the environment and no effect upon historic properties included in or eligible for inclusion in the National Register.

This Minor Project would be limited to the activities specified; is not part of a larger project; is on an existing transportation facility; would be occurring within previously disturbed soils; and has no known public controversy based on historic preservation issues. Therefore, the Section 106 process has been fulfilled for the proposed project. If any changes are made which invalidates the conditions of the Minor Projects PA, the full Section 106 process will be undertaken.

EARLY COORDINATION

As part of our early coordination effort for the proposed project, please study the enclosed information and provide a written evaluation of the potential impacts upon resources that are under your jurisdiction. It is requested, that you return a reply within 30-days of receipt of this packet. If no reply has been received within 30-days, it would be indicated in the environmental document, which is to be prepared for the referenced project, that your agency has no comment on the project.

Your cooperation in expediting the development of the referenced project is appreciated. If you have any questions, or if we can be of any further assistance, please do not hesitate to contact Mackenzie Knotts at (317) 780-7101, mknotts@chacompanies.com or Ali Hekmatfar at (317) 780-7134, ahekmatfar@chacompanies.com.

Best Regards,

CHA Consulting, Inc.

Attachments were removed, they appear in Appendix B.



Mackenzie Knotts
Environmental Scientist

Attachments: Maps (Location, Topographic, Aerial, NRCS Soils Map, NWI Wetlands, IDNR Floodzones)
Photographs

cc: Zachary Hicks, PM, INDOT Seymour District
David Dye, Environmental Section Manager, INDOT Seymour District
Ali Hekmatfar, P.E., Project Manager, CHA
File #35244

State Road 3 and State Road 46 Intersection Improvement
Near Reference Post 117 on State Road 3
Decatur County, Indiana
Des. No. 1700050

Distributed on April 23, 2020

Agencies Receiving Early Coordination Packet:

Ms. Erica Tait
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Mr. Jerry Raynor, State Conservationist
Natural Resources Conservation Service
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(Electronic Submittal)

Regional Environmental Coordinator
National Park Service, Midwest Regional Office
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Environmental Analysis Branch
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Mr. Rickie Clark, Public Involvement Manager
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Ms. Christie Stanifer, Environmental Coordinator
IN Dept. of Natural Resources
Division of Water, Fish & Wildlife Unit
402 West Washington Street, Rm W273, IGCS
Indianapolis, IN 46204
environmentalreview@dnr.in.gov
(Electronic Submittal)

Mr. Bruno Pigott, Commissioner
IN Dept. of Environmental Management
Office of Planning and Assessment
(Website Submittal)

Wellhead Proximity Determinator
(Website Investigation)

Mr. Bob Bronson, Director
IN Dept. of Natural Resources
Division of Outdoor Recreation
402 W. Washington Street, Rm W271, IGCS
Indianapolis, IN 46204
Attn: Lisa Herber
LHerber1@dnr.IN.gov
(Electronic Submittal)

Mayor Joshua Marsh
Greensburg Mayor
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Mr. Rick Nobbe, County Commissioner District 1
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State Road 3 and State Road 46 Intersection Improvement
Near Reference Post 117 on State Road 3
Decatur County, Indiana
Des. No. 1700050

Distributed on April 23, 2020

Agencies Receiving Early Coordination Packet:

Mr. Jerome Buening, County Commissioner District 2
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Mr. Mark Mohr, Supervisor
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Organization and Project Information

Project ID:
Des. ID: 1700050
Project Title: State Road 3 and State Road 46 Intersection Improvement
Name of Organization: CHA Companies
Requested by: Mackenzie Knotts

Environmental Assessment Report

1. Geological Hazards:
 - Moderate liquefaction potential
 - Floodway
2. Mineral Resources:
 - Bedrock Resource: High Potential
 - Sand and Gravel Resource: Low Potential
3. Active or abandoned mineral resources extraction sites:
 - Petroleum Exploration Wells
 - Abandoned Industrial Minerals Quarries

*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.

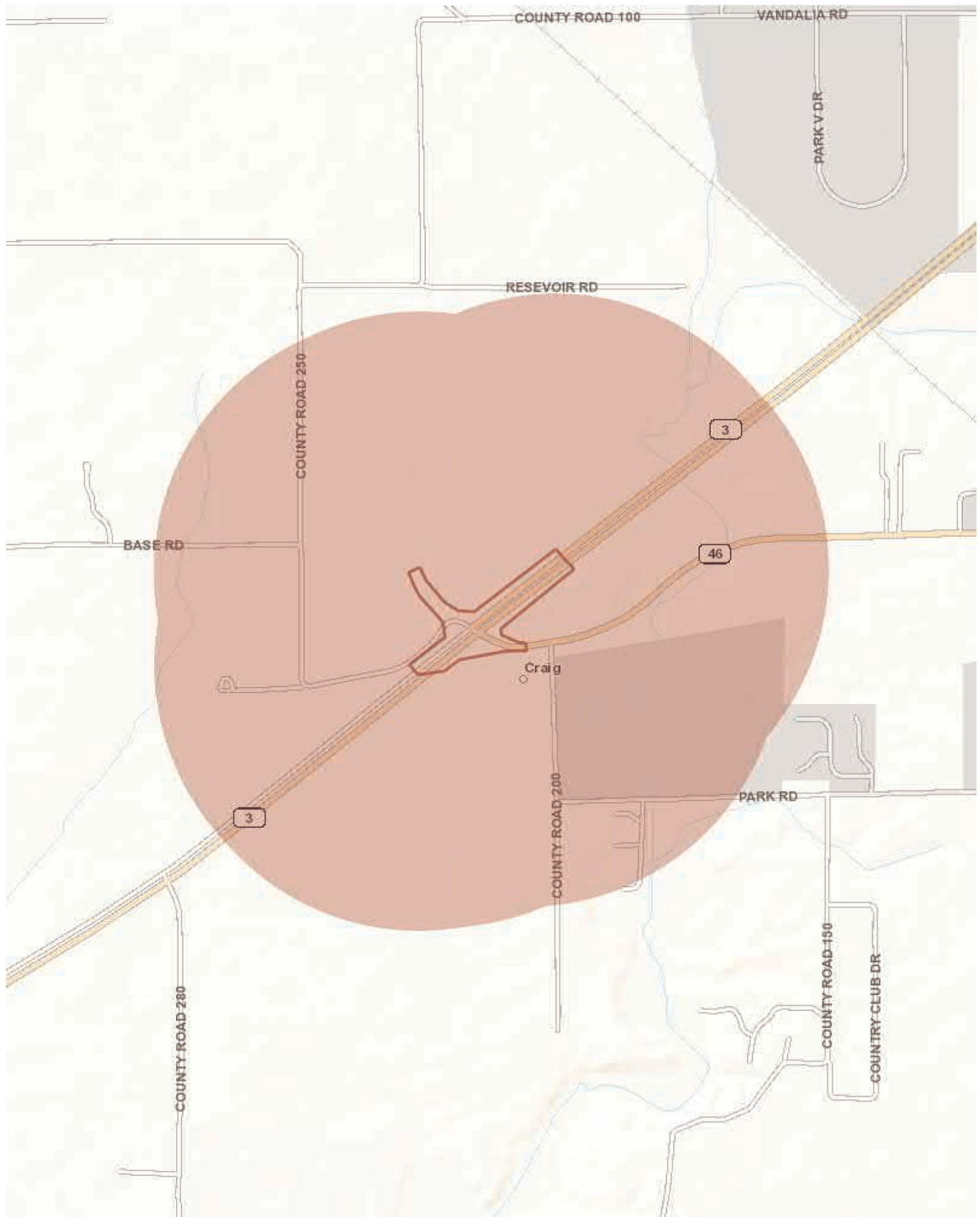
This information was furnished by Indiana Geological Survey

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

Email: IGSEnvir@indiana.edu

Phone: 812 855-7428

Date: April 03, 2020



Metadata:

- https://maps.indiana.edu/metadata/Geology/Petroleum_Wells.html
- https://maps.indiana.edu/metadata/Geology/Industrial_Minerals_Quarries_Abandoned.html
- https://maps.indiana.edu/metadata/Geology/Seismic_Earthquake_Liquefaction_Potential.html
- https://maps.indiana.edu/metadata/Geology/Industrial_Minerals_Sand_Gravel_Resources.html
- https://maps.indiana.edu/metadata/Hydrology/Floodplains_FIRM.html
- https://maps.indiana.edu/metadata/Geology/Bedrock_Geology.html



Indiana Department of Environmental Management

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
Zachary Hicks
185 Agrico Lane
Seymour, IN 47274
Date

CHA Consulting
Mackenzie Knotts
300 S MERIDIAN ST
INDIANAPOLIS, IN 46225

To Engineers and Consultants Proposing Roadway Construction Projects:

RE: The project is an intersection improvement at State Road (SR) 3 and SR 46 intersection, in Washington Township, Decatur County, Indiana Des No. 1700050. This project involves reconstruction of the existing intersection as an unsignalized Median U-turn intersection. Median U-turns will be located along SR 3 800 ft. north of the main intersection, and 500 ft. south of the main intersection. This project includes removing the three existing turning roadways and replacing with standard right turn lanes. Additionally, removing the existing twin 34" x 22" pipes under the eastbound-southbound ramp. Existing pavement will be milled and resurfaced and new pavement will be installed for new shoulders and new turning lanes. This work will be limited to the existing right-of-way, and within previously disturbed soils. Traffic will be maintained through a partial detour during construction allowing for travel in one lane in each direction along SR 3 for continued access.

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 following statutes:
 - o IC 14-26-2 Lakes Preservation Act 312 IAC 11
 - o IC 14-26-5 Lowering of Ten Acre Lakes Act No related code

- IC 14-28-1 Flood Control Act 310 IAC 6-1
- 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/iac/T03270/A00150> [PDF] (<http://www.in.gov/legislative/iac/T03270/A00150.PDF>), pages 16 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 atdem.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 project is an intersection improvement at State Road (SR) 3 and SR 46 intersection, in Washington Township, Decatur County, Indiana Des No. 1700050. This project involves reconstruction of the existing intersection as an unsignalized Median U-turn intersection. Median U-turns will be located along SR 3 800 ft. north of the main intersection, and 500 ft. south of the main intersection. This project includes removing the three existing turning roadways and replacing with standard right turn lanes. Additionally, removing the existing twin 34" x 22" pipes under the eastbound-southbound ramp. Existing pavement will be milled and resurfaced and new pavement will be installed for new shoulders and new turning lanes. This work will be limited to the existing right-of-way, and within previously disturbed soils. Traffic will be maintained through a partial detour during construction allowing for travel in one lane in each direction along SR 3 for continued access.

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: 4/3/2020

Signature of the INDOT
Project Engineer or Other Responsible Agent *Zachary Hicks*
Zachary Hicks

Date: 4/3/2020

Signature of the
For Hire Consultant *Mackenzie Knotts*
Mackenzie Knotts

Knotts, Mackenzie

From: Courtade, Julian <JCourtade@indot.IN.gov>
Sent: Friday, April 3, 2020 11:43 AM
To: Knotts, Mackenzie
Subject: [--EXTERNAL--]: RE: Intersection Improvement State Road 3 and State Road 46-Des. No. 1700050

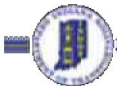
Mackenzie –

After reviewing the Early Coordination Letter, I have determined that if any object, obstruction, or equipment will exceed **6 ft.** in height, a 7460 will need to be filed through the FAA to obtain a tall structure permit. This is due to the close proximity of Greensburg Airport and the need for any obstructions within 5 miles to meet a 50:1 glideslope to the nearest runway. Below is a link to the OE/AAA website to file the FAA form 7460 if necessary. Please let me know if you have any questions!

<https://oeaaa.faa.gov/oeaaa/external/searchAction.jsp>

Best,

Julian L. Courtade
Chief Airport Inspector
100 North Senate Ave, N955
Indianapolis, IN 46204
Office: (317) 232-1477
Cell: (317) 954-7385
Email: jcourtade@indot.in.gov



From: Knotts, Mackenzie <MKnotts@chacompanies.com>
Sent: Friday, April 3, 2020 11:09 AM
To: Courtade, Julian <JCourtade@indot.IN.gov>
Subject: Intersection Improvement State Road 3 and State Road 46-Des. No. 1700050

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Mr. Julian Courtade,

Our firm was selected by INDOT to prepare the environmental documentation to advance the following intersection improvement project:

Des. No. 1700050, State Road 3 and State Road 46 intersection, Decatur County, Indiana.

The attached coordination letter is written to describe the intersection improvement project and to seek your comments regarding the resources under your jurisdiction. Please review the letter and let me know if you have any questions or comments.

Best regards,

Mackenzie Knotts

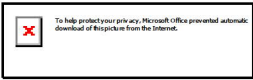
Environmental Scientist

CHA

Office: (317) 780-7101

mknotts@chacompanies.com

www.chacompanies.com



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Knotts, Mackenzie

From: Hicks, Zachary <ZHicks@indot.IN.gov>
Sent: Friday, April 3, 2020 12:55 PM
To: Knotts, Mackenzie
Subject: [--EXTERNAL--]: RE: Intersection Improvement State Road 3 and State Road 46-Des. No. 1700050

Looks ok to me, Mackenzie.

Thanks,

Zach Hicks, PMP

Project Manager

185 Agrico Lane

Seymour, IN 47274

Office: (812) 524-3972

Cell: (812) 525-6612

Email: zhicks@indot.in.gov

From: Knotts, Mackenzie [mailto:MKnotts@chacompanies.com]
Sent: Friday, April 03, 2020 11:08 AM
To: Hicks, Zachary <ZHicks@indot.IN.gov>
Subject: FW: Intersection Improvement State Road 3 and State Road 46-Des. No. 1700050

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Mr. Zachary Hicks,

Our firm was selected by INDOT to prepare the environmental documentation to advance the following intersection improvement project:

Des. No. 1700050, State Road 3 and State Road 46 intersection, Decatur County, Indiana.

The attached coordination letter is written to describe the intersection improvement project and to seek your comments regarding the resources under your jurisdiction. Please review the letter and let me know if you have any questions or comments.

Best regards,

Mackenzie Knotts

Environmental Scientist

CHA

Office: (317) 780-7101

mknotts@chacompanies.com

www.chacompanies.com

April 8, 2020

Mackenzie Knotts
CHA Consulting, Inc.
Union Station
300 South Meridian Street
Indianapolis, Indiana 46225

Dear Ms. Knotts:

The proposed project to make intersection improvements at State Road 3 and State Road 46 in Decatur County, Indiana (Des No. 1700050), as referred to in your letter received April 3, 2020, will not cause a conversion of prime farmland.

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

Sincerely,

RICHARD Digitally signed by
RICHARD NEILSON
NEILSON Date: 2020.04.08
15:46:52 -04'00'

RICK NEILSON
State Soil Scientist



THIS IS NOT A PERMIT

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

DNR #: ER-22419

Request Received: April 3, 2020

Requestor: CHA Consulting, Inc
Mackenzie Knotts
300 South Meridian Street
Indianapolis, IN 46225

Project: SR 3 and SR 46 intersection improvements, about 2.04 miles west of Greensburg; Des #1700050

County/Site info: Decatur

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

Natural Heritage Database: The Natural Heritage Program's data have been checked. 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: The measures below should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources:

1. Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue) and legumes as soon as possible upon completion; low endophyte tall fescue may be used in the ditch bottom and side slopes only.
2. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.

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: May 1, 2020

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

Knotts, Mackenzie

From: Hurst, Allen A <AHurst@dnr.IN.gov>
Sent: Friday, May 1, 2020 1:57 PM
To: Knotts, Mackenzie
Cc: Herber, Lisa
Subject: [--EXTERNAL--]: RE: Intersection Improvement State Road 3 and State Road 46-Des. No. 1700050

Designation No.: 1700050

Description: State Road 3 and State Road 46 intersection, Decatur County, Indiana.

Good afternoon,

The project as submitted will not impact a LWCF site or a Designated Natural, Scenic, or Recreational River. Should the location or scope of the project change that alters the nearby LWCF site in any way that is not intended for outdoor recreation use, the DNR, Division of Outdoor Recreation must be contacted at 317-232-4075 or bbronson@dnr.in.gov.

Thank you,

ALLEN HURST

TRAILS COORDINATOR

DIVISION OF OUTDOOR RECREATION

DEPARTMENT OF NATURAL RESOURCES | DNR.IN.GOV

402 W. WASHINGTON ST. ROOM W271, INDIANAPOLIS, IN 46204

P: (317)232-4070 | AHURST@DNR.IN.GOV

* Please let us know about the quality of our service by taking this brief [customer survey](#).

From: Herber, Lisa <LHerber1@dnr.IN.gov>
Sent: Thursday, April 9, 2020 3:47 PM
To: Hurst, Allen A <AHurst@dnr.IN.gov>
Subject: FW: Intersection Improvement State Road 3 and State Road 46-Des. No. 1700050

FYI—for Enviro review.

Sincerely,

Lisa Herber

Grants Coordinator
Indiana Department of Natural Resources
Division of Outdoor Recreation – Grants and Planning Section
402 W. Washington Street, W271
Indianapolis, Indiana 46204
Phone: 317-232-4074
Email: LHerber1@dnr.IN.gov

* Please let us know about the quality of our service by taking this brief [customer survey](#).

From: Knotts, Mackenzie [<mailto:MKnotts@chacompanies.com>]
Sent: Friday, April 03, 2020 11:12 AM
To: Herber, Lisa <LHerber1@dnr.IN.gov>
Subject: Intersection Improvement State Road 3 and State Road 46-Des. No. 1700050

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Ms. Lisa Herber,

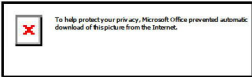
Our firm was selected by INDOT to prepare the environmental documentation to advance the following intersection improvement project:

Des. No. 1700050, State Road 3 and State Road 46 intersection, Decatur County, Indiana.

The attached coordination letter is written to describe the intersection improvement project and to seek your comments regarding the resources under your jurisdiction. Please review the letter and let me know if you have any questions or comments.

Best regards,

Mackenzie Knotts
Environmental Scientist
CHA
Office: (317) 780-7101
mknotts@chacompanies.com
www.chacompanies.com



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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:

March 11, 2020

Consultation Code: 03E12000-2020-I-0690

Event Code: 03E12000-2020-E-04744

Project Name: SR 3 and SR 46 Intersection Improvement; Des. No. 1700050

Subject: Concurrence verification letter for the 'SR 3 and SR 46 Intersection Improvement; Des. No. 1700050' 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 3 and SR 46 Intersection Improvement; Des. No. 1700050** (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 3 and SR 46 Intersection Improvement; Des. No. 1700050

Description

The Indiana Department of Transportation (INDOT) is proposing to proceed with the intersection improvements, involving the intersection at State Road (SR) 3 and SR 46, Washington Township, Decatur County, Indiana, Des. No. 1700050. The proposed project will reconstruct the existing intersection as an unsignalized Median U-turn intersection. Median U-turns will be located along SR 3 800 ft. north of the main intersection, and 500 ft. south of the main intersection. This project includes removing the existing turning roadways on three approaches and replacing with standard right turn lanes. The existing pavement will be milled and resurfaced, and new pavement for new shoulders and each new turning lane. All construction activities will occur within the existing right-of-way. A review of the USFWS database did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. The project area is located in rural area surrounded by agricultural land use. The October 14, 2019 inspection report for the intersection improvements states that no evidence of bats was seen or heard within any structures in the project area. Work for this project will occur from December 2021 to August 2022. Permanent lighting will be installed in the project area.

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.

No

10. 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

11. 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 biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

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

No

12. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

No

13. Does the project include slash pile burning?

No

14. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

No

15. 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

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

Yes

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

Yes

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

Yes

19. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **permanent** lighting will be installed or replaced?

Yes

20. 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?

Yes

21. Will the activities that use percussives (**not including tree removal/trimming or bridge/structure work**) and/or increase noise levels above existing traffic/background levels be conducted *during* the active season^[1]?

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

Yes

22. Will *any* activities that use percussives (**not including tree removal/trimming or bridge/structure work**) and/or increase noise levels above existing traffic/background levels be conducted *during* the inactive season^[1]?

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

Yes

23. 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

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

No

25. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) consistent with a Not Likely to Adversely Affect determination in this key?

Automatically answered

Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and conducted during the active season within undocumented habitat.

26. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) and/or increase noise levels above existing traffic/background levels consistent with a No Effect determination in this key?

Automatically answered

Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and conducted during the inactive season

27. **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

28. **Lighting AMM 1**

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

Yes

29. **Lighting AMM 2**

Does the lead agency use the BUG (Backlight, Uplight, and Glare) system developed by the Illuminating Engineering Society^{[1][2]} to rate the amount of light emitted in unwanted directions?

[1] Refer to [Fundamentals of Lighting - BUG Ratings](#)

[2] Refer to [The BUG System—A New Way To Control Stray Light](#)

Yes

30. **Lighting AMM 2**

Will the **permanent** lighting be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?

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

Avoidance And Minimization Measures (AMMs)

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

GENERAL AMM 1

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

LIGHTING AMM 1

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

LIGHTING AMM 2

When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.

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 02, 2019. 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.



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:

November 10, 2020

Consultation Code: 03E12000-2020-SLI-0690

Event Code: 03E12000-2021-E-00781

Project Name: SR 3 and SR 46 Intersection Improvement; Des. No. 1700050

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/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: 03E12000-2020-SLI-0690

Event Code: 03E12000-2021-E-00781

Project Name: SR 3 and SR 46 Intersection Improvement; Des. No. 1700050

Project Type: TRANSPORTATION

Project Description: The Indiana Department of Transportation (INDOT) is proposing to proceed with the intersection improvements, involving the intersection at State Road (SR) 3 and SR 46, Washington Township, Decatur County, Indiana, Des. No. 1700050. The proposed project will reconstruct the existing intersection as an unsignalized Median U-turn intersection. Median U-turns will be located along SR 3 800 ft. north of the main intersection, and 500 ft. south of the main intersection. This project includes removing the existing turning roadways on three approaches and replacing with standard right turn lanes. The existing pavement will be milled and resurfaced, and new pavement for new shoulders and each new turning lane. All construction activities will occur within the existing right-of-way. A review of the USFWS database did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. The project area is located in rural area surrounded by agricultural land use. The October 14, 2019 inspection report for the intersection improvements states that no evidence of bats was seen or heard within any structures in the project area. Work for this project will occur from December 2021 to August 2022. Permanent lighting will be installed in the project area.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/39.33409725434665N85.52111266760326W>



Counties: Decatur, IN

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. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/1/office/31440.pdf	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.

Appendix D

Section 106 Consultation

Item	Appendix Page
Minor Projects PA Assessment Form	D-1 to D-3

APPENDIX A

**Category A Minor Projects
Requires No Review by INDOT Cultural Resources Office**

Category A consists of projects that, by their nature, have no effect on properties listed in or eligible for inclusion in the National Register of Historic Places (hereinafter referred to as the “National Register”) and do not require review by INDOT Cultural Resources Office. All of the work under this Category must occur in previously disturbed soils, which are defined as soils that have been completely altered or displaced by earthmoving or other modern manipulation.

1. Any work on bridges limited to substructure or superstructure elements without replacing, widening, or elevating the superstructure under the conditions listed below (***BOTH Conditions A and B must be met***). This category **does not** include bridge replacement projects (when both superstructure and substructure are removed):
 - A. The project takes place in previously disturbed soils; *AND*
 - B. With regard to the bridges, at least one of the conditions (i, ii or iii) listed below must be satisfied:
 - i. The latest Historic Bridge Inventory identified the bridge as non-historic (see <http://www.in.gov/indot/2531.htm>);
 - ii. The bridge was built after 1945, and is a common type as defined in Section V. of the *Program Comment Issued for Streamlining Section 106 Review for Actions Affecting Post-1945 Concrete and Steel Bridges* issued by the Advisory Council on Historic Preservation on November 2, 2012 for so long as that Program Comment remains in effect AND the considerations listed in Section IV of the Program Comment do not apply;
 - iii. The bridge is part of the Interstate system and was determined not eligible for the National Register under the Section 106 Exemption Regarding Effects to the Interstate Highway System adopted by the Advisory Council on Historic Preservation on March 10, 2005, for so long as that Exemption remains in effect.
2. All work within interchanges and within medians of divided highways in previously disturbed soils.
3. Replacement, repair, lining, or extension of culverts and other drainage structures that do not exhibit wood, stone or brick structures or parts therein and are in previously disturbed soils.
4. Roadway work associated with surface replacement, reconstruction, rehabilitation, or resurfacing projects, including overlays, shoulder treatments, pavement repair, seal coating, pavement grinding, and pavement marking within previously disturbed soils where replacement, repair, or installation of curbs, curb ramps or sidewalks will not be required.
5. Repair, in-kind replacement or upgrade of existing lighting, signals, signage, and other traffic control devices in previously disturbed soils.
6. Repair, replacement, or upgrade of existing safety appurtenances such as guardrails, barriers, glare screens, and crash attenuators in previously disturbed soils.
7. Repair or in-kind replacement of fencing and hardscape landscaping elements and/or replacement of existing plant materials in previously disturbed soils and installation of new fencing and hardscape landscaping elements and plant materials limited to locations within interstate right-of way within previously disturbed soils.
8. Installation of new or modification of existing traffic control devices and systems, including signs, signals, markings, illumination, other warning devices and their supports, to improve safety at railway crossings in previously disturbed soils.
9. Installation, repair, or replacement of erosion control measures along roadways, waterways and bridge piers within previously disturbed soils.

10. Routine roadside maintenance activities necessary to preserve existing infrastructure or maintain roadway safety in previously disturbed soils.
11. Rehabilitation of existing rest areas and truck weigh stations within previously disturbed soils.
12. Removal and disposal of hazardous waste.
13. Work on concrete and asphalt decks of bridges identified in the Historic Bridge Inventory as National Register-listed or National Register-eligible (see <http://www.in.gov/indot/2531.htm>), which is limited to pavement resurfacing, overlay, pavement repair, pavement grinding, pavement marking, seal coating, joint repair, and in-kind replacement or repair of existing concrete curbs, curb ramps or sidewalks in previously disturbed soils, provided none of these actions impact structural members of the bridge.
14. Repair and/or replace existing MSE walls, retaining walls and noise walls in previously disturbed soils, using similar design, dimensions and materials.