

**CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM  
GENERAL PROJECT INFORMATION**

<b>Road No./County:</b>	State Road (SR) 58 / Lawrence County
<b>Designation Number(s):</b>	2200992
<b>Project Description/Termini:</b>	Small Structure Replacement (CV 058-047-81.33, National Bridge Inventory (NBI) 93007629), carrying SR 58 over an unnamed tributary to Leatherwood Creek, approximately 3.82 miles east of SR 37. The project begins approximately 138 feet west and 160 feet east from the center point of the culvert for a total of 299 feet (0.057 mile) along SR 58. Incidental project construction begins approximately 111 feet west of project beginning (250 feet west of structure) and 69 feet east of project end (230 feet east of structure) for a total incidental project length of 480 feet (0.091 mile) along SR 58.

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

**Approval** \_\_\_\_\_  
INDOT DE Signature and Date
INDOT ESD Signature and Date

\_\_\_\_\_  
 FHWA Signature and Date

*RF*

**Release for Public Involvement** \_\_\_\_\_  
INDOT DE Initials and Date
6/13/2024
INDOT ESD Initials and Date

**Certification of Public Involvement** \_\_\_\_\_  
INDOT Consultant Services Signature and Date

**INDOT DE/ESD Reviewer Signature and Date:** \_\_\_\_\_

**Name and Organization of CE/EA Preparer:** Brynne Taylor, AZTEC Engineering Group, Inc.

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Part I - Public Involvement

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

Does the project have a historic bridge processed under the Historic Bridges PA\*? Yes No
If No, then: Opportunity for a Public Hearing Required? X

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

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

Notice of Entry letters were mailed to potentially affected property owners near the project area on May 12, 2023 notifying them about the project and that individuals responsible for land surveying and field activities may be seen in the area. A sample copy of the Notice of Entry letter is included in Appendix G, pages G-1 to G-2.

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

Public Controversy on Environmental Grounds

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

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

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

Sponsor of the Project: Indiana Department of Transportation INDOT District: Vincennes

Local Name of the Facility: SR 58

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

\*If other is selected, please identify the funding source:

PURPOSE AND NEED:

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

Need: Des. No. 2200992 is located on SR 58 in Lawrence County, Indiana, approximately 3.82 miles east of SR 37. The need for this project is due to the deteriorating condition of the existing culvert structure CV 058-047-81.33. The existing structure is a 4.5-foot inside diameter (ID) 33-foot-long corrugated metal pipe (CMP) that carries SR 58 over the UNT to Leatherwood Creek. According to the March 9, 2021 INDOT Culvert Inspection Report, CV 058-047-81.33 is exhibiting minor rusting at the invert where the protective coating has deteriorated, minor rusting and small breaks in the gabion basket at the pipe headwall, and moderate scour at the south outlet exposing the concrete anchor. The current culvert rating is 6 (satisfactory condition), while the culvert scour critical rating from the May 23, 2022 Abbreviated Engineer's Assessment is a 5 (fair condition). The INDOT BIAS and INDOT Culvert Inspection Report ratings are on a scale from 0 (failed condition) to 9 (excellent condition).

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**Purpose:**

The purpose of the project is to provide a structurally and hydraulically sufficient crossing of SR 58, and to provide a structure with an overall culvert rating and scour critical rating of at least a 7 (good condition) out of 9.

**PROJECT DESCRIPTION (PREFERRED ALTERNATIVE):**

County: Lawrence

Municipality: N/A

Limits of Proposed Work: SR 58, 3.82 miles east of junction SR 37; 250 feet to the west and 230 feet to the east of the culvert

Total Work Length: 0.091 Mile(s)

Total Work Area: 0.997 Acre(s)

Is an Interstate Access Document (IAD)<sup>1</sup> required?

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

Yes <sup>1</sup>	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date: <input style="width: 100%;" type="text"/>	

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

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

The Indiana Department of Transportation Vincennes District and the Federal Highway Administration (FHWA) intend to proceed with a small structure project.

**Location:**

The structure is on SR 58, approximately 3.82 miles east of SR 37 in Shawswick Township, Lawrence County, Indiana. The project is located within Township 5 North, Range 1 East, Section 7 as depicted on the Bartlettsville, IN (1994) USGS 7.5' Quadrangle.

**Existing Conditions:**

The existing structure CV 058-047-81.33 is a 4.5-foot inside diameter (ID) 33-foot-long corrugated metal pipe (CMP). There is an existing gabion headwall on both sides of the structure and a scour hole has formed at the outlet. As documented in the *Waters of the U.S. Determination* report, the Unnamed Tributary (UNT) to Leatherwood Creek flows south through the structure. Adjacent land use is rural and agricultural land. SR 58 is functionally classified as a principal arterial (other) and consists of two 12-foot-wide paved travel lanes (one in each direction) with no shoulders. The existing right-of-way varies from approximately 15 to 25 feet on each side of the centerline throughout the eastern half of the project area (east of the structure). Within the western half of the project area (west of the structure) the right-of-way would be considered edge of pavement to edge of pavement. The posted speed limit within the project area is 45 miles per hour (mph).

**Preferred Alternative:**

The preferred alternative will remove and replace the existing structure with a 5-foot ID 86-foot-long CMP sumped 6 to 12 inches. Scour protection consisting of riprap on geotextiles (approximately 20 feet by 20 feet) will be placed at the outlet of the structure. New guardrail and a minimum 4-foot-wide shoulder will be installed within the project area. The roadway pavement will be patched at the structure, and pavement transition milling and overlay will occur approximately 210 feet east and 228 feet west of the structure.

This alternative meets the project's purpose and need by providing a structure with a culvert rating and scour critical rating of at least good or better (7 or above), installing guardrail and paved shoulders to widen the roadway and to meet current INDOT standards. See Appendix B, pages B-7 to B-26 for the design plans.

Construction limits have been reduced to the extent practicable to construct the project and meet the project's purpose and need. Impacts to trees and the UNT to Leatherwood Creek have been reduced to the extent practicable.

The Maintenance of Traffic (MOT) for the project will require a road closure during construction. Refer to the MOT section of this CE document for further details.

**Logical Termini/Independent Utility:**

The project termini are logical because they are limited to the extent required to construct the project and meet the project's purpose.

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The project demonstrates independent utility because the purpose of maintaining the structure's integrity is not associated with any other projects, and the project would be constructed regardless of any other projects in the vicinity. Therefore, it is a single and complete project.

**OTHER ALTERNATIVES CONSIDERED:**

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

**No Build Alternative:**

The no-build, or no action, alternative was considered. While this alternative has no costs or environmental impacts associated with it, it would not meet the purpose and need of the project. Therefore, this alternative was discarded from further consideration.

**Upstream Extension Alternative:**

An extension of the existing culvert, with a beveled edge headwall, on the upstream side was considered as an alternative for this project. While this alternative would meet the purpose and need of the project, it would require additional bored pipes and/or flood easement; thus, it would result in greater stream impacts and higher costs than the preferred alternative. Therefore, this alternative was discarded from further consideration.

**Downstream Extension Alternative:**

An extension of the existing culvert, up to 40 feet in length, on the downstream side was considered as an alternative for this project. While this alternative would meet the purpose and need of the project, it would require wider excavation and additional permanent right-of-way; thus, it would result in greater stream impacts and higher costs than the preferred alternative. Therefore, this alternative was discarded from further consideration.

**Replacement Structure Alternative:**

This alternative would replace the existing structure without installing guardrail. While this alternative would meet the purpose and need of the project, it would have higher costs than the preferred alternative. Therefore, this alternative was discarded from further consideration.

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

It would not correct existing capacity deficiencies;

It would not correct existing safety hazards;

It would not correct the existing roadway geometric deficiencies;

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

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

Other (Describe):

X

**ROADWAY CHARACTER:**

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

Name of Roadway	<u>SR 58</u>			
Functional Classification:	<u>Principal Arterial</u>			
Current ADT:	<u>3,089</u>	VPD (2024)	Design Year ADT:	<u>3,089</u>
Design Hour Volume (DHV):	<u>306</u>	Truck Percentage (%)	<u>0.98</u>	VPD (2044)
Designed Speed (mph):	<u>45</u>	Legal Speed (mph):	<u>45</u>	

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	Existing	Proposed
Number of Lanes:	2	2
Type of Lanes:	1 Eastbound (EB) through, 1 Westbound (WB) through	1 EB through, 1 WB through
Pavement Width:	22	24
Shoulder Width:	N/A	4
Median Width:	N/A	N/A
Sidewalk Width:	N/A	N/A

Setting:  Urban  Suburban  Rural  
 Topography:  Level  Rolling  Hilly

### BRIDGES AND/OR SMALL STRUCTURE(S):

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

Structure/NBI Number(s): CV 058-047-81.33 Sufficiency Rating: N/A  
 (Rating, Source of Information)

	Existing	Proposed
Bridge/Structure Type:	4.5' x 33' CMP	5' x 86' CMP
Number of Spans:	N/A	N/A
Weight Restrictions:	N/A	N/A
Height Restrictions:	N/A	N/A
Curb to Curb Width:	N/A	N/A
Outside to Outside Width:	N/A	N/A
Shoulder Width:	N/A	N/A

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

One small structure is present within the project area. The existing structure CV 058-047-81.33 is a 4.5-foot by 33-foot-long CMP that conveys a UNT to Leatherwood Creek beneath SR 58. The project will include the complete removal and replacement of the structure with a 5-foot by 86-foot-long CMP sumped 6 to 12 inches. Scour protection consisting of riprap on geotextiles (approximately 20 feet by 20 feet) will be placed at the outlet of the new CMP. No bridges are located within the project area. Approximately 109 linear feet of permanent impacts to UNT to Leatherwood Creek are anticipated as a result of this project.

### MAINTENANCE OF TRAFFIC (MOT) DURING CONSTRUCTION:

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

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

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The MOT for the project will require a road closure during construction. SR 58 will be closed at the project area during construction and traffic will be detoured for a total of 15.1 miles (Appendix B, page B-14). The official INDOT detour route will utilize SR 58 / IN 37 for approximately 0.8-mile, 16<sup>th</sup> Street for approximately 3.1 miles, US 50 for approximately 7 miles, and SR 446 for approximately 4.2 miles. The detour is anticipated to be in place for approximately three months. There are no known through-traffic dependent businesses, local events, fairs or festivals requiring any provisions due to the detour. The closures/lane restrictions will pose a temporary inconvenience to traveling motorists (including school buses and emergency services); however, no significant delays are anticipated, and all inconveniences and delays will cease upon project completion.

**ESTIMATED PROJECT COST AND SCHEDULE:**

Engineering: \$ 128,700 Right-of-Way: \$ 24,000 Construction: \$ 750,000

Anticipated Start Date of Construction: Summer 2025

**RIGHT OF WAY:**

Land Use Impacts	Amount (acres)	
	Permanent	Temporary
Residential	0	0
Commercial	0	0
Agricultural	0.255	0
Forest	0.198	0
Wetlands	0	0
Other: Vacant / Land Trust	0.176	0
Other: Vacant / Platted Lot	0.020	0
<b>TOTAL</b>	<b>0.649</b>	<b>0</b>

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

The existing right-of-way (ROW) along SR 58 varies in width within the eastern portion of the project area. From the existing structure CV 058-047-81.33 to the easternmost project termini, the ROW width varies from approximately 15 feet to the north and 25 feet to the south of the SR 58 centerline. From the existing structure CV 058-047-81.33 to the westernmost project termini, there is no existing public ROW.

New permanent ROW is required along the SR 58 roadway (edge of pavement to edge of pavement), as well as north and south of SR 58. The new permanent ROW is necessary to install the longer structure and scour protection measures, and to regrade the slide slopes due to the proposed wider roadway.

Current land use where permanent ROW will be acquired consists of a mix of agricultural, forested, and vacant / land trust and vacant / platted lot. A forested corridor is present along the UNT to Leatherwood Creek within the project area, both north and south of the SR 58 roadway.

The project requires approximately 0.649 acre of new permanent ROW. The land use of the ROW that will be acquired consists of agricultural (0.255 acre), forest (0.198 acre), vacant / land trust (0.176 acre), and vacant / platted lot (0.020 acre), which will be acquired from both the north and south sides of SR 58. Following acquisition, the ROW limit will vary from 25 feet to 80 feet north of the SR 58 centerline and 25 feet to 80 feet south of the SR 58 centerline. The new ROW width will be greatest (i.e., 80 feet) at the center of the project limits nearest to the structure. No temporary ROW will be required for this project. Approximately 0.154 of the 0.649 acre of permanent ROW would be reacquired, as its current use is the SR 58 roadway (edge of pavement to edge of pavement). This acreage is included in the analysis of land use impacts for this environmental document. Right-of-way acquisition is expected to begin once the NEPA process is completed.

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

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

**SECTION A - EARLY COORDINATION:**

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

Early coordination letters were sent to agencies on April 3-4, 2023, and October 18-19, 2023 (Appendix C).

<u>Agency</u>	<u>Date Sent</u>	<u>Date Response Received</u>	<u>Appendix</u>
Indiana Department of Environmental Management (IDEM) Groundwater Section (IDEM Wellhead Proximity Determinator Website)	2/14/2023	2/14/2023	Appendix C, page C-5
IDEM Groundwater Section (Source Water Assessment Area)	10/18/2023	10/18/2023	Appendix C, page C-6
Bedford City Utilities	10/19/2023	No Response	Email to Agency (Appendix C, page C-7)
Indiana Department of Natural Resources – Division of Fish and Wildlife (IDNR-DFW)	4/3/2023	5/3/2023	Appendix C, pages C-8 to C-10
Indiana Geological and Water Survey (IGWS)	4/3/2023	4/3/2023	Appendix C, pages C-11 to C-13
INDOT Office of Aviation	4/3/2023	4/4/2023	Appendix C, page C-14
INDOT Vincennes District Environmental	4/3/2023	4/4/2023	Appendix C, page C-15
Natural Resources Conservation Service (NRCS)	4/3/2023	4/5/2023	Appendix C, pages C-16 to C-18
Federal Highway Administration (FHWA)	4/3/2023	No Response	N/A
National Park Service (NPS)	4/3/2023	No Response	N/A
U.S. Forest Service (USFS) – Hoosier National Forest (HNF)	4/3/2023	No Response	N/A
Indiana Department of Transportation (INDOT) – Central Office	4/3/2023	No Response	N/A
US Department of Housing & Urban Development (HUD)	4/3/2023	No Response	N/A
U.S. Army Corps of Engineers (USACE) Louisville District	4/3/2023	No Response	N/A
Lawrence County Surveyor's Office	4/3/2023	No Response	N/A
Lawrence County District 3 County Commissioner	4/3/2023	No Response	N/A
Lawrence County District 1 County Council Member	4/3/2023	No Response	N/A
Lawrence County District 3 County Council Member	4/3/2023	No Response	N/A
Lawrence County District 1 County Commissioner	4/3/2023	No Response	N/A
Lawrence County Highway Department	4/3/2023	No Response	N/A
Lawrence County Sheriff's Department	4/3/2023	No Response	N/A
Bedford Fire Department	4/3/2023	No Response	N/A
IU Health Bedford Hospital	4/3/2023	No Response	N/A
INDOT Utilities and Railroad	4/3/2023	No Response	N/A
Lawrence County Emergency Management	4/3/2023	No Response	N/A
North Lawrence Community Schools – Transportation	4/3/2023	No Response	N/A
Sherwood Oaks Christian Church – Bedford Campus	4/3/2023	No Response	N/A
IDEM Wetlands and Stormwater Programs	4/4/2023	No Response	N/A

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

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### SECTION B – ECOLOGICAL RESOURCES:

**Streams, Rivers, Watercourses & Other Jurisdictional Features**

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

**Presence**

X

**Impacts**

Yes	No
X	

Total stream(s) in project area: 201 Linear feet      Total impacted stream(s): 144 Linear feet

Stream Name	Classification	Total Size in Project Area (linear feet)	Impacted linear feet	Comments (i.e. location, flow direction, likely Water of the US, appendix reference)
UNT to Leatherwood Creek	Ephemeral	201	144 total (109 permanent impact; 35 temporary impact)	Flows north to south beneath SR 58 via CV 058-047-81.33, likely Water of the U.S. (Appendix F)

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

Based on the desktop review, the aerial map of the project area, and the RFI report (Appendix E, pages E-2, E-3, and E-8) there are two (2) streams, rivers, watercourses or other jurisdictional features within the 0.5-mile search radius. There is one (1) stream, river, watercourse, or other jurisdictional feature within the project area. That number was confirmed by the site visits on July 5 and July 7, 2023, by AZTEC Engineering Group, Inc. (AZTEC).

A *Waters of the U.S. Determination / Wetland Delineation Report* was approved by INDOT Ecology and Waterway Permitting Office (EWPO) on September 25, 2023. Please refer to Appendix F, pages F-2 to F-53 for the *Waters of the U.S. Determination / Wetland Delineation Report*. It was determined that the UNT to Leatherwood Creek is likely Waters of the U.S. (Appendix F, page F-7). The U.S. Army Corps of Engineers (USACE) makes all final determinations regarding jurisdiction.

The UNT to Leatherwood Creek is an ephemeral stream that flows north to south through the project culvert and has an Ordinary High Water Mark (OHWM) of approximately 8 feet in width and 0.5 foot in depth. The upstream drainage area of UNT to Leatherwood Creek is 0.052 square mile at the project location (Appendix F, page F-18). The UNT to Leatherwood Creek does not appear on the USGS 7.5' Bartlettsville Quadrangle (Appendix F, page F-10). A total of 201 feet of the stream is present within the project area. Within the project area, the stream exhibits average quality due to the silt, cobble and gravel substrate; little sinuosity; lack of riffle/pool complexes; and poor water clarity. The quality is average due to little sinuosity and lack of developed riffle/pool complexes. Approximately 109 linear feet of permanent impacts to the UNT to Leatherwood Creek are anticipated due to culvert replacement and placement of scour protection (riprap on geotextiles). Approximately 35 linear feet of temporary impacts are anticipated due to equipment maneuvering within the channel. No temporary dewatering measures are anticipated. The UNT to Leatherwood Creek is listed as impaired for E. coli. Workers who are working in or near water with E. coli should take care to wear appropriate personal protective equipment (PPE), observe proper hygiene procedures, including regular handwashing, and limit personal exposure. This is included as a firm commitment in the Environmental Commitments section of this document.

There are no Federal, Wild and Scenic Rivers, State Natural, Scenic and Recreational Rivers, Outstanding Rivers for Indiana, navigable waterways or National Rivers Inventory waterways present within or adjacent to the project area. Therefore, no impacts to these resources are expected. No mitigation is expected. Impacts to jurisdictional waterways has been reduced through project design to the extent practicable while still meeting the project purpose and need. A Section 404 Permit from USACE and Section 401 Water Quality Certification from IDEM will be required for impacts to jurisdictional streams.

The IDNR-DFW responded on May 3, 2023 with recommendations to avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts (Appendix C, pages C-8 to C-10). The IDNR-DFW



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recommendations include: a 12" sump depth for a 60" diameter pipe; a crossing structure spanning the entire channel width; maintaining the natural stream substrate within the structure; stream depth / channel width / and water velocities during low-flow conditions that are approximate to those in the natural stream channel; bank stabilization measures; revegetation of all bare and disturbed areas with native species; minimize channel disturbance due to tree and brush removal; avoidance of work in the waterway during fish spawning season (April 1 through June 30).

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

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

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

Based on the desktop review, the aerial map of the project area, and the RFI report (Appendix E, pages E-2, E-3 and E-8) there are seven open water feature(s) within the 0.5-mile search radius. There are no open water feature(s) within or adjacent to the project area. That number was confirmed by the site visit on July 5 and July 7, 2023 by AZTEC. Therefore, no impacts are expected.

The IDNR-DFW responded on May 3, 2023 and did not give recommendations related to open water features (Appendix C, pages C-8 to C-10). All applicable recommendations are included in the Environmental Commitments section of this CE document.

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

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

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

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

Wetlands (Mark all that apply)	<u>Documentation</u>	<u>ESD Approval Dates</u>
Wetland Determination	<input checked="" type="checkbox"/>	<b>September 25, 2023</b>
Wetland Delineation	<input type="checkbox"/>	<input type="checkbox"/>
USACE Isolated Waters Determination	<input type="checkbox"/>	<input type="checkbox"/>

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

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

*Describe all wetlands identified adjacent or within the project area. Include whether or not impacts (both permanent and temporary)*

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*will occur to the features identified. Include if features are likely subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.*

Based on a desktop review, the aerial map of the project area, and the RFI report (Appendix E, pages E-2, E-3 and E-8), there are seven (7) wetlands located within the 0.5-mile search radius. That number was confirmed by the site visit on July 5 and July 7, 2023 by AZTEC, a review of the USGS topographic map (Appendix B, page B-2; Appendix F, page F-10), and the National Wetlands Inventory (NWI) online mapper (<https://www.fws.gov/wetlands/data/Mapper.html>). There are no wetlands present within or adjacent to the project area; thus, no impacts are anticipated.

A *Waters of the U.S. Determination / Wetland Delineation Report* was approved by INDOT Ecology and Waterway Permitting Office (EWPO) on September 25, 2023. Please refer to Appendix F, pages F-2 to F-53 for the *Waters of the U.S. Determination / Wetland Delineation Report*. It was determined that no wetlands are present within the project area. The USACE makes all final determinations regarding jurisdiction.

The IDNR-DFW responded on May 3, 2023 and did not give recommendations related to wetlands (Appendix C, pages C-8 to C-10). All applicable recommendations are included in the Environmental Commitments section of this CE document.

Terrestrial Habitat	Presence	Impacts	
		Yes	NO
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Total terrestrial habitat in project area: 0.735 Acre(s)      Total tree clearing: 0.198 Acre(s)

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

Based on a desktop review, a site visit on July 5 and July 7, 2023 by AZTEC, and the aerial map of the project area (Appendix B, page B-3), there is 0.172 acre of agricultural/farm land, 0.365 acre of grass roadside habitat, and 0.198 acre of forested habitat within the project area. There is forested habitat present along the UNT to Leatherwood Creek, both north and south of the SR 58 culvert structure. The forested habitat is predominantly Black walnut (*Juglans nigra*), common hackberry (*Celtis occidentalis*), Green Ash (*Fraxinus pennsylvanica*), Red mulberry (*Morus rubra*), and slippery elm (*Ulmus rubra*) species. The project will result in 0.198 acre of tree removal including those species listed above. Tree removal will occur north and south of the project structure in the forested habitat along the UNT to Leatherwood Creek and will be within 100 feet of the roadway. No tree removal will occur beyond 100 feet from the existing roadway. In order to replace the existing culvert structure, trees surrounding the pipe will need to be removed. Tree removal is also required to allow equipment to maneuver off-pavement to access the structure, and to place riprap at the structure's outlet. Avoidance alternatives would not be practical because they would not allow the project to meet the purpose and need. The construction limits for the project have been minimized to the greatest extent possible. Mitigation is not anticipated.

The project includes patching pavement at the structure and transition milling and overlay that will occur on existing SR 58 pavement. Off-pavement project activities such as replacing the culvert, installing guardrail, placing riprap at the culvert outlet, relocating an existing driveway entrance, and paving new shoulders are anticipated to disturb approximately 0.735 acre of terrestrial habitat.

The IDNR-DFW responded on May 3, 2023 with recommendations related to wildlife passage, tree clearing, revegetation with native species, and erosion control (Appendix C, pages C-8 to C-10). All applicable recommendations are included in the Environmental Commitments section of this CE document.

**Protected Species**  
**Federally Listed Bats**

	Yes	No
Information for Planning and Consultation (IPaC) determination key completed	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Section 7 informal consultation completed (IPaC cannot be completed)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Section 7 formal consultation Biological Assessment (BA) required	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Determination Received for Listed Bats from USFWS:      NE       NLAA       LAA

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**Other Species not included in IPaC**

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

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

**Migratory Birds**

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

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

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

Based on a desktop review and the RFI report (Appendix E, page E-4), completed by AZTEC on March 16, 2023, the IDNR Lawrence County Endangered, Threatened and Rare (ETR) Species List has been checked. According to the IDNR-DFW early coordination response letter dated May 3, 2023 (Appendix C, page C-8), the Natural Heritage Program's Database has 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. The IDNR-DFW response included recommendations related to riparian habitat, tree clearing, and wildlife passage (Appendix C, pages C-8 to C-10). An INDOT 0.5-mile bat review occurred on December 22, 2022. There are no documented sites within 0.5-mile of the project area (Appendix C, page C-19).

Project information was submitted through the USFWS's Information for Planning and Consultation (IPaC) portal, and an official species list was generated on January 16, 2024 (Appendix C, pages C-22 to C-34). The project is within range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally endangered northern long-eared bat (NLEB) (*Myotis septentrionalis*). Other species were generated in the IPaC species list along with the Indiana bat and northern long-eared bat. Refer to the paragraph below.

The official species list generated from IPaC indicates four (4) other species present within the project area. Those species include the proposed-endangered Tricolored Bat (*Perimyotis subflavus*) and Salamander Mussel (*Simpsonaias ambigua*), experimental-population Whooping Crane (*Grus americana*), and candidate Monarch Butterfly (*Danaus plexippus*). Since these species are not listed as federally threatened or federally endangered, an effect determination is not required. No further coordination is needed.

The project qualifies for the *Range-wide Programmatic Informal Consultation for the Indiana bat and northern long-eared bat (NLEB)*, dated May 2016 (revised February 2018), between FHWA, Federal Railroad Administration (FRA), Federal Transit Administration (FTA), and USFWS. A site visit and bat inspection of the culvert on August 17, 2023, by AZTEC, found no evidence of bat use (e.g., individuals, urine staining, or guano) or bird nests within the structure (Appendix C, page C-53).

An effect determination key was completed on January 12, 2024, and based on the responses provided, the project was found to "may effect, not likely to adversely effect" the Indiana bat and/or the NLEB (Appendix C, pages C-50 to C-52). INDOT reviewed and verified the effect finding on January 16, 2024, and requested USFWS's review of the finding. No response was received from USFWS within the 14-day review period; therefore, it was concluded they concur with the finding. The following Avoidance and Minimization Measures (AMMs) required for the project include General AMM 1, Hibernacula AMM 1, and Tree Removal AMMs 1, 2, 3 and 4. Avoidance and Minimization Measures and/or commitments are included as firm commitments in the Environmental Commitments section of this document.

A bridge/structure bat assessment for CV 058-047-81.33 occurred on August 17, 2023, by AZTEC, and no bats or signs of bats using the structure were found (Appendix C, page C-53). The USFWS Bridge/Structure Assessments are only valid for two years. If construction will begin after August 17, 2025, an inspection of the structure by a qualified individual must be performed. Inspection of the structure should check for the presence of bats/bat indicators and/or presence of birds. The results of the inspection must indicate no signs of bats or birds. If signs of bats or birds are documented during the inspection, the INDOT District Environmental Manager must be contacted immediately. This firm commitment is included in the Environmental Commitments section of this document.

Structure CV-058-047-81.33 located on SR 58 over the UNT to Leatherwood Creek and the project's surrounding habitat is conducive for use (i.e. nests) by a bird species protected under the Migratory Bird Treaty Act (MBTA). Prior to the start of nesting season (May 1) the structure must be inspected for birds or signs of birds. If birds or signs of birds are found during the inspection avoidance and minimization measures must be implemented prior to the start of and during the nesting season. Nests without eggs or young should be removed prior to construction during the non-nesting season (September 8 – April 30) and during the nesting season if no eggs or young are present. Nests with eggs or young cannot be removed or disturbed during the nesting season (May 1 – September 7). Nests with eggs or young should be screened or buffered from active construction. Details of the required procedures are outlined in the "Potential Migratory Bird on Structure" USP/RSP.

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

**Geological and Mineral Resources**

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

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

Date Karst Evaluation reviewed by INDOT EWPO (if applicable): \_\_\_\_\_

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

Based on a desktop review and the Indiana Karst Region map, the project is located in the designated Indiana Karst Region as outlined in the most current *Protection of Karst Features during Project Development and Construction*. According to the topographic map of the project area (Appendix B, page B-2), and the RFI report (Appendix E, pages E-2, E-3 and E-6), there are no karst features identified within or adjacent to the project area. In the early coordination response on April 3, 2023, the Indiana Geological and Water Survey (IGWS) did indicate that potential karst features exist in the project area (Appendix C, pages C-11 to C-13). IGWS identified the project area as having high potential as a bedrock resource, but no sand and gravel resources were documented in the area. The features will not be affected because the project does not have excavation deep enough to impact bedrock. The response from IGWS has been communicated to the designer on April 3, 2023. No impacts are expected.

**SECTION C – OTHER RESOURCES**

**Drinking Water Resources**

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

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

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

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

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

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

The Indiana Department of Environmental Management's Wellhead Proximity Determinator website (<http://www.in.gov/idem/cleanwater/pages/wellhead/>) was accessed on February 14, 2023 by AZTEC. This project is not located within a Wellhead Protection Area. No impacts are expected. This project is located within a Source Water Area (Appendix C, page C-5). In an email dated October 18, 2023, IDEM stated that the project is located within the Bedford City Utilities Source Water Assessment Area (Appendix C, page C-6). A coordination email was sent to Bedford City Utilities on October 19, 2023 (Appendix C, page C-7). No response has been received to date. The features will not be affected because stormwater best management practices (BMPs) will be employed. Best management practices for this project would include erosion and sediment control measures such as: silt fencing, runoff control measures, grade stabilization measures and check dams and riprap. Preventing water contamination to groundwater and surface water. Therefore, no impacts are expected.

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The Indiana Department of Natural Resources Water Well Record Database website (<https://www.in.gov/dnr/water/3595.htm>) was accessed on February 16, 2023 by AZTEC. No wells are located near this project. Therefore, no impacts are expected.

Based on a desktop review of the INDOT MS4 website (<https://entapps.indot.in.gov/MS4/>) by AZTEC on February 16, 2023, and the RFI report (Appendix E); this project is not located in an Urban Area Boundary location. No impacts are expected.

Based on a desktop review, a site visit on July 5 and July 7, 2023 by AZTEC, the aerial map of the project area (Appendix B, page B-3), and the preliminary design plans, no public water systems were identified. Therefore, no impacts are expected.

<b>Floodplains</b>	<u>Presence</u>	<u>Impacts</u>	
		<u>Yes</u>	<u>No</u>
Project located within a regulated floodplain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Longitudinal encroachment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transverse encroachment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Homes located in floodplain within 1000' up/downstream from project	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If applicable, indicate the Floodplain Level?

Level 1     Level 2     Level 3     Level 4     Level 5

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

Based on a desktop review of the Indiana Department of Natural Resources Indiana Floodway Information Portal website (<http://dnrmmaps.dnr.in.gov/appsphp/fdms/>) by AZTEC on February 16, 2023, the RFI report (Appendix E, pages E-2, E-3 and E-8), and the approved IDNR floodplain maps (Appendix F, page F-1) this project is not located in a regulatory floodplain. Therefore, it does not fall within the guidelines for the implementation of 23 CFR 650, 23 CFR 771, and 44 CFR. No impacts are expected.

<b>Farmland</b>	<u>Presence</u>	<u>Impacts</u>	
		<u>Yes</u>	<u>No</u>
Agricultural Lands	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Prime Farmland (per NRCS)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Total Points (from Section VII of CPA-106/AD-1006\*)      0

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

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

There is approximately 0.172 acre of agricultural land in the project area located on the north side of SR 58, east and west of the structure CV 058-047-81.33, and on the south side of SR 58, west of the structure CV 058-047-81.33. Approximately 0.255 acre of new permanent ROW will be acquired from parcels that are classified as "agricultural land" for this project. Based on a desktop review, a site visit on July 5 and July 7, 2023, by AZTEC, and the aerial map of the project area (Appendix B, page B-3), the project will convert 0.255 acre of farmland as defined by the Farmland Protection Policy Act. An early coordination letter was sent on April 3, 2023, to Natural Resources Conservation Service (NRCS). Coordination with NRCS resulted in a score of 0 on the AD 1006 Form (Appendix C, pages C-18). The difference in acreage amounts on the NRCS form and ROW table is attributed to the ROW acquisition limits on land that has been classified as "farmland", which overlaps legal parcel boundaries and overlaps several different legal parcels. NRCS's threshold score for significant impacts to farmland that result in the consideration of alternatives is 160. Since this project score is less than the threshold, no significant loss of prime, unique, statewide, or local important farmland will result from this project. No alternatives other than those previously discussed in this document will be investigated without reevaluating impacts to prime farmland.

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<b>SECTION D – CULTURAL RESOURCES</b>
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<b>Minor Projects PA</b>	<b>Category(ies) and Type(s)</b> B-3, B-4, B-9	<b>INDOT Approval Date(s)</b> March 21, 2024	<b>N/A</b>
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**Full 106 Effect Finding**  
 No Historic Properties Affected       No Adverse Effect       Adverse Effect

**Eligible and/or Listed Resources Present**  
 NRHP Building/Site/District(s)       Archaeology       NRHP Bridge(s)

Documentation Prepared (mark all that apply)	ESD Approval Date(s)	SHPO Approval Date(s)
APE, Eligibility and Effect Determination		
800.11 Documentation		
Historic Properties Report or Short Report		
Archaeological Records Check and Assessment		
Archaeological Phase Ia Survey Report	X	March 21, 2024
Archaeological Phase Ic Survey Report		N/A
Other:		

Memorandum of Agreement (MOA)       **MOA Signature Dates** (List all signatories)

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

On March 21, 2024 the INDOT Cultural Resource Office (CRO) determined that this project falls within the guidelines of Category B, Type 3, Type 4, and Type 9 under the Minor Projects Programmatic Agreement, (Appendix D, pages D-1 to D-7).

The project falls under Category B, Type 3, which covers the construction of added travel, turning, or auxiliary lanes (e.g., bicycle, truck climbing, acceleration and deceleration lanes) and shoulder widening. The project falls under Category B, Type 4, which covers the installation of new safety appurtenances, including but not limited to, guardrails, barriers, glare screens, and crash attenuators. And the project falls under Category B, Type 9, which covers the installation, replacement, repair, lining, or extension of culverts and other drainage structures. The project will include work in undisturbed soils; therefore, an archaeological survey was required. An archaeological survey was completed by Gray & Pape, Inc. (Gray & Pape) and no sites were found within the project area. The Phase Ia survey report was approved by INDOT CRO on March 21, 2024; and concluded that no further archaeological investigation is recommended. No further consultation is required. This completes the Section 106 process and the responsibilities of the FHWA under Section 106 have been fulfilled.

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<b>SECTION E – SECTION 4(f) RESOURCES/ SECTION 6(f) RESOURCES</b>
---

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

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

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

Based on a desktop review, the aerial map of the project area (Appendix B, page B-3), and the RFI report (Appendix E, page E-2 and E-7) there are no potential 4(f) resources located within the 0.5-mile search radius. According to additional research, and by the site visit on July 5 and July 7, 2023 by AZTEC, there are no Section 4(f) resources within or adjacent to the project area. Therefore, no use is expected.

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

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

The U.S. Land and Water Conservation Fund Act of 1965 established the Land and Water Conservation Fund (LWCF), which was created to preserve, develop, and assure accessibility to outdoor recreation resources. Section 6(f) of this Act prohibits conversion of lands purchased with LWCF monies to a non-recreation use.

A review of 6(f) properties on the INDOT ESD website revealed a total of three properties in Lawrence County (Appendix I, page I-1). None of these properties are located within or adjacent to the project area. Therefore, there will be no impact to 6(f) resources.

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### SECTION F – Air Quality

**STIP/TIP and Conformity Status of the Project**

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

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

Location in STIP: FY 2024-2028, Page 174  
 Name of MPO (if applicable): N/A  
 Location in TIP (if applicable): N/A

Level of MSAT Analysis required?

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

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

This project is included in the Fiscal Year (FY) 2024 – 2028 STIP (Appendix H, page H-1).

This project is located in Lawrence County which is currently in attainment for all criteria pollutants according to the IDEM Office of Air Quality website ([https://www.in.gov/idem/sips/files/nonattainment\\_areas\\_map.pdf](https://www.in.gov/idem/sips/files/nonattainment_areas_map.pdf)), accessed on April 4, 2023 by AZTEC. Therefore, the conformity procedures of 40 CFR Part 93 do not apply.

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

### SECTION G - NOISE

**Noise** Yes  No   
 Is a noise analysis required in accordance with FHWA regulations and INDOT’s traffic noise policy?  Yes  No

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

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

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



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### SECTION H – COMMUNITY IMPACTS

**Regional, Community & Neighborhood Factors**

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

Yes	No
X	X
	X
	X
X	
X	

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

Overall, the negative impacts to property owners and within and adjacent to the project area will be minimal and will consist primarily of short-term construction impacts due to the road closure and resulting detour. New permanent ROW to be acquired from adjacent properties will be assessed and bought at fair market value. The project will comply with local/regional development patterns for the area. The project will not change access to properties within the project area and is not anticipated to result in substantial impacts to community cohesion. The project is not expected to impact the surrounding community or cause economic impacts to the surrounding area. Thus, the project will have minimal impacts to the community or local economy.

According to the Fairs and Festivals website ([www.fairsandfestivals.net](http://www.fairsandfestivals.net)) and the Indiana Festivals website (<https://indianafestivals.org/>) accessed on October 18, 2023 by AZTEC, three (3) annual festivals/fairs/events are scheduled to occur within Lawrence County for 2024. No information is yet available for fairs/events during 2025 or 2026. For the purposes of this analysis, all fairs/events scheduled for 2024 are assumed to be scheduled for subsequent years, occur during the same time of year, and occur within the same location. Construction for the proposed project is scheduled for Summer 2025 and is anticipated to last approximately 3 months. All fairs/events anticipated to occur within Lawrence County during construction of this project are located greater than seven miles from the project area. Multiple routes will be available for the fair/event attendees and a detour will be available during construction. Therefore, no impacts are expected to the fairs/events scheduled for Lawrence County in 2025 and 2026.

Lawrence County has an approved Americans with Disabilities Act (ADA) transition plan. No ADA features will be constructed as part of this project. Thus, the project will comply with the Lawrence County transition plan and will not create any additional barriers for access.

**Public Facilities and Services**

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

Based on a desktop review, the aerial map of the project area (Appendix B, page B-3), and the RFI report (Appendix E, page E-2 and E-7) there are two (2) public facilities present within the 0.5-mile search radius. There are no public facilities within or adjacent to the project area, which was confirmed by the site visit on July 5 and July 7, 2023 by AZTEC.

Replacing structure CV 058-047-81.33 will require a road closure of SR 58 at the project area during construction. During the road closure, traffic will be detoured via SR 58 / IN 37, 16<sup>th</sup> Street, US 50, and SR 446. The road closure will pose a temporary inconvenience to traveling motorists (including school buses and emergency services); however, no significant delays are anticipated and all inconveniences and delays will cease upon project completion. Therefore, no impacts are expected. Access to all properties will be maintained during construction.

No public sidewalks are present within or adjacent to the project area. No pedestrian traffic is anticipated to occur within the project area.

The following utilities are present within or adjacent to the project area:

- Communications
- Electric
- Sewer
- Water

## Indiana Department of Transportation

County Lawrence

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Des. No. 2200992

Utility relocations will be required. Utility coordination is ongoing as part of the design process.

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

**Environmental Justice (EJ)** (Presidential EO 12898)

During the development of the project were EJ issues identified?

Does the project require an EJ analysis?

If YES, then:

Are any EJ populations located within the project area?

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

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

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

Under FHWA Order 6640.23A, FHWA and INDOT Vincennes District, as a recipient of funding from FHWA, are responsible to ensure that their programs, policies, and activities do not have a disproportionately high and adverse effect on minority or low-income populations. Per the current INDOT Categorical Exclusion Manual, an Environmental Justice (EJ) Analysis is required for any project that has two or more relocations or 0.5 acre of additional permanent right-of-way. The project will not require relocations; however, it will require 0.806 acre of permanent ROW. Therefore, an EJ Analysis is required.

Potential EJ impacts are detected by locating minority and low-income populations relative to a reference population to determine if populations of EJ concern exists and whether there could be disproportionately high and adverse impacts to them. The reference population may be a county, city or town and is called the community of comparison (COC). For this project, the COC is Shawswick Township. The community that overlaps the project area is called the affected community (AC). For this project, the AC is Census Tract 9510. An AC has a population of concern for EJ if the population is more than 50% minority or low-income or if the low-income or minority population is 125% of the COC. Data from the American Community Survey five-year estimates data (2018-2022) was obtained from the US Census Bureau Website (<https://factfinder.census.gov/>) on March 22, 2024, by AZTEC. The data collected for minority and low-income populations within the AC are summarized in the below table.

<b>Table 1: Minority and Low-Income Data (US Census Bureau 2018 - 2022)</b>		
	COC - Shawswick Township, Lawrence County, IN	AC – Census Tract 9510, Lawrence County, IN
<b>MINORITY POPULATION</b>		
Total Population	20,727	3,730
Minority Population	1,600	223
Percent Minority	7.72%	5.98%
125% of COC	9.65%	AC < 125% COC
AC % Minority Greater than 125% of COC?		No
AC % Minority Greater than 50%?		No
EJ Population of Concern?		No
<b>LOW-INCOME POPULATION</b>		
Total Population	20,127	3,617
Population Below Poverty Level	2,436	492
Percent Low-Income	12.10%	13.60%
125% of COC	15.13%	AC < 125% COC
AC % Low-Income Greater than 125% of COC?		No
AC % Low-Income Greater than 50%?		No
EJ Population of Concern		No

AC, Census Tract 9510, has a percent minority of 5.98% which is below 50% and is below the 125% COC threshold (i.e., 9.65%). Therefore, the AC does not contain minority populations of EJ concern.

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AC, Census Tract 9510, has a percent low-income of 13.60% which is below 50% and is below the 125% COC threshold (i.e., 15.13%). Therefore, the AC does not contain low-income populations of EJ concern.

**Conclusion**

The census data sheets, map, and calculations can be found in Appendix I, pages I-2 to I-9. The AC does not contain minority or low-income populations of EJ concern. No further environmental justice analysis is warranted.

**Relocation of People, Businesses or Farms**

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

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

Number of relocations:      Residences: \_\_\_\_\_ Businesses: \_\_\_\_\_ Farms: \_\_\_\_\_ Other: \_\_\_\_\_

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

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

### SECTION I – HAZARDOUS MATERIALS & REGULATED SUBSTANCES

**Hazardous Materials & Regulated Substances** (Mark all that apply)

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

Documentation

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Date RFI concurrence by INDOT SAM (if applicable): March 16, 2023

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

Based on a review of GIS and available public records, a Red Flag Investigation (RFI) was completed on March 16, 2023 by AZTEC and approved on March 16, 2023 by INDOT SAM (Appendix E). No sites with hazardous material concerns (hazmat sites) or sites involved with regulated substances were identified in or within 0.5 mile of the project area. Further investigation for hazardous material concerns or regulated substances is not required at this time.

## Part IV – Permits and Commitments

### PERMITS CHECKLIST

**Permits** (mark all that apply)

Likely Required

**Army Corps of Engineers (404/Section10 Permit)**

Nationwide Permit (NWP)	<input checked="" type="checkbox"/>
Regional General Permit (RGP)	<input type="checkbox"/>
Individual Permit (IP)	<input type="checkbox"/>
Other	<input type="checkbox"/>

**IN Department of Environmental Management (401/Rule 5)**

Nationwide Permit (NWP)	<input checked="" type="checkbox"/>
Regional General Permit (RGP)	<input type="checkbox"/>
Individual Permit (IP)	<input type="checkbox"/>
Isolated Wetlands	<input type="checkbox"/>

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Des. No. 2200992

**Permits** (mark all that apply)

**Likely Required**

Rule 5


Other

**IN Department of Natural Resources**

Construction in a Floodway

--

Navigable Waterway Permit

--

Other

--

**Mitigation Required**

**US Coast Guard Section 9 Bridge Permit**

--

**Others (Please discuss in the discussion below)**

--

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

The UNT to Leatherwood Creek was identified as Waters of the U.S. (WOTUS) in the *Waters of the U.S. Determination* report prepared for the project. For impacts to WOTUS, a Section 404 Permit from the USACE and a Section 401 Water Quality Certification from IDEM will likely be required for the project.

Applicable recommendations provided by resource agencies are included in the Environmental Commitments section of this document. If permits are found to be necessary, the conditions of the permit will be requirements of the project and will supersede these recommendations.

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

## ENVIRONMENTAL COMMITMENTS

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

**Firm Commitments:**

1. If the scope of work or permanent or temporary right-of-way amounts change, the INDOT Environmental Services Division (ESD) and the INDOT Vincennes District Environmental Section will be contacted immediately. (INDOT ESD and INDOT Vincennes District)
2. It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access. (INDOT ESD)
3. **General AMM 1:** Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs. (USFWS)
4. **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. (USFWS)
5. **Tree Removal AMM 1:** Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal. (USFWS)
6. **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 emergency survey must be conducted with no bats observed. (USFWS, IDNR-DFW)
7. **Tree Removal AMM 3:** Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits). (USFWS)
8. **Tree Removal AMM 4:** Do not remove documented Indiana bat or NLEB roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or documented foraging habitat any time of year. (USFWS)
9. The UNT to Leatherwood Creek is listed as impaired for E. coli. Workers who are working in or near water with E. coli should take care to wear appropriate personal protective equipment (PPE), observe proper hygiene procedures, including regular handwashing, and limit personal exposure. (INDOT SAM)

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10. USFWS Bridge/Structure Assessment shall take place no earlier than two (2) years prior to the start of construction. If construction will begin after August 17, 2025, an inspection of the structure by a qualified individual must be performed. Inspection of the structure should check for the presence of bats/bat indicators and/or presence of birds. The results of the inspection must indicate no signs of bats or birds. If signs of bats or birds are documented during the inspection, the INDOT District Environmental Manager must be contacted immediately. (INDOT ESD)
11. Structure CV-058-047-81.33 located on SR 58 over the UNT to Leatherwood Creek and the project's surrounding habitat is conducive for use (i.e. nests) by a bird species protected under the Migratory Bird Treaty Act (MBTA). Prior to the start of nesting season (May 1) the structure must be inspected for birds or signs of birds. If birds or signs of birds are found during the inspection avoidance and minimization measures must be implemented prior to the start of and during the nesting season. Nests without eggs or young should be removed prior to construction during the non-nesting season (September 8 – April 30) and during the nesting season if no eggs or young are present. Nests with eggs or young cannot be removed or disturbed during the nesting season (May 1 – September 7). Nests with eggs or young should be screened or buffered from active construction. Details of the required procedures are outlined in the "Potential Migratory Bird on Structure" USP. (INDOT)

### For Further Consideration Commitments:

12. To maintain fish and wildlife passage through a crossing structure, the Environmental Unit recommends as 12" sump depth for a 60" diameter pipe. Crossings must span the entire channel width (a minimum of 1.2 times the OHWM width). Crossings must maintain the natural stream substrate within the structure. Stream depth, channel width, and water velocities in the crossing during low-flow conditions must approximate to those in the natural stream channel. Banklines should be restored within box and pipe structures to allow for wildlife passage above the ordinary highwater mark. (IDNR-DFW)
13. Establish vegetation or other forms of bank stabilization for stabilization and erosion control. (IDNR-DFW)
14. Riprap must not be placed in the active thalweg channel or placed in the streambed in a manner that precludes fish or aquatic organism passage (riprap must not be placed above the existing streambed elevation). Riprap should only be used at the toe of the sideslopes up to the ordinary high water mark (OHWM). (IDNR-DFW)
15. The banks above the OHWM must be restored, stabilized, and revegetated using geotextiles and a mixture of grasses, sedges, wildflowers, shrubs, and trees native to Southern Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion. If hard armor is used under a structure and above the OHWM, a smooth-surfaced material such as articulated concrete mats or other similar smooth-surfaced materials should be used that will not impair wildlife movement. Any riprap placed at the culvert's outlet/inlet needs to be installed at grade (or countersunk then backfilled with native material); needs to be mixed with smaller stone and fines to match the existing stream substrate particle distribution and provide impermeability of the riprap apron/substrate so the flow doesn't percolate through the voids below the riprap apron's surface; and the slope of the riprap should match the stream's gradient or be no steeper than 20:1 from the lip of the culvert pipe to the streambed. Riprap on the inlet side needs to have a slope no steeper than 5:1. (IDNR-DFW)
16. Do not excavate in the low flow area except for the placement of piers, foundations, and riprap, or removal of the old structure. (IDNR-DFW)
17. Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumpharounds. (IDNR-DFW)
18. Use minimum average 6-inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids. (IDNR-DFW)

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## (Des. No.: 2200992)

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**Categorical Exclusion**  
**Appendix A**  
**INDOT Supporting Documentation**

**SR 58 Small Structure Project (Des. No. 2200992)  
Categorical Exclusion Level Thresholds**

	PCE	Level 1	Level 2	Level 3	Level 4 <sup>1</sup>
<b>Section 106</b>	Falls within guidelines of Minor Projects PA	“No Historic Properties Affected”	“No Adverse Effect”	-	“Adverse Effect” Or Historic Bridge involvement <sup>2</sup>
<b>Stream Impacts<sup>3</sup></b>	No construction in waterways or water bodies	< 300 linear feet of stream impacts	≥ 300 linear feet of stream impacts	-	USACE Individual 404 Permit <sup>4</sup>
<b>Wetland Impacts<sup>3</sup></b>	No adverse impacts to wetlands	< 0.1 acre	-	< 1.0 acre	≥ 1.0 acre
<b>Right-of-way<sup>5</sup></b>	Property acquisition for preservation only or none	< 0.5 acre	≥ 0.5 acre	-	-
<b>Relocations<sup>6</sup></b>	None	-	-	< 5	≥ 5
<b>Threatened/Endangered Species (Species Specific Programmatic for Indiana bat &amp; northern long eared bat)*</b>	“No Effect”, “Not likely to Adversely Affect” (With select AMMs <sup>7</sup> )	“Not likely to Adversely Affect” (With any AMMs or commitments)	-	“Likely to Adversely Affect”	Project does not fall under Species Specific Programmatic <sup>8</sup>
<b>Threatened/Endangered Species (Any other species)*</b>	Falls within guidelines of USFWS 2013 Interim Policy or “No Effect”	“Not likely to Adversely Affect”	-	-	“Likely to Adversely Affect”
<b>Environmental Justice</b>	No disproportionately high and adverse impacts	-	-	-	Potential <sup>9</sup>
<b>Sole Source Aquifer</b>	No Detailed Groundwater Assessment	-	-	-	Detailed Groundwater Assessment
<b>Floodplain</b>	No Substantial Impacts	-	-	-	Substantial Impacts
<b>Section 4(f) Impacts</b>	None	-	-	-	Any <sup>10</sup>
<b>Section 6(f) Impacts</b>	None	-	-	-	Any
<b>Permanent Traffic Alteration</b>	None	-	-	-	Any
<b>Noise Analysis Required</b>	No	-	-	-	Yes
<b>Air Quality Analysis Required</b>	No	-	-	-	Yes <sup>11</sup>
<b>Approval Level</b>					
<ul style="list-style-type: none"> <li>• District Env. (DE)</li> <li>• Env. Serv. Div. (ESD)</li> <li>• FHWA</li> </ul>	Concurrence by DE or ESD	DE or ESD	DE or ESD	DE and/or ESD	DE and/or ESD; and FHWA

<sup>1</sup> Coordinate with INDOT Environmental Services Division. INDOT will then coordinate with the appropriate FHWA Environmental Specialist.

<sup>2</sup> Any involvement with a bridge processed under the Historic Bridge Programmatic Agreement.

<sup>3</sup> Total permanent impacts to streams (linear feet) and wetlands (acres).

<sup>4</sup> US Army Corps of Engineers Individual 404 Permit

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

<sup>6</sup> If any relocations are within an area with a known or suspected Environmental Justice (EJ) or disadvantaged population, or has greater than 5 relocations, a conversation with FHWA, through INDOT ESD, is needed to confirm NEPA classification and outreach plan for the project.

<sup>7</sup> Avoidance and Mitigation Measures (AMMs) determined by the IPAC determination key to be required that are not tree AMMs, bridge AMMs, or structure AMMs.

<sup>8</sup> Projects that do not fall under a Species Specific Programmatic and results in a “Likely to Adversely Affect”. Other findings can be processed as a lower level CE.

<sup>9</sup> Potential for causing a disproportionately high and adverse impact.

<sup>10</sup> Section 4(f) use resulting in an Individual, Programmatic, or *de minimis* evaluation. The only exception is a *de minimis* evaluation for historic properties (Effective January 2, 2020). If a historic property *de minimis* and no other use, mark the *None* column.

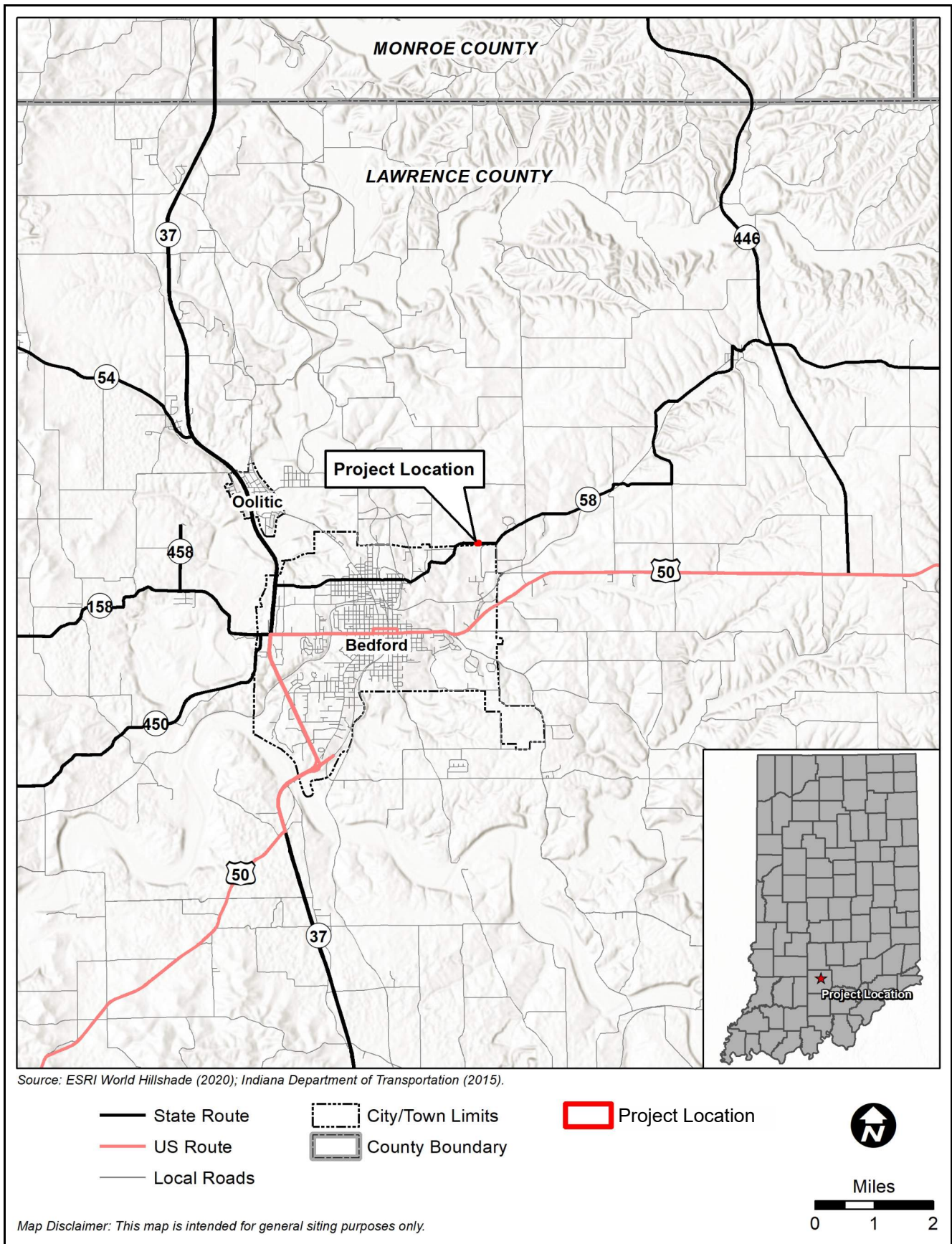
<sup>11</sup> Hot Spot Analysis and/or MSAT Quantitative Emission Analysis.

\* Includes the threatened/endangered species critical habitat.

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



**Categorical Exclusion**  
**Appendix B**  
**Graphics**



**Figure 1. Project Location Map**

Des No 2200992

SR 58 Small Structure Project



**Figure 2. Project Location Topographic Map**  
 Des No 2200992  
 SR 58 Small Structure Project



**Figure 3. Project Location Aerial Map**

Des No 2200992

SR 58 Small Structure Project

Project Area Photos  
Des. No. 2200992, SR 58 Small Structure Project  
Lawrence County, Indiana  
(Photos Taken July 8, 2022)



Photograph 1. View of structure inlet. Photo taken on the northside of SR 58, facing southeast.



Photograph 2. View of structure inlet and vegetation within right-of-way. Photo taken on northside of SR 58, facing southeast.



Photograph 3. View of structure outlet. Photo taken on the southside of SR 58, facing southwest.



Photograph 4. View of inside of the structure.



Photograph 5. View of existing vegetation within project area. Photo taken on eastern edge of project limits along SR 58, facing southeast.



Photograph 6. View of existing roadway. Photo taken on western edge of project limits along SR 58, facing west.

PROJECT	DESIGNATION
2200992	2200992
CONTRACT	
R-45552	

CULVERT ASSETS	
Des. No.	Culvert Asset ID
2200992	CV 058-047-081.33

**STG II (30%) PLANS**  
*\*Not to Scale\**  
**\*\*Quantities and station numbers may be subject to change\*\***

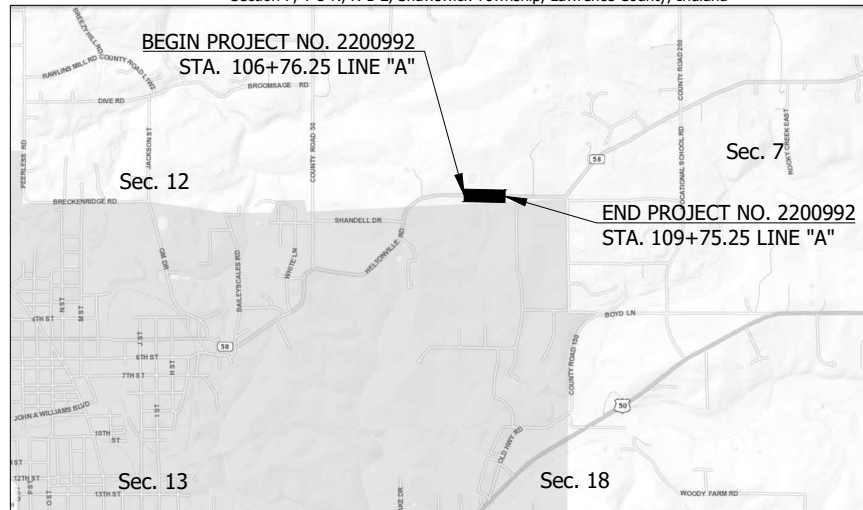
# INDIANA DEPARTMENT OF TRANSPORTATION



## ROAD PLANS

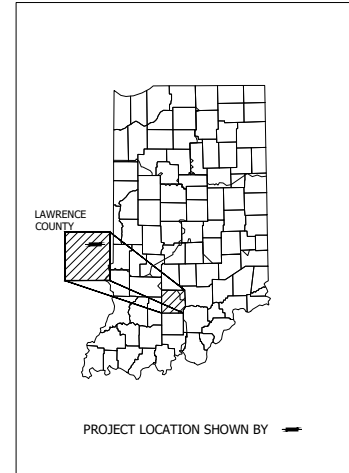
**SR 58 SMALL STRUCTURAL REPLACEMENT**  
 ROUTE : SR 58 FROM: RP 81+033 TO: RP 81+033  
**PROJECT NO. 2200992 P.E.**  
**2200992 R/W**  
**2200992 CONST.**

Small Structure Replacement on SR 58 Located 3.82 Miles E of SR 37  
 Section 7, T-5-N, R-1-E, Shawswick Township, Lawrence County, Indiana

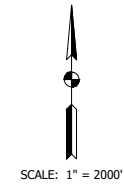


**SHAWSWICK TOWNSHIP**  
**LAWRENCE COUNTY**  
**LOCATION MAP**

<b>TRAFFIC DATA</b>	SR58
A.D.T. (2024)	3089 V.P.D.
A.D.T. (2044)	3089 V.P.D.
D.I.V. (2044)	306 V.P.H.
DIRECTIONAL DISTRIBUTION	48.88%
TRUCKS (2044)	2.49 % A.A.D.T. 0.98 % D.H.V.
<b>DESIGN DATA</b>	SR58
DESIGN SPEED	45 M.P.H.
PROJECT DESIGN CRITERIA	3R (NON-FREEWAY)
FUNCTIONAL CLASSIFICATION	PRINCIPAL ARTERIAL
RURAL/URBAN	RURAL
TERRAIN	ROLLING
ACCESS CONTROL	NONE



Hydrologic Unit Code (HUC):	05120208040030
LATITUDE:	38°52' 59" N
LONGITUDE:	86°27' 21" W
GROSS LENGTH:	0.057 MI.
NET LENGTH:	0.057 MI.
MAX. GRADE:	6.59% %



**STAGE 3 SUBMITTAL**  
**July, 2024**

INDIANA DEPARTMENT OF TRANSPORTATION  
 STANDARD SPECIFICATIONS DATED 2024  
 TO BE USED WITH THESE PLANS



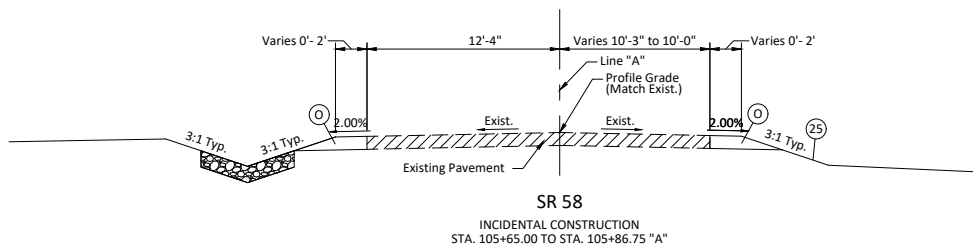
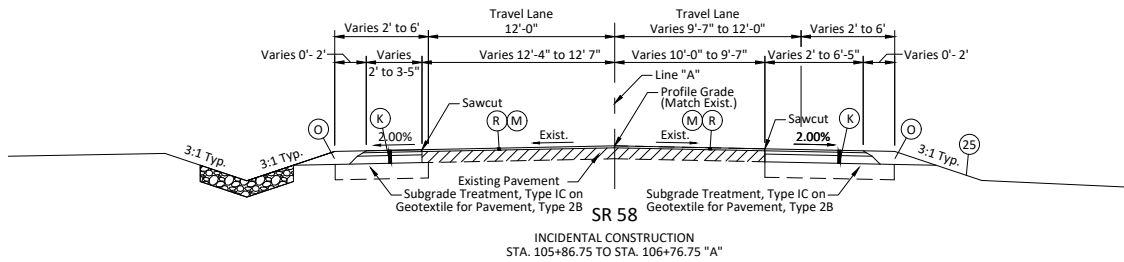
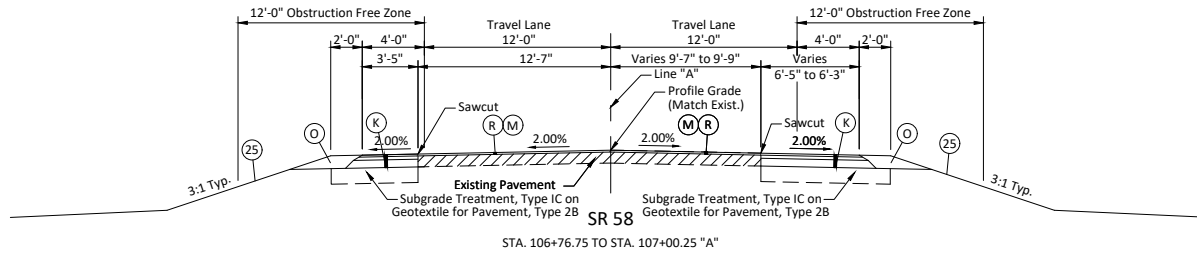
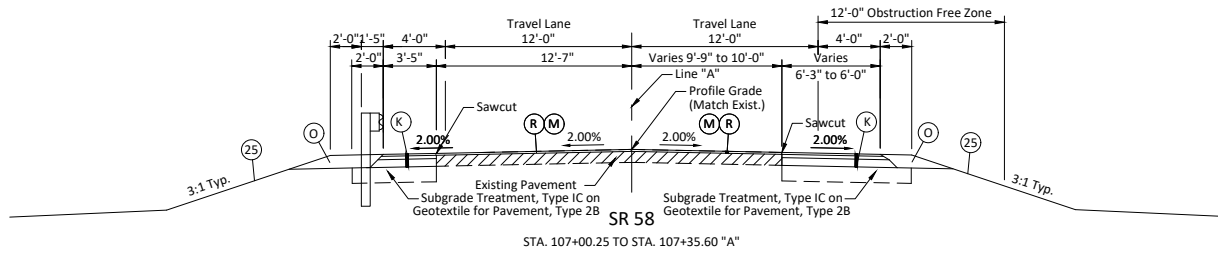
AZTEC Engineering Group, Inc.  
 TYP SA Group Company  
 320 W. 8th Street  
 Suite 100  
 Bloomington, IN 47404

PLANS PREPARED BY: Aztec Engineering Group, Inc. 812-717-2555 PHONE NUMBER  
 CERTIFIED BY: \_\_\_\_\_ DATE  
 APPROVED FOR LETTING: \_\_\_\_\_ INDIANA DEPARTMENT OF TRANSPORTATION DATE

BRIDGE FILE	
N/A	
DESIGNATION	
2200992	
SURVEY BOOK	
N/A	1 of 20
SHEETS	
CONTRACT	
R-45552	PROJECT
	2200992



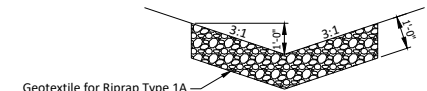




**LEGEND**

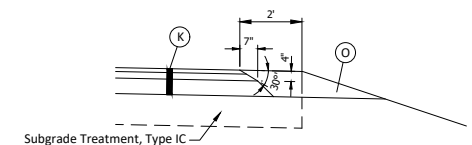
- (K) Full Depth HMA Pavement:  
165 #/SYS QC/QA HMA, 3, 64, Surface 9.5mm on  
275 #/SYS QC/QA HMA, 3, 64, Intermediate 19.0mm on  
660 #/SYS QC/QA HMA, 3, 64, Base 25.0mm
- (R) Asphalt Milling, 1 1/2 in.
- (O) 165 #/SYS QC/QA HMA, 3, 64, Surface 9.5mm
- (O) Compacted Aggregate, No. 53
- (25) Mulched Seeding, R

NOTE: Tack Coat Between All Asphalt Lifts



**DITCH RIPRAP DETAIL**

SCALE: 1/2"=1'-0"



**SAFETY EDGE DETAIL FOR HMA PAVEMENT**

Note: Safety Edge not required where guardrail is present

SCALE: 1/2"=1'-0"

PLOTTER: Thursday, April 10, 2025 11:17:07 AM

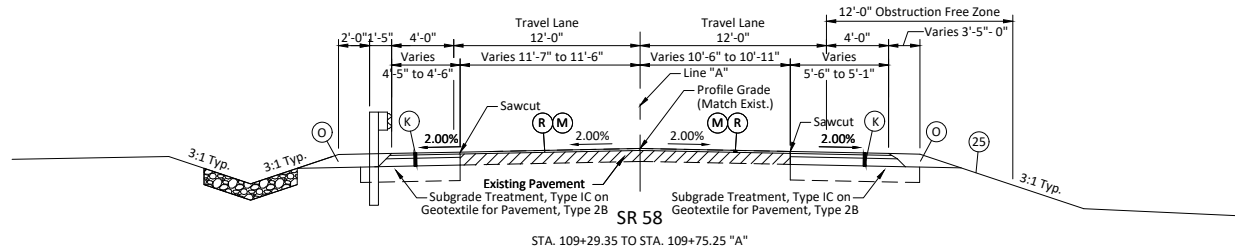
FILE: INPWY2203\_SHT\_TYPSECTION\_01.DWG

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: BSF	DRAWN: MR	
CHECKED: LAR	CHECKED: LAR	

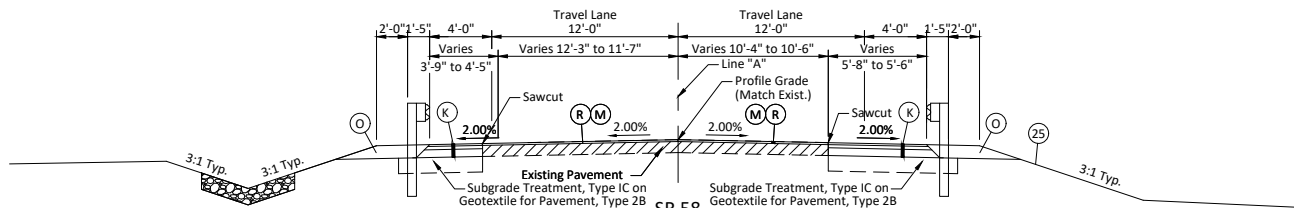
INDIANA DEPARTMENT OF TRANSPORTATION

TYPICAL SECTIONS LINE "A"

HORIZONTAL SCALE	BRIDGE FILE
1/4" = 1'-0"	N/A
VERTICAL SCALE	DESIGNATION
1/4" = 1'-0"	2200992
SURVEY BOOK	SHEETS
N/A	3 of 20
CONTRACT	PROJECT
R-45552	2200992

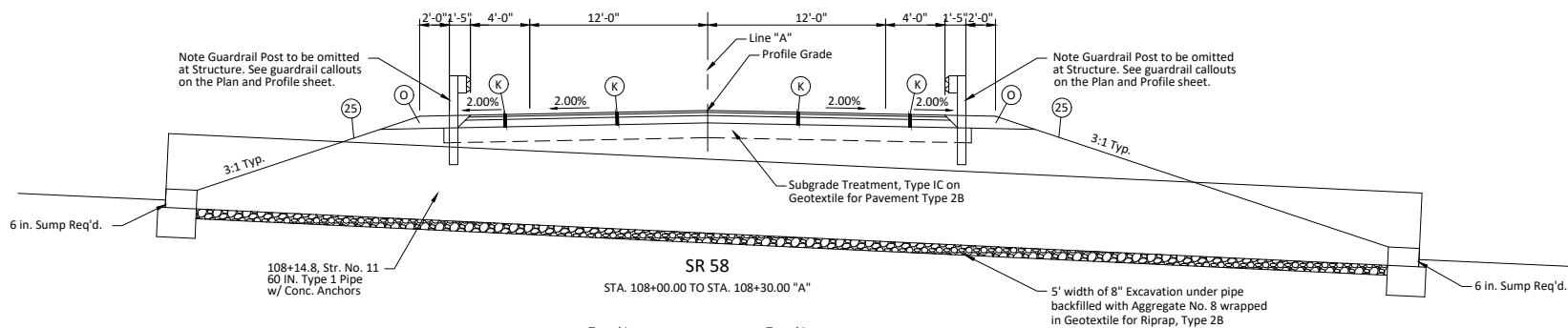


SR 58  
STA. 109+29.35 TO STA. 109+75.25 "A"



SR 58  
STA. 108+30.00 TO STA. 109+29.35 "A"

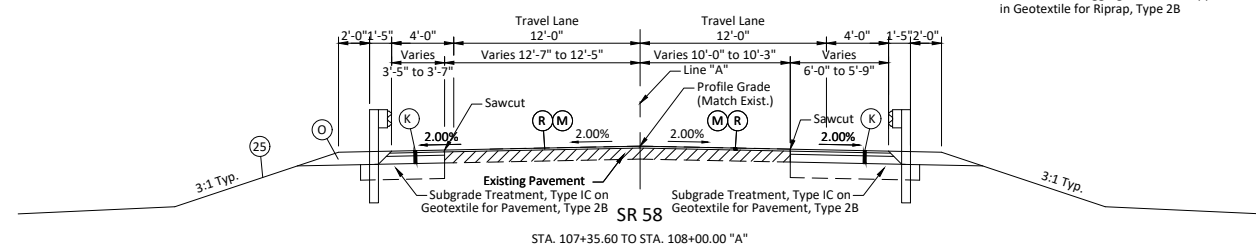
NOTE: Riprap Lined Ditch begins at Sta. 108+10 "A"



SR 58  
STA. 108+00.00 TO STA. 108+30.00 "A"

108+14.8, Str. No. 11  
60 IN. Type 1 Pipe  
w/ Conc. Anchors

5' width of 8" Excavation under pipe  
backfilled with Aggregate No. 8 wrapped  
in Geotextile for Riprap, Type 2B



SR 58  
STA. 107+35.60 TO STA. 108+00.00 "A"

- LEGEND**
- (K) Full Depth HMA Pavement:  
165 #/SYS QC/QA HMA, 3, 64, Surface 9.5mm on  
275 #/SYS QC/QA HMA, 3, 64, Intermediate 19.0mm on  
660 #/SYS QC/QA HMA, 3, 64, Base 25.0mm
  - (M) Asphalt Milling, 1 1/2 In.
  - (R) 165 #/SYS QC/QA HMA, 3, 64, Surface 9.5mm
  - (O) Compacted Aggregate, No. 53
  - (25) Mulched Seeding, R

- NOTES:**
1. Tack Coat Between All Asphalt Lifts
  2. For Safety Edge Detail for HMA Pavement See Sheet No. 3.
  3. For Ditch Riprap Detail See Sheet No. 3.

PLOTTER: Thursday, April 10, 2025 11:31:54 AM

FILE: INPWY2203\_SHT\_TYPSECTION\_Q2.DWG

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: BSF	DRAWN: BSF	
CHECKED: LAR	CHECKED: LAR	

INDIANA  
DEPARTMENT OF TRANSPORTATION

TYPICAL SECTIONS  
LINE "A"

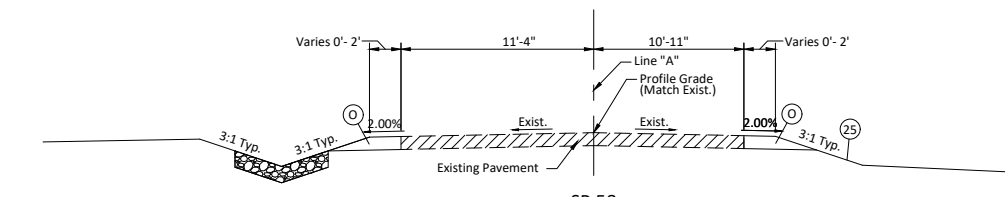
HORIZONTAL SCALE	BRIDGE FILE
1/4" = 1'-0"	N/A
VERTICAL SCALE	DESIGNATION
1/4" = 1'-0"	2200992
SURVEY BOOK	SHEETS
N/A	4 of 20
CONTRACT	PROJECT
R-45552	2200992

**LEGEND**

- (K) Full Depth HMA Pavement:  
165 #/SYS QC/QA HMA, 3, 64, Surface 9.5mm on  
275 #/SYS QC/QA HMA, 3, 64, Intermediate 19.0mm on  
660 #/SYS QC/QA HMA, 3, 64, Base 25.0mm
- (M) Asphalt Milling, 1 1/2 in.
- (R) 165 #/SYS QC/QA HMA, 3, 64, Surface 9.5mm
- (O) Compacted Aggregate, No. 53
- (25) Mulched Seeding, R

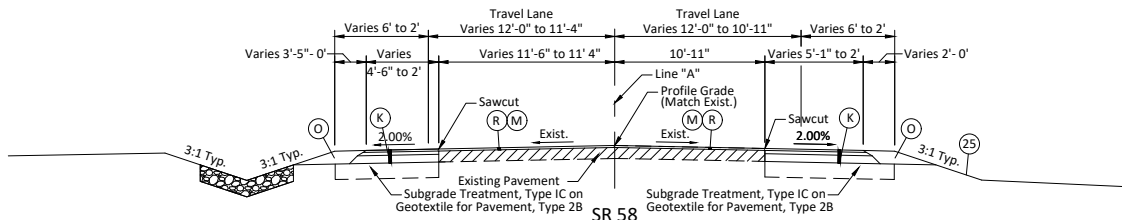
**NOTES:**

1. Tack Coat Between All Asphalt Lifts
2. For Safety Edge Detail for HMA Pavement See Sheet No. 3.
2. For Ditch Riprap Detail See Sheet No. 3.



NOTE: Riprap Lined Ditch ends at Sta. 110+30 "A"

**SR 58**  
INCIDENTAL CONSTRUCTION  
STA. 110+25.25 TO STA. 110+45.0 "A"



**SR 58**  
INCIDENTAL CONSTRUCTION  
STA. 109+75.25 TO STA. 110+25.25 "A"

PLOTTER: Wednesday, April 10, 2024 10:12:50 AM

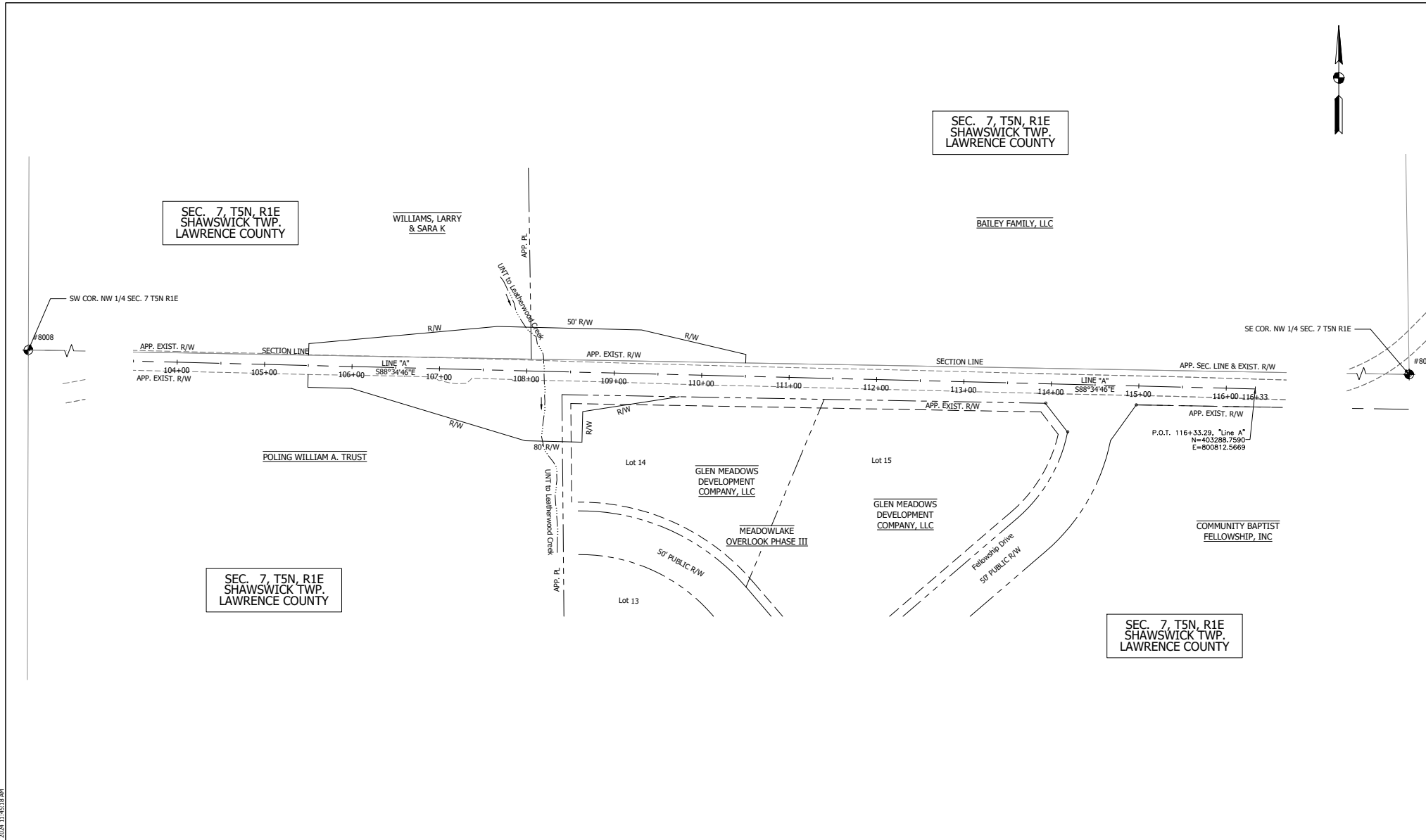
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RECOMMENDED FOR APPROVAL _____		
DESIGN ENGINEER	DATE	
DESIGNED: BSF	DRAWN: MR	
CHECKED: LAR	CHECKED: LAR	

**INDIANA**  
**DEPARTMENT OF TRANSPORTATION**

**TYPICAL SECTIONS**  
**LINE "A"**

HORIZONTAL SCALE	BRIDGE FILE	
1/4" = 1'-0"	N/A	
VERTICAL SCALE	DESIGNATION	
1/4" = 1'-0"	2200992	
SURVEY BOOK	SHEETS	
N/A	5	of 20
CONTRACT	PROJECT	
R-45552	2200992	



PLOTTER: Thursday, April 18, 2024 11:46:18 AM

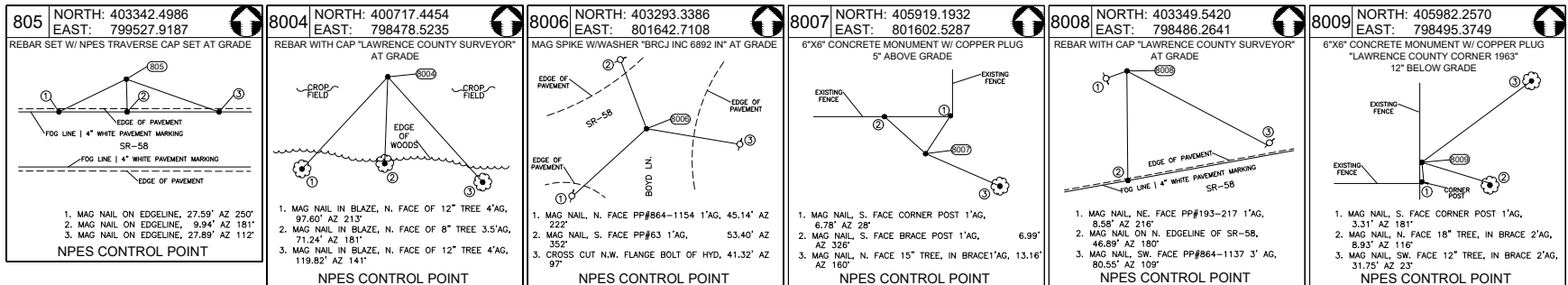
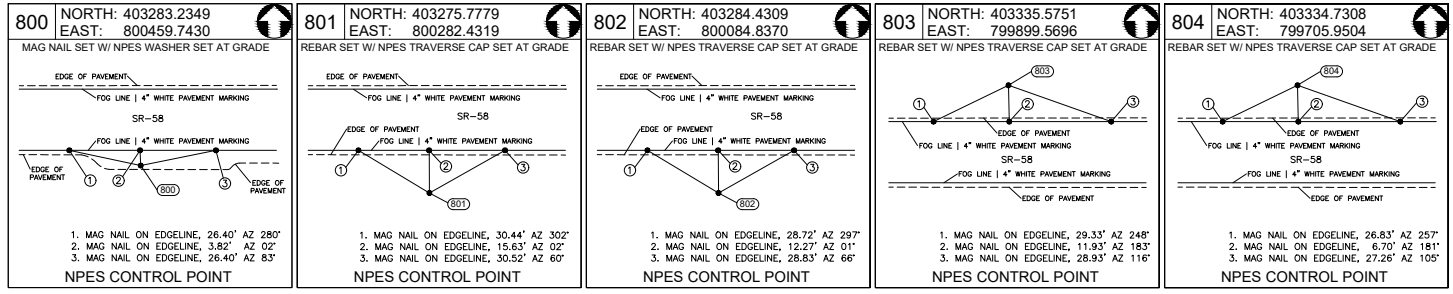
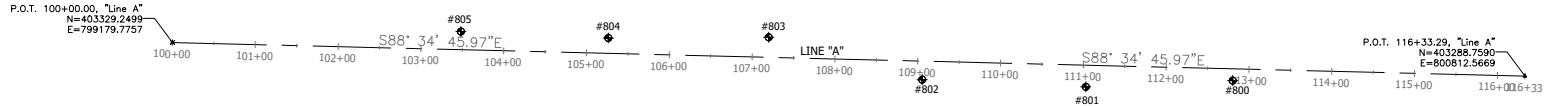
FILE: INMNZ203\_RD\_PLAT\_01.DWG

RECOMMENDED FOR APPROVAL		DESIGN ENGINEER	DATE
DESIGNED: BSF	DRAWN: MR		
CHECKED: LAR	CHECKED: BSF		

INDIANA  
DEPARTMENT OF TRANSPORTATION

PLAT NO. 1

HORIZONTAL SCALE	BRIDGE FILE
1" = 50'	N/A
VERTICAL SCALE	DESIGNATION
N/A	2200992
SURVEY BOOK	SHEETS
N/A	6 of 20
CONTRACT	PROJECT
R-45552	2200992



PLOTTER: Wednesday, April 10, 2024 10:18:50 AM

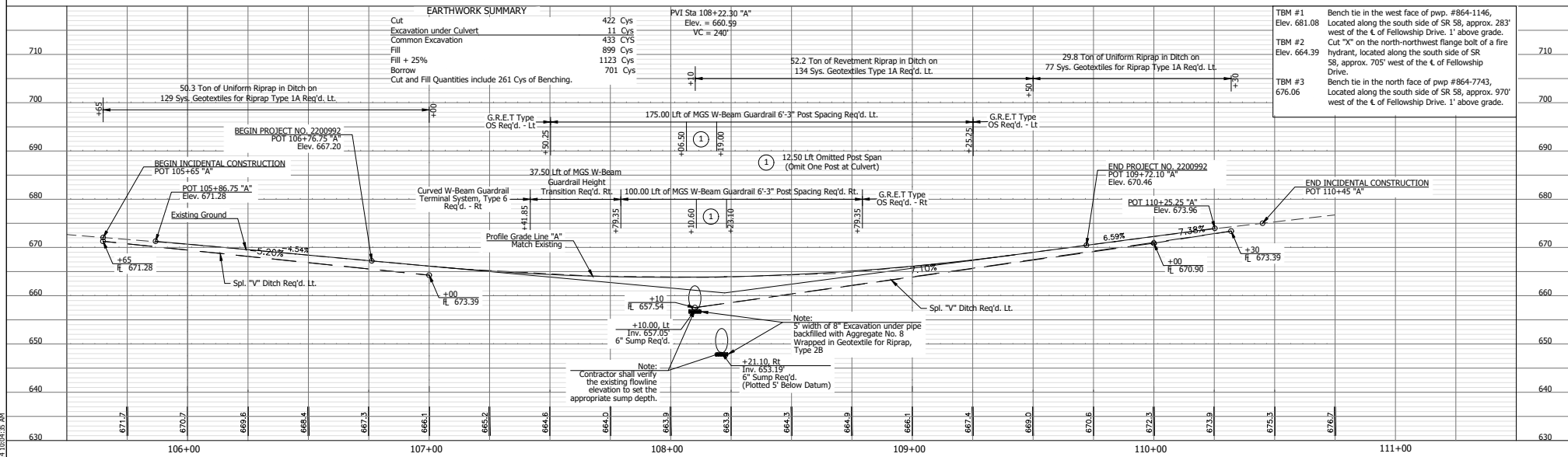
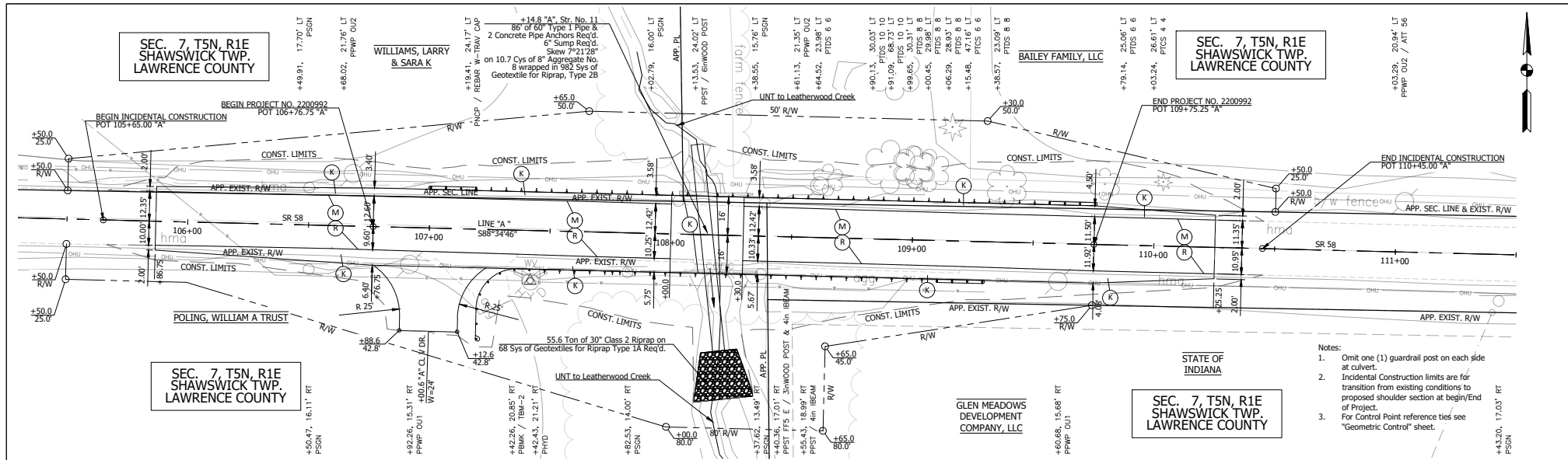
FILE: INFHWY203\_RD\_GEOM.DWG

RECOMMENDED FOR APPROVAL		DESIGN ENGINEER		DATE
DESIGNED: BSF	DRAWN: MR			
CHECKED: LAR	CHECKED: LAR			

INDIANA DEPARTMENT OF TRANSPORTATION	
GEOMETRIC CONTROL	

HORIZONTAL SCALE	1"=75'	BRIDGE FILE	N/A
VERTICAL SCALE	N/A	DESIGNATION	2200992
SURVEY BOOK	N/A	SHEETS	7 of 20
CONTRACT	R-45552	PROJECT	2200992

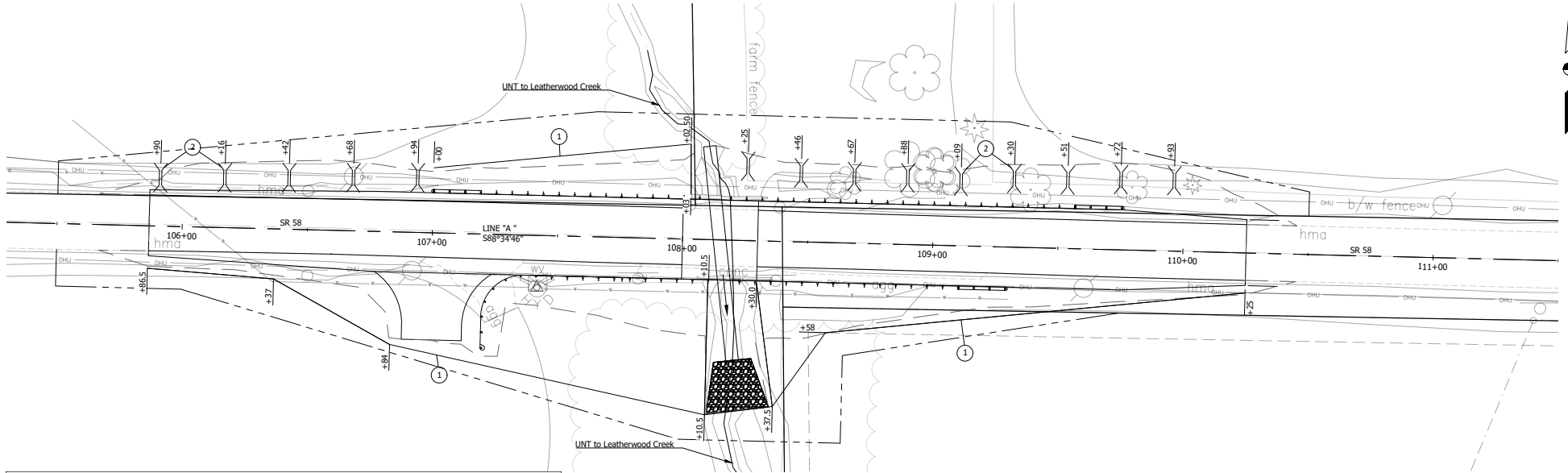




EARTHWORK SUMMARY			PVI Sta 108+22.30 "A" Elev. = 660.99 VC = 240'		
Cut	422 Cys	52.2 Ton of Revetment Riprap in Ditch on 134 Sys. Geotextiles Type 1A Req'd. Lt.	29.8 Ton of Uniform Riprap in Ditch on 77 Sys. Geotextiles for Riprap Type 1A Req'd. Lt.	TBM #1	Bench tie in the west face of pwp. #864-1146, Elev. 681.08
Excavation under Culvert	11 Cys			TBM #2	Located along the south side of SR 58, approx. 283' west of the $\epsilon$ of Fellowship Drive. 1' above grade.
Common Excavation	433 Cys			TBM #3	Cut "X" on the north-northwest flange bolt of a fire hydrant, located along the south side of SR 58, approx. 705' west of the $\epsilon$ of Fellowship Drive.
Fill	899 Cys				Bench tie in the north face of pwp #864-7743, Located along the south side of SR 58, approx. 970' west of the $\epsilon$ of Fellowship Drive. 1' above grade.
Fill + 25% Borrow	1123 Cys				
Cut and Fill Quantities include 261 Cys of Benching.	701 Cys				

(K) Full Depth HMA Pavement: See Typical Section (M) Milling, Asphalt, 1 1/2 in. (R) 165 #/SYS QC/QA-HMA, 3, 64, Surface 9.5 mm	RECOMMENDED FOR APPROVAL: _____ DESIGN ENGINEER: _____ DATE: _____ DESIGNED: BSF DRAWN: MR CHECKED: LAR CHECKED: BSF	INDIANA DEPARTMENT OF TRANSPORTATION  <b>PLAN &amp; PROFILE</b> <b>STA 106+90 TO STA 109+67 Line "A"</b>	SCALE: 1" = 30' VERTICAL SCALE: 1" = 10' SURVEY BOOK: N/A CONTRACT: R-45552	BRIDGE FILE: N/A DESIGNATION: 2200992 SHEETS: 9 of 20 PROJECT: 2200992
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**TEMPORARY EROSION CONTROL TABLE**

STATION	LOCATION		SILT FENCE (E 205-TECD-11)	CHECK DAM, REVIETMENT RIPRAP (E 205-TECD-06)	GEOTEXTILE (E 205-TECD-06 & E 205-TECD-12)	FILTER SOCK (E 205-TECD-02)	FILTER BAG INSERT (E 205-TECD-04)	CULVERT INLET PROTECTION (E 205-TECD-05)	DITCH CHECK, REVIETMENT RIPRAP (E 205-TECD-06)	DITCH CHECK, FILTER STONE (E 205-TECD-06)	FISH POOL	REMARKS
	LEFT	RIGHT										
	LFT	TONS										
<b>Line "A"</b>												
105+86.50 to 106+37.00		X	50.6									
105+90	X			8.3	2.9							
106+16	X			8.3	2.9							
106+37.00 to 106+84.00		X	53.3									
106+42				8.3	2.9							
106+68				8.3	2.9							
106+84.00 to 108+10.50		X	129.1									
106+94				8.3	2.9							
108+10.50 to 108+10.50		X	53.0									
107+00 to 108+02.50		X	103.2									
108+02.50 to 108+03.00		X	20.0									
108+25				8.3	2.9							
108+30.00 to 108+37.50		X	50.0									
108+46				8.3	2.9							
108+37.50 to 108+58.00		X	36.4									
108+58.00 to 110+25.00		X	168.2									
108+67	X			8.3	2.9							
108+88	X			8.3	2.9							
109+09	X			8.3	2.9							
109+30	X			8.3	2.9							
109+51	X			8.3	2.9							
109+72	X			8.3	2.9							
109+93	X			8.3	2.9							
<b>Total</b>			<b>664</b>	<b>116</b>	<b>41</b>							

- ① Temporary Silt Fence (E 205-TECD-11)
- ② Temporary Check Dam, Revetment Riprap (E 205-TECD-06)

RECOMMENDED FOR APPROVAL		
DESIGNED BY: BSF	DRAWN BY: MR	DATE
CHECKED BY: LAR	CHECKED BY: BSF	

INDIANA  
DEPARTMENT OF TRANSPORTATION

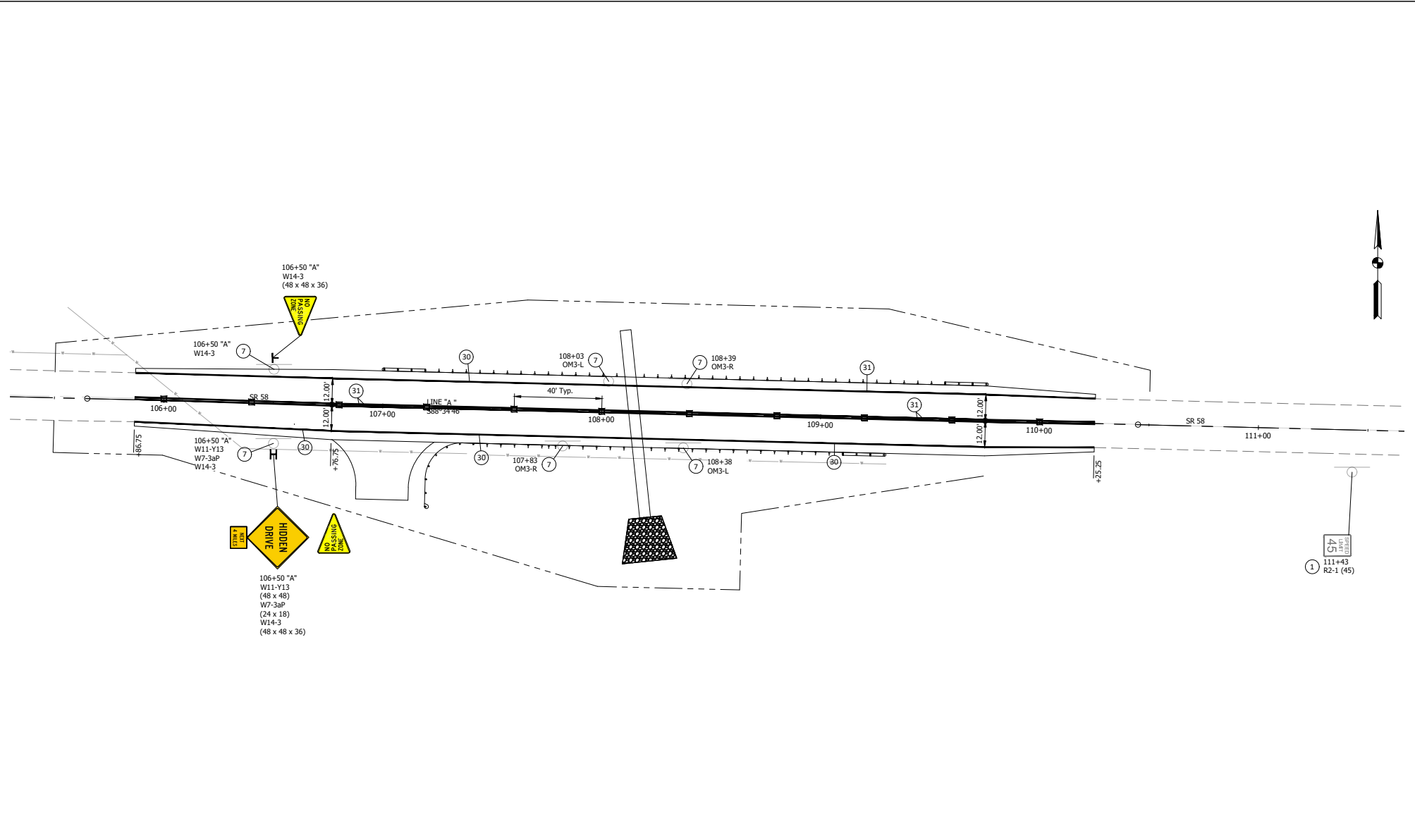
EROSION CONTROL & TABLE

HORIZONTAL SCALE	BRIDGE FILE
VERTICAL SCALE	DESIGNATION
SURVEY BOOK	SHEETS
N/A	10 of 20
CONTRACT	PROJECT
R-45552	2200992

PLOT DATE: Friday, April 26, 2024, 11:00:45 AM

FILE: INPWY2203\_SHT\_EROSION\_CONTROL\_01.DWG

PLOTTER: Wednesday, April 10, 2024 10:32:34 AM



- 30 Line, Thermoplastic, Solid, White, 6 in.
- 31 Line, Thermoplastic, Solid, Yellow, 6 in.
- Snowplowable Raised Pavement Marker, Two-Way Yellow (Typical Spacing 40 Ft.)
- 1 No Change Required to Existing Sign & Supports
- 7 Remove Existing Sheet Sign and Supports
- Existing Ground Mounted Sheet Sign
- ⊥ Proposed Ground Mounted Sheet Sign

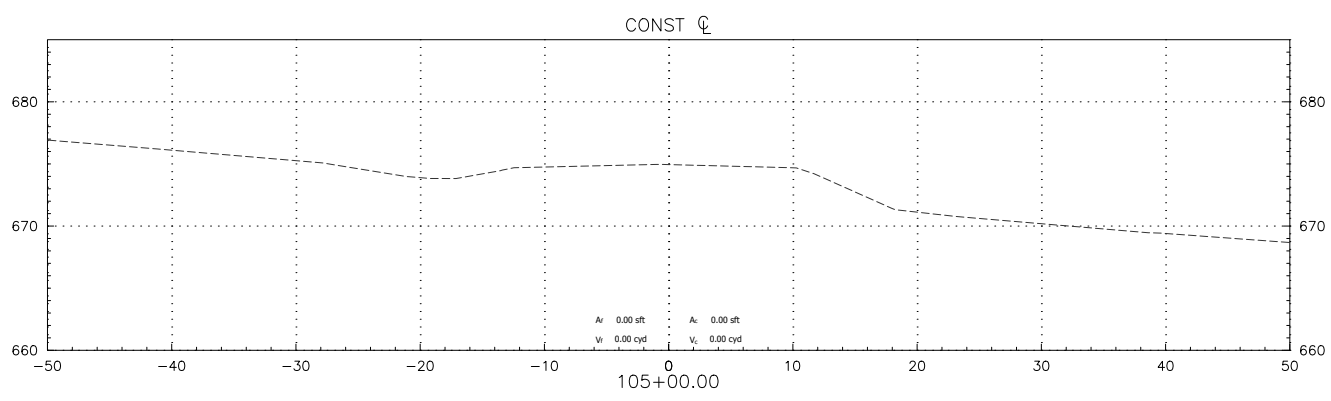
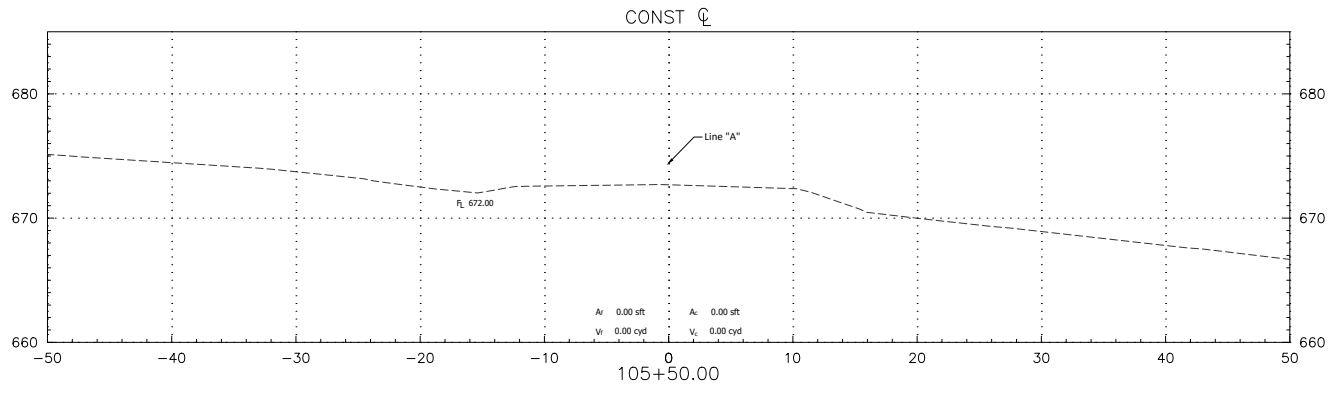
RECOMMENDED FOR APPROVAL _____		
DESIGN ENGINEER	DATE	
DESIGNED: BSF	DRAWN: MR	
CHECKED: LAR	CHECKED: BSF	

**INDIANA**  
**DEPARTMENT OF TRANSPORTATION**

**PAVEMENT MARKING & SIGNING DETAILS**  
**STA 105+86.75 TO STA 110+25.25**

HORIZONTAL SCALE	BRIDGE FILE	
1" = 20'	N/A	
VERTICAL SCALE	DESIGNATION	
N/A	2200992	
SURVEY BOOK	SHEETS	
N/A	11	of 20
CONTRACT	PROJECT	
R-45552	2200992	





PLOTTER: Thursday, April 18, 2024 10:09:39 AM

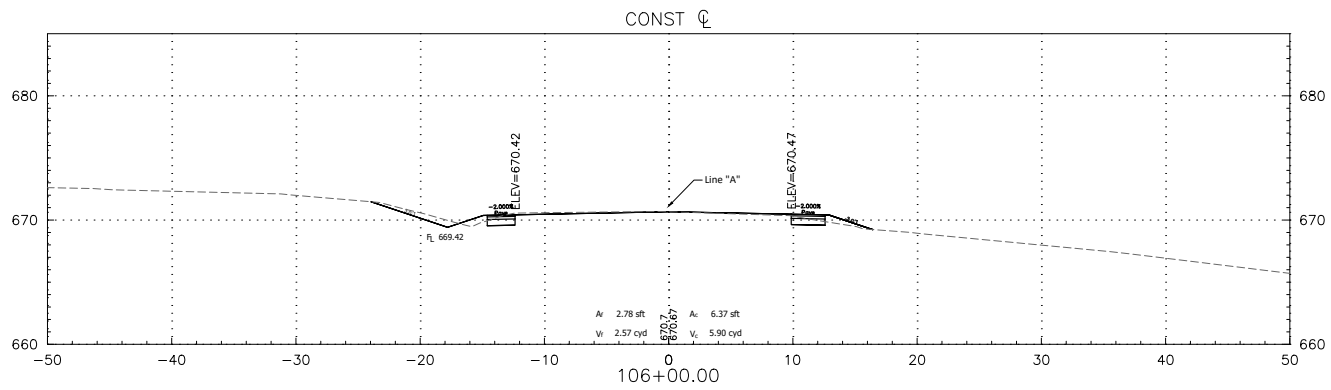
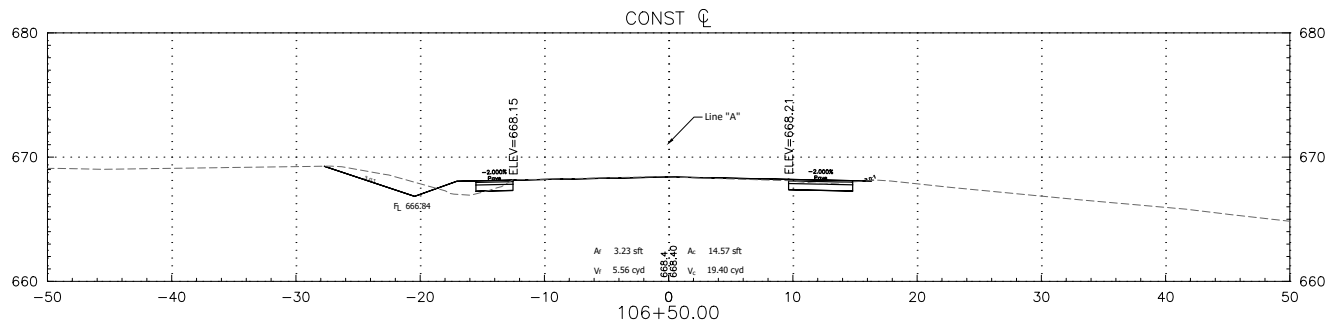
FILE: INMINZ203\_RD\_CORRIDOR.DWG

RECOMMENDED FOR APPROVAL: _____		DESIGN ENGINEER: _____	DATE: _____
DESIGNED: _____	DRAWN: _____		
CHECKED: _____	CHECKED: _____		

**INDIANA  
DEPARTMENT OF TRANSPORTATION**

**CROSS SECTIONS**

HORIZONTAL SCALE	BRIDGE FILE	
1" = 5'	N/A	
VERTICAL SCALE	DESIGNATION	
1" = 5'	2200992	
SURVEY BOOK	SHEETS	
N/A	13	of 20
CONTRACT	PROJECT	
R-45552	2200992	



PLOTTER: Thursday, April 10, 2025 10:09:31 AM

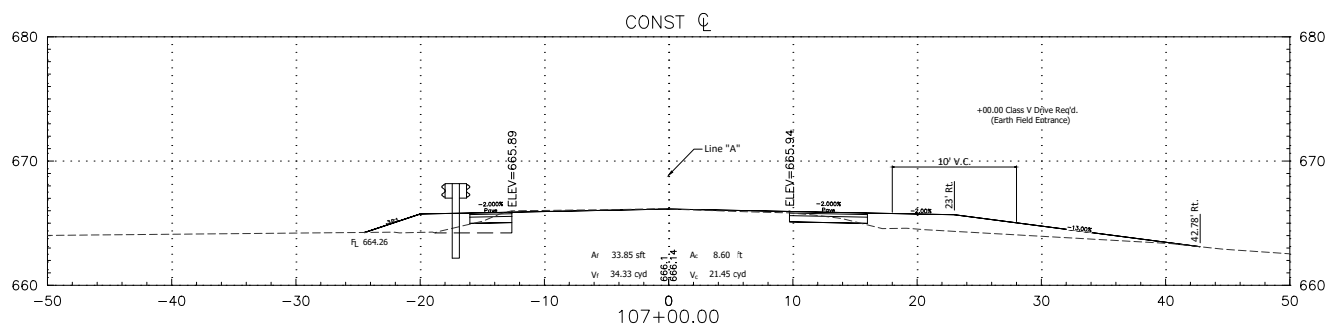
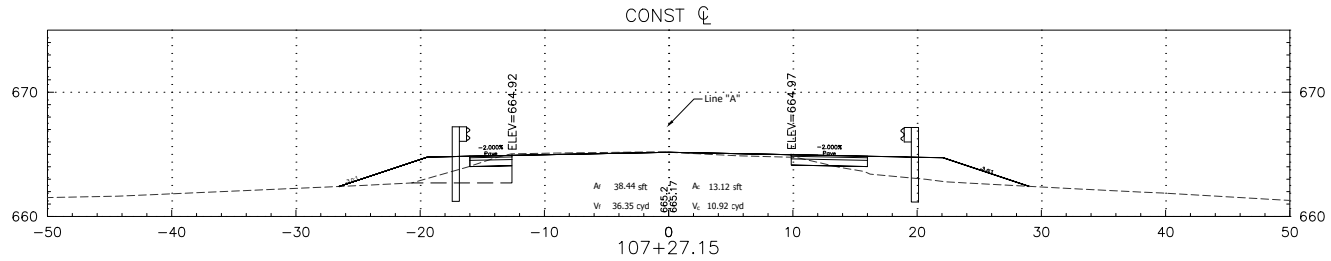
FILE: INMNZ203\_RD\_CORRIDOR.DWG

RECOMMENDED FOR APPROVAL: _____		
DESIGN ENGINEER: _____	DATE: _____	
DESIGNED: _____	DRAWN: _____	
CHECKED: _____	CHECKED: _____	

INDIANA  
DEPARTMENT OF TRANSPORTATION

CROSS SECTIONS

HORIZONTAL SCALE	BRIDGE FILE	
1" = 5'	N/A	
VERTICAL SCALE	DESIGNATION	
1" = 5'	2200992	
SURVEY BOOK	SHEETS	
N/A	14	of 20
CONTRACT	PROJECT	
R-45552	2200992	



PLOTTER: Thursday, April 19, 2024 10:09:31 AM

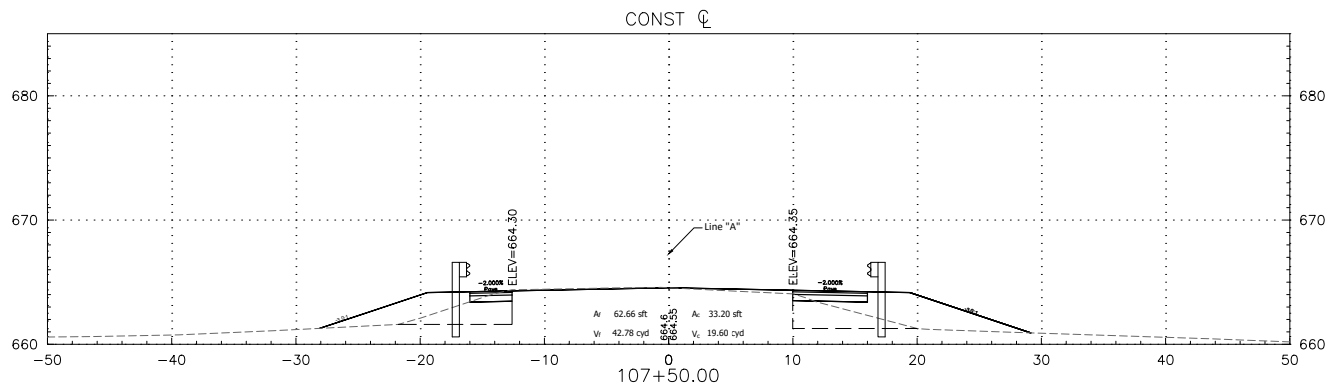
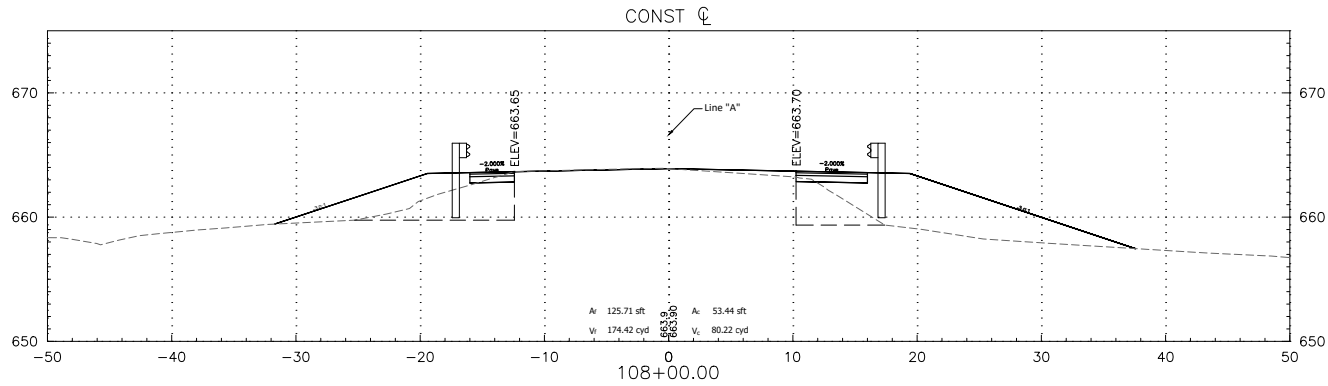
FILE: INMNZ203\_RD\_CORRIDOR.DWG

RECOMMENDED FOR APPROVAL: _____		
DESIGNED: _____	DRAWN: _____	DATE: _____
CHECKED: _____	CHECKED: _____	

INDIANA  
DEPARTMENT OF TRANSPORTATION

CROSS SECTIONS

HORIZONTAL SCALE	BRIDGE FILE
1" = 5'	N/A
VERTICAL SCALE	DESIGNATION
1" = 5'	2200992
SURVEY BOOK	SHEETS
N/A	15 of 20
CONTRACT	PROJECT
R-45552	2200992



PLOTTER: Thursday, April 18, 2024 10:09:32 AM

FILE: INMNZ203\_RD\_CORRIDOR.DWG

RECOMMENDED FOR APPROVAL: _____		DESIGN ENGINEER: _____	DATE: _____
DESIGNED: _____	DRAWN: _____		
CHECKED: _____	CHECKED: _____		

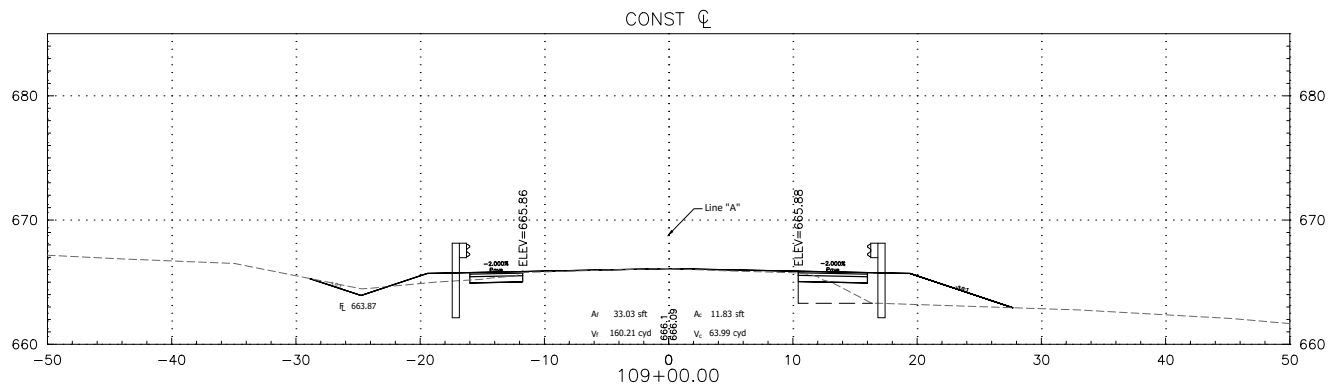
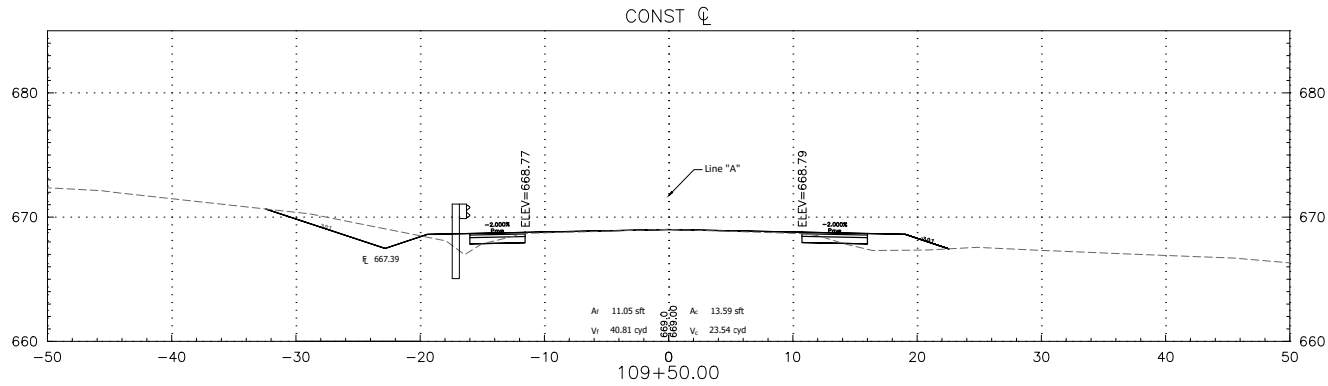
INDIANA  
DEPARTMENT OF TRANSPORTATION

CROSS SECTIONS

HORIZONTAL SCALE	BRIDGE FILE	
1" = 5'	N/A	
VERTICAL SCALE	DESIGNATION	
1" = 5'	2200992	
SURVEY BOOK	SHEETS	
N/A	16	of 20
CONTRACT	PROJECT	
R-45552	2200992	







PLOTTER: Thursday, April 18, 2024 10:09:34 AM

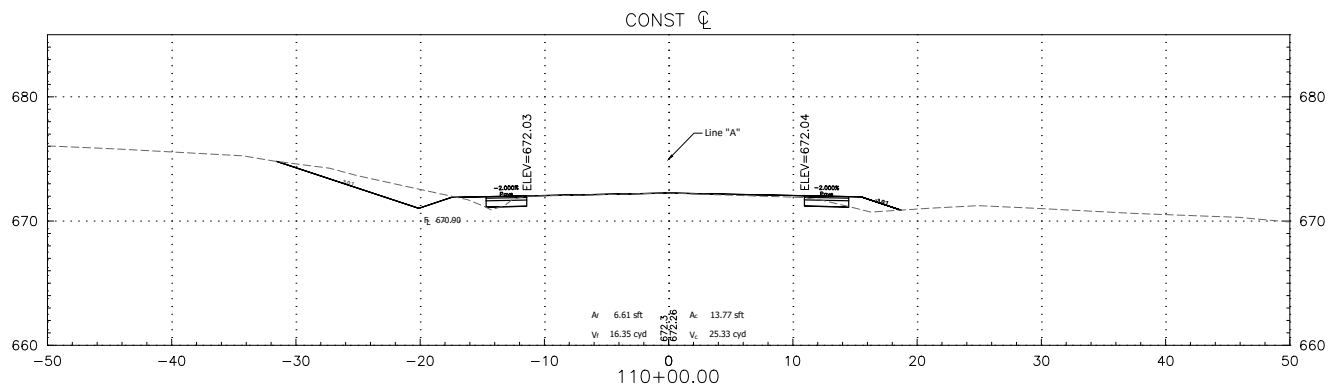
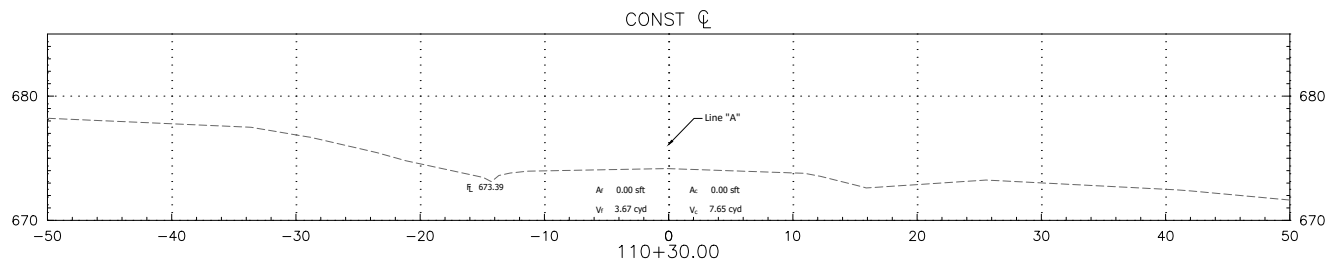
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RECOMMENDED FOR APPROVAL _____		
DESIGNED: _____	DESIGN ENGINEER: _____	DATE _____
CHECKED: _____	DRAWN: _____	CHECKED: _____

INDIANA  
DEPARTMENT OF TRANSPORTATION

CROSS SECTIONS

HORIZONTAL SCALE	BRIDGE FILE
1" = 5'	N/A
VERTICAL SCALE	DESIGNATION
1" = 5'	2200992
SURVEY BOOK	SHEETS
N/A	18 of 20
CONTRACT	PROJECT
R-45552	2200992



PLOTTER: Thursday, April 19, 2024 10:09:33 AM

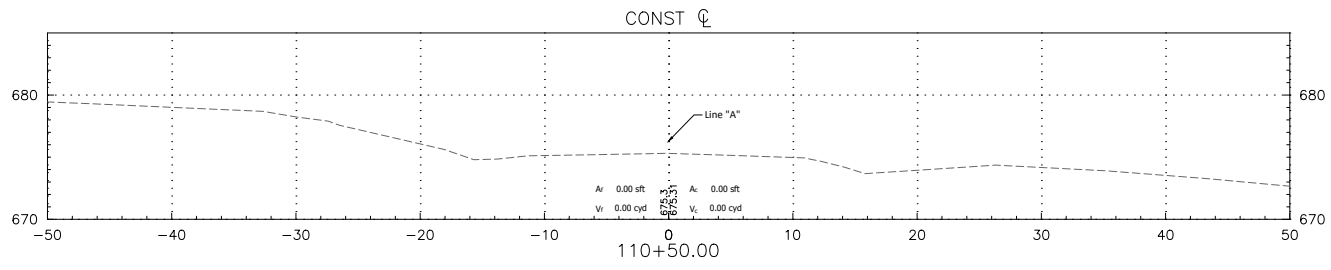
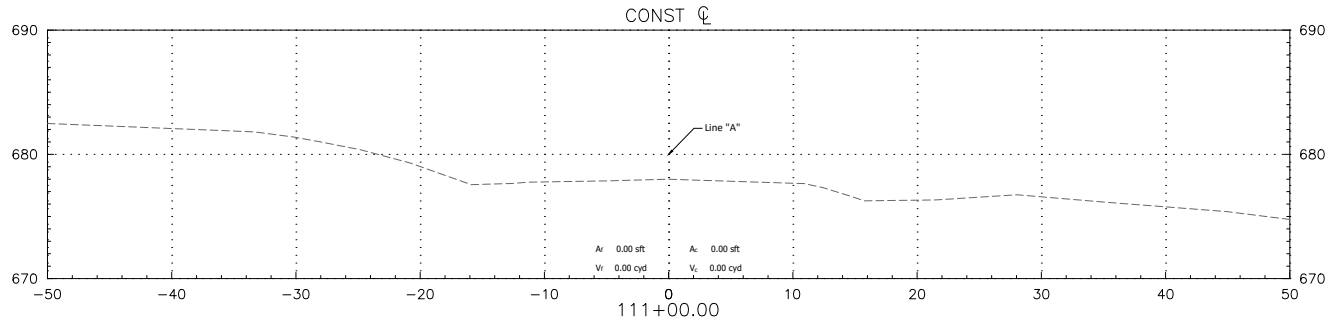
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RECOMMENDED FOR APPROVAL: _____		DESIGN ENGINEER: _____	DATE: _____
DESIGNED: _____	DRAWN: _____		
CHECKED: _____	CHECKED: _____		

INDIANA  
DEPARTMENT OF TRANSPORTATION

CROSS SECTIONS

HORIZONTAL SCALE	BRIDGE FILE	
1" = 5'	N/A	
VERTICAL SCALE	DESIGNATION	
1" = 5'	2200992	
SURVEY BOOK	SHEETS	
N/A	19	of 20
CONTRACT	PROJECT	
R-45552	2200992	



PLOTTER: Thursday, April 18, 2024 10:09:37 AM

FILE: INMINZ203\_RD\_CORRIDOR.DWG

RECOMMENDED FOR APPROVAL: _____		DESIGN ENGINEER: _____	DATE: _____
DESIGNED: _____	DRAWN: _____		
CHECKED: _____	CHECKED: _____		

INDIANA  
DEPARTMENT OF TRANSPORTATION

CROSS SECTIONS

HORIZONTAL SCALE	BRIDGE FILE	
1" = 5'	N/A	
VERTICAL SCALE	DESIGNATION	
1" = 5'	2200992	
SURVEY BOOK	SHEETS	
N/A	20	of 20
CONTRACT	PROJECT	
R-45552	2200992	

**Categorical Exclusion**  
**Appendix C**  
**Early Coordination**



# INDIANA DEPARTMENT OF TRANSPORTATION

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

Eric Holcomb, Governor  
Michael Smith, Commissioner

April 3, 2023

## SAMPLE EARLY COORDINATION LETTER

Re: Early Coordination Letter, Des. No.: 2200992, State Route 58 Small Structure Project, Lawrence County, Indiana

Dear

The Indiana Department of Transportation (INDOT) Vincennes District, with federal funding, intends to proceed with a small structure project (Des. No. 2200992) along State Route (SR) 58 in Lawrence County, Indiana. This letter is part of the early coordination phase of the environmental review process. On behalf of INDOT, AZTEC Engineering Group, Inc. (AZTEC) is requesting comments from your area of expertise regarding any possible environmental effects associated with this project. **Please use the above Des. No. and project description in your reply.** We will incorporate your comments into a study of the project's environmental impacts.

### *Project Location and Existing Conditions*

The proposed project is located along SR 58, approximately 3.82 miles east of SR 37 in Shawswick Township, Lawrence County, Indiana (see attached Figures). The project is located within Township 5 North, Range 1 East, Section 7 as depicted on the Bartlettville, IN (1994) USGS 7.5' Quadrangle. Adjacent land use consists of agricultural land.

SR 58 is functionally classified as a principal arterial (other) and consists of two 10-foot-wide paved travel lanes (one in each direction) with no shoulders. The existing right-of-way is approximately 20 feet on each side of the centerline throughout the project area. The posted speed limit within the project area is 45 miles per hour (mph). The existing small structure underneath SR 58 is a 4.5-foot inside diameter (ID) 33-foot-long corrugated metal pipe (CMP) (CV 058-047-81.33) that conveys an Unnamed Tributary (UNT) to Leatherwood Creek that flows from north to south within the project area. There is an existing gabion headwall on both sides of the structure and a scour hole has formed at the outlet.

### *Purpose and Need*

The need for this project stems from the narrow roadway with steep embankment slopes, a significant drop off on both sides of the structure, and the scour critical rating of the structure (5 – fair condition). The current roadway features narrower pavement than INDOT standards, no paved or unpaved shoulders, and side slopes that are too steep, which has prevented avoidance of accidents. The purpose of the project is to upgrade the road system to meet current INDOT standards, to prevent premature pavement deterioration, increase the scour critical rating to at least a 7 (good condition) out of 9, and protect the traveling public from runoff roadway accidents at this location.

### *Proposed Project*

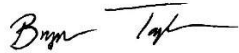
The project proposes to replace the existing small structure over the UNT to Leatherwood Creek. The replacement structure is anticipated to be a 5-foot diameter CMP sumped 6 inches. Riprap on geotextiles would be placed at the outlet of the proposed structure. Additional work would include installing guardrail protection, patching pavement at the structure location and pavement transition milling and overlay approximately 50 feet east and west of the structure, and adding minimum 4-foot wide shoulder between travel lanes and new guardrail. At this time the maintenance of traffic (MOT) has not been finalized; however, the project MOT would likely involve a full closure of SR 58 within the project area

with through traffic utilizing an official detour route. It is recommended that construction and the road closure be timed to occur during summer months when schools are not in session. An official detour route will be proposed during final design. Tree removal may be required for this project along the creek channel upstream and/or downstream from the culvert structure. The project may require the acquisition of permanent right-of-way; at this time, it is anticipated that less than 0.5 acre of permanent right-of-way would be required. Construction is anticipated to begin Summer 2025 and is expected to take approximately 9 months.

Land use in the vicinity of the project is primarily agricultural and rural residential. AZTEC will perform waters and wetlands determinations to identify water resources that may be present. The project is anticipated to qualify for the Rangewide Programmatic Agreement for the Indiana bat and northern long-eared bat by completing the Information for Planning and Consultation (IPaC). Coordination will occur with INDOT Cultural Resources Office (CRO) to evaluate the project area for archaeological and historic resources and for Section 106 compliance. The results of this investigation will be forwarded to the State Historic Preservation Officer (SHPO) for review and concurrence as appropriate.

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 any questions regarding this matter, please feel free to contact Brynne Taylor of AZTEC, at btaylor@aztec.us or 812.369.9744, and/or the Project Manager, Adrian Reid, of AZTEC at areid@aztec.us. Thank you in advance for your input.

Sincerely,



Brynne Taylor  
Environmental Planner  
AZTEC Engineering Group, Inc.

Attachments: Early Coordination Letter Recipients List

Figure 1 – Project Location Map

Figure 2 – Project Vicinity Topographic Map

Figure 3 – Project Vicinity Aerial Map

Project Area Photographs (only if indicated on the attached recipients list)

***GRAPHICS REMOVED TO AVOID DUPLICATION.  
REFER TO APPENDIX B.***

CC: Michael Thomas, INDOT  
Adrian Reid, AZTEC



# INDIANA DEPARTMENT OF TRANSPORTATION

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

**Eric Holcomb, Governor**  
**Michael Smith, Commissioner**

## The following agencies received Early Coordination Letters:

Environmental Specialist  
Federal Highway Administration  
Federal Office Building, Rm 254  
575 N Pennsylvania St.  
Indianapolis, IN 46204  
(Electronic Coordination)

Section Chief, Groundwater Section  
Indiana Department of Environmental Management  
100 N Senate Ave  
Indianapolis, IN 46204  
(Electronic Coordination, Website)

Regional Environmental Coordinator  
Midwest Regional Office  
National Park Service  
601 Riverfront Drive  
Omaha, NE 68102  
(Electronic Coordination)

Indiana Geological and Water Survey  
611 N Walnut Grove  
Bloomington, IN 47405  
(Electronic Coordination, Website)

Environmental Coordinator  
Indiana Department of Natural Resources  
Division of Fish and Wildlife  
402 W Washington St., Rm W273  
Indianapolis, IN 46204  
(Electronic Coordination, Photos)

Forest Supervisor  
Hoosier National Forest, US Forest Service  
811 Constitution Ave  
Bedford, Indiana 47421  
(Electronic Coordination)

Environmental Section Manager  
Indiana Department of Transportation  
Vincennes District  
3650 S US Highway 41  
Vincennes, IN 47591  
(Electronic Coordination)

Environmental Policy Manager  
Indiana Department of Transportation, Central Office  
100 N Senate Ave  
Indianapolis, IN 46204  
(Electronic Coordination)

State Conservationist  
Natural Resources Conservation Service  
6013 Lakeside Blvd  
Indianapolis, IN 46278  
(Electronic Coordination)

Indiana Department of Environmental Management  
Early Coordination for Roadway Projects  
(Electronic Coordination, Website)

Field Environmental Officer  
Chicago Regional Office  
U.S. Department of Housing & Urban Development  
Metcalf Federal Building  
77 W Jackson Blvd, Rm 2401  
Chicago, IL 60604  
(Electronic Coordination)

Louisville District, Indianapolis Regulatory Office  
U.S. Army Corps of Engineers  
8902 Otis Ave, Suite S106B  
Indianapolis, IN 46216  
(Electronic Coordination)

Office of Aviation  
Indiana Department of Transportation  
100 N Senate Ave, Rm 955  
Indianapolis, IN 46204  
(Electronic Coordination)

County Surveyor  
Lawrence County Surveyor's Office  
916 15<sup>th</sup> St, Rm 13  
Bedford, IN 47421  
(Electronic Coordination)

District 3 County Commissioner  
Lawrence County  
916 15th St  
Bedford, IN 47421

District 1 County Council Member  
Lawrence County  
916 15th St  
Bedford, IN 47421

District 3 County Council Member  
Lawrence County  
916 15th St  
Bedford, IN 47421

District 1 County Commissioner  
Lawrence County  
916 15th St  
Bedford, IN 47421

Superintendent  
Lawrence County Highway Department  
1 County Complex Rd  
Bedford, IN 47421

Sheriff  
Lawrence County Sheriff's Department  
1420 I Street  
Bedford, IN 47421

Chief  
Bedford Fire Department  
1900 H Street  
Bedford, IN 47421

IU Health Bedford Hospital  
2900 W 16<sup>th</sup> Street  
Bedford, IN 47421

Utilities and Railroad  
Indiana Department of Transportation  
100 N Senate Ave, IGCN 758 – UT/RR  
Indianapolis, IN 46204  
(Electronic Coordination)

Director  
Lawrence County Emergency Management  
916 15th St  
Bedford, IN 47421  
(Electronic Coordination)

Director of Transportation  
North Lawrence Community Schools  
460 W St.  
Bedford, IN 47421  
(Electronic Coordination)

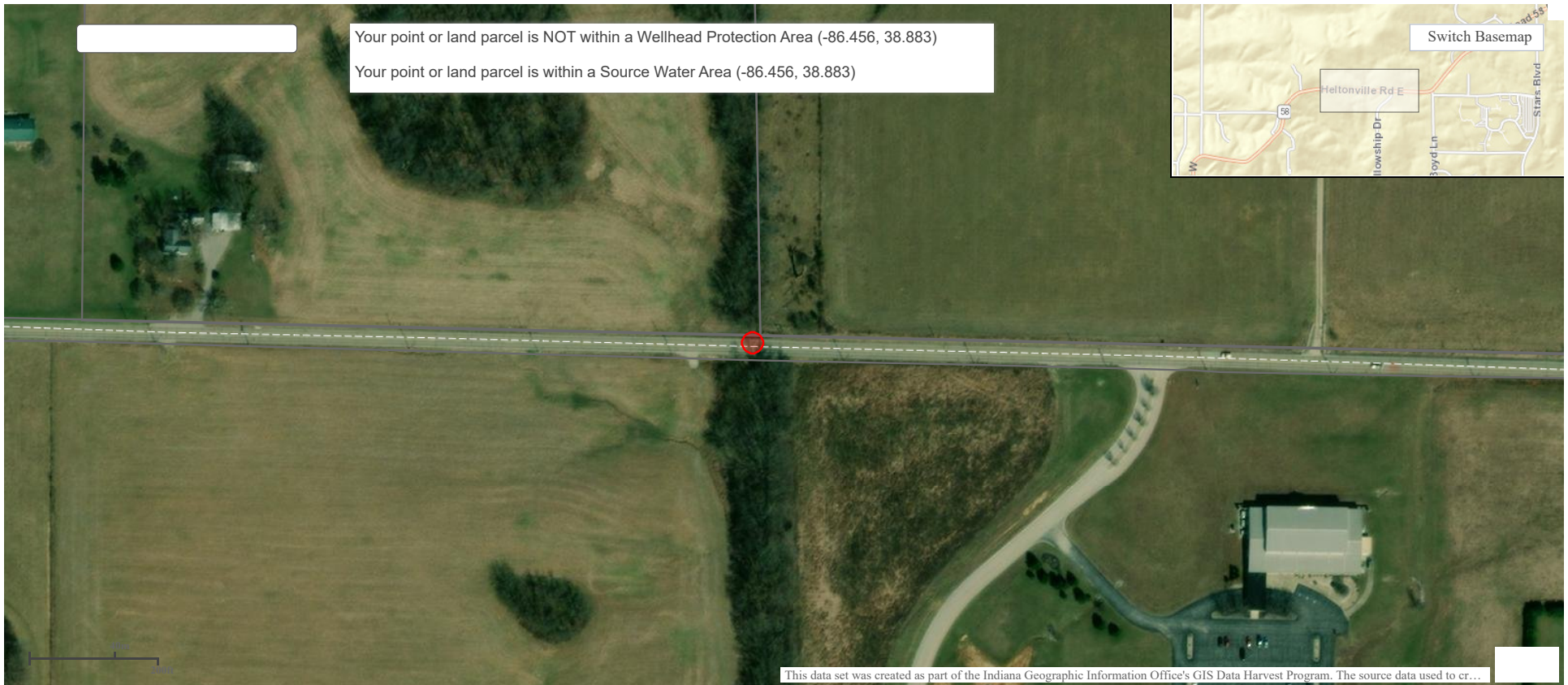
Sherwood Oaks Christian Church – Bedford Campus  
Community Baptist Fellowship, Inc  
508 Fellowship Dr  
Bedford, IN 47421



## Source Water Proximity Determination Tool

Water Quality In Indiana (/idem/cleanwater) > Information About (/idem/cleanwater/information-about) > Groundwater Monitoring and Source Water Protection (/idem/cleanwater/information-about/groundwater-monitoring-and-source-water-protection) > Wellhead Protection Program (/idem/cleanwater/information-about/groundwater-monitoring-and-source-water-protection/wellhead-protection-program) > Source Water Proximity Determination Tool

# Source Water Proximity Determination Tool



The Drinking Water Branch has launched a self-service feature which allows one to determine source water proximity without submitting the application form. This tool will identify whether a site is located in a Source Water Susceptibility Area and/or Wellhead Protection Area. Source Water Susceptibility Areas relate to surface water and Wellhead Protection Areas relate to groundwater.

### Instructions:

- Use the search tool located in the upper left hand corner of the application to zoom to your site of interest by way of city, county, or address; or use the mouse to click on the site of interest displayed on the map.
- Once the site of interest has been located and selected, move the map so that the point is in the center of the window, and use the print tool to create a .pdf of a source water proximity determination response.
- Note: If an error or login prompt occurs using the tool, please try using a different web browser. If the error continues using a different web browser, please [contact \(/idem/cleanwater/contact\)](/idem/cleanwater/contact) the Groundwater Section.

**IDEM Source Water Assessment Area Response**

**From:** Turnbow, Alisha <ATurnbow@idem.IN.gov>  
**Sent:** Wednesday, October 18, 2023 5:02 PM  
**To:** Brynne Taylor  
**Cc:** USA-AZT-INFWY-02203-000-SR-58-Small-Structure-Replacement  
**Subject:** RE: Des 2200992; Project Located Within in Source Water Area

You don't often get email from [aturnbow@idem.in.gov](mailto:aturnbow@idem.in.gov). [Learn why this is important](#)

Hi Brynne,

Des No 2200992 is located in Bedford City Utilities' Source Water Assessment Area. The contact for Bedford City Utilities is John Eric Flinn and they can be reached at [eflinn@bedford.in.us](mailto:eflinn@bedford.in.us) and 812-275-7173.

Let me know what questions you have.

Sincerely,



Alisha Turnbow  
Environmental Manager  
Office of Water Quality  
Drinking Water Branch, Groundwater Section  
(317) 233-9158 • [aturnbow@idem.IN.gov](mailto:aturnbow@idem.IN.gov)

Indiana Department of Environmental Management



**IDEM values your feedback.**

Please take two minutes and complete this brief survey.



---

**From:** Brynne Taylor <[BTaylor@aztec.us](mailto:BTaylor@aztec.us)>  
**Sent:** Wednesday, October 18, 2023 2:35 PM  
**To:** Turnbow, Alisha <[ATurnbow@idem.IN.gov](mailto:ATurnbow@idem.IN.gov)>  
**Cc:** USA-AZT-INFWY-02203-000-SR-58-Small-Structure-Replacement <[usa-azt-infwy-02203-000@aztec.us](mailto:usa-azt-infwy-02203-000@aztec.us)>  
**Subject:** Des 2200992; Project Located Within in Source Water Area

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

Afternoon Ms. Turnbow,

The Indiana Department of Transportation (INDOT) Vincennes District, with federal funding, intends to proceed with a small structure project (Des. No. 2200992) along State Route (SR) 58 in Lawrence County, Indiana. The project is located along SR 58, approximately 3.82 miles east of SR 37 in Shawswick Township, Lawrence County. The project is located within Township 5 North, Range 1 East, Section 7 as depicted on the Bartlettsville, IN USGS 7.5' Quadrangle. Project location maps have been attached to this email.

According to the IDEM's Wellhead Proximity Determinator website, this project is located within a Source Water Area. Can you confirm that this project is located within a Source Water Area. And if so, does IDEM have any recommendations to be incorporated into the environmental clearance document? Or is additional correspondence required?

Thank you,  
**Brynne Taylor** | Environmental Planner | **AZTEC Engineering**  
**Cell:** (812) 369-9744 | [BTaylor@aztec.us](mailto:BTaylor@aztec.us)

**From:** Brynne Taylor  
**Sent:** Thursday, October 19, 2023 10:24 AM  
**To:** eflinn@bedford.in.us  
**Cc:** USA-AZT-INFWY-02203-000-SR-58-Small-Structure-Replacement  
**Subject:** Des 2200992; SR 58 Structure Project Located Within Source Water Area  
**Attachments:** [DES2200992\\_ProjectLocationMap.pdf](#); [DES2200992\\_AerialVicinityMap.pdf](#)

Mr. Flinn,

The Indiana Department of Transportation Vincennes District, with federal funding, intends to proceed with a small structure project (Des. No. 2200992) along State Route (SR) 58 in Lawrence County, Indiana. The project is located along SR 58, approximately 3.82 miles east of SR 37 in Shawswick Township, Lawrence County. The project is located within Township 5 North, Range 1 East, Section 7 as depicted on the Bartlettsville, IN USGS 7.5' Quadrangle. Project location maps have been attached to this email.

According to the IDEM's Wellhead Proximity Determinator website, this project is located within a Source Water Area. Does the Bedford City Utilities have any comments or concerns regarding possible environmental effects associated with this project? Or any recommendations to be incorporated into the environmental clearance document?

*Project Description*

The proposed project is located at a structure (CV 058-047-81.33) carrying SR 58 over an Unnamed Tributary (UNT) to Leatherwood Creek. Project limits begin approximately 138 feet west of the structure to approximately 160 feet east of the structure along SR 58.

The existing structure is a 4.5-foot inside diameter 33-foot-long corrugated metal pipe (CMP) with gabion headwalls on both the inlet and outlet of the structure. The proposed project will remove and replace the existing structure with a 96-foot-long 5-foot diameter CMP sumped 6 to 12 inches. Scour protection (revetment riprap on geotextiles) will be placed at the outlet of the structure (approximately 20-feet-wide by 20-feet-long). New guardrail and a minimum 4-foot-wide paved shoulder will be installed within the project area. The roadway pavement will be patched at the structure and pavement transition milling and overlay will occur along the entire project limits.

Let me know if additional project information is needed.

Thank you,

**Brynne Taylor** | Environmental Planner | **AZTEC Engineering**

Cell: (812) 369-9744 | [BTaylor@aztec.us](mailto:BTaylor@aztec.us)

Bloomington, IN | USA



[www.aztec.us](http://www.aztec.us) | [www.typsa.com](http://www.typsa.com)

**THIS IS NOT A PERMIT**

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

---

**DNR#:** ER-25526

**Request Received:** April 3, 2023

**Requestor:**

Brynne Taylor  
AZTEC Engineering Group, Inc.  
320 West 8th Street, Suite 100  
Bloomington, IN 47404

**Project:**

SR 58 small structure replacement over UNT Leatherwood Creek, 3.82 miles east of SR 37, Vincennes District; Des #2200992

**County/Site Info:** Lawrence 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) Crossing Structures:

For purposes of maintaining fish and wildlife passage through a crossing structure, the Environmental Unit recommends bridges rather than culverts and bottomless culverts rather than box or pipe culverts. Wide culverts are better than narrow culverts, and culverts with shorter through lengths are better than culverts with longer through lengths. If box or pipe culverts are used, the bottoms should be buried a minimum of 6" (or 20% of the culvert height/pipe diameter, whichever is greater up to a maximum of 2') below the stream bed elevation to allow a natural streambed to form within or under the crossing structure. With this in mind, the Environmental Unit recommends a 12" sump depth for a 60" diameter pipe. Crossings should: span the entire channel width (a minimum of 1.2 times the OHWM width); maintain the natural stream substrate within the structure; and have stream depth, channel width, and water velocities during low-flow conditions that are approximate to those in the natural stream channel. Banklines should be restored within box and pipe structures to allow for wildlife passage above the ordinary highwater mark.

The new, replacement, or rehabbed structure, and any bank stabilization under the structure, should not create conditions that are less favorable for wildlife passage under the structure compared to the current conditions. When determining an appropriate bridge or culvert size, consider whether or not wildlife/vehicle collisions are a concern at the crossing site. If feasible, a larger bridge or culvert opening can allow for the movement of wildlife under the roadway in order to minimize wildlife/vehicle collisions.

#### C) Bank Stabilization; Riprap:

Establishing vegetation along the banks is critical for stabilization and erosion control. In addition to vegetation, some other form of bank stabilization may be needed. While hard armoring alone (e.g. riprap or glacial stone) may be needed in certain instances, soft armoring and bioengineering techniques should be considered first. In many instances, one or more methods are necessary to increase the likelihood of vegetation establishment. Combining vegetation with most bank stabilization methods can provide additional bank protection and help reduce impacts upon fish and wildlife. Information about bioengineering techniques can be found at <http://www.in.gov/legislative/iac/20120404-IR-312120154NRA.xml.pdf>. The following is a USDA/NRCS document that outlines many different bioengineering techniques for streambank stabilization: [https://efotg.sc.egov.usda.gov/references/public/IA/Chapter-16\\_Streambank\\_and\\_Shoreline\\_Protection.pdf](https://efotg.sc.egov.usda.gov/references/public/IA/Chapter-16_Streambank_and_Shoreline_Protection.pdf).

Riprap must not be placed in the active thalweg channel or placed in the streambed in a manner that precludes fish or aquatic organism passage (riprap must not be placed above the existing streambed elevation). Riprap may be used only at the toe of the sideslopes up to the ordinary high water mark (OHWM). The banks above the OHWM must be restored, stabilized, and revegetated using geotextiles and a mixture of grasses, sedges, wildflowers, shrubs, and trees native to Southern Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion. If hard armor is used under a structure and above the OHWM, we recommend that a smooth-surfaced material such as articulated concrete mats or other similar smooth-surfaced materials be used that will not impair wildlife movement.

Any riprap placed at the culvert's outlet/inlet needs to be installed at grade (or countersunk then backfilled with native material); needs to be mixed with smaller stone and fines to match the existing stream substrate particle distribution and provide impermeability of the riprap apron/substrate so the flow doesn't percolate through the voids below the riprap apron's surface; and the slope of the riprap should match the stream's gradient or be no steeper than 20:1 from the lip of the culvert pipe to the streambed. Riprap on the inlet side needs to have a slope no steeper than 5:1.

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

1. Revegetate all bare and disturbed areas with a mixture of native grasses, sedges, wildflowers, and also native hardwood trees and shrubs if any woody plants are disturbed during construction as soon as possible upon completion. Do not use any varieties of Tall Fescue or other non-native plants, including prohibited invasive species (see 312 IAC 18-3-25).
2. Minimize and contain within the project limits in-channel disturbance and the clearing of trees and brush.
3. Do not work in the waterway from April 1 through June 30 without the prior written approval of the Division of Fish and Wildlife.
4. Do not cut any trees suitable for Indiana Bat or Northern Long-eared Bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
5. Do not excavate in the low flow area except for the placement of piers, foundations, and riprap, or removal of the old structure.
6. Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds.
7. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids.
8. Do not 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.
9. 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.
10. 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.

**Contact Staff:**

Our agency appreciates this opportunity to be of service. Please contact me at [mbuffington@dnr.in.gov](mailto: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:** May 3, 2023



## Organization and Project Information

**Project ID:** DES 2200992  
**Des. ID:** DES 2200992  
**Project Title:** SR 58 Small Structure Project  
**Name of Organization:** AZTEC Engineering Group, Inc.  
**Requested by:** Brynne Taylor

## Environmental Assessment Report

### 1. Geological Hazards:

- Potential Karst

### 2. Mineral Resources:

- Bedrock Resource: High Potential
- Sand and Gravel Resource: None documented in the area

### 3. Active or abandoned mineral resources extraction sites:

- None documented in the area

\*All map layers from Indiana Map ([maps.indiana.edu](https://maps.indiana.edu))

### DISCLAIMER:

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

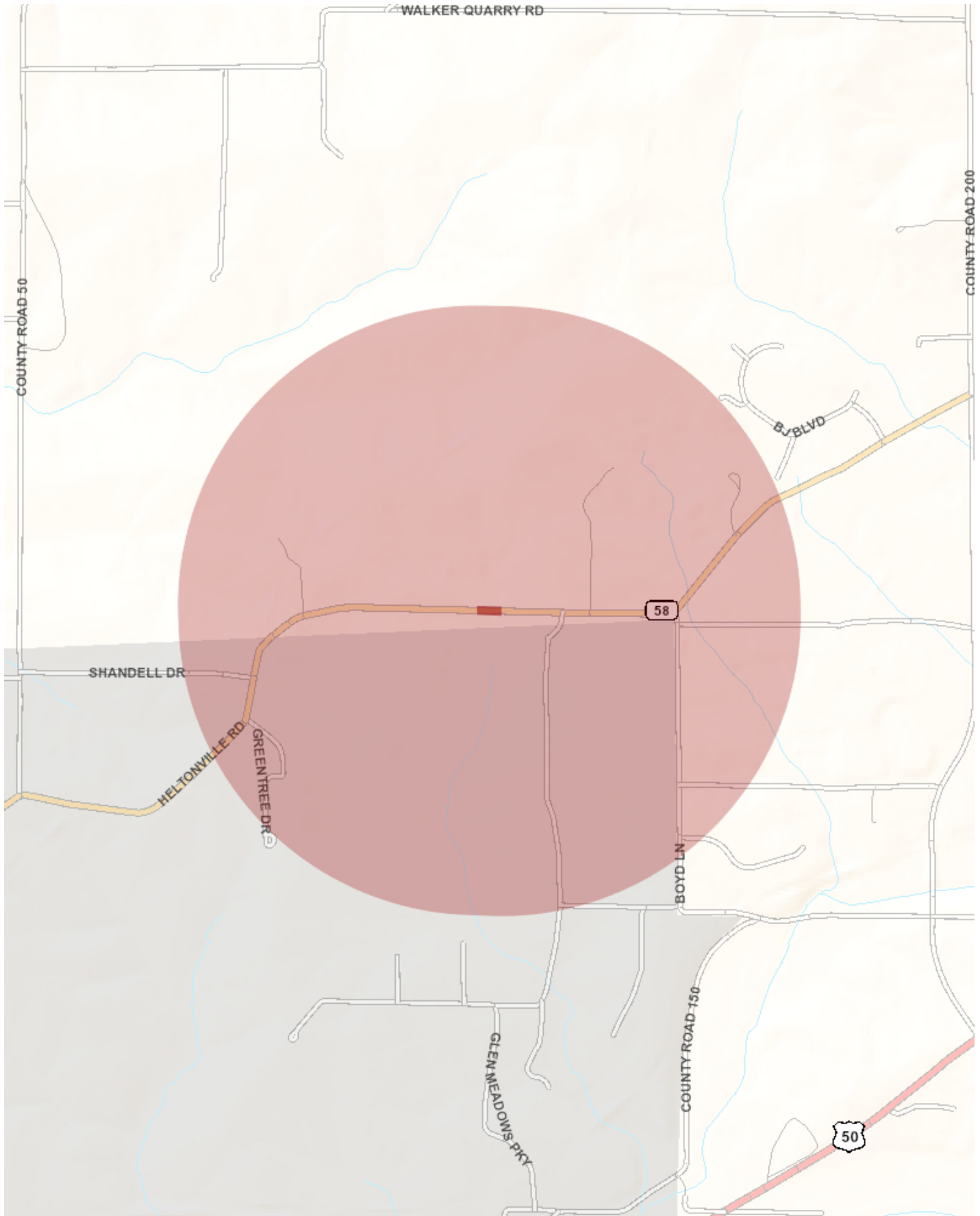
This information was furnished by Indiana Geological Survey

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

Email: [IGSEnvir@indiana.edu](mailto:IGSEnvir@indiana.edu)

Phone: 812 855-7428

Date: April 03, 2023





# Metadata:

- [https://maps.indiana.edu/metadata/Hydrology/Karst\\_Cave\\_Density.html](https://maps.indiana.edu/metadata/Hydrology/Karst_Cave_Density.html)
- [https://maps.indiana.edu/metadata/Geology/Bedrock\\_Geology.html](https://maps.indiana.edu/metadata/Geology/Bedrock_Geology.html)

**From:** Lewandowski, Tyler <TLewandowski@indot.IN.gov>  
**Sent:** Tuesday, April 4, 2023 8:22 AM  
**To:** Brynne Taylor  
**Cc:** Thomas, Michael J; Adrian Reid  
**Subject:** RE: FHWA Project: Des. No. 2200992; SR 58 Small Structure Replacement - Early Coordination Letter

Good morning,

After review, no tall structure permit is required for the project if all equipment being used is under 180 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](mailto:tlewandowski@indot.in.gov)  
[www.aviation.indot.in.gov](http://www.aviation.indot.in.gov)



---

**From:** Brynne Taylor <[BTaylor@aztec.us](mailto:BTaylor@aztec.us)>  
**Sent:** Monday, April 3, 2023 5:14 PM  
**To:** Lewandowski, Tyler <[TLewandowski@indot.IN.gov](mailto:TLewandowski@indot.IN.gov)>  
**Cc:** Thomas, Michael J <[MThomas1@indot.IN.gov](mailto:MThomas1@indot.IN.gov)>; Adrian Reid <[areid@aztec.us](mailto:areid@aztec.us)>  
**Subject:** FHWA Project: Des. No. 2200992; SR 58 Small Structure Replacement - Early Coordination Letter

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

---

ATTN: Office of Aviation

The Indiana Department of Transportation (INDOT) Vincennes District, with federal funding, intends to proceed with a small structure project (Des. No. 2200992) along State Route (SR) 58 in Lawrence County, Indiana. Please see the attached early coordination letter for more information and project area maps.

If you have any questions regarding the proposed project or are having trouble opening the attached PDF, please let me know.

Thank you,  
**Brynne Taylor** | Environmental Planner | **AZTEC Engineering**  
Cell: (812) 369-9744 | [BTaylor@aztec.us](mailto:BTaylor@aztec.us)  
Bloomington, IN | USA

**From:** [Falls, Ryan G](#)  
**To:** [Brynne Taylor](#)  
**Cc:** [Thomas, Michael J](#); [Adrian Reid](#)  
**Subject:** RE: FHWA Project: Des. No. 2200992; SR 58 Small Structure Replacement - Early Coordination Letter  
**Date:** Tuesday, April 4, 2023 12:29:30 PM

---

Brynne Taylor,

In future ECLs, you need to include the INDOT project manager in the text as a contact point. This is the ‘project sponsor contact’ seen in the sample ECL.

We no longer coordinate with the IDEM - Early Coordination for Roadway Projects (the one that spits our a standard response letter). See the ECL Recipient list for IDEM coordination, most importantly IDEM - Wetlands and Stormwater Programs if the project is on new terrain and MS4 coordination, if applicable. If applicable, please coordinate with each entity.

For ECLs, the example ECL asks for photographs. I have never seen “only if indicated on the attached recipients list”, but in future ECLs, since the ECL template asks for them, you may want to add photographs for all recipients.

Thank you for the opportunity to respond to early coordination.

**Ryan Falls**

**Capital Program Management-Senior Environmental Manager Supervisor**

Indiana Department of Transportation  
3650 South US Highway 41  
Vincennes, IN 47591

**Email:** [rfalls@indot.IN.gov](mailto:rfalls@indot.IN.gov)

**Cell:** 812-582-1387



855-463-6848

---

**From:** Brynne Taylor <[BTaylor@aztec.us](mailto:BTaylor@aztec.us)>  
**Sent:** Monday, April 3, 2023 5:13 PM  
**To:** Falls, Ryan G <[RFalls@indot.IN.gov](mailto:RFalls@indot.IN.gov)>  
**Cc:** Thomas, Michael J <[MThomas1@indot.IN.gov](mailto:MThomas1@indot.IN.gov)>; Adrian Reid <[areid@aztec.us](mailto:areid@aztec.us)>  
**Subject:** FHWA Project: Des. No. 2200992; SR 58 Small Structure Replacement - Early Coordination Letter

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

---

ATTN: Environmental Section Manager

The Indiana Department of Transportation (INDOT) Vincennes District, with federal funding, intends to proceed with a small structure project (Des. No. 2200992) along State Route (SR) 58 in Lawrence County, Indiana. Please see the attached early coordination letter for more information and project area maps.

If you have any questions regarding the proposed project or are having trouble opening the attached PDF, please let me know.

Thank you,

**Brynne Taylor** | Environmental Planner | **AZTEC Engineering**  
**Cell:** (812) 369-9744 | [BTaylor@aztec.us](mailto:BTaylor@aztec.us)  
Bloomington, IN | USA

**From:** Phillips, Daniel - FPAC-NRCS, IN <daniel.phillips@usda.gov>  
**Sent:** Wednesday, April 5, 2023 3:08 PM  
**To:** Brynne Taylor  
**Cc:** Allen, John - FPAC-NRCS, IN  
**Subject:** Des. No. 2200992; SR 58 Small Structure Replacement - Early Coordination Letter  
**Attachments:** [Des No 2200992 SR Small Structure Replacement.pdf](#);  
[Des\\_2200992\\_SR58\\_Small Structure\\_AD1006.NO Impact.pdf](#)

You don't often get email from [daniel.phillips@usda.gov](mailto:daniel.phillips@usda.gov). [Learn why this is important](#)

Please find attached the NRCS response to the above project. Thank you.

*Daniel Phillips*

Cartographic Tech  
USDA-NRCS  
6013 Lakeside Boulevard  
Indianapolis, IN 46278

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Farm  
Production  
and  
Conservation

Natural  
Resources  
Conservation  
Service

Indiana State Office  
6013 Lakeside Boulevard  
Indianapolis, Indiana 46278  
317-295-5800

April 5, 2023

Brynne Taylor  
AZTEC Engineering Group, Inc.  
[btaylor@aztec.us](mailto:btaylor@aztec.us)

Dear Ms. Taylor:


The proposed SR 58 Small Structure Replacement project in Lawrence County, Indiana (Des. No. 2200992), as referred to in your letter received April 3, 2023, will not cause a conversion of prime farmland.

If you need additional information, please contact John Allen at 317-295-5859 or [john.allen@usda.gov](mailto:john.allen@usda.gov).

Sincerely,

**JOHN ALLEN**

JOHN ALLEN  
State Soil Scientist

 Digitally signed by JOHN ALLEN  
Date: 2023.04.05 12:42:01 -04'00'

Enclosers

**FARMLAND CONVERSION IMPACT RATING**

<b>PART I</b> (To be completed by Federal Agency)		Date Of Land Evaluation Request <b>4/3/2023</b>				
Name of Project <b>DES 2200992, SR 58 Small Structure</b>		Federal Agency Involved <b>FHWA</b>				
Proposed Land Use <b>Transportation</b>		County and State <b>Lawrence County, Indiana</b>				
<b>PART II</b> (To be completed by NRCS)		Date Request Received By NRCS		Person Completing Form: <b>JRA</b>		
Does the site contain Prime, Unique, Statewide or Local Important Farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form)</i>		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Acres Irrigated	Average Farm Size	
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres:            %	Amount of Farmland As Defined in FPPA Acres:            %				
Name of Land Evaluation System Used	Name of State or Local Site Assessment System	Date Land Evaluation Returned by NRCS <b>4/5/23</b>				
<b>PART III</b> (To be completed by Federal Agency)		Alternative Site Rating				
		Site A	Site B	Site C	Site D	
A. Total Acres To Be Converted Directly		<b>0.092</b>				
B. Total Acres To Be Converted Indirectly		<b>0.138</b>				
C. Total Acres In Site		<b>0.597</b>				
<b>PART IV</b> (To be completed by NRCS) Land Evaluation Information						
A. Total Acres Prime And Unique Farmland						
B. Total Acres Statewide Important or Local Important Farmland						
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted						
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value						
<b>PART V</b> (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)						
<b>PART VI</b> (To be completed by Federal Agency) Site Assessment Criteria <i>(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)</i>		<b>Maximum Points</b>	Site A	Site B	Site C	Site D
1. Area In Non-urban Use		(15)				
2. Perimeter In Non-urban Use		(10)				
3. Percent Of Site Being Farmed		(20)				
4. Protection Provided By State and Local Government		(20)				
5. Distance From Urban Built-up Area		(15)				
6. Distance To Urban Support Services		(15)				
7. Size Of Present Farm Unit Compared To Average		(10)				
8. Creation Of Non-farmable Farmland		(10)				
9. Availability Of Farm Support Services		(5)				
10. On-Farm Investments		(20)				
11. Effects Of Conversion On Farm Support Services		(10)				
12. Compatibility With Existing Agricultural Use		(10)				
TOTAL SITE ASSESSMENT POINTS		160	0	0	0	0
<b>PART VII</b> (To be completed by Federal Agency)						
Relative Value Of Farmland (From Part V)		100	0	0	0	0
Total Site Assessment (From Part VI above or local site assessment)		160	0	0	0	0
<b>TOTAL POINTS (Total of above 2 lines)</b>		260	0	0	0	0
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>				
Reason For Selection:						
Name of Federal agency representative completing this form:					Date:	

(See Instructions on reverse side)

Form AD-1006 (03-02)

**From:** Falls, Ryan G <RFalls@indot.IN.gov>  
**Sent:** Thursday, December 22, 2022 9:23 AM  
**To:** Mike Myers; Brynne Taylor  
**Cc:** USA-AZT-INFY-02203-000-SR-58-Small-Structure-Replacement  
**Subject:** Negative: DES 2200992; SR 58 Small Structure Replacement - Review of USFWS Bat Database

I have conducted a check of the USFWS confidential bat database for Des No. 2200992, and the results are stated below.

A review of the USFWS database did not indicate the presence of endangered bat species in or within 0.5-mile of the project area. The Rangewide Programmatic Consultation for the Indiana bat and northern long-eared bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation for INDOT Projects," which is located on the INDOT Environmental Policy website.

**Ryan Falls**

**Capital Program Management-Senior Environmental Manager Supervisor**

Indiana Department of Transportation  
3650 South US Highway 41  
Vincennes, IN 47591

**Email:** [rfalls@indot.IN.gov](mailto:rfalls@indot.IN.gov)

**Cell:** 812-582-1387



---

**From:** Mike Myers <[MMyers@aztec.us](mailto:MMyers@aztec.us)>  
**Sent:** Thursday, December 22, 2022 9:19 AM  
**To:** Falls, Ryan G <[RFalls@indot.IN.gov](mailto:RFalls@indot.IN.gov)>; Brynne Taylor <[BTaylor@aztec.us](mailto:BTaylor@aztec.us)>  
**Cc:** USA-AZT-INFY-02203-000-SR-58-Small-Structure-Replacement <[usa-azt-infwy-02203-000@aztec.us](mailto:usa-azt-infwy-02203-000@aztec.us)>  
**Subject:** RE: DES 2200992; SR 58 Small Structure Replacement - Review of USFWS Bat Database

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Hi Ryan,

Brynne is out, looks like that number probably came from the RFP invite, but contract says Des No 2200992 so I'm betting the contract is correct. Changed the number in the Subject line. Thanks

6/28/2022

Mr. Adrian Reid ([AREid@aztec.us](mailto:AREid@aztec.us))  
320 W 8<sup>th</sup> Street, Suite 100  
Bloomington, IN 47404

**The Vincennes District Office of INDOT would like to extend to you this Request for Proposal.**  
Scope: Project Development for Small Structure Replacement

**Contract: R-44373 – Des No 2200292**

This structure needs replacement. Guardrail will also need to be added which will require some embankment widening. Des 2200292 is on SR 58, 3.82Miles E of the Junction of SR 37. Michael Thomas is the project manager.

### CONSULTING CONTRACT

**Contract #0000000000000000000066942**

This Contract ("this Contract") is made and entered into effective as of the date of approval by the Indiana Attorney General affixed to this Contract by and between the State of Indiana ("State"), acting by and through the Indiana Department of Transportation ("INDOT"), and AZTEC ENGINEERING GROUP INC (the "CONSULTANT").

### WITNESSETH

WHEREAS, INDOT wishes to hire the CONSULTANT to provide Project Development Services for SR 58, Small Structure Replacement, over UNT Leatherwood Creek, 3.82 miles E of JCT with SR 37, in Lawrence Co. RP 81+33 to RP 81+43, Des No.: **2200992**.

**Mike Myers** | Project Manager, Environmental Services Division | **AZTEC Engineering**  
Cell: (480) 766-3331 | [mmyers@aztec.us](mailto:mmyers@aztec.us)

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**From:** Falls, Ryan G <[RFalls@indot.IN.gov](mailto:RFalls@indot.IN.gov)>  
**Sent:** Thursday, December 22, 2022 8:20 AM  
**To:** Brynne Taylor <[BTaylor@aztec.us](mailto:BTaylor@aztec.us)>  
**Cc:** Mike Myers <[MMyers@aztec.us](mailto:MMyers@aztec.us)>; USA-AZT-INFWY-02203-000-SR-58-Small-Structure-Replacement <[usa-azt-infwy-02203-000@aztec.us](mailto:usa-azt-infwy-02203-000@aztec.us)>  
**Subject:** RE: DES 2200292; SR 58 Small Structure Replacement - Review of USFWS Bat Database

Brynne, 2200292 is a local road project in Seymour. Please reply with the updated DES for this location, and I can give you the results. Thank you.

**Ryan Falls**  
**Capital Program Management-Senior Environmental Manager Supervisor**  
Indiana Department of Transportation  
3650 South US Highway 41  
Vincennes, IN 47591  
**Email:** [rfalls@indot.IN.gov](mailto:rfalls@indot.IN.gov)  
**Cell:** 812-582-1387





855-463-6848

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**From:** Brynne Taylor <[BTaylor@aztec.us](mailto:BTaylor@aztec.us)>  
**Sent:** Wednesday, December 21, 2022 4:13 PM  
**To:** Falls, Ryan G <[RFalls@indot.IN.gov](mailto:RFalls@indot.IN.gov)>  
**Cc:** Mike Myers <[MMyers@aztec.us](mailto:MMyers@aztec.us)>; USA-AZT-INFWY-02203-000-SR-58-Small-Structure-Replacement <[usa-azt-infwy-02203-000@aztec.us](mailto:usa-azt-infwy-02203-000@aztec.us)>  
**Subject:** DES 2200292; SR 58 Small Structure Replacement - Review of USFWS Bat Database

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

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Hi Mr. Falls,

AZTEC Engineering is under contract with INDOT Vincennes District for the SR 58 small structure replacement project (Des. 2200292) in Lawrence County, IN. The cadastral location for the project is Township 5 North, Range 1 East, and Section 7. We would like to request a review of the USFWS confidential database to check for the presence of endangered bats in or near the project area. Attached are two project location maps.

Thank you and Happy Holidays!

**Brynne Taylor** | Environmental Planner | **AZTEC Engineering**  
Cell: (812) 369-9744, Main: (812) 717-2555 | [BTaylor@aztec.us](mailto:BTaylor@aztec.us)  
320 W 8th St, Suite 100 | Bloomington, IN 47404 | USA



[www.aztec.us](http://www.aztec.us) | [www.typsa.com](http://www.typsa.com)



## 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:  
Project Code: 2023-0127733  
Project Name: SR 58 Small Structure Project (Des. No. 2200992)

January 16, 2024

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:** 2023-0127733  
**Project Name:** SR 58 Small Structure Project (Des. No. 2200992)  
**Project Type:** Culvert Repair/Replacement/Maintenance  
**Project Description:** The project is located on SR 58, 3.82 miles east of SR 37 in Shawswick Township, Lawrence County, Indiana. The project would remove and replace the existing structure (CV 058-047-81.33) with a 86-foot-long, 5-foot-diameter corrugated metal pipe (CMP) sumped 6 to 12 inches. Scour protection consisting of revetment riprap on geotextiles (approximately 20 feet by 20 feet) would be placed at the outlet of the new structure. New guardrail and a minimum 4-foot wide shoulder would be installed within the project area. The roadway pavement would be patched at the structure and pavement transition milling and overlay would occur approximately 195 feet east and 215 feet west of the structure.

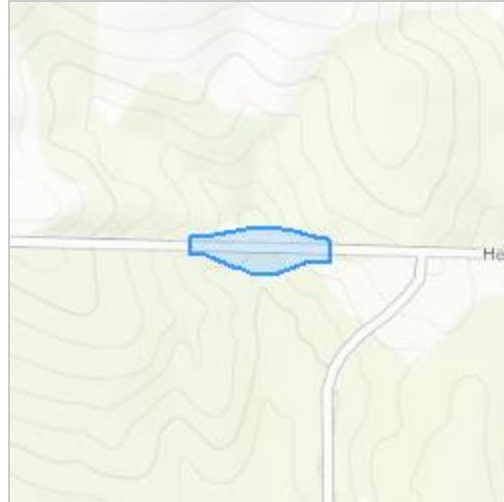
Suitable summer habitat is present within the project area, mostly along the UNT to Leatherwood Creek that flows north to south through the center of the project limits. The project will require a total of 0.198 acre of tree removal, all of which will be removed within 100 feet of the roadway. Dominant tree species to be removed include: common hackberry (*Celtis occidentalis*), Black walnut (*Juglans nigra*), Slippery elm (*Ulmus rubra*), Green Ash (*Fraxinus pennsylvanica*), Red mulberry (*Morus rubra*). No tree removal will occur from April 1 - September 30. All tree removal will occur between October 1 and March 31 (during the inactive season).

A review of the USFWS database on December 22, 2022 did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. The most recent Bridge Inspection, dated March 9, 2021, did not find evidence of bat use. A site visit and inspection of the culvert on August 17, 2023, by an AZTEC Engineering Group, Inc. qualified individual, found no evidence of bat use (e.g., individuals, urine staining, or guano) or bird nests within the structure.

Construction will likely begin with tree removal occurring during winter 2024; and roadway/pipe activities will occur Summer 2025 until Fall 2025. Excavation for the project is limited to near surface. No new permanent lighting would be installed as part of this project. No temporary lighting or night work is anticipated.

### Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.88304105,-86.45578450376365,14z>



Counties: Lawrence County, Indiana

## ENDANGERED SPECIES ACT SPECIES

There is a total of 6 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 Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

### MAMMALS

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a>	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: <a href="https://ecos.fws.gov/ecp/species/758">https://ecos.fws.gov/ecp/species/758</a>	Experimental Population, Non- Essential

## CLAMS

NAME	STATUS
Salamander Mussel <i>Simpsonaias ambigua</i> There is <b>proposed</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6208">https://ecos.fws.gov/ecp/species/6208</a>	Proposed Endangered

## INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	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 Act<sup>1</sup> and the Migratory Bird Treaty Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats<sup>3</sup>, 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 bald and/or golden eagles in your project area.**

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
<b>Bald Eagle <i>Haliaeetus leucocephalus</i></b> 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. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Sep 1 to Jul 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 (■)

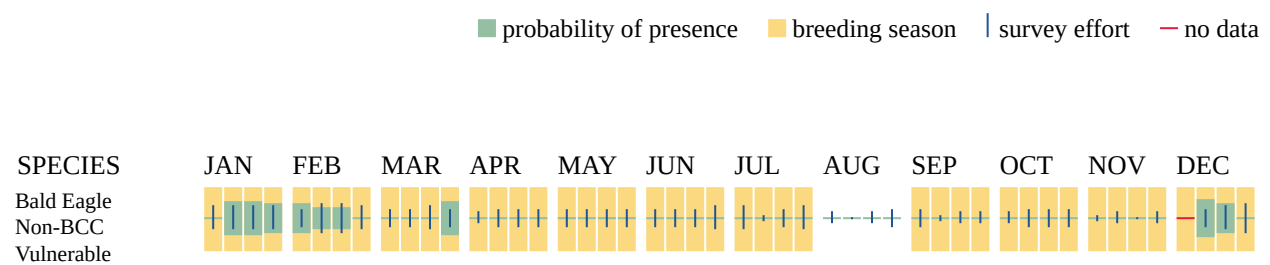
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

### 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>

## MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats<sup>3</sup> 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. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	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. <a href="https://ecos.fws.gov/ecp/species/9399">https://ecos.fws.gov/ecp/species/9399</a>	Breeds May 15 to Oct 10
Cerulean Warbler <i>Dendroica cerulea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/2974">https://ecos.fws.gov/ecp/species/2974</a>	Breeds Apr 23 to Jul 20
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9406">https://ecos.fws.gov/ecp/species/9406</a>	Breeds Mar 15 to Aug 25

NAME	BREEDING SEASON
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 <a href="https://ecos.fws.gov/ecp/species/9446">https://ecos.fws.gov/ecp/species/9446</a>	Breeds Mar 1 to Aug 15
Kentucky Warbler <i>Oporornis formosus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9443">https://ecos.fws.gov/ecp/species/9443</a>	Breeds Apr 20 to Aug 20
Prairie Warbler <i>Dendroica discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9513">https://ecos.fws.gov/ecp/species/9513</a>	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. <a href="https://ecos.fws.gov/ecp/species/9439">https://ecos.fws.gov/ecp/species/9439</a>	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. <a href="https://ecos.fws.gov/ecp/species/9398">https://ecos.fws.gov/ecp/species/9398</a>	Breeds May 10 to Sep 10
Rusty Blackbird <i>Euphagus carolinus</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/9478">https://ecos.fws.gov/ecp/species/9478</a>	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9431">https://ecos.fws.gov/ecp/species/9431</a>	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 (■)

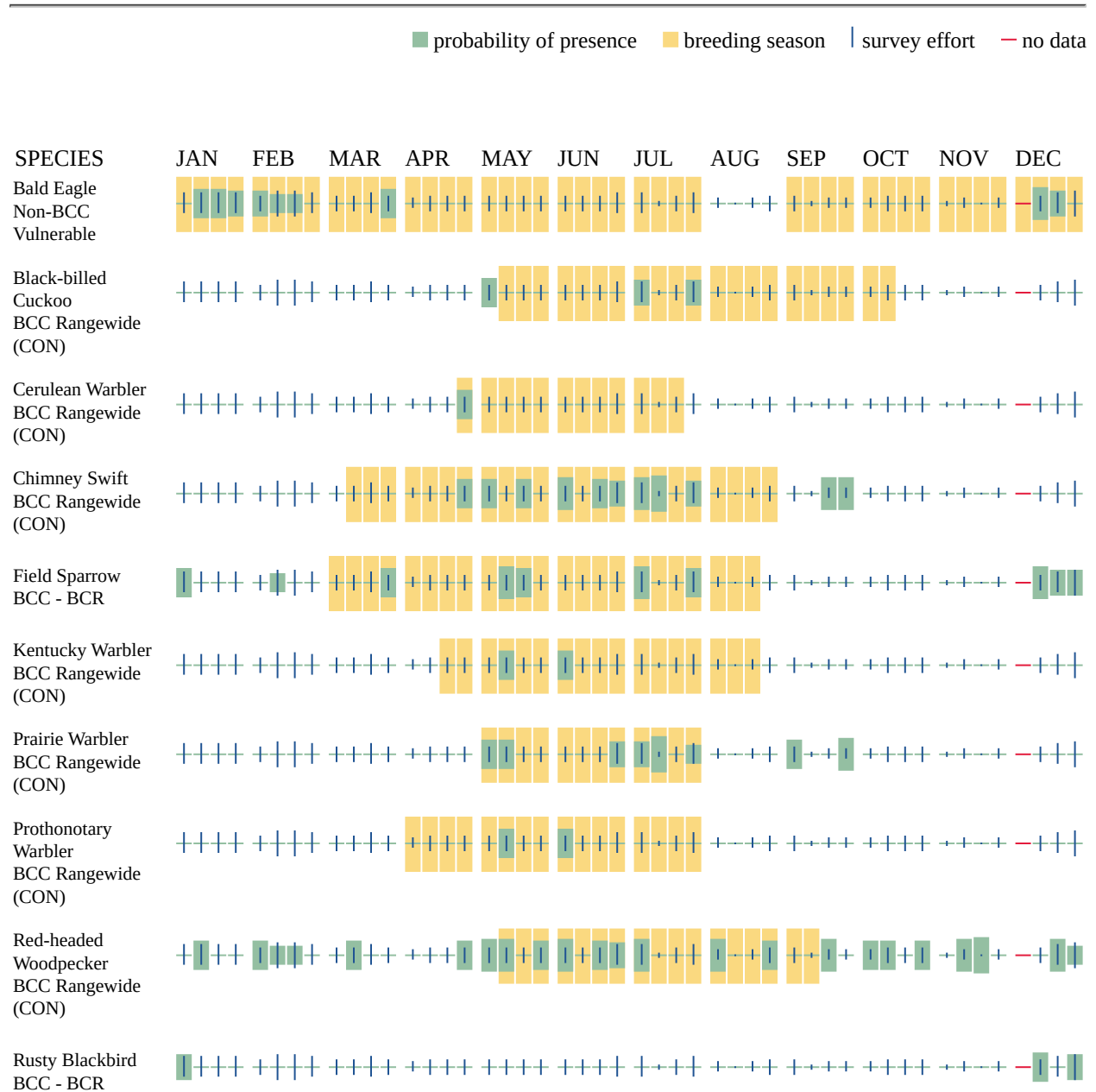
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

**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.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

## **IPAC USER CONTACT INFORMATION**

Agency: Indiana Department of Transportation

Name: Brynne Taylor

Address: 642 N. Madison St.

City: Bloomington

State: IN

Zip: 47404

Email btaylor@aztec.us

Phone: 8123699744

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Federal Highway Administration



## 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:

January 12, 2024

Project code: 2023-0127733

Project Name: SR 58 Small Structure Project (Des. No. 2200992)

Subject: Consistency letter for the 'SR 58 Small Structure Project (Des. No. 2200992)' 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 January 12, 2024 to verify that the **SR 58 Small Structure Project (Des. No. 2200992)** (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 the ESA (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) is required.

This "may affect - not likely to adversely affect" determination becomes effective when the lead Federal action agency or designated non-federal representative requests the Service rely on the PBO to satisfy the agency's consultation requirements for this project.

Please provide this consistency letter to the lead Federal action agency or its designated non-federal representative with a request for review, and as the agency deems appropriate, submit for concurrence verification through the IPaC system. The lead Federal action agency or designated

non-federal representative should log into IPaC using their agency email account and click "Search by record locator". They will need to enter the record locator **013-136992811**.

**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 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 advise the lead Federal action agency accordingly.

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

- Monarch Butterfly *Danaus plexippus* Candidate
- Salamander Mussel *Simpsonaias ambigua* Proposed 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

SR 58 Small Structure Project (Des. No. 2200992)

### DESCRIPTION

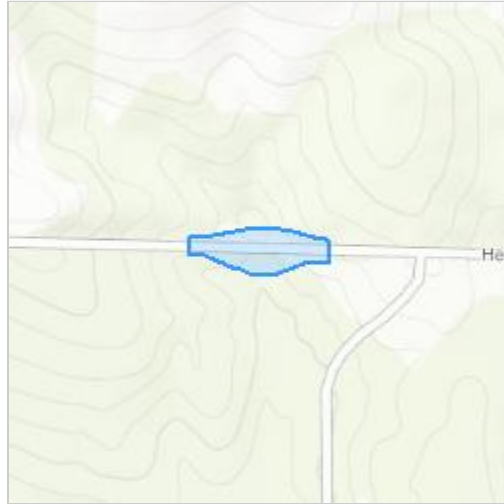
The project is located on SR 58, 3.82 miles east of SR 37 in Shawswick Township, Lawrence County, Indiana. The project would remove and replace the existing structure (CV 058-047-81.33) with a 86-foot-long, 5-foot-diameter corrugated metal pipe (CMP) sumped 6 to 12 inches. Scour protection consisting of revetment riprap on geotextiles (approximately 20 feet by 20 feet) would be placed at the outlet of the new structure. New guardrail and a minimum 4-foot wide shoulder would be installed within the project area. The roadway pavement would be patched at the structure and pavement transition milling and overlay would occur approximately 195 feet east and 215 feet west of the structure.

Suitable summer habitat is present within the project area, mostly along the UNT to Leatherwood Creek that flows north to south through the center of the project limits. The project will require a total of 0.198 acre of tree removal, all of which will be removed within 100 feet of the roadway. Dominant tree species to be removed include: common hackberry (*Celtis occidentalis*), Black walnut (*Juglans nigra*), Slippery elm (*Ulmus rubra*), Green Ash (*Fraxinus pennsylvanica*), Red mulberry (*Morus rubra*). No tree removal will occur from April 1 - September 30. All tree removal will occur between October 1 and March 31 (during the inactive season).

A review of the USFWS database on December 22, 2022 did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. The most recent Bridge Inspection, dated March 9, 2021, did not find evidence of bat use. A site visit and inspection of the culvert on August 17, 2023, by an AZTEC Engineering Group, Inc. qualified individual, found no evidence of bat use (e.g., individuals, urine staining, or guano) or bird nests within the structure.

Construction will likely begin with tree removal occurring during winter 2024; and roadway/pipe activities will occur Summer 2025 until Fall 2025. Excavation for the project is limited to near surface. No new permanent lighting would be installed as part of this project. No temporary lighting or night work is anticipated.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@38.88304105,-86.45578450376365,14z>



## 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<sup>[1]</sup>?

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

**Automatically answered**

Yes

2. Is the project within the range of the northern long-eared bat<sup>[1]</sup>?

[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<sup>[1]</sup> 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<sup>[1]</sup>?

[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<sup>[1]</sup>?

[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<sup>[1]</sup>, 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<sup>[1]</sup> summer habitat for Indiana Bat or NLEB **within** the project action area<sup>[2]</sup>? (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<sup>[1]</sup> 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<sup>[1][2]</sup> been conducted<sup>[3][4]</sup> **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**<sup>[1][2]</sup>?

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

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

*No*

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<sup>[1]</sup>?

[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**<sup>[1][2]</sup>?

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

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

*No*

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<sup>[1]</sup> 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<sup>[1]</sup> been conducted **within** the last 24 months<sup>[2]</sup> 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**

- SR58\_Culvert\_Bat\_Assessment\_Form\_signed.pdf <https://ipac.ecosphere.fws.gov/project/QCGEC27HEVCMRM4MVXTNJW2T5E/projectDocuments/136992425>
- SR 58- CV 058-047-81.33 Inspection Report 03-09-2021.pdf <https://ipac.ecosphere.fws.gov/project/QCGEC27HEVCMRM4MVXTNJW2T5E/projectDocuments/131642253>

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

[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?

No

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

No

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

Yes

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

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

Yes

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

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

Yes

36. 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

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

No

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

**Automatically answered**

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

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

**Automatically answered**

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

40. 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.*

41. 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.*



42. 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*

43. **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

44. **Hibernacula AMM 1**

Will the project ensure that on-site personnel will use best management practices<sup>[1]</sup>, 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

45. **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

46. **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<sup>[1]</sup> 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

47. **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

**48. Tree Removal AMM 4**

Can the project avoid cutting down/removal of *all* (1) **documented**<sup>[1]</sup> Indiana bat or NLEB roosts<sup>[2]</sup> (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

## PROJECT QUESTIONNAIRE

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

N/A

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

N/A

3. How many acres<sup>[1]</sup> 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.

0.198

4. Please describe the proposed bridge work:

*The proposed project would remove and replace the existing structure (CV 058-047-81.33) with a 86-foot-long, 5-foot-diameter corrugated metal pipe (CMP) sumped 6-12 inches. The CMP carries an unnamed tributary to Leatherwood Creek. Scour protection consisting of revetment riprap on geotextiles (approximately 20 feet by 20 feet) would be placed at the outlet of the new structure. Excavation for the project is limited to near surface.*

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

*Summer 2025 to Fall 2025*

6. Please enter the date of the bridge assessment:

*INDOT 3/9/2021; AZTEC 8/17/2023*

## 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.

**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: Brynne Taylor

Address: 642 N. Madison St.

City: Bloomington

State: IN

Zip: 47404

Email: btaylor@aztec.us

Phone: 8123699744

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Federal Highway Administration

**INDOT IPaC Concurrence Response**

**From:** Falls, Ryan G <RFalls@indot.IN.gov>  
**Sent:** Tuesday, January 16, 2024 2:07 PM  
**To:** Brynne Taylor; Wright, Kristy  
**Cc:** Thomas, Michael J; Adrian Reid; Mike Myers; USA-AZT-INFWY-02203-000-SR-58-Small-Structure-Replacement  
**Subject:** NLAA: DES 2200992; SR 58 Small Structure Project - IPaC Determination

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The document's finding of May Effect, NLAA-With AMMs for DES 2200992 has been deemed sufficient. It has been verified and submitted to USFWS. The Service has 14 days after the "Not Likely to Adversely Affect" determination letter is generated. They will review that information once it is received; if you do not receive a response within 14 days, they have no additional comments for the two bats covered under the programmatic. The NEPA document submittal may not occur until this review period has ended. The Official Species List and Concurrence Verification Letter are now immediately available for your use. It is suggested that these documents be downloaded at this time. This concludes the IPaC phase of coordination with the Vincennes environmental office.

**Ryan Falls**

**Senior Environmental Manager Supervisor**

Indiana Department of Transportation

Vincennes District

**Cell:** 812-582-1387

**Email:** [rfalls@indot.in.gov](mailto:rfalls@indot.in.gov)

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**From:** Brynne Taylor <[BTaylor@aztec.us](mailto:BTaylor@aztec.us)>  
**Sent:** Tuesday, January 16, 2024 1:59 PM  
**To:** Falls, Ryan G <[RFalls@indot.IN.gov](mailto:RFalls@indot.IN.gov)>; Wright, Kristy <[KWright@indot.IN.gov](mailto:KWright@indot.IN.gov)>  
**Cc:** Thomas, Michael J <[MThomas1@indot.IN.gov](mailto:MThomas1@indot.IN.gov)>; Adrian Reid <[areid@aztec.us](mailto:areid@aztec.us)>; Mike Myers <[MMyers@aztec.us](mailto:MMyers@aztec.us)>; USA-AZT-INFWY-02203-000-SR-58-Small-Structure-Replacement <[usa-azt-infwy-02203-000@aztec.us](mailto:usa-azt-infwy-02203-000@aztec.us)>  
**Subject:** RE: 2nd Review: DES 2200992; SR 58 Small Structure Project - IPaC Determination

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Hi Ryan,

An updated Official Species List has been generated.

Thanks,

**Brynne Taylor** | Environmental Planner | **AZTEC Engineering**

**Cell:** (812) 369-9744 | [BTaylor@aztec.us](mailto:BTaylor@aztec.us)

Bloomington, IN | USA

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**From:** Falls, Ryan G <[RFalls@indot.IN.gov](mailto:RFalls@indot.IN.gov)>  
**Sent:** Tuesday, January 16, 2024 1:52 PM  
**To:** Brynne Taylor <[BTaylor@aztec.us](mailto:BTaylor@aztec.us)>; Wright, Kristy <[KWright@indot.IN.gov](mailto:KWright@indot.IN.gov)>  
**Cc:** Thomas, Michael J <[MThomas1@indot.IN.gov](mailto:MThomas1@indot.IN.gov)>; Adrian Reid <[areid@aztec.us](mailto:areid@aztec.us)>; Mike Myers <[MMyers@aztec.us](mailto:MMyers@aztec.us)>; USA-AZT-INFWY-02203-000-SR-58-Small-Structure-Replacement <[usa-azt-infwy-02203-000@aztec.us](mailto:usa-azt-infwy-02203-000@aztec.us)>  
**Subject:** 2nd Review: DES 2200992; SR 58 Small Structure Project - IPaC Determination

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Brynne Taylor,

As previously asked, please update the Official Species List, as changes do not automatically update. Once these corrections have been made, please alert me, and I can approve this project.

## Ryan Falls

**Senior Environmental Manager Supervisor**

Indiana Department of Transportation

Vincennes District

**Cell:** 812-582-1387

**Email:** [rfalls@indot.in.gov](mailto:rfalls@indot.in.gov)

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**From:** Brynne Taylor <[BTaylor@aztec.us](mailto:BTaylor@aztec.us)>

**Sent:** Friday, January 12, 2024 4:24 PM

**To:** Falls, Ryan G <[RFalls@indot.IN.gov](mailto:RFalls@indot.IN.gov)>; Wright, Kristy <[KWright@indot.IN.gov](mailto:KWright@indot.IN.gov)>

**Cc:** Thomas, Michael J <[MThomas1@indot.IN.gov](mailto:MThomas1@indot.IN.gov)>; Adrian Reid <[areid@aztec.us](mailto:areid@aztec.us)>; Mike Myers <[MMyers@aztec.us](mailto:MMyers@aztec.us)>;

USA-AZT-INFY-02203-000-SR-58-Small-Structure-Replacement <[usa-azt-infwy-02203-000@aztec.us](mailto:usa-azt-infwy-02203-000@aztec.us)>

**Subject:** RE: 1st Review: DES 2200992; SR 58 Small Structure Project - IPaC Determination

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Ryan,

Thank you so much for the explanation and clarifications! I've uploaded a new culvert inspection form w/the 8/17/23 date, updated the questionnaire/determinations and generated a new consistency letter. The project is now ready for review/verification.

The new IPaC record locator is 013-136992811

Thank you,

**Brynne Taylor** | Environmental Planner | **AZTEC Engineering**

**Cell:** (812) 369-9744 | [BTaylor@aztec.us](mailto:BTaylor@aztec.us)

Bloomington, IN | USA

---

**From:** Falls, Ryan G <[RFalls@indot.IN.gov](mailto:RFalls@indot.IN.gov)>

**Sent:** Tuesday, January 9, 2024 9:31 AM

**To:** Brynne Taylor <[BTaylor@aztec.us](mailto:BTaylor@aztec.us)>; Wright, Kristy <[KWright@indot.IN.gov](mailto:KWright@indot.IN.gov)>

**Cc:** Thomas, Michael J <[MThomas1@indot.IN.gov](mailto:MThomas1@indot.IN.gov)>; Adrian Reid <[areid@aztec.us](mailto:areid@aztec.us)>; Mike Myers <[MMyers@aztec.us](mailto:MMyers@aztec.us)>;

USA-AZT-INFY-02203-000-SR-58-Small-Structure-Replacement <[usa-azt-infwy-02203-000@aztec.us](mailto:usa-azt-infwy-02203-000@aztec.us)>

**Subject:** 1st Review: DES 2200992; SR 58 Small Structure Project - IPaC Determination

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Brynne Taylor,

You reference two dates for the Aztec inspection. Please reference only the 8/17/2023 date, as that gets us a little further along. Please update and reupload the Aztec USFWS inspection form.

You state tree clearing is to take place winter 2024/2025 but construction is to begin Summer 2025. Though it is not work to the pipe itself, the tree clearing is part of construction. Please update these two statements accordingly.

## Project Questionnaire

1 & 2. These need to be N/A. All other species are candidate, proposed endangered, or experimental populations. These do not require a NE/MA determination. Only federally-endangered or -threatened species require a determination.

4. Delete all information that is not associated with the bridge (culvert) work: database review, inspections, lighting).

5. Timing. Evaluate this after updating timing comments above. Be sure the timing here matches the timing of work in the description.

6. Inspection date. Use both inspection dates you reference above. So that would be the 3/9/2021 INDOT bridge inspection and replace the 7/7/2023 with the 8/17/2023. Should read: "INDOT 3/9/2021; Aztec 8/17/2023".

Please note that IPaC will auto-generate questions based on how you answer them. Corrections will cause new or delete questions and new numbering that may differ from above. Also, the Official Species List and Consistency Letter will need to be regenerated as changes do not automatically update. Once these corrections have been made, please alert me, and I can approve this project.

Thank you,

### Ryan Falls

#### Senior Environmental Manager Supervisor

Indiana Department of Transportation

Vincennes District

Cell: 812-582-1387

Email: [rfalls@indot.in.gov](mailto:rfalls@indot.in.gov)

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**From:** Brynne Taylor <[BTaylor@aztec.us](mailto:BTaylor@aztec.us)>

**Sent:** Monday, January 8, 2024 9:47 AM

**To:** Falls, Ryan G <[RFalls@indot.IN.gov](mailto:RFalls@indot.IN.gov)>; Wright, Kristy <[KWright@indot.IN.gov](mailto:KWright@indot.IN.gov)>

**Cc:** Thomas, Michael J <[MThomas1@indot.IN.gov](mailto:MThomas1@indot.IN.gov)>; Adrian Reid <[areid@aztec.us](mailto:areid@aztec.us)>; Mike Myers <[MMyers@aztec.us](mailto:MMyers@aztec.us)>; USA-AZT-INFWY-02203-000-SR-58-Small-Structure-Replacement <[usa-azt-infwy-02203-000@aztec.us](mailto:usa-azt-infwy-02203-000@aztec.us)>

**Subject:** DES 2200992; SR 58 Small Structure Project - IPaC Determination

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Mr. Falls and Ms. Wright,

AZTEC has completed the Indiana Bat and Northern Long-eared Bat IPaC determination key for the SR 58 Small Structure Project (Des. No. 2200992). The species list and consistency letter have been generated (IPaC Record Locator: 013-13164257). At this time, we would like to request verification of the project.

Thank you,

**Brynne Taylor** | Environmental Planner | **AZTEC Engineering**

Cell: (812) 369-9744 | [BTaylor@aztec.us](mailto:BTaylor@aztec.us)

Bloomington, IN | USA



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# Bridge/Structure Bat Assessment Form

Date & Time of Assessment 8/17/2023 at 10:30 AM	DOT Project Number 2200992	Route/Facility Carried SR 58	County Lawrence
Federal Structure ID CV 058-047-81.33	Structure Coordinates (latitude and longitude) 38.8831, -86.4557	Structure Height (approximate) 4.5'	Structure Length 33'
<b>Structure Type</b> (check one)		<b>Structure Material</b> (check all that apply)	
<i>Bridge Construction Style</i>		<i>Deck Material</i>	<i>Beam Material</i> <i>End/Back Wall Material</i>
<input type="radio"/> Cast-in-place	<input type="radio"/> Pre-stressed Girder	<input type="checkbox"/> Metal	<input type="checkbox"/> None <input type="checkbox"/> Concrete
<input type="radio"/> Flat Slab/Box	<input type="radio"/> Steel I-beam	<input type="checkbox"/> Concrete	<input type="checkbox"/> Concrete
<input type="radio"/> Truss	<input type="radio"/> Covered	<input type="checkbox"/> Timber	<input type="checkbox"/> Steel
<input type="radio"/> Parallel Box Beam	<input type="radio"/> Other:	<input type="checkbox"/> Open grid	<input type="checkbox"/> Timber
		<input type="checkbox"/> Other:	<input type="checkbox"/> Other:
<i>Culvert Type</i>		<i>Culvert Material</i>	
<input type="radio"/> Box	<input type="radio"/> Other Structure	<input checked="" type="checkbox"/> Metal	<input type="radio"/> Yes <input checked="" type="radio"/> No
<input checked="" type="radio"/> Pipe/Round		<input type="checkbox"/> Concrete	<input type="radio"/> Unknown
<input type="radio"/> Other:		<input type="checkbox"/> Plastic	<i>Notes:</i>
		<input type="checkbox"/> Stone/Masonry	
		<input type="checkbox"/> Other:	
<b>Crossings Traversed</b> (check all that apply)		<b>Surrounding Habitat</b> (check all that apply)	
<input type="checkbox"/> Bare ground	<input type="checkbox"/> Open vegetation	<input checked="" type="checkbox"/> Agricultural	<input type="checkbox"/> Grassland
<input type="checkbox"/> Rip-rap	<input type="checkbox"/> Closed vegetation	<input type="checkbox"/> Commercial	<input type="checkbox"/> Ranching
<input checked="" type="checkbox"/> Flowing water	<input type="checkbox"/> Railroad	<input type="checkbox"/> Residential-urban	<input type="checkbox"/> Riparian/wetland
<input type="checkbox"/> Standing water	<input type="checkbox"/> Road/trail - Type:	<input checked="" type="checkbox"/> Residential-rural	<input type="checkbox"/> Mixed use
<input type="checkbox"/> Seasonal water	<input type="checkbox"/> Other:	<input checked="" type="checkbox"/> Woodland/forested	<input type="checkbox"/> Other:
<b>Areas Assessed</b> (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.			
<b>Area</b> (check if assessed)	<b>Assessment Notes</b>	<b>Evidence of Bats</b> (include photos if present)	
<input checked="" type="checkbox"/> All crevices and cracks: <b>Bridges/culverts:</b> rough surfaces or imperfections in concrete <b>Other structures:</b> soffits, rafters, attic areas	<input type="checkbox"/> Not present Pipe sits on concrete that shows evidence of erosion at pipe inlet	<input type="checkbox"/> Visual - live #    dead #	<input type="checkbox"/> Audible <input type="checkbox"/> Species <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Staining
<input type="checkbox"/> Concrete surfaces (open roosting on concrete)	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #    dead #	<input type="checkbox"/> Audible <input type="checkbox"/> Species <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Staining
<input type="checkbox"/> Spaces between concrete end walls and the bridge deck	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #    dead #	<input type="checkbox"/> Audible <input type="checkbox"/> Species <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Staining
<input type="checkbox"/> Crack between concrete railings on top of the bridge deck 	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #    dead #	<input type="checkbox"/> Audible <input type="checkbox"/> Species <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Staining
<input type="checkbox"/> Vertical surfaces on concrete I-beams	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #    dead #	<input type="checkbox"/> Audible <input type="checkbox"/> Species <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Staining
<input checked="" type="checkbox"/> Spaces between walls, ceiling joists	<input type="checkbox"/> Not present Gabion riprap surrounds pipe inlet and outlet	<input type="checkbox"/> Visual - live #    dead #	<input type="checkbox"/> Audible <input type="checkbox"/> Species <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Staining
<input checked="" type="checkbox"/> Weep holes, scupper drains, and inlets/pipes	<input type="checkbox"/> Not present Gabion riprap surrounds pipe inlet and outlet	<input type="checkbox"/> Visual - live #    dead #	<input type="checkbox"/> Audible <input type="checkbox"/> Species <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Staining
<input type="checkbox"/> All guiderails	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #    dead #	<input type="checkbox"/> Audible <input type="checkbox"/> Species <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Staining
<input type="checkbox"/> All expansion joints	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #    dead #	<input type="checkbox"/> Audible <input type="checkbox"/> Species <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Staining
Name: Brynne Taylor		Signature:	

**Categorical Exclusion**  
**Appendix D**  
**Section 106 of the**  
**National Historic Preservation Act (NHPA)**

## Minor Projects PA Project Submittal and Assessment Form

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### SECTION 1

*Submittal of this form is only required for projects where Category B applies. Projects qualifying under Category A do not require submittal of this form. SECTION 2 (for Conditions of Category B.1 for curb/sidewalk) or SECTION 3 (for Conditions of Category B.9 for drainage structures) may be required as determined by INDOT-Cultural Resources Office (INDOT-CRO) review. INDOT-CRO will notify applicant if the Minor Projects PA does not apply.*

#### **Part I: Project Information-Completed by Applicant (Consultant/PM/Project Sponsor/INDOT District Staff)**

*\*A qualified professional historian (QP) is not required to complete Part I. INDOT-Cultural Resources Office (INDOT-CRO) staff will be responsible for completion of Part II.*

---

**Original Submission Date:** November 10, 2023      **Amended Submission Date\*:**

*\*Consult with INDOT-CRO to determine whether an amendment is required. For revisions/updates to original form, please detail in applicable sections below. Please use red font to distinguish the revisions/updates.*

**Submitted By (Provide Name and Firm/Organization):**

Brynne Taylor, AZTEC Engineering Group, Inc.

**Project Designation Number:** 2200992

**Route Number:** State Route (SR) 58

**Feature crossed (if applicable):** Unnamed Tributary (UNT) to Leatherwood Creek

**City/Township:** Shawswick Township      **County:** Lawrence County

**Project Description:** SR 58 Small Structure Project, 3.82 miles E of Jct SR 37

The need for this project is due to the narrow roadway with steep embankment slopes, a significant drop off on both sides of the existing corrugated metal pipe structure (CV 058-047-81.33), and the condition of the existing corrugated metal pipe structure. The current roadway features narrower pavement than INDOT standards, no paved or unpaved shoulders, and side slopes that are too steep. According to the March 9, 2021 INDOT Culvert Inspection Report, CV 058-047-81.33 is exhibiting minor rusting at the invert where the protective coating has deteriorated, minor rusting and small breaks in the gabion basket at the pipe headwall, and moderate scour at the south outlet exposing the concrete anchor. The current culvert rating is 6 (satisfactory condition). The culvert's scour critical rating from the May 23, 2022 Abbreviated Engineer's Assessment is a 5 (fair condition). The INDOT Bridge Inspection Application System (BIAS) and INDOT Culvert Inspection Report ratings are on a scale from 0 (failed condition) to 9 (excellent condition).

The purpose of the project is to protect the traveling public from a runoff roadway accident at this location, and to provide a structure with a culvert rating and scour critical rating of at least a 7 (good condition) out of 9; thereby increasing the service life of the culvert up to at least 50 years.

In the project area, SR 58 is functionally classified as a principal arterial (other) and consists of two 10-foot-wide paved travel lanes (one in each direction) with no shoulders. The existing small structure is a 4.5-foot inside diameter (ID) 33-foot-long corrugated metal pipe (CMP) (CV 058-047-81.33) with gabion headwalls on both the inlet and outlet of the structure. This structure conveys an UNT to Leatherwood Creek that flows from north to south under SR 58.

The proposed project will remove and replace the existing structure with a 86-foot-long 5-foot diameter CMP sumped 6 to 12 inches. Scour protection (revetment riprap on geotextiles) will be placed at the outlet of the structure (approximately 20-feet-wide by 20-feet-long). New guardrail and a minimum 4-foot-wide paved

## Minor Projects PA Project Submittal and Assessment Form

shoulder will be installed within the project area. The roadway pavement will be patched at the structure and pavement transition milling and overlay will occur along the entire project limits. Excavation will be required to replace the existing structure and will extend approximately 8 inches below the existing flowline if bedrock is encountered, or up to 6 inches below the existing flowline if no rock is encountered. Excavation for the new shoulders and new roadside ditches will extend approximately 1-2 feet below existing ground surface.

Approximately 0.198 acre of tree clearing will be required for this project. This project is anticipated to require approximately 0.806 acre of permanent right-of-way (ROW). No temporary ROW is required for this project. Maintenance of traffic (MOT) will include a road closure and detour utilizing SR 37, US 50, and SR 446. Construction is anticipated to begin in Fall 2024.

**If the project includes any curb, curb ramp, or sidewalk work, please specify the location(s) of such work:**  
No curb ramp or sidewalk work is anticipated.

**For bridge or small structure projects, please list feature crossed, structure number, NBI number, and structure type:**

Feature Crossed: UNT to Leatherwood Creek

Structure Number: CV 058-047-81.33

Structure Type: Corrugated Metal Pipe

**For bridge projects, is the bridge included in INDOT's Historic Bridge Inventory (<https://www.in.gov/indot/2531.htm>)?**

Yes       No

**If yes, did the inventory determine the bridge eligible for or listed in the National Register of Historic Places? Please provide page # of entry in Historic Bridge Inventory.**

Yes       No

**Inventory Page #** \_\_\_\_\_

**Will there be right-of-way acquisition as part of this project?**

Yes       No

**If yes was checked above, please check all that apply:**

Permanent       Temporary       Reacquisition

**If applicable, identify right-of-way acquisition locations in text below and in attached mapping. Please specify how much (both temporary and permanent) and indicate what activities are included in the proposed right-of-way:**

Approximately 0.806 acre of permanent ROW both north and south of SR 58. Activities included in the proposed ROW include: equipment access and maneuvering, excavation, installing new guardrail, paving new shoulders, scour protection measures (i.e., riprap) at structure outlet, grading of side slopes, relocating existing driveway entrance, removal of farm field fencing, replacing existing pipe structure.

Temporary ROW: N/A

**Is there any potential for additional temporary right-of-way to be needed later for purposes such as access, staging, etc.?**

Yes       No

**Archaeology (check one):**

All proposed activities are presumed to occur in previously disturbed soils\*

## Minor Projects PA Project Submittal and Assessment Form

*\*INDOT-CRO will notify you if project area includes undisturbed soils and requires an archaeological reconnaissance.*

- Project takes place in undisturbed soils and the archaeology report is included in submission or will be forthcoming\***

*\* If an archaeology report is required, the Minor Projects PA Form will not be finalized until the report is reviewed and approved by INDOT-CRO. For INDOT-sponsored projects, INDOT-CRO may be able to complete the archaeological investigation. If you would like to request that INDOT-CRO complete an archaeological investigation, please contact the INDOT-CRO archaeology team lead. See CRM Pt. 1 Ch. 3 for current contact information.*

**Please specify all applicable categories and condition(s) (highlight applicable conditions in yellow)\*:**

*\*Include full category text, including any conditions. INDOT-CRO will finalize categories upon their review.*

- B-3.** Construction of added travel, turning, or auxiliary lanes (e.g., bicycle, truck climbing, acceleration and deceleration lanes) and shoulder widening under the following conditions [*BOTH Condition A, which pertains to Archaeological Resources, and Condition B, which pertains to Above-Ground Resources, must be satisfied*]:

### **Condition A (Archaeological Resources)**

One of the two conditions listed below must be met (*EITHER Condition i or Condition ii must be satisfied*):

- i. Work occurs in previously disturbed soils; OR
- ii. Work occurs in undisturbed soils and an archaeological investigation conducted by the applicant and reviewed by INDOT Cultural Resources Office determines that no National Register-listed or potentially National Register-eligible archaeological resources are present within the project area. If the archaeological investigation locates National Register-listed or potentially National Register eligible archaeological resources, then full Section 106 review will be required. Copies of any archaeological reports prepared for the project will be provided to the DHPA and any archaeological site form information will be entered directly into the SHAARD by the applicant. The archaeological reports will also be available for viewing (by Tribes only) on INSCOPE.

### **Condition B (Above-Ground Resources)**

Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource.

- B-4.** Installation of new safety appurtenances, including but not limited to, guardrails, barriers, glare screens, and crash attenuators, under the following conditions [*BOTH Condition A, which pertains to Archaeological Resources, and Condition B, which pertains to Above-Ground Resources, must be satisfied*]:

### **Condition A (Archaeological Resources)**

One of the two conditions listed below must be met (*EITHER Condition i or Condition ii must be satisfied*):

- i. Work occurs in previously disturbed soils; OR
- ii. Work occurs in undisturbed soils and an archaeological investigation conducted by the applicant and reviewed by INDOT Cultural Resources Office determines that no National Register-listed or potentially National Register-eligible archaeological resources are present within the project area. If the archaeological investigation locates National Register-listed or potentially National Register eligible archaeological resources, then full Section 106 review will be required. Copies of any archaeological reports prepared for the project will be provided to the DHPA and any archaeological

## Minor Projects PA Project Submittal and Assessment Form

site form information will be entered directly into the SHAARD by the applicant. The archaeological reports will also be available for viewing (by Tribes only) on INSCOPE.

### **Condition B (Above-Ground Resources)**

Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource.

- B-9.** Installation, replacement, repair, lining, or extension of culverts and other drainage structures under the conditions listed below [*BOTH Condition A, which pertains to Archaeological Resources, and Condition B, which pertains to Above-Ground Resources, must be satisfied*]:

### **Condition A (Archaeological Resources)**

One of the two conditions listed below must be met (*EITHER Condition i or Condition ii must be satisfied*):

- i. Work occurs in previously disturbed soils; OR
- ii. Work occurs in undisturbed soils and an archaeological investigation conducted by the applicant and reviewed by INDOT Cultural Resources Office determines that no National Register-listed or potentially National Register-eligible archaeological resources are present within the project area. If the archaeological investigation locates National Register-listed or potentially National Register-eligible archaeological resources, then full Section 106 review will be required. Copies of any archaeological reports prepared for the project will be provided to the DHPA and any archaeological site form information will be entered directly into the SHAARD by the applicant. The archaeological reports will also be available for viewing (by Tribes only) on INSCOPE.

### **Condition B (Above-Ground Resources)**

One of the conditions below must be met (*EITHER Condition i or Condition ii must be satisfied*):

- i. Work does not involve installation of a new culvert and other drainage structure, and there are no impacts to unusual features, including but not limited to historic brick or stone sidewalks, curbs or curb ramps, stepped or elevated sidewalks and retaining walls, under one of the following conditions (*Condition a, Condition b, or Condition c must be satisfied*):
  - a. The structure exhibits no wood, stone, or brick structures or parts therein; OR
  - b. The structure exhibits only modern wood, stone, or brick structures or parts therein; OR
  - c. The structure exhibits non-modern wood, stone, or brick structures or parts therein and the following conditions are met (*BOTH Condition 1 AND Condition 2 must be met*):
    1. Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource; AND
    2. The structure lacks sufficient integrity and/or a context that suggests it might have engineering or historical significance. Under this condition, a qualified professional (meeting the Secretary of Interior's Professional Qualification standards [48 Federal Register (FR) 44716]) must prepare an analysis and justification that the structure lacks sufficient integrity and/or a context that suggests it might have engineering or historical significance. This documentation must be reviewed and approved by INDOT Cultural Resources Office.
- ii. Work involves the installation of a new culvert and other drainage structures AND/OR there may be impacts to unusual features, including historic brick or stone sidewalks, curbs or curb ramps, stepped or elevated sidewalks and retaining walls, under the following conditions (*BOTH Condition a and Condition b must be satisfied*):
  - a. Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource; AND
  - b. The subject structure exhibits one of the characteristics described below (*Condition 1, Condition 2 or Condition 3 must be satisfied*).

## Minor Projects PA Project Submittal and Assessment Form

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1. The structure exhibits no wood, stone, or brick structures or parts therein; *OR*
2. The structure exhibits only modern wood, stone, or brick structures or parts therein; *OR*
3. The structure exhibits non-modern wood, stone, or brick structures or parts therein but lacks sufficient integrity and/or a context that suggests it might have engineering or historical significance. Under this condition, a qualified professional (meeting the Secretary of Interior's Professional Qualification standards [48 Federal Register (FR) 44716]) must prepare an analysis and justification that the structure lacks sufficient integrity and/or a context that suggests it might have engineering or historical significance. This documentation must be reviewed and approved by INDOT Cultural Resources Office.

Check  if SECTION 2: Minor Projects PA Category B-1, Condition B-ii Submission is included.

Check  if SECTION 3: Minor Projects PA Category B-9, Condition B-i-c-2 or B-ii-b-3 Submission is included.

**Minor Projects PA Project Submittal and Assessment Form**

**Part II: Completed by INDOT-CRO**

*Amendments will be shown in red font.*

**Information reviewed (please check all that apply):**

General project location map  USGS map  Aerial photograph  Soil survey data

General project area photos  Archaeology Reports  Historic Property Reports

Indiana Historic Buildings, Bridges, and Cemeteries Map/Interim Report

Bridge inspection information/BIAS  Historic Bridge Inventory Database

SHAARD  SHAARD GIS  Streetview Imagery  County GIS Data/Property Cards

**Other (please specify):**

Braunschweig, Melissa and Jeff Laswell

2024 *A Phase Ia Archaeological Reconnaissance for the proposed SR 58 Small Structure Replacement 3.82 Miles East of the Junction of SR 37 Lawrence County, Indiana (Des. No. 2200992)*. Archaeological Short Report completed by Gray & Pape, Indianapolis, for Aztec Engineering, Bloomington. Document on file at INDOT-CRO.

**Are there any commitments associated with this project? If yes, please explain and include in the Additional Comments Section below.** yes  no

**Does the project result in a de minimis impact to a Section 4(f) protected historic resource? If yes, please explain in the Additional Comments Section below.** yes  no

**Additional Comments:**

**Above-ground Resources**

An INDOT-Cultural Resources Office (CRO) historian who meets the Secretary of the Interior’s Professional Qualification Standards as per 36 CFR Part 61 first performed a desktop review, checking the Indiana Register of Historic Sites and Structures (State Register) and National Register of Historic Places (National Register) lists for Lawrence County. One (1) listed resource is present within 0.25 mile of the project area, a distance that serves as an adequate area of potential effects given the project scope and terrain.

- NR-1259, Helton-Mayo Farm, Criteria A + C, Listed in both National Register and State Register 06/09/1995

The National Register & IHSSI information for Lawrence County is available in the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) and the Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBCM). The *Lawrence County Interim Report* (1992; Shawswick Township) of the Indiana Historic Sites and Structures Inventory (IHSSI) was also consulted. The SHAARD information was checked against the Interim Report hard copy maps. The IHBBCM contains the most up to date IHSSI information. One IHSSI documented property is located within 0.25 mile of the project area:

- IHSSI# 093-032-20006, Farm, SR 58, c. 1845, Hall and Parlor, rated “Notable”

According to the IHSSI rating system, generally properties rated "Contributing" do not possess the level of historical or architectural significance necessary to be considered individually National Register eligible, although



## Minor Projects PA Project Submittal and Assessment Form

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they would contribute to a historic district. If they retain material integrity, properties rated “Notable” might possess the necessary level of significance after further research. Properties rated “Outstanding” usually possess the necessary level of significance to be considered National Register eligible if they retain material integrity. Historic districts identified in the IHSSI are usually considered eligible for the National Register.

The INDOT-CRO historian reviewed structures adjacent to the project area utilizing online aerial, street-view photography, and the Lawrence County GIS website. The project area is located in a rural setting surrounded by agricultural fields, with thickets of trees immediately north and south. Due to the scope of the project and the topography of the area, only structures immediately adjacent to the project area were reviewed. The immediately adjacent building stock consists of late nineteenth to early twentieth century residential and agricultural structures. None appear to possess the significance and integrity to be considered National Register eligible. The parcel immediately adjacent to the northeast quadrant of the project area is under the same ownership, Bailey Family, LLC, as the parcel containing NR-1259 (Helton-Mayo Farm). However, the project area is not considered adjacent to the district as it is 0.18 mile from the historic boundary of NR-1259 and the topography of the area limits the viewshed such that the project area is not visible from the listed district.

The most recent inspection report (J. Hefferman; 03/09/2021) from the Bridge Inspection Application System (BIAS) was referenced to review the culvert. The subject structure (CV 058-047-81.33) carries SR 58 over an UNT and is a 36-foot-long corrugated steel pipe culvert with a 4.67-foot opening. The date of construction is unknown. Examination of online street view photography and BIAS images show the subject structure does not exhibit non-modern wood, stone, or brick structures or parts therein. In addition, the structure lacks a context that would suggest that it might have engineering or historical significance.

There are no above-ground concerns at this time so long as the project scope remains unchanged.

### Archaeological Resources

An INDOT-CRO archaeologist who meets the Secretary of the Interior’s Professional Qualification Standards as per 36 CFR Part 61 reviewed the Phase Ia field reconnaissance report completed for the project by Gray & Pape (Braunschweig and Laswell 2024) for Aztec Engineering Group. A review of SHAARD records identified no archaeological sites have been previously recorded within or adjacent to the project area.

A 0.6-hectare (1.6-acre) survey area was investigated via a combination of shovel probing ( $n=23$ ), pedestrian survey, and visual inspection of obviously disturbed areas. No archaeological resources were identified, and no additional work is recommended.

Therefore, there are no archaeological concerns provided that the project scope and footprint do not change.

**Accidental Discovery:** If any archaeological artifacts or human remains are uncovered during construction, demolition, or earth moving activities, construction within 100 feet of the discovery will be stopped, and INDOT-CRO and the Indiana Department of Natural Resources-Division of Historic Preservation and Archaeology (IDNR-DHPA) will be notified immediately.

**INDOT-CRO staff reviewer(s):** Haley Brinker and Dawn Alexander

INDOT Approval Date: March 21, 2024

Amendment Approval Date (if applicable):

*\*\*\*Be sure to attach this form to the National Environmental Policy Act documentation for this project. Also, the NEPA documentation shall reference and include the description of the specific stipulation in the PA that qualifies the project as exempt from further Section 106 review.*

**Categorical Exclusion**

# **Appendix E**

**Red Flag and  
Hazardous Materials**



# INDIANA DEPARTMENT OF TRANSPORTATION

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

PHONE: (855) 463-6848  
(855) INDOT4U

**Eric Holcomb, Governor**  
**Michael Smith, Commissioner**

Date: March 16, 2023

To: Site Assessment & Management (SAM)  
Environmental Policy Office - Environmental Services Division (ESD)  
Indiana Department of Transportation (INDOT)  
100 N Senate Avenue, Room N758-ES  
Indianapolis, IN 46204

From: Brynne Taylor  
AZTEC Engineering Group, Inc.  
320 W 8<sup>th</sup> Street, Suite 100  
Bloomington, IN 47404  
btaylor@aztec.us

Re: RED FLAG INVESTIGATION  
DES 2200992, State Project  
Small Structure Replacement  
State Route 58, 3.82 Miles East of SR 37  
Lawrence County, Indiana

## PROJECT DESCRIPTION

Brief Description of Project: The proposed project is located on SR 58 over an Unnamed Tributary (UNT) to Leatherwood Creek, approximately 3.82 miles east of State Route (SR) 37, Lawrence County, Indiana. The project will be using federal and state funds. Proposed work includes replacing an existing 4.5-foot diameter 33-foot-long pipe culvert under SR 58 with a longer 5-foot diameter pipe sumped 6 inches. The length of the new pipe will be determined during preliminary design. Additional work includes placing riprap at the outlet of the pipe for scour protection; installing guardrail protection; patching pavement at the structure location and pavement transition milling and overlay approximately 50 feet east and west of the structure; and adding minimum 4-foot wide shoulder between travel lanes and new guardrail.

Bridge Work Included in Project: Yes  No  Structure #(s) \_\_\_\_\_

If this is a bridge project, is the bridge Historical? Yes  No  , Select  Non-Select

(Note: If the project involves a historical bridge, please include the bridge information in the Recommendations Section of the report).

Culvert Work Included in Project: Yes  No  Structure #(s) CV 058-047-81.33

Proposed right of way: Temporary  # Acres \_\_\_\_\_ Permanent  # Acres <0.5, Not Applicable

Permanent and temporary right of way limits will be determined after the preliminary design is complete.

Type and proposed depth of excavation: Patching and transition milling possibly up to 1.5" pavement depth within 50 feet east and west of the structure. The proposed depth of excavation for installation of the pipe is approximately 10 feet below grade surface (bgs). Posts for new guardrail would be driven into the ground to a depth of 3 to 4 feet, but no excavation is anticipated for the guardrail work.

Maintenance of traffic (MOT): At this time the maintenance of traffic has not been finalized; however, the project MOT would likely involve a full closure with through traffic using an official detour route. It is recommended that construction and the road closure be timed to occur during summer months when schools are not in session. An official detour route will be proposed during final design.

Work in waterway: Yes  No  Below ordinary high water mark: Yes  No

State Project:  LPA:

Any other factors influencing recommendations: Not applicable.

**INFRASTRUCTURE TABLE AND SUMMARY**

<b>Infrastructure</b>			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
Religious Facilities	<b>1*</b>	Recreational Facilities	<b>1</b>
Airports <sup>1</sup>	<b>1</b>	Pipelines	<b>1</b>
Cemeteries	<b>N/A</b>	Railroads	<b>N/A</b>
Hospitals	<b>N/A</b>	Trails	<b>N/A</b>
Schools	<b>1*</b>	Managed Lands	<b>N/A</b>

<sup>1</sup>In order to complete the required airport review, a review of public-use airports within 3.8 miles (20,000 feet) is required.

**Explanation:**

Religious Facilities\*: Although not mapped on the GIS layer, one (1) religious facility was identified within the 0.5 mile search radius. The nearest facility, Sherwood Oaks Christian Church – Bedford Campus, is located approximately 0.08 mile southeast of the project area. No impact is expected.

Airports: Although not located within the 0.5 mile search radius, one (1) public-use airport, Lawrence County Airport, is located within 3.8 miles (20,000 feet) of the project area. The public-use airport is located approximately 2.50 miles south of the project area; therefore, early coordination with INDOT Aviation will occur.

Schools\*: One (1) school is located within the 0.5 mile search radius. Although the icon associated with Bedford North Lawrence High School is mapped outside the 0.5 mile search radius, the school is actually located approximately 0.33 mile east of the project area. No impact is expected.

Recreational Facilities: One (1) recreational facility is located within the 0.5 mile search radius. The nearest facility, Bedford North Lawrence High School, is located approximately 0.33 mile east of the project area. No impact is expected.

Pipelines: One (1) pipeline segment is located within the 0.5 mile search radius. One (1) pipeline segment, Texas Gas Transmission Corp., crosses the project area. Coordination with INDOT Utilities and Railroads should occur.

**WATER RESOURCES TABLE AND SUMMARY**

<b>Water Resources</b>			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
NWI - Points	<b>2</b>	Canal Routes - Historic	<b>N/A</b>
Karst Springs	<b>N/A</b>	NWI - Wetlands	<b>7</b>
Canal Structures – Historic	<b>N/A</b>	Lakes	<b>7</b>

NPS NRI Listed	<b>N/A</b>	Floodplain - DFIRM	<b>N/A</b>
NWI-Lines	<b>1</b>	Cave Entrance Density	<b>1</b>
IDEM 303d Listed Streams and Lakes (Impaired)	<b>2</b>	Sinkhole Areas	<b>N/A</b>
Rivers and Streams	<b>2</b>	Sinking-Stream Basins	<b>N/A</b>

If unmapped water features are identified that might impact the project area, direct coordination with INDOT ESD Ecology and Waterway Permitting will occur.

Explanation:

**NWI - Points:** Two (2) NWI points are located within the 0.5 mile search radius. The nearest NWI - point is located approximately 0.33 mile northwest of the project area. No impact is expected.

**NWI - Lines:** One (1) NWI – Line is located within the 0.5 mile search radius. The nearest NWI - Line is located approximately 0.37 mile northeast of the project area. No impact is expected.

**IDEM 303d Listed Streams and Lakes:** Two (2) 303d Listed Streams are located within the 0.5 mile search radius. Although the icon associated with one (1) stream, the UNT to Leatherwood Creek, is mapped approximately 0.08 mile south of the project area, the UNT is actually located within the project area. The UNT is listed as impaired for E. coli. Workers who are working in or near water with E. coli should take care to wear appropriate PPE, observe proper hygiene procedures, including regular hand washing, and limit personal exposure.

**Rivers and Streams:** Two (2) stream segments are located within the 0.5 mile search radius. Although the icon associated with one (1) stream, the UNT to Leatherwood Creek, is mapped approximately 0.08 mile south of the project area, the UNT is actually located within the project area. A Waters of the US Report will be prepared and coordination with INDOT ESD Ecology and Waterway Permitting will occur.

**NWI – Wetlands:** Seven (7) wetlands are located within the 0.5 mile search radius. The nearest wetland is located approximately 0.08 mile northwest of the project area. No impact is expected.

**Lakes:** Seven (7) lakes are located within the 0.5 mile search radius. The nearest lake is located approximately 0.08 mile northwest of the project area. No impact is expected.

**Cave Entrance Density:** One (1) cave entrance density area is located within the 0.5 mile search radius. The cave entrance density area is located approximately 0.19 mile northwest of the project area. No impact is expected.

**MINING AND MINERAL EXPLORATION TABLE AND SUMMARY**

<b>Mining/Mineral Exploration</b>			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
Petroleum Wells	<b>N/A</b>	Mineral Resources	<b>N/A</b>
Mines – Surface	<b>N/A</b>	Mines – Underground	<b>N/A</b>

Explanation: No Mining/Mineral Exploration resources were identified within the 0.5 mile search radius.

**HAZARDOUS MATERIAL CONCERNS TABLE AND SUMMARY**

<b>Hazardous Material Concerns</b>			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
Superfund	N/A	Manufactured Gas Plant Sites	N/A
RCRA Generator/ TSD	N/A	Open Dump Waste Sites	N/A
RCRA Corrective Action Sites	N/A	Restricted Waste Sites	N/A
State Cleanup Sites	N/A	Waste Transfer Stations	N/A
Septage Waste Sites	N/A	Tire Waste Sites	N/A
Underground Storage Tank (UST) Sites	N/A	Confined Feeding Operations (CFO)	N/A
Voluntary Remediation Program	N/A	Brownfields	N/A
Construction Demolition Waste	N/A	Institutional Controls	N/A
Solid Waste Landfill	N/A	NPDES Facilities	N/A
Infectious/Medical Waste Sites	N/A	NPDES Pipe Locations	N/A
Leaking Underground Storage (LUST) Sites	N/A	Notice of Contamination Sites	N/A

Unless otherwise noted, site specific details presented in this section were obtained from documents reviewed on the Indiana Department of Environmental Management (IDEM) Virtual File Cabinet (VFC).

Explanation: No Hazardous Material Concerns were identified within the 0.5 mile search radius.

**ECOLOGICAL INFORMATION SUMMARY**

The Lawrence County listing of the Indiana Natural Heritage Data Center information on endangered, threatened, or rare (ETR) species and high quality natural communities is provided at [https://www.in.gov/dnr/nature-preserves/files/np\\_lawrence.pdf](https://www.in.gov/dnr/nature-preserves/files/np_lawrence.pdf). A preliminary review of the Indiana Natural Heritage Database by INDOT ESD did not indicate the presence of ETR species within the 0.5 mile search radius. No further coordination is necessary.

A review of the USFWS database did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. The project area is located in a rural area surrounded by farm fields and trees. The March 9, 2021, inspection report for Culvert #058-047-81.33 states that no evidence of bats was seen or heard in the culvert; however, since the BIAS inspection report is older than two (2) years, additional investigation to confirm the presence or absence of bats in the culvert will be necessary. The range-wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation for INDOT Projects".

**RECOMMENDATIONS SECTION**

Include recommendations from each section. If there are no recommendations, please indicate N/A:

**INFRASTRUCTURE:**

Airports: One (1) public-use airport, Lawrence County Airport, is located within 3.8 miles (20,000 feet) of the project area. The public-use airport is located approximately 2.50 miles south of the project area; therefore, early coordination with INDOT Aviation will occur.

Pipelines: One (1) pipeline segment, Texas Gas Transmission Corp., crosses the project area. Coordination with INDOT Utilities and Railroads will occur.

**WATER RESOURCES:**

A Waters of the US Report is recommended based on the presence of mapped features, and coordination with INDOT ESD Ecology and Waterway Permitting will occur for the following features:

- Rivers and Streams: One (1) stream, the UNT to Leatherwood Creek, flows through the project area.
- IDEM 303d Listed Streams and Lakes: One (1) stream, the UNT to Leatherwood Creek, flows through the project area. The UNT is listed as impaired for E. coli. Workers who are working in or near water with E. coli should take care to wear appropriate PPE, observe proper hygiene procedures, including regular hand washing, and limit personal exposure.

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS: N/A

**ECOLOGICAL INFORMATION:**

A Waters of the US report is recommended; thus, coordination with IDNR will occur. The range-wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation for INDOT Projects".

INDOT ESD concurrence: Dariane Davis (Signature)  
Digitally signed by Dariane Davis  
Date: 2023.03.16 15:33:51 -04'00'

Prepared by:

  
Brynne Taylor  
Environmental Planner  
AZTEC Engineering Group, Inc.

**Graphics:**

A map for each report section with a 0.5 mile search radius buffer around all project area(s) showing all items identified as possible items of concern is attached. If there is not a section map included, please change the YES to N/A:

SITE LOCATION: YES

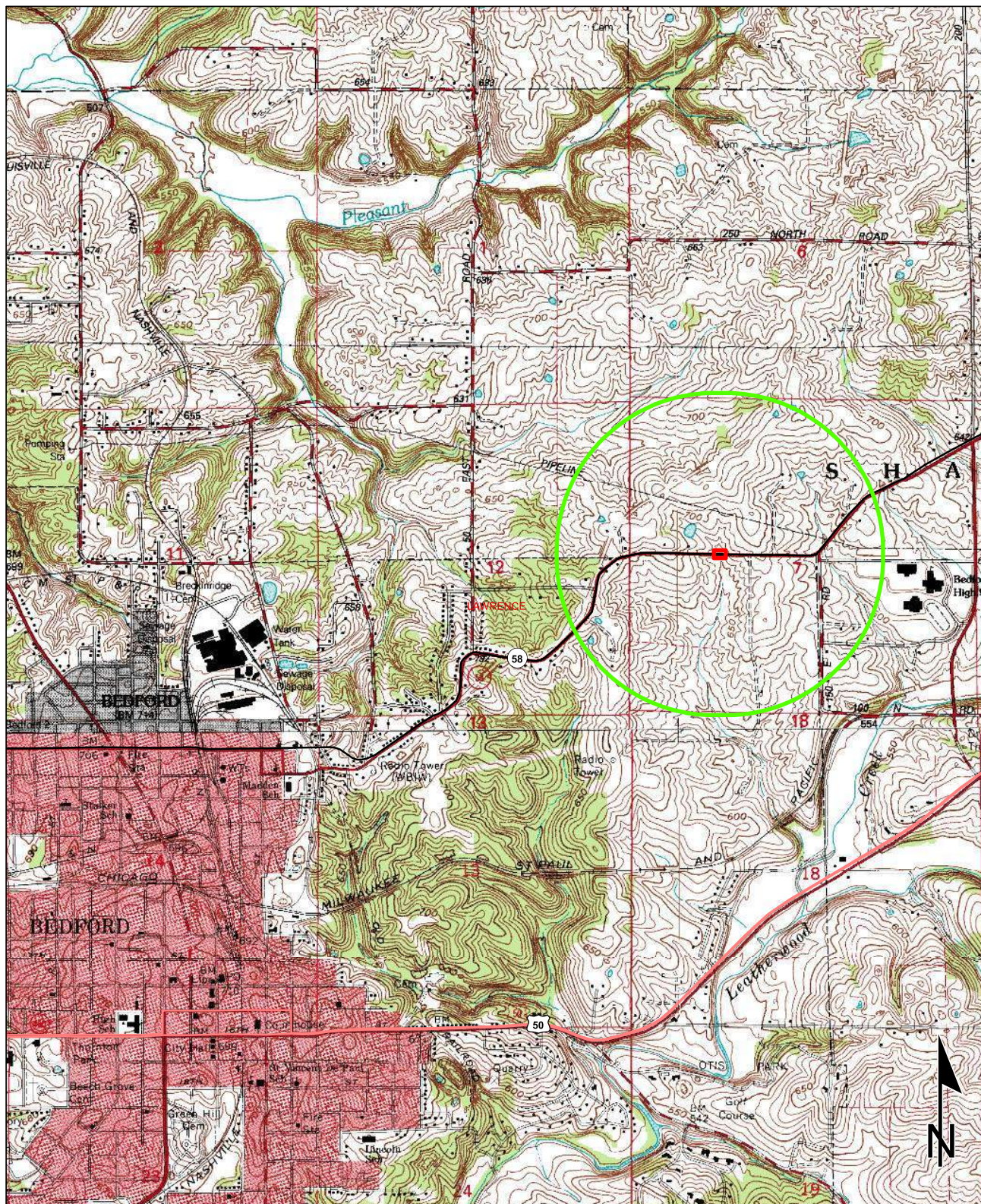
INFRASTRUCTURE: YES

WATER RESOURCES: YES

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS: N/A

Red Flag Investigation - Site Location  
 SR 58, 3.82 Miles East of SR 37  
 Des. No. 2200992, Small Structure Replacement  
 Lawrence County, Indiana

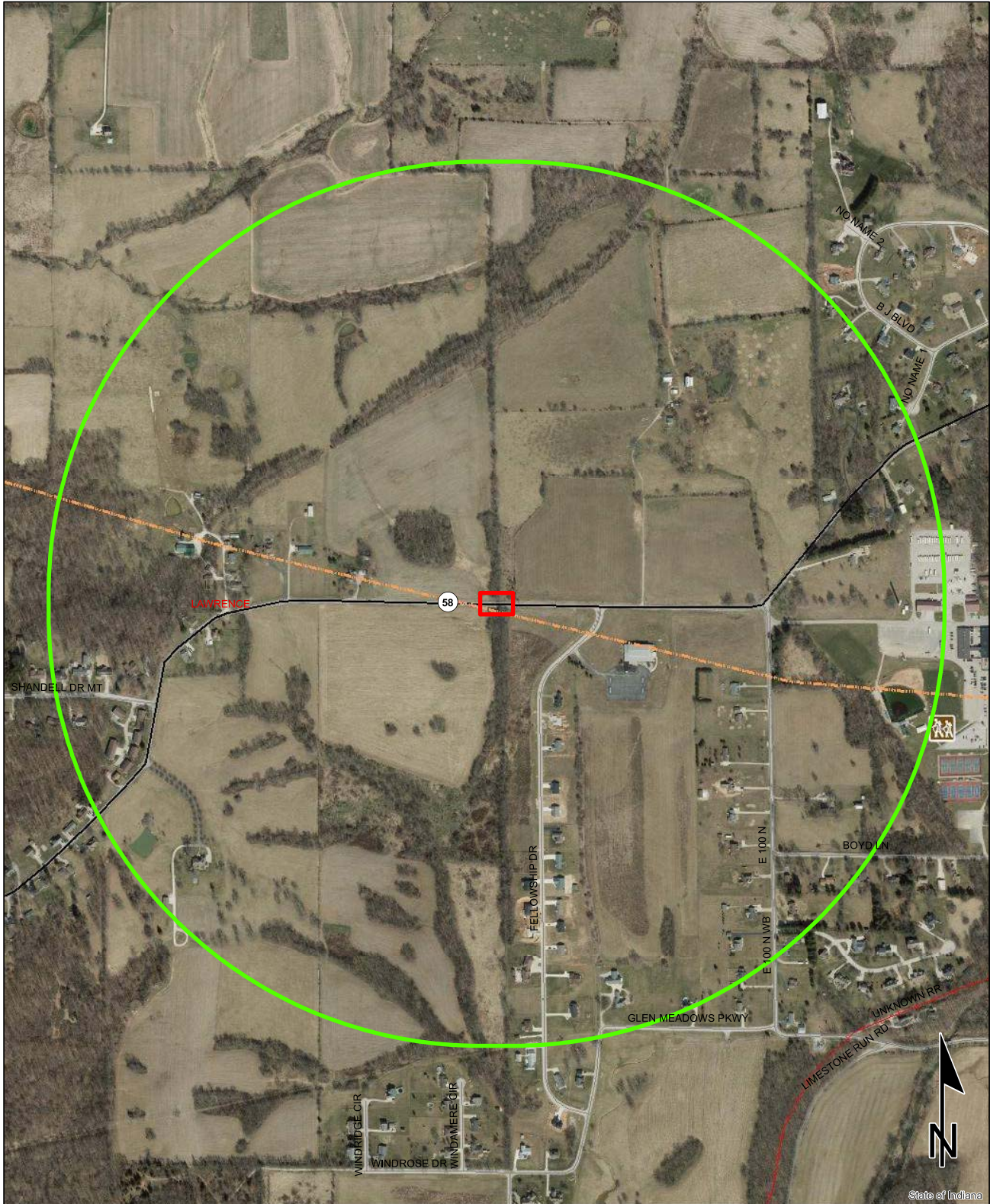


Sources: 0.4 0.2 0 0.4 Miles  
**Non Orthophotography Data** - Obtained from the State of Indiana Geographical Information Office Library  
**Orthophotography** - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
**Map Projection:** UTM Zone 16 N **Map Datum:** NAD83  
 This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

**BARTLETTSVILLE QUADRANGLE**  
**INDIANA**  
**7.5 MINUTE SERIES**  
**(TOPOGRAPHIC)**



Red Flag Investigation - Infrastructure  
 SR 58, 3.82 Miles East of SR 37  
 Des. No. 2200992, Small Structure Replacement  
 Lawrence County, Indiana



State of Indiana

Sources: 0.1 0.05 0 0.1 Miles  
**Non Orthophotography**  
 Data - Obtained from the State of Indiana Geographical Information Office Library  
**Orthophotography** - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
 Map Projection: UTM Zone 16 N Map Datum: NAD83  
 This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

	Religious Facility		Recreation Facility		Project Area
	Airport		Pipeline		Half Mile Radius
	Cemeteries		Railroad		Toll
	Hospital		Trails		Interstate
	School		Managed Lands		State Route
			County Boundary		US Route
					Local Road

Red Flag Investigation - Water Resources  
 SR 58, 3.82 Miles East of SR 37  
 Des. No. 2200992, Small Structure Replacement  
 Lawrence County, Indiana



**Sources:**  
 Non Orthophotography Data - Obtained from the State of Indiana Geographical Information Office Library  
 Orthophotography - Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
 Map Projection: UTM Zone 16 N Map Datum: NAD83

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