

FEDERAL HIGHWAY ADMINISTRATION  
FINDING OF NO SIGNIFICANT IMPACT

For

Indiana Project  
Des. Number 1700788  
Blackiston Mill Road Bridge Replacement over Silver Creek  
Floyd and Clark Counties, Indiana

The approved Environmental Assessment (EA) was released for public involvement by the Federal Highway Administration (FHWA) on September 21, 2023. The public comment period was from September 30, 2023, to October 26, 2023, and an in-person public hearing was held on October 11, 2023. Forty-one members of the public attended the meeting. Comments were received from six (6) members of the public. A second comment period was held from January 31, 2024, to March 1, 2024, and no additional public comments were received during that time. However, comments were received from two resource agencies, the Indiana Department of Natural Resources, Division of Fish and Wildlife and the U.S. Environmental Protection Agency. Comments provided by the public focused on the scope of work taking place. Comments from the agencies focused on stormwater management; construction related erosion control, air, and noise impacts; and the impacts of the project to natural resources and environmental justice populations. None of the comments provided by the public or the agencies included new substantive information requiring additional analysis.

The Floyd County, with oversight by the Indiana Department of Transportation and using funds provided by the FHWA, proposes to replace Floyd County Bridge No. 22-00051 which carries Blackiston Mill Road over Silver Creek in Floyd and Clark Counties in Indiana. The project will provide a structure with a condition rating of very good, add sidewalks for pedestrian accessibility across the bridge and improve the substandard curves north and south of the bridge. The project will also result in reducing the frequency of flooding along the bridge approaches. The project extends from approximately 0.2 mile east of Charleston Road to 1,050 feet southeast of Silver Creek near Starlight Drive.

Below is a summary of the scope of the project, but a full project description is identified as the “Preferred Alternative” in the Environmental Assessment Document:

- Replace the existing two span bridge with a three-span bridge,
- Realign Blackiston Mill Road beginning just east of Blackiston Blvd. near Silverwood Court, by shifting the roadway to the north and curving to the southeast as it approaches a new bridge over Silver Creek and then continuing to curve to the southeast until Walnut Grove Dr., at which point Blackiston Mill Rd. will return to its existing alignment,
- Add sidewalks on each side of the bridge,
- Raise the roadway southeast of the bridge from its current low point elevation of 433 ft. AMSL to 442 ft. AMSL to meet the approximate 25-year flood elevation,

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- Provide flood storage and mitigation to compensate for the roadway grade rise and minimize downstream impacts,
- Realign Silverwood Court to improve sight distance at the intersection with the realigned Blackiston Mill Road which will also provide left turn lanes on Blackiston Mill Rd. to Silverwood Court and a new commercial drive,
- Shift Walnut Grove Drive to the northwest due to the higher elevation of Blackiston Mill Road,
- Reconstruct the intersection of Blackiston Mill Road and Walnut Grove Drive to accommodate the new alignments as well as the commercial and residential drives southeast of the bridge to meet the new roadway elevation being, and
- Install new stormwater pipes and inlets throughout the project area.

Permanent and temporary right-of-way is required for the project. The project requires acquisition of 10.52 acres of permanent right-of-way and 0.42 acre of temporary right-of-way from residential parcels. Right of way will be acquired from 24 parcels and will require full acquisition of one (1) parcel. There are three residential buildings on the parcel required for full acquisition that includes an apartment building with five (5) families, a log cabin with a single family, and a house trailer with a single family.

There will be four (4) streams with a total of 350 linear feet permanently or temporarily impacted by the project. No wetlands will be impacted. The project has been designed to minimize stream and wetland impacts where possible within the project area. Stream impacts will be mitigated through the waterway permitting process in compliance with federal and state regulations.

Terrestrial habitats impacted by the project include approximately 8 acres of grassland and treelined areas adjacent to Silver Creek. A total of 1.8 acres of trees will be removed for the project.

The project is within range of the federally endangered Indiana bat, Northern long-eared bat (NLEB), and Gray bat. The project effect finding for these species is “Not Likely to Adversely Affect”. On August 26, 2021, USFWS concurred and agreed on site-specific Avoidance and Mitigation Measures.

There is one (1) property that is listed on or is potentially eligible for listing on the National Register of Historic Places within the area of potential effect for the project. There will be no adverse effect to the property provided the portions of the property that extent beyond the project limits are marked on the plans and in the field for avoidance. The State Historic Preservation Officer concurred with the “no adverse effect” finding for the project on May 10, 2022.

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,

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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. There are no Section 4(f) resources within or adjacent to the project area; therefore, there will be no Section 4(f) resource impacts caused by the project.

This project is in Floyd and Clark Counties, which is currently a maintenance area for Ozone (1997 and 2005 8-hour Standards). The project's design concept and scope are accurately reflected in both the Kentuckiana Regional Planning and Development Agency's 2050 Long Range Transportation Plan and the Transportation Improvement Plan, and both conform to the State Implementation Plan. Therefore, the conformity requirements of 40 CFR 93 have been met.

This project is considered a Type III project in terms of analyzing traffic noise impacts. Therefore, in accordance with 23 CFR 772 and the INDOT Traffic Noise Analysis Procedures (2022), this action does not require a formal noise analysis because it does not a capacity to the roadway.

It was determined that the impacts associated with this project will not have a disproportionately high and adverse effect on minority and/or low-income populations of Environmental Justice (EJ) concern relative to non-EJ populations in accordance with the provision of Executive Order 12898 and FHWA Order 6640.23a.

There are 22 commitments listed in the EA as firm commitments and 14 included for further consideration. After the public hearing and comment periods, five additional firm commitments were added. These include:

- Recycle materials where possible;
- Plans will be updated and best management practices concerning construction equipment will be added for control of noxious weeds;
- Plans will be updated and best management practices concerning construction equipment will be added for control of invasive species management;
- Plans will be updated and Do Not Disturb labels will be added for appropriate sensitive features; and
- Stormwater sediment and erosion control measures will add catch basin filters.

The FHWA has determined that this project, as identified in the Environmental Assessment and supplemental project information, will have no significant impact on the natural and human environment. This Finding of No Significant Impact (FONSI) is based on the environmental assessment, public hearing transcript, public and agency comments received. They have been independently evaluated by the FHWA and determined to discuss the environmental issues and impacts of the project adequately and accurately. These documents provide sufficient evidence and analysis for determining that significant impacts will not occur, and an environmental impact statement is not required. The FHWA takes full responsibility for the accuracy, scope, and content of these documents.

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Clark County, Indiana

March 26, 2024

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Date

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For: Jermaine R. Hannon  
Division Administrator