

Appendix C:

Early Coordination



INDIANA DEPARTMENT OF TRANSPORTATION

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

PHONE: (855) INDOT4U

Eric Holcomb, Governor
Michael Smith, Commissioner

Sample Early Coordination Letter

May 12, 2023

Early Coordination Agency

Re: Des. No. 2200147, Bridge Project on Park Road (Canyon Road) over Little Crooked Creek, 0.4 mile North of State Road (SR) 256 in Clifty Falls State Park, Madison Township, Jefferson County, Indiana.

Dear Early Coordination Agency:

The Indiana Department of Transportation (INDOT) in conjunction with the Indiana Department of Natural Resources (IDNR), intends to proceed with a project involving the referenced bridge (P000-39-06876 B/NBI: 060290) in Jefferson County, Indiana. Funding will be provided by the Federal Highway Administration (FHWA). 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 referenced designation numbers and description in your reply.** We will incorporate your comments into a study of the project's environmental impacts.

This project is located on Park Road (also known as Canyon Road) over Little Crooked Creek, approximately 0.4 mile north of SR 256 in Clifty Falls State Park, near Madison, in Jefferson County, Indiana. Specifically, this project is located in Section 33, Township 4 North, Range 10 East, as shown on the Madison West 7.5 Minute Topographic Map.

The existing bridge, structure number P000-39-06876 (NBI: 060290), is a single-span, concrete open-spandrel arch bridge, 175 feet in length, with an out-to-out width of 30.5 feet. This bridge has two reinforced concrete beam approach spans on each side and 2.3-foot-wide sidewalks flanking the bridge deck. It is listed as a programmatically determined, Select historic bridge eligible for the National Register of Historic Places (NHRP) on the *Indiana Historic Bridge Inventory* list. It was built in 1947 and rehabilitated in 1980, 1990, and 2000. The project need is attributed to deterioration present on the existing structure, which is rated in fair condition (5 out of 9). There are areas of cracking in the approach slabs and bridge wearing surface as well as areas of cracking, delamination, and spalling in the spandrel beams, floor beams, columns, and arches. Erosion is present at the footings of the columns and piers. The wearing surface and deck are rated in satisfactory condition (6 out of 9) but have areas of more significant deterioration which continue to worsen. The superstructure and substructure are rated in fair condition (5 out of 9), with areas of deterioration limiting the functional life of the bridge. If these areas are not repaired and protected, it is estimated the bridge could have a reduced load capacity in 15 years. The purpose of this project is to improve the deteriorated portions of the bridge resulting in an overall bridge condition rating of 7 out of 9 (good) or better while preserving its historical aspects. An additional objective of the project is to prevent further erosion around the exposed footings.

Per the terms of the "*Programmatic Agreement Regarding Management and Preservation of Indiana's Historic Bridges*" (Historic Bridge PA), the Federal Highway Administration–Indiana Division (FHWA) will satisfy its Section 106 responsibilities involving "Select" and "Non-Select" bridges through the Project Development Process (PDP) of the Historic Bridges PA (Stipulation III). Because Bridge No. P000-39-06876 (NBI: 060290) is a "Select" bridge, the procedures outlined in Stipulation III B. of the Historic Bridges PA will be followed to fulfill FHWA's Section 106 responsibilities.

The Historic Bridge PA Development Process and Section 4(f) of the Department of Transportation Act of 1966 require the development of a Section 4(f) Alternatives Analysis in an effort to minimize harm and reduce impacts to historic structures. Per the guidelines of the Historic Bridges Programmatic Agreement, the applicable alternatives will be evaluated to determine the most prudent and feasible option to meet the desired transportation need.

The preferred alternative proposes rehabilitating the existing bridge for continued vehicular use (two ways), meeting the Secretary of Interior's Standards for Rehabilitation. The rehabilitation efforts will include hydrodemolition of the existing bridge deck and placement of a rigid concrete overlay over the driving surface, repair of the curb by patching, replacement of the bridge expansion joints between the deck sections with pre-compressed foam joints and the reinforced concrete approach slabs. The existing approach slabs will be sawcut at the curb face to allow the existing bridge railing transitions to remain. The new approach slabs will be attached to the remaining portions of the existing approach slabs. Erosion protection material will be placed around the existing footings. Deteriorated portions of the floor beams, piers, spandrel columns, and arches will be repaired. The spalls on the front face of the abutments and wingwalls will be patched. Deteriorated portions of the tie beams between the north and south arches will be repaired. Two locations along the arch and one pedestal have cracking but do not require patching. The cracks will be epoxy injected to prevent the intrusion of water, which could create delaminations or spalls. Fiber Reinforced Polymer (FRP) will be applied to patched concrete areas and color-matched to the existing arch as much as feasible. The curb, sidewalk, and railing will be cleaned and sealed, and the northeast side paved ditch will be converted from a V-shaped ditch to a flat bottom ditch. Riprap may need to be placed around the piers for scour protection. Approximately 10 feet of full-depth patching and 40 feet of resurfacing will be needed on Park Road.

The preferred maintenance of traffic (MOT) is anticipated to be a road closure with a detour route utilizing SR 256, US 421, and SR 56. It would be in place for approximately 60 days or less. No right-of-way acquisition is anticipated. Approximately 0.21 acre of tree clearing is expected. The projected letting date is September 2025, with construction anticipated to begin Spring 2026. This project will extend approximately 200 feet northwest and 200 feet southeast of the bridge centerline for a total of 400 feet.

Land use within the project vicinity is forested, with steep cliffs lining the roadway. The project is located within Clifty Falls State Park, which is afforded protection under Section 4(f) as a publicly owned park and Section 6(f) as a Land and Water Conservation Fund (LWCF) site. In addition, Clifty Falls State Park is part of a larger National Register of Historic Places Multiple Property Submission (NRHP MPS) with the National Park System as a park that was part of the New Deal Work Programs from 1935 to 1942.

Due to the presence of Little Crooked Creek within the project area, BLN will prepare a Waters of the U.S. Report (WOUSR), including wetland determinations and stream investigations as appropriate. In addition, BLN will have Qualified Professionals (QPs) investigate the project area for archaeological and historic resources for compliance with Section 106 of the National Historic Preservation Act (NHPA). The results of this investigation will be forwarded to the Indiana State Historic Preservation Officer (IN SHPO) for review and concurrence.

Please provide your response within thirty (30) calendar days from the date of this letter. However, should you find that an extension to the response time is necessary, a reasonable amount may be granted upon request. If you have questions regarding this matter, please contact Brad Williamson, the INDOT Project Manager, at bwilliamson@indot.IN.gov or telephone 812-524-3971 or Raquel Walker at walker@b-l-n.com or telephone 317-558-7546. Thank you for your cooperation.

Sincerely,



Raquel Walker
Senior Environmental Analyst
Beam, Longest, and Neff, LLC

Attachments:

Mailing List

~~Maps~~

~~Ground Level Photographs~~

Attachments have been removed to avoid duplication and can be found in Appendix B.

EARLY COORDINATION MAILING LIST

<p>Federal Highway Administration Federal Office Building, Room 254 575 North Pennsylvania Street Indianapolis, IN 46204 Electronic Coordination: patrick.carpenter@dot.gov</p>	<p>David Dye, Environmental Section Manager INDOT Seymour District 1825 Agrico Lane Seymour, Indiana 47274 Electronic Coordination – ddye@indot.in.gov</p>
<p>Chief, Groundwater Section Indiana Department of Environmental Management 100 N. Senate Ave. Indianapolis, IN 46204 Electronic Coordination: IDEM's Wellhead Proximity Determinator www.in.gov/idem/cleanwater/pages/wellhead/</p>	<p>Robert Phillips, Superintendent Jefferson County Highway Department 3135 Clifty Drive Madison, IN 47250 Electronic Coordination: robert.phillips@jeffersoncounty.in.gov</p>
<p>Environmental Coordinator Indiana Department of Natural Resources Division of Fish and Wildlife 402 West Washington Street, Room W273 Indianapolis, IN 46204 Electronic Coordination: environmentalreview@dnr.in.gov</p>	<p>Ms. Deborah Snyder U.S. Army Corps of Engineers Louisville District, Indianapolis Regulatory Office Indianapolis, IN 46216 Electronic Coordination: regulatoryapplicationsLRL@usace.army.mil</p>
<p>Regional Environmental Coordinator Midwest Regional Office National Park Service 601 Riverfront Drive Omaha, NE 68102 Electronic Coordination: mwro_compliance@nps.gov</p>	<p>Field Supervisor U.S. Fish and Wildlife Service Bloomington, Indiana Field Office 620 South Walker Street Bloomington, Indiana 47403 Electronic Coordination: robin_mcwilliams@fws.gov</p>
<p>Field Environmental Officer Chicago Regional Office U.S. Department of Housing and Urban Development 77 W. Jackson Blvd, Room 2401, Metcalf Federal Building Chicago, IL 60604 Electronic Coordination: erik.r.sandstedt@hud.gov</p>	<p>Indiana Geological and Water Survey 611 North Walnut Grove Bloomington, IN 47405 Electronic Coordination: https://igws.indiana.edu/eAssessment/</p>
<p>Brad Williamson, Project Manager INDOT Seymour District 1825 Agrico Lane Seymour, Indiana 47274 Electronic Coordination: bwilliamson@indot.in.gov</p>	<p>Indiana Department of Transportation Office of Aviation 100 N. Senate Avenue, Rm. 955 Indianapolis, IN 46204 Electronic Coordination: tlewandowski@indot.in.gov</p>
<p>Troy Morgan, Director Jefferson County Emergency Management 620 Green Road Madison, IN 47250 Electronic Coordination: troy.morgan@jeffersoncounty.in.gov</p>	<p>Jefferson County Commissioner's Office 300 E Main Street, Room 103 Madison, IN 47250 Electronic Coordination: sarah.morgan@jeffersoncounty.in.gov</p>
<p>Mike Pittman, Director of Planning & Zoning / County Surveyor Jefferson County Surveyors Office 315 Jefferson Street, Annex Building Madison, IN 47250 Electronic Coordination: mike.pittman@jeffersoncounty.in.gov</p>	<p>IDNR Division of Law Enforcement District 9 1387 East U.S. 50 Versailles, IN 47042 Electronic Coordination: icodist9@dnr.IN.gov</p>
<p>JoMary Baller, Project Manager Indiana Division of Natural Resources Electronic Coordination: jballer@dnr.in.gov</p>	<p>Allen Hurst, Trails Coordinator Indiana Department of Natural Resources Division of State Parks Electronic Coordination: ahurst@dnr.in.gov</p>
<p>Cory Duff, Assistant Property Manager Clifty Falls State Park 2221 Clifty Drive Madison, IN 47250 Electronic Coordination: cduff1@dnr.in.gov</p>	<p>Mary Kennedy, Historic Bridge Specialist INDOT Environmental Services-Cultural Resources 100 N. Senate Ave., Room N758-ES Indianapolis, IN 46204 Electronic Coordination: mken尼迪@indot.IN.gov</p>

Organization and Project Information

Project ID: 200057
Des. ID: 2200147
Project Title: Park Road (Canyon Road) over Little Crooked Creek
Name of Organization: Beam, Longest and Neff (BLN)
Requested by: Raquel Walker

Environmental Assessment Report

1. Geological Hazards:
 - High liquefaction potential
 - Floodway
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.

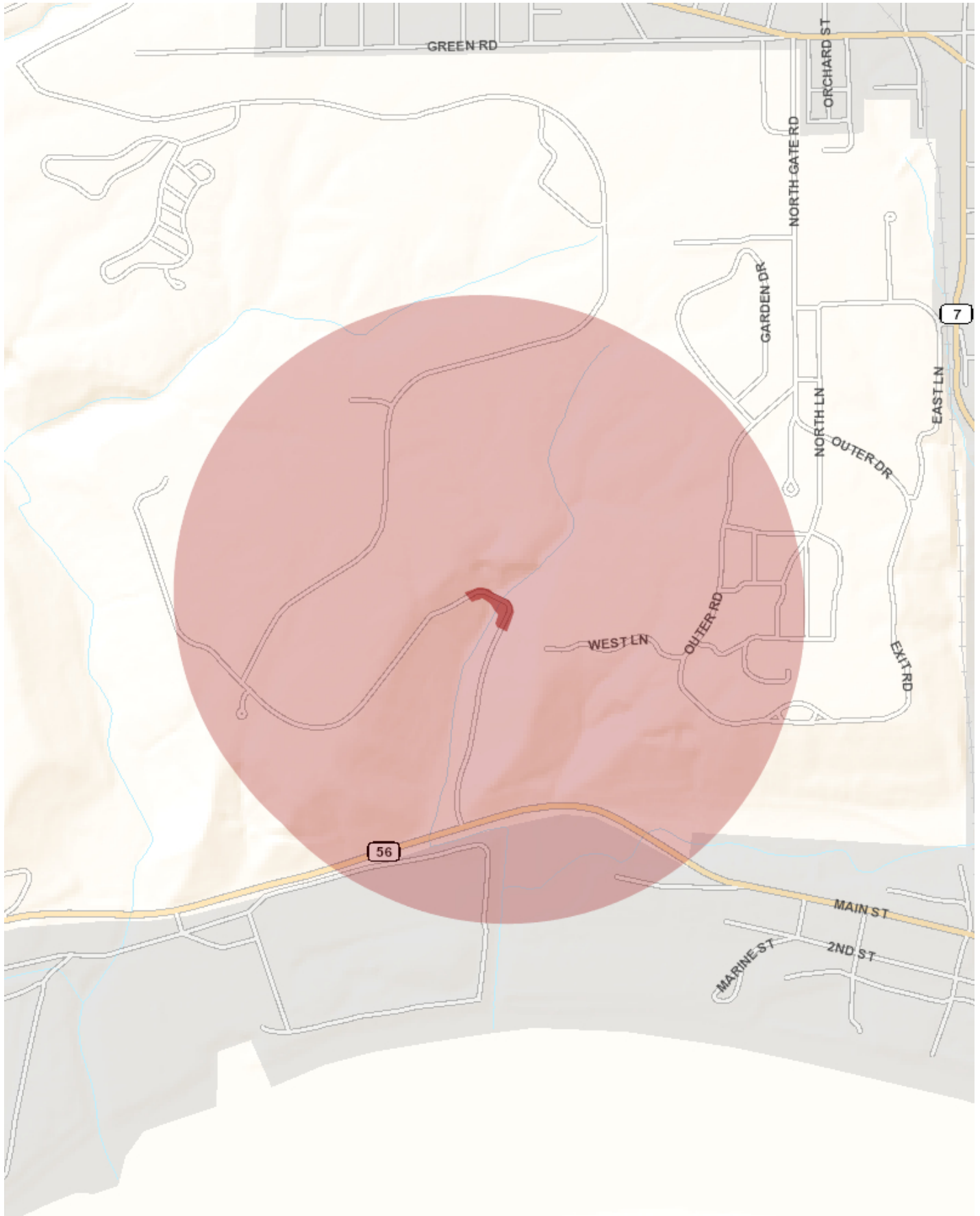
This information was furnished by Indiana Geological Survey

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

Email: IGSEnvir@indiana.edu

Phone: 812 855-7428

Date: May 12, 2023



Metadata:

- https://portal.igs.indiana.edu/arcgis/rest/services/Seismic_Earthquake_Liquefaction_Potential/MapServer/info/metadata/metadata.xml?format=default&output=html
- https://portal.igs.indiana.edu/arcgis/rest/services/Industrial_Minerals_SandAndGravel_Resources/MapServer/info/metadata/metadata.xml?format=default&output=html
- <https://www.arcgis.com/sharing/rest/content/items/53cea647df2b4051b0b86461613541a0/info/metadata/metadata.xml?format=default&output=html>
- https://portal.igs.indiana.edu/arcgis/rest/services/Bedrock_Geology/MapServer/info/metadata/metadata.xml?format=default&output=html

Raquel Walker

From: Lewandowski, Tyler <TLewandowski@indot.IN.gov>
Sent: Monday, May 15, 2023 9:30 AM
To: Raquel Walker
Subject: RE: Early Coordination Letter for Des. 2200147 - Bridge Project

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning,

After review, no tall structure permit is required for the project if all equipment being used is under 200 feet in height. Please let our office know if you have any further questions.

Thank you,

Tyler Lewandowski
Project Manager
INDOT Office of Aviation
(317) 495-4875
tlewandowski@indot.in.gov
www.aviation.indot.in.gov



From: Raquel Walker <rwalker@b-l-n.com>
Sent: Friday, May 12, 2023 10:26 AM
To: Carpenter, Patrick (FHWA) <patrick.carpenter@dot.gov>; DNR Environmental Review <environmentalreview@dnr.IN.gov>; mwro_compliance@nps.gov; erik.r.sandstedt@hud.gov; Williamson, Brad <BWILLIAMSON@indot.IN.gov>; Morgan, Troy <troy.morgan@jeffersoncounty.in.gov>; mike.pittman@jeffersoncounty.in.gov; Baller, Jomary <jballer@dnr.IN.gov>; Duff, Cory <CDuff1@dnr.IN.gov>; Dye, David <DDYE@indot.IN.gov>; robert.phillips@jeffersoncounty.in.gov; regulatoryapplicationsLRL@usace.army.mil; McWilliams, Robin <robin_mcwilliams@fws.gov>; Lewandowski, Tyler <TLewandowski@indot.IN.gov>; sarah.morgan@jeffersoncounty.in.gov; ICO District 9 Headquarters <ICODist9@dnr.IN.gov>; Hurst, Allen A <AHurst@dnr.IN.gov>; Kennedy, Mary <MKENNEDY@indot.IN.gov>
Cc: Brian Shaw <bshaw@b-l-n.com>; Tyler Wolf <twolf@b-l-n.com>
Subject: Early Coordination Letter for Des. 2200147 - Bridge Project

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

Hello,

The Indiana Department of Transportation (INDOT) in conjunction with the Indiana Department of Natural Resources (IDNR), intends to proceed with a project involving the referenced bridge (P000-39-06876 B/NBI: 060290) in Jefferson County, Indiana. Funding will be provided by the Federal Highway Administration (FHWA). Please see the attached early coordination letter with information regarding this project.

The existing structure is listed as a programmatically determined "Select" bridge, eligible for the National Register of Historic Places (NHRP) on the *Indiana Historic Bridge Inventory* list. The project is located within Clifty Falls State Park, which is afforded protection under Section 4(f) as a publicly owned park and Section 6(f) as a Land and Water Conservation Fund (LWCF) site; however, no right-of-way acquisition is anticipated. Approximately 0.21 acre of tree clearing is expected.

We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. If you would like to respond, we request that you do so within 30 calendar days of the date of this letter. Please use the referenced designation number and description in your reply.

Please let me know if you have any questions or need any additional information.

Thank you,

RAQUEL WALKER

Senior Analyst

Environmental Services

o: 317-558-7546

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Jefferson County Emergency Management Agency

Troy D. Morgan, Director

May 15, 2023

REQUEST DATE: 12 May 2023

Re: Des. No. 2200147, Bridge Project on Park Road (Canyon Road) over Little Crooked Creek, 0.4-mile North of State Road (SR) 256 in Clifty Falls State Park, Madison Township, Jefferson County, Indiana

The Jefferson County Emergency Management Agency (Agency) has reviewed the material you supplied. The Agency has no concerns regarding this project. Please notify this office of any detours or closures associated with this project in advance, to aid us in maintaining continuity of Emergency Services in the affected area.

Regards,

CONTACT AUTHORITY:

A handwritten signature in black ink, appearing to be "TDM", is written over the printed name of Troy D. Morgan.

Troy D. Morgan, Director
Jefferson County Emergency Management Agency
620 Green Road
Madison, IN 47250
812.265.7616 (Office)
812.265.8955 (Fax)

TDM

Raquel Walker

From: Hurst, Allen A <AHurst@dnr.IN.gov>
Sent: Monday, October 30, 2023 4:38 PM
To: Raquel Walker
Cc: Simmons, Nathaniel R; Gummere, Erica; Tyler Wolf; Brian Shaw
Subject: RE: Early Coordination Letter for Des. 2200147 - Bridge Project

This Message Is From an External Sender

This message came from outside your organization.

Report Suspicious

Hi Raquel,

We do not have specific requirements for replanting. Our general guidance for replanting is to coordinate with property management.

Allen Hurst

Trails Coordinator
Indiana Department of Natural Resources
Division of State Parks
317-232-4070
ahurst@dnr.in.gov
www.dnr.IN.gov

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

From: Raquel Walker <rwalker@b-l-n.com>
Sent: Thursday, October 26, 2023 9:57 AM
To: Hurst, Allen A <AHurst@dnr.IN.gov>
Cc: Simmons, Nathaniel R <NSimmons@dnr.IN.gov>; Gummere, Erica <EGummere@dnr.IN.gov>; Tyler Wolf <twolf@b-l-n.com>; Brian Shaw <bshaw@b-l-n.com>
Subject: RE: Early Coordination Letter for Des. 2200147 - Bridge Project

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Hi Allen,

We have been discussing the potential tree clearing and had a couple of questions for you as we weren't sure if you had any specific requirements or exceptions for the replanting that you mentioned in your response to the early coordination letter.

If the Contractor chooses to use the construction access shown in the plans to access the underside of the bridge, there will most likely be some vegetation clearing required. The vegetation around the bridge ranges from grass to shrubs/brush to small trees to large trees. Our hope is the Contractor can avoid the large trees, but we anticipate shrubs/brush and some small trees will need to be cut to allow access. We'd like to give the Contractor some criteria regarding what needs to be replanted. The Contractor will need to grade and reseed any area that they disturb which

will allow the grass and shrubs to regrow. Is it acceptable to have the Contractor mitigate the cut trees at a 1:1 ratio for all trees 3" dbh or greater?

The other question is that we would prefer the Contractor to not cut and grind the stumps. The root system of the trees helps with the stability of the slopes. Our goal was to indicate on the plans that any tree over 3" dbh that is cut shall be cut 4" above ground and the stumps shall remain in place. The only problem with that is that if we need to mitigate the trees, but are leaving the stumps in place, we will start running out of room to mitigate. We'd like to know your thoughts on this before we finalize our plan for mitigation.

I have attached a set of the plans for your reference. Please let us know if you require any additional information.

Thank you,

RAQUEL WALKER

Senior Analyst

Environmental Services

o: 317-558-7546

B-L-N.COM

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From: Hurst, Allen A <AHurst@dnr.IN.gov>

Sent: Friday, May 12, 2023 1:04 PM

To: Raquel Walker <rwalker@b-l-n.com>

Cc: Simmons, Nathaniel R <NSimmons@dnr.IN.gov>; Gummere, Erica <EGummere@dnr.IN.gov>

Subject: RE: Early Coordination Letter for Des. 2200147 - Bridge Project

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Des. No. 2200147

Description: Bridge Project on Park Road (Canyon Road) over Little Crooked Creek, 0.4 mile North of State Road (SR) 256 in Clifty Falls State Park, Madison Township, Jefferson County, Indiana.

The project as submitted takes place within a Land and Water Conservation Fund (LWCF) site, Clifty Falls State Park, but does not negatively impact outdoor recreation as it is repairing an existing structure.

Please coordinate tree clearing with property management. Any tree clearing for temporary use must be replanted.

Should the scope of the project change to further alter the LWCF site in any way that is not intended for outdoor recreation use, the DNR, Division of State Parks must be contacted at nsimmons@dnr.in.gov.

Allen Hurst

Trails Coordinator

Indiana Department of Natural Resources

Division of State Parks

317-232-4070

ahurst@dnr.in.gov

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

From: Raquel Walker <rwalker@b-l-n.com>

Sent: Friday, May 12, 2023 10:26 AM

To: Carpenter, Patrick (FHWA) <patrick.carpenter@dot.gov>; DNR Environmental Review <environmentalreview@dnr.IN.gov>; mwro_compliance@nps.gov; erik.r.sandstedt@hud.gov; Williamson, Brad <BWILLIAMSON@indot.IN.gov>; Morgan, Troy <troy.morgan@jeffersoncounty.in.gov>; mike.pittman@jeffersoncounty.in.gov; Baller, Jomary <jballer@dnr.IN.gov>; Duff, Cory <CDuff1@dnr.IN.gov>; Dye, David <DDYE@indot.IN.gov>; robert.phillips@jeffersoncounty.in.gov; regulatoryapplicationsLRL@usace.army.mil; McWilliams, Robin <robin_mcwilliams@fws.gov>; Lewandowski, Tyler <TLewandowski@indot.IN.gov>; sarah.morgan@jeffersoncounty.in.gov; ICO District 9 Headquarters <ICODist9@dnr.IN.gov>; Hurst, Allen A <AHurst@dnr.IN.gov>; Kennedy, Mary <MKENNEDY@indot.IN.gov>

Cc: Brian Shaw <bshaw@b-l-n.com>; Tyler Wolf <twolf@b-l-n.com>

Subject: Early Coordination Letter for Des. 2200147 - Bridge Project

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We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. If you would like to respond, we request that you do so within 30 calendar days of the date of this letter. Please use the referenced designation number and description in your reply.

Please let me know if you have any questions or need any additional information.

Thank you,

RAQUEL WALKER

Senior Analyst

Environmental Services

o: 317-558-7546

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THIS IS NOT A PERMIT

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

DNR#: ER-25623

Request Received: May 12, 2023

Requestor:

Raquel Walker
Beam, Longest & Neff, LLC
8320 Craig Street
Indianapolis, IN 46250

Project:

Park Road/Canyon Road bridge (#P000-39-06876 / NBI 060290) rehabilitation over Little Crooked Creek, 0.4 miles north of SR 256 in Clifty Falls State Park, Madison; Des #2200147

County/Site Info: Jefferson County

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 and 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:

A) Riparian Habitat:

We recommend a mitigation plan be developed (and submitted with the permit application, if required) for any unavoidable habitat impacts that will occur. The DNR's Habitat Mitigation Guidelines (and plant lists) can be found online at: <https://www.in.gov/nrc/files/IB-17.pdf>.

Impacts to non-wetland forest of one (1) acre or more in a rural or urban area should be mitigated at a minimum 2:1 ratio based on area of impact. Impacts to non-wetland forest under one (1) acre but at least 0.10 acre in a rural or urban area should be mitigated at a minimum 1:1 ratio based on area of impact. Impacts under 0.10 acre in a rural area typically do not require mitigation or additional plantings beyond seeding and stabilizing disturbed areas, though there are exceptions for high quality habitat sites. Impacts under 0.10 acre in an urban area should be mitigated by replacing trees that are 10" diameter-at-breast height (dbh) or greater by planting five trees, 1" to 2" in dbh, for each tree which is removed that is 10" dbh or greater. Seeding and stabilizing disturbed areas is

required regardless of the impact amount and location. If floodway impacts to forested wetland and non-wetland habitat areas combine to be 0.10 acres or more, mitigation should be done and coordinated with the biologist, as needed.

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

B) Nesting Birds:

Monitor the bridge for bird nesting activity prior to construction. If any bird nests with eggs or young are found on the existing structures, do not work on the bridges from March 15 through September 7. If construction is planned during this time and active nests are present, prior approval from the USDA must be secured by contacting: Wildlife Services State Director, USDA Wildlife Services, 901 W. State Street, W. Lafayette, IN 47907; (765) 494-6229; request Form 37 and any other required documentation and follow the USDA's instructions.

C) Riprap:

Limit impacts to wildlife passage and movement from any riprap placed against the piers by only placing the minimum width of riprap protection needed and leaving most of the slope as a natural, riprap-free surface.

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

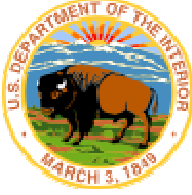
1. Revegetate all bare and disturbed areas that are not currently mowed and maintained with a mixture of grasses, sedges, and wildflowers, as well as hardwood trees and shrubs if any woody plants are disturbed during construction, native to Southern Indiana and specifically for stream bank/floodway stabilization 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 currently mowed areas only. A native herbaceous seed mixture must include at least 5 species of grasses and sedges and 5 species of wildflowers.
2. Minimize and contain within the project limits all tree and brush clearing.
3. Do not cut any trees suitable for Indiana Bat or Northern Long-eared Bat roosting (3 inches or greater diameter-at-breast height, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
4. Do not deposit or allow construction/demolition materials or debris to fall or otherwise enter the waterway. Any incidental fallen material or debris in the waterway must be removed within 24 hours using best management practices, particularly lifting material out of the waterway and not dragging it across the streambed whenever possible.
5. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the waterbody or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
6. Seed and protect all disturbed streambanks and slopes not protected by other methods that are 3:1 or steeper with erosion control blankets that are heavy-duty, biodegradable, and net free or that use loose-woven / Leno-woven netting to minimize the entrapment and snaring of small-bodied wildlife such as snakes and turtles (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.

Contact Staff:

Our agency appreciates this opportunity to be of service. Please contact me at mbuffington@dnr.in.gov or (317) 233-4666 if we can be of further assistance.

Matt Buffington
Matt Buffington
Environmental Unit Supervisor
Division of Fish and Wildlife

Date: June 8, 2023



United States Department of the Interior



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

In Reply Refer To:

09/09/2024 13:09:47 UTC

Project Code: 2024-0050967

Project Name: Des 2200147 - Bridge Project - Park Road over Little Crooked Creek

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

To Whom It May Concern:

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

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

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

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website at - <http://www.fws.gov/midwest/endangered/section7/s7process/index.html>. This website contains step-by-step instructions which will help you

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

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

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

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

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

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

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

Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

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

Attachment(s):

- Official Species List
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

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

This species list is provided by:

Indiana Ecological Services Field Office

620 South Walker Street
Bloomington, IN 47403-2121
(812) 334-4261

PROJECT SUMMARY

Project Code: 2024-0050967
Project Name: Des 2200147 - Bridge Project - Park Road over Little Crooked Creek
Project Type: Bridge - Maintenance
Project Description: The Indiana Department of Transportation (INDOT) in conjunction with the Indiana Department of Natural Resources (IDNR), intends to proceed with a project involving the referenced bridge (P000-39-06876 B/NBI: 060290) in Jefferson County, Indiana. Funding will be provided by the Federal Highway Administration (FHWA).

This project is located on Park Road (also known as Canyon Road) over Little Crooked Creek, approximately 0.4 mile north of SR 256 in Clifty Falls State Park, near Madison, in Jefferson County, Indiana. Land use within the project vicinity is forested, with steep cliffs lining the roadway. The existing bridge, structure number P000-39-06876 (NBI: 060290), is a single-span, concrete open-spandrel arch bridge, 175 feet in length, with an out-to-out width of 30.5 feet. It is listed as a programmatically determined, Select historic bridge eligible for the National Register of Historic Places (NRHP) on the Indiana Historic Bridge Inventory list.

The scope of work includes rehabilitating the existing bridge, which will include hydrodemolition of the bridge deck and placement of a rigid concrete overlay over the driving surface, repair of the curb by patching, replacement of the bridge expansion joints between the deck sections with pre-compressed foam joints and the reinforced concrete approach slabs. The existing approach slabs will be sawcut at the curb face to allow the existing bridge railing transitions to remain. The new approach slabs will be attached to the remaining portions of the existing approach slabs. Deteriorated portions of the floor beams, piers, spandrel columns, and arches will be repaired. The spalls on the front face of the abutments and wingwalls will be patched. Deteriorated portions of the tie beams between the north and south arches will be repaired. Two locations along the arch and one pedestal have cracking but do not require patching. The cracks will be epoxy injected to prevent the intrusion of water, which could create delaminations or spalls. Fiber Reinforced Polymer (FRP) will be applied to patched concrete areas and color-matched to the existing arch as much as feasible. The curb, sidewalk, and railing will be cleaned and sealed, and the northeast side paved ditch will be converted from a V-shaped ditch to a flat bottom ditch. Riprap may need to be placed around the piers for scour protection. Approximately 10 feet of full-depth patching and 40 feet of resurfacing will be needed on Park Road. This project will extend approximately 250 feet northwest and 350 feet southeast of the bridge centerline for a total of 600 feet.

Suitable summer habitat exists within the project area. Approximately 0.21 acre of tree and shrub clearing is expected. Dominant species include slippery elm (*Ulmus rubra*), American beech (*Fagus grandifolia*), yellowwood (*Cladrastis kentuckea*), virginia creeper (*Parthenocissus quinquefolia*), tree of heaven (*Ailanthus altissima*), Eastern redbud (*Cercis canadensis*), black locust (*Robinia pseudoacacia*), tulip tree (*Liriodendron tulipifera*) and garlic mustard (*Alliaria petiolata*). Tree clearing will take place during the inactive season. A review of the U.S. Fish and Wildlife (USFWS) database by the Seymour District occurred on November 16, 2022. Their review did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. Egis personnel inspected the bridge for the presence of bats and/or signs of bats on May 31, 2023. No bats and/or signs of bats were identified. No permanent lighting will be installed as part of this project; however, the use of temporary lighting during construction may be necessary. No right-of-way acquisition is anticipated, and construction is anticipated to begin in Spring 2026.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.74741405,-85.4113454359431,14z>



Counties: Jefferson County, Indiana

ENDANGERED SPECIES ACT SPECIES

There is a total of 8 threatened, endangered, or candidate species on this species list.

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

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

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

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

MAMMALS

NAME	STATUS
Gray Bat <i>Myotis grisescens</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6329	Endangered
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

CLAMS

NAME	STATUS
Pink Mucket (pearlymussel) <i>Lampsilis abrupta</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7829	Endangered
Sheepnose Mussel <i>Plethobasus cyphus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6903	Endangered

INSECTS

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

CRITICAL HABITATS

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

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

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

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

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

NAME	BREEDING SEASON
<p>Bald Eagle <i>Haliaeetus leucocephalus</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p> <p>https://ecos.fws.gov/ecp/species/1626</p>	Breeds Sep 1 to Jul 31
<p>Golden Eagle <i>Aquila chrysaetos</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p> <p>https://ecos.fws.gov/ecp/species/1680</p>	Breeds elsewhere

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper

Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

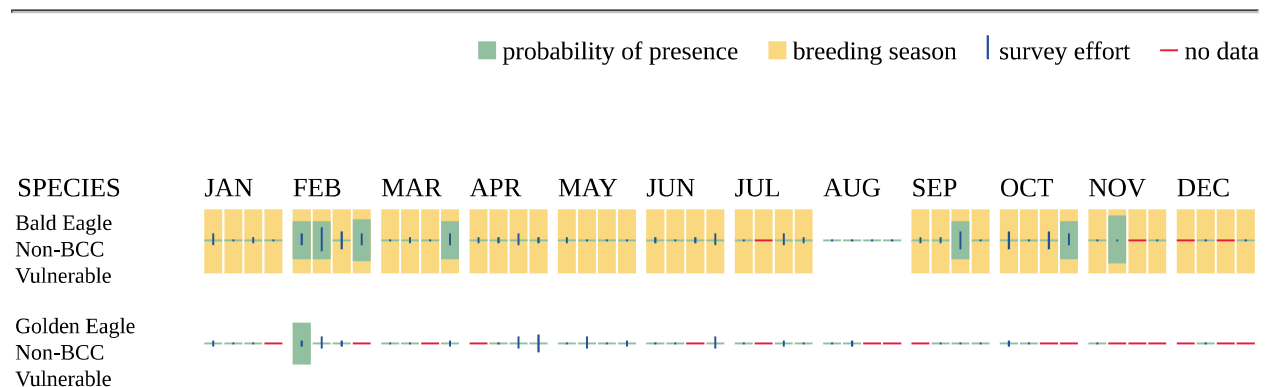
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

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



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

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

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

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

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

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Sep 1 to Jul 31
Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9399	Breeds May 15 to Oct 10
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Field Sparrow <i>Spizella pusilla</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9446	Breeds Mar 1 to Aug 15
Golden Eagle <i>Aquila chrysaetos</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1680	Breeds elsewhere
Kentucky Warbler <i>Geothlypis formosa</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9443	Breeds Apr 20 to Aug 20

NAME	BREEDING SEASON
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Prairie Warbler <i>Setophaga discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9513	Breeds May 1 to Jul 31
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9439	Breeds Apr 1 to Jul 31
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

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



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

WETLANDS

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

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

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

RIVERINE

- R4SBC

IPAC USER CONTACT INFORMATION

Agency: Egis
Name: Raquel Walker
Address: 8320 Craig Street
City: Indianapolis
State: IN
Zip: 46250
Email: rwalker@b-l-n.com
Phone: 3175587546

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration

You have indicated that your project falls under or receives funding through the following special project authorities:

- BIPARTISAN INFRASTRUCTURE LAW (BIL) (OTHER)



United States Department of the Interior



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

In Reply Refer To:

March 01, 2024

Project code: 2024-0050967

Project Name: Des 2200147 - Bridge Project - Park Road over Little Crooked Creek

Subject: Concurrence verification letter for the 'Des 2200147 - Bridge Project - Park Road over Little Crooked Creek' project under the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (NLEB).

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated March 01, 2024 to verify that the **Des 2200147 - Bridge Project - Park Road over Little Crooked Creek** (Proposed Action) may rely on the concurrence provided in the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) 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. **At least one of the qualification interview questions indicated an activity or portion of your project is consistent with a not likely to adversely affect determination therefore, the overall determination for your project is, may affect, and is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the endangered northern long-eared bat (*Myotis septentrionalis*).** Consultation with the Service pursuant to section 7(a)(2) of ESA (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) is required.

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/culvert or structure removal, replacement, and/or maintenance activities: If your initial bridge/culvert or structure assessment documented signs of bat use or occupancy, or an assessment failed to detect Indiana bats and/or NLEBs, yet are later detected prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office within 2 working days of any potential take. In these instances, potential incidental take of Indiana bats and/or NLEBs is covered under the Incidental Take Statement in the 2018 FHWA, FRA, FTA PBO (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.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:

If your initial bridge/culvert or structure assessments failed to detect Indiana bats and/or NLEB use or occupancy, yet bats are later detected prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office within 2 working days of the incident. In these instances, potential incidental take of Indiana bats and/or NLEBs may be exempted provided that the take is reported to the Service.

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.

The following species may occur in your project area and **are not** covered by this determination:

- Monarch Butterfly *Danaus plexippus* Candidate
- Pink Mucket (pearlymussel) *Lampsilis abrupta* Endangered
- Sheepnose Mussel *Plethobasus cyphus* Endangered
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Whooping Crane *Grus americana* Experimental Population, Non-Essential

PROJECT DESCRIPTION

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

NAME

Des 2200147 - Bridge Project - Park Road over Little Crooked Creek

DESCRIPTION

The Indiana Department of Transportation (INDOT) in conjunction with the Indiana Department of Natural Resources (IDNR), intends to proceed with a project involving the referenced bridge (P000-39-06876 B/NBI: 060290) in Jefferson County, Indiana. Funding will be provided by the Federal Highway Administration (FHWA).

This project is located on Park Road (also known as Canyon Road) over Little Crooked Creek, approximately 0.4 mile north of SR 256 in Clifty Falls State Park, near Madison, in Jefferson County, Indiana. Land use within the project vicinity is forested, with steep cliffs lining the roadway. The existing bridge, structure number P000-39-06876 (NBI: 060290), is a single-span, concrete open-spandrel arch bridge, 175 feet in length, with an out-to-out width of 30.5 feet. It is listed as a programmatically determined, Select historic bridge eligible for the National Register of Historic Places (NHRP) on the Indiana Historic Bridge Inventory list.

The scope of work includes rehabilitating the existing bridge, which will include hydrodemolition of the bridge deck and placement of a rigid concrete overlay over the driving surface, repair of the curb by patching, replacement of the bridge expansion joints between the deck sections with pre-compressed foam joints and the reinforced concrete approach slabs. The existing approach slabs will be sawcut at the curb face to allow the existing bridge railing transitions to remain. The new approach slabs will be attached to the remaining portions of the existing approach slabs. Deteriorated portions of the floor beams, piers, spandrel columns, and arches will be repaired. The spalls on the front face of the abutments and wingwalls will be patched. Deteriorated portions of the tie beams between the north and south arches will be repaired. Two locations along the arch and one pedestal have cracking but do not require patching. The cracks will be epoxy injected to prevent the intrusion of water, which could create delaminations or spalls. Fiber Reinforced Polymer (FRP) will be applied to patched concrete areas and color-matched to the existing arch as much as feasible. The curb, sidewalk, and railing will be cleaned and sealed, and the northeast side paved ditch will be converted from a V-shaped ditch to a flat bottom ditch. Riprap may need to be placed around the piers for scour protection. Approximately 10 feet of full-depth patching and 40 feet of resurfacing will be needed on Park Road. This project will extend approximately 250 feet northwest and 350 feet southeast of the bridge centerline for a total of 600 feet.

Suitable summer habitat exists within the project area. Approximately 0.21 acre of tree and shrub clearing is expected. Dominant species include slippery elm (*Ulmus rubra*), American

beech (*Fagus grandifolia*), yellowwood (*Cladrastis kentuckea*), virginia creeper (*Parthenocissus quinquefolia*), tree of heaven (*Ailanthus altissima*), Eastern redbud (*Cercis canadensis*), black locust (*Robinia pseudoacacia*), tulip tree (*Liriodendron tulipifera*) and garlic mustard (*Alliaria petiolata*). Tree clearing will take place during the inactive season. A review of the U.S. Fish and Wildlife (USFWS) database by the Seymour District occurred on November 16, 2022. Their review did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. Egis personnel inspected the bridge for the presence of bats and/or signs of bats on May 31, 2023. No bats and/or signs of bats were identified. No permanent lighting will be installed as part of this project; however, the use of temporary lighting during construction may be necessary. No right-of-way acquisition is anticipated, and construction is anticipated to begin in Spring 2026.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.74741405,-85.4113454359431,14z>



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 endangered 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 amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) 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?

Yes

8. Will the project include *any* type of activity that could impact a **known** hibernaculum^[1], or impact a karst feature (e.g., sinkhole, losing stream, or spring) that could result in effects to a **known** hibernaculum?

[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

9. 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 [User's Guide for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat](#).

Yes

10. 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

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

No

12. 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

13. 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 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

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

Yes

15. 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

16. 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

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

Yes

18. 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

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

Yes

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

No

21. Are *all* trees that are being removed clearly demarcated?
Yes
22. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?
No
23. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?
No
24. Does the project include slash pile burning?
No
25. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?
Yes
26. 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

27. 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

- Des 2200147 - Bridge Assessment Form.pdf <https://ipac.ecosphere.fws.gov/project/IAGTMBHUVBG2FFKPZJFRNSE2CA/projectDocuments/138950396>

28. 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

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

No

30. 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

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

Yes

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

Yes

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

No

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

No

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

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

Yes

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

No

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

Automatically answered

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

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

Automatically answered

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

39. Is the habitat removal portion of this project consistent with a 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.

40. 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

41. **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

42. **Hibernacula AMM 1**

Will the project ensure that on-site personnel will use best management practices^[1], secondary containment measures, or other standard spill prevention and countermeasures to avoid impacts to possible hibernacula?

[1] Coordinate with the appropriate Service Field Office on recommended best management practices for karst in your state.

Yes

43. **Hibernacula AMM 1**

Will the project ensure that, where practicable, a 300 foot buffer will be employed to separate fueling areas and other major containment risk activities from caves, sinkholes, losing streams, and springs in karst topography?

Yes

44. **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

45. **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

46. **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

47. **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?

Yes

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

No

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.

0.21

4. Please describe the proposed bridge work:

Rehabilitation of the existing bridge, which will include hydrodemolition of the bridge deck and placement of a rigid concrete overlay over the driving surface, repair of the curb by patching, replacement of the bridge expansion joints between the deck sections with pre-compressed foam joints and the reinforced concrete approach slabs. The existing approach slabs will be sawcut at the curb face to allow the existing bridge railing transitions to remain. The new approach slabs will be attached to the remaining portions of the existing approach slabs. Deteriorated portions of the floor beams, piers, spandrel columns, and arches will be repaired. The spalls on the front face of the abutments and wingwalls will be patched. Deteriorated portions of the tie beams between the north and south arches will be repaired. Two locations along the arch and one pedestal have cracking but do not require patching. The cracks will be epoxy injected to prevent the intrusion of water, which could create delaminations or spalls. Fiber Reinforced Polymer (FRP) will be applied to patched concrete areas and color-matched to the existing arch as much as feasible.

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

Spring 2026

6. Please enter the date of the bridge assessment:

May 31, 2023

AVOIDANCE AND MINIMIZATION MEASURES (AMMS)

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

HIBERNACULA AMM 1

For projects located within karst areas, on-site personnel will use best management practices, secondary containment measures, or other standard spill prevention and countermeasures to avoid impacts to possible hibernacula. Where practicable, a 300 foot buffer will be employed to separate fueling areas and other major containment risk activities from caves, sinkholes, losing streams, and springs in karst topography.

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 October 30, 2023. 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 endangered **northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion \(dated March 23, 2023\) 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.

IPAC USER CONTACT INFORMATION

Agency: Indiana Department of Transportation

Name: Erin Carleton

Address: 185 Agrico Ln

City: Seymour

State: IN

Zip: 47274




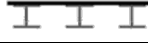



Email: ecarleton@indot.in.gov

Phone: 8125243988

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration

Bridge/Structure Bat Assessment Form

Date & Time of Assessment 5/31/2023 - 10:30am	DOT Project Number 2200147	Route/Facility Carried Park Road	County Jefferson Co.
Federal Structure ID 060290	Structure Coordinates (latitude and longitude) 38.74772, -85.41162	Structure Height (approximate) n/a	Structure Length 175 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 checked="" 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: Concrete arch	<input type="checkbox"/> Open grid	<input type="checkbox"/> Timber
Culvert Type		End/Back Wall Material	
<input type="radio"/> Box	<input type="radio"/> Other Structure	<input checked="" type="checkbox"/> Concrete	
<input type="radio"/> Pipe/Round		<input type="checkbox"/> Timber	
<input type="radio"/> Other:		<input type="checkbox"/> Stone/Masonry	
		<input type="checkbox"/> Other:	
		Creosote Evidence	
		<input type="radio"/> Yes <input type="radio"/> No	
		<input checked="" type="radio"/> Unknown	
		Notes:	
Crossings Traversed (check all that apply)		Surrounding Habitat (check all that apply)	
<input checked="" type="checkbox"/> Bare ground	<input checked="" type="checkbox"/> Open vegetation	<input 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 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 checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Odor	
		<input type="checkbox"/> Guano	<input type="checkbox"/> Photos
		<input type="checkbox"/> Staining	
<input checked="" type="checkbox"/> Concrete surfaces (open roosting on concrete)	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Odor	
		<input type="checkbox"/> Guano	<input type="checkbox"/> Photos
		<input type="checkbox"/> Staining	
<input checked="" type="checkbox"/> Spaces between concrete end walls and the bridge deck	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Odor	
		<input type="checkbox"/> Guano	<input type="checkbox"/> Photos
		<input type="checkbox"/> Staining	
<input checked="" type="checkbox"/> Crack between concrete railings on top of the bridge deck	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Odor	
		<input type="checkbox"/> Guano	<input type="checkbox"/> Photos
		<input type="checkbox"/> Staining	
<input type="checkbox"/> Vertical surfaces on concrete I-beams	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
	n/a	<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Odor	
		<input type="checkbox"/> Guano	<input type="checkbox"/> Photos
		<input type="checkbox"/> Staining	
<input checked="" type="checkbox"/> Spaces between walls, ceiling joists	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Odor	
		<input type="checkbox"/> Guano	<input type="checkbox"/> Photos
		<input type="checkbox"/> Staining	
<input checked="" type="checkbox"/> Weep holes, scupper drains, and inlets/pipes	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Odor	
		<input type="checkbox"/> Guano	<input type="checkbox"/> Photos
		<input type="checkbox"/> Staining	
<input checked="" type="checkbox"/> All guiderails	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Odor	
		<input type="checkbox"/> Guano	<input type="checkbox"/> Photos
		<input type="checkbox"/> Staining	
<input checked="" type="checkbox"/> All expansion joints	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead #
		<input type="checkbox"/> Audible	<input type="checkbox"/> Species
		<input type="checkbox"/> Odor	
		<input type="checkbox"/> Guano	<input type="checkbox"/> Photos
		<input type="checkbox"/> Staining	
Name: Raquel Walker		Signature: <i>Raquel Walker</i>	

From: [McWilliams, Robin](#)
To: [WALKER Raquel](#)
Subject: Re: [EXTERNAL] Des 2200147 - Park Road over Little Crooked Creek Bridge Rehabilitation
Date: Monday, September 9, 2024 3:05:29 PM

Hi Raquel,

If you could see if you could find more information, that would be great. The box checked asked if they saw or heard any bats, so I'd be curious what they saw or heard. I'm not aware of any surveys at Clifty Falls, but we have a lot of bat records just north at Big Oaks NWR.

Let me know what you can find.

Thanks!

Robin

Robin McWilliams Munson
Fish and Wildlife Biologist/Transportation Liaison
U.S. Fish and Wildlife Service
Indiana Ecological Services Field Office
620 South Walker Street
Bloomington, IN 47403
Robin_McWilliams@fws.gov

***NEW* 812-902-1752**

Mon-Tues 8:30-4:30p
Wed-Thurs 8:30-4:30p Telework

From: WALKER Raquel <Raquel.WALKER@egis-group.com>
Sent: Monday, September 9, 2024 2:53 PM
To: McWilliams, Robin <robin_mckilliams@fws.gov>
Cc: SHAW Brian <Brian.SHAW@egis-group.com>; WOLF Tyler <Tyler.WOLF@egis-group.com>
Subject: RE: [EXTERNAL] Des 2200147 - Park Road over Little Crooked Creek Bridge Rehabilitation

Hi Robin,

The bridge inspection report doesn't have any pictures of the bats or of the indicators that they were there. I have attached it for reference. There is a section on page 19 of the report where they have to check Yes (Y) or No (N) for presence of bats or birds and the Y was checked, but there are no subsequent pictures indicating their presence. Though I can follow up with the individual who inspected for clarification or to see if they do have pictures, if needed.

Thanks,



Raquel Walker

Senior Analyst, Environmental Services, North America

Phone: [+1 317-558-7546](tel:+13175587546)

Raquel.WALKER@egis-group.com | www.egis-group.com

[LinkedIn: Egis](#) | [Instagram: @egisgroup](#) | [Twitter: @egis](#) | [Facebook: @egisgroup](#)

From: McWilliams, Robin <robin_mcwilliams@fws.gov>

Sent: Monday, September 9, 2024 1:25 PM

To: WALKER Raquel <Raquel.WALKER@egis-group.com>

Cc: SHAW Brian <Brian.SHAW@egis-group.com>; WOLF Tyler <Tyler.WOLF@egis-group.com>

Subject: Re: [EXTERNAL] Des 2200147 - Park Road over Little Crooked Creek Bridge Rehabilitation

!! Courriel externe - Merci d'être prudent avec les liens et les pièces jointes !! External email - Please be careful with links and attachments !!

Hi Raquel,

Once a bridge inspection indicates bats are present, presence cannot be changed even if a subsequent visit does not show bats. Especially for flashy streams or streams prone to flooding, it is easy to have those "signs" of bats wiped out. Generally, if guano is not collected, INDOT should assume listed bats are present. From there they need to evaluate whether it is a few bats occasionally roosting or if the bridge is used by a larger number (we use >5 bats) and decide if the work would affect bats' ability to roost or directly affect them if they are present when work is occurring.

Do you have any photos or other information from when guano was observed?

Sincerely,

Robin

Robin McWilliams Munson
Fish and Wildlife Biologist/Transportation Liaison
U.S. Fish and Wildlife Service
Indiana Ecological Services Field Office
620 South Walker Street
Bloomington, IN 47403
Robin_McWilliams@fws.gov

***NEW* 812-902-1752**

Mon-Tues 8:30-4:30p
Wed-Thurs 8:30-4:30p Telework

From: WALKER Raquel <Raquel.WALKER@egis-group.com>
Sent: Monday, September 9, 2024 9:58 AM
To: McWilliams, Robin <robin_mcwilliams@fws.gov>
Cc: SHAW Brian <Brian.SHAW@egis-group.com>; WOLF Tyler <Tyler.WOLF@egis-group.com>
Subject: [EXTERNAL] Des 2200147 - Park Road over Little Crooked Creek Bridge Rehabilitation

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hi Robin,

We are working on a project for Des 2200147, which involves the rehabilitation of a historic bridge over Little Crooked Creek in Clifty Falls State Park, Jefferson County, Indiana. Since the IPaC determination key was completed, the project area has been added to the expanded Gray bat range. I've updated and attached the official species list, with a full project description.

We had previously received a not likely to adversely affect determination for this project. Approximately 0.21 acre of tree clearing is anticipated; however, this project qualifies for the interim policy, the project area is not in a critical habitat, and all tree clearing will occur during the inactive season. In addition, a review of the USFWS database by the INDOT Seymour District occurred on May 31, 2023, and their review did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. An INDOT bridge inspection occurred on September 28, 2022, which found signs of bats to be present. A subsequent bridge inspection occurred on May 31, 2023, by Egis and no bats or signs of bats were present. An additional inspection prior to construction will occur to check for the presence of bats. Based on the above information, no adverse impacts to the Gray bat are expected.

We are requesting your concurrence that this project will have no adverse impact on the Gray bat. If you have any questions or concerns or would like to be added to the project in IPaC, please let me know.

Thank you,



Raquel Walker

Senior Analyst, Environmental Services, North America

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