

### **INDIANA DEPARTMENT OF TRANSPORTATION**

100 North Senate Avenue Room IGCN 758 Indianapolis, Indiana 46204 PHONE: (317) 232-5113 FAX: (317) 233-4929 Eric Holcomb, Governor Joe McGuinness, Commissioner

November 5, 2021

Sample Early Coordination Letter

{See Attached List}

Re: SR 258 Sight Distance Correction Jackson County, Indiana INDOT Des No.: 1298633 CMT Project No.: 20709.03.01

Dear Interested Party:

The Indiana Department of Transportation (INDOT), with federal funding, intends to proceed with a project involving a sight distance correction along State Road 258 (SR 258) in Jackson County, Indiana. This letter is part of the early coordination phase of the environmental review process. This is an updated coordination letter and includes additional information not included in the original February 1, 2016 mailings for this project. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. **Please use the above designation numbers and description in your reply.** We will incorporate your comments into a study of the project's environmental impacts.

#### **Project Description**

The project is located approximately 6 miles west of Seymour, Indiana, near the intersection of SR 258 and N CR 100 E, within Sections 1 and 2, Township 6 North, and Range 4 East, and Sections 6 and 7, Township 6 North, and Range 5 East, on the U.S. Geological Survey (USGS) Brownstown, Indiana Quadrangle.

This portion of SR 258 is functionally classified as a rural major collector with a posted speed limit of 55 mph. It consists of two 10.5-foot travel lanes with no existing shoulders along this section of the roadway. Within the project limits, the vertical alignment consists of two sag vertical curves separated by a crest vertical curve. The crest vertical curve is substandard and provides a stopping sight distance of approximately 79 feet. The minimum stopping sight distance is 495 feet for a crest vertical curve with a design speed of 55 mph. There are also four driveway approaches located near the crest of this vertical curve that do not have adequate sight distance for vehicles turning from the driveways onto SR 258. This contrasts with the surrounding corridor which is generally a more level terrain with adequate sight distance.

The proposed project includes lowering the existing roadway crest by approximately 5 feet and raising the existing roadway sag vertical curves on either side of the crest by approximately 15 feet. The proposed project limits are from approximately 0.55 mile west of N County Road (CR) 100 E to approximately 500 feet east of N CR 100 E. Roadway improvements are also required on N CR 100 E, from approximately 500 feet south and approximately 300 feet north of the SR 258 intersection, to accommodate the vertical profile change on SR 258.

Approximately 4.3 acres of permanent right of way and 1.9 acres of temporary right of way will be needed for the project. The construction of the project will require closure of SR 258 and detouring through-traffic starting at the SR 135 intersection to the west, traveling south on SR 135 to US 50, east on US 50 to SR 11, north on SR 11 back to SR 258. The additional travel length due to this detour is approximately 10.5 miles. Other detours would be available for local traffic in the project vicinity using local and County Roads. Approximately 8.2 acres of trees are expected to be cleared as part of this project. The project is anticipated to begin construction in Spring of 2024.

Land use in the vicinity of the project is residential and forested. CMT has performed a waters and wetlands determination to identify any water resources that may be present within the study area. One pond, three wetlands, and four streams were identified within the study area. One wetland was located along the north side of SR 258, east of N CR 100 E. Another wetland was located at the northwest corner of the SR 258 and N CR 100 E intersection. The third wetland was located along the north side of SR 258 through an existing culvert underneath N CR 100 E. Another stream flowed east along the south side of SR 258 through an existing culvert underneath N CR 100 E. Another stream flowed east through an existing culvert underneath N CR 100 E, south of SR 258. A third stream flowed north through the forested area along the north side of SR 258. A fourth stream flowed south underneath an existing SR 258 bridge near the west end of the study area. Impacts to streams below the ordinary high water mark are also anticipated. No impacts to the pond are anticipated. This project is anticipated to qualify for the USFWS Rangewide Programmatic Agreement for the Indiana bat and Northern long-eared bat by completing the USFWS's Information for Planning and Consultation (IPaC).

There are no previously recorded historic properties within or adjacent to the project area. However, based on the new project limits, a field survey for potential archaeological and historic resources is being conducted 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. INDOT will ensure compliance with Section 106 of the National Historic Preservation Act of 1966.

Should we not receive a response **within thirty (30) calendar days** from the date of this letter, it will be assumed that your agency feels that there will be no adverse effects incurred as a result of the proposed project. 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 or concerns regarding this matter, please feel free to contact INDOT Seymour District Project Manager Matthew Rhoads at <u>mrhoads@indot.in.gov</u> or contact me at (317) 298-4500 or via email at <u>dromano@emtengr.com</u>. Thank you in advance for your input.

Sincerely,

Crawford, Murphy & Tilly, Inc.

Allany

Dominick J. Romano, Jr., PE Project Manager

Attachments-Maps (Location, Aerial, USGS Topographic) Photographs

Note: Duplicate mapping and photographs were included in the Early Coordination Packet, but were intentionally removed. Please see Appendix A for maps and photographs.

#### The following agencies received Early Coordination Letters sent November 5, 2021:

Field Supervisor U.S. Fish and Wildlife Service Bloomington Indiana Field Office 620 South Walker Street Bloomington, Indiana 47403-2121 robin mcwilliams@fws.gov

Erica Tait Federal Highway Administration Federal Office Building, Room 254 575 North Pennsylvania Street Indianapolis, Indiana 46204 <u>erica.tait@dot.gov</u>

Indiana Geological and Water Survey 611 North Walnut Grove Bloomington, Indiana 47405 Early Coordination submittal at https://igws.indiana.edu/eAssessment/

Environmental Coordinator Indiana Department of Natural Resources Division of Fish and Wildlife 402 West Washington Street, Rm W273 Indianapolis, Indiana 46204 environmentalreview@dnr.in.gov

Utilize the IDEM's Wellhead Proximity Determinator website <u>https://www.in.gov/idem/cleanwater/pages/well</u> <u>head/</u>

Indiana Department of Environmental Management Electronic Website Coordination <u>http://www.in.gov/idem/5284.htm</u> Field Environmental Officer Chicago Regional Office US Department of Housing & Urban Development Metcalf Fed. Bldg. 77 W. Jackson Blvd. Room 2401 Chicago, IL 60604 <u>erik.r.sandstedt@hud.gov</u>

David Dye Environmental Section Manager (Supervisor) Indiana Department of Transportation 185 Agrico Lane Seymour, IN 47274 Ddye@indot.in.gov

Ron Bales Environmental Policy Manager Indiana Department of Transportation 100 N. Senate Ave. IGCN 758 Indianapolis, IN 46204 <u>rbales@indot.in.gov</u>

Matthew Rhoads Project Manager Indiana Department of Transportation 185 Agrico Lane Seymour, IN 47274 <u>mrhoads@indot.in.gov</u>

Scott Manning Strategic Communications Director Indiana Department of Transportation 100 N. Senate Avenue IGCN Room N755 Indianapolis, IN <u>Smanning1@indot.in.gov</u>

Ms. Deborah Snyder US Army Corps of Engineers, Louisville District, Indianapolis Regulatory Office, Indianapolis, IN 46216 <u>Regulatory ApplicationsLRL@usace.army.mil</u>

Forest Supervisor Hoosier National Forest US Forest Service 811 Constitution Avenue Bedford, Indiana 47421 <u>kamick@fs.fed.us</u>

State Conservationist Natural Resources Conservation Service 6013 Lakeside Boulevard Indianapolis, Indiana 46278 rick.neilson@in.usda.gov

Jerry Ault Highway Superintendent Jackson County Highway Department 360 S. County Rd. 25 E. Brownstown, IN 47220 jault@jacksoncounty.in.gov

Nathaniel D. Bryant, NRP Executive Director Jackson County Emergency Medical Services 220 E. Walnut Street Brownstown, Indiana 47220 bryant@jacksoncountyems.org

Drew Markel Jackson County Commissioner District One 111 S. Main Street Brownstown, IN 47220 drew@drewmarkel.com Bob Gillaspy Jackson County Commissioner District Two 111 S. Main Street Brownstown, IN 47220 auditor@jacksoncounty.in.gov

Matt Reedy Jackson County Commissioner District Three 111 S. Main Street Brownstown, IN 47220 auditor@jacksoncounty.in.gov

County Council c/o Roger D. Hurt Auditor and Clerk Jackson County Council 111 S. Main Street Brownstown, IN 47220 auditor@jacksoncounty.in.gov

Daniel S. Blann County Surveyor Jackson County 220 E. Walnut Street Brownstown, Indiana 47220 dblann@jacksoncounty.in.gov

Sheriff Rick Meyer Jackson County Sheriff's Office 150 East SR 250 Brownstown, Indiana 47220 info@jacksoncountysheriffin.org

Christopher Bunce, M.D. Health Officer Jackson County Health Department 801 West 2nd Street Seymour, Indiana 47274 <u>kmyers@jacksoncounty.in.gov</u>

Brandon Harpe Superintendent Seymour Community Schools Seymour Central Service Center 1420 Corporate Way Seymour, IN 47274 harpeb@scsc.k12.in.us

Tim Fosbrink Director of Transportation Seymour Community Schools Seymour Central Service Center 1420 Corporate Way Seymour, IN 47274 fosbrinkt@scsc.k12.in.us Brad Lucas Fire Chief Seymour Fire Department 318 East Street Seymour, Indiana 47274 blucas@seymourinfire.org

Hamilton Twp. Fire Department 6843 N. County Road 400 E. Seymour, IN 47274 htvfd@blueriver.net

Jackson County History Center of Indiana 105 N Sugar Street Brownstown, Indiana 47220 jchc@frontier.com

# From: Rhoads, Matthew <MRhoads@indot.IN.gov> Sent: Monday, September 13, 2021 10:09 AM To: Dominick Romano <dromano@cmtengr.com> Subject: RE: Des 1298633 SR 258 Sight Distance Correction | Progress Report and Preliminary Schedule

**External Message:** This email was sent from someone outside of CMT. Please use caution with links and attachments from unknown senders or receiving unexpected emails.

Roderick,

Please see below answers in **RED** from David Dye addressing your questions. In addition to those answers, he also sent me a follow-up on the public involvement. He said since the scope is changing, there should be either a new opportunity for public hearing, or an information meeting—which should be described in the AI.

-Matt

#### Matthew Rhoads, PE

Project Manager 185 Agrico Lane Seymour, IN 47274 Office: (812) 524-3941 Cell: (812) 569-2364 Email: <u>mrhoads@indot.in.gov</u>



From: Dye, David <<u>DDYE@indot.IN.gov</u>>
Sent: Monday, September 13, 2021 9:48 AM
To: Rhoads, Matthew <<u>MRhoads@indot.IN.gov</u>>
Subject: RE: Des 1298633 SR 258 Sight Distance Correction | Progress Report and Preliminary Schedule

Matt,

Please see questions answered below.

David Dye Environmental Section Manager 185 Agrico Lane Seymour, IN 47274 Office: (812) 524-3723 Email: ddye@indot.in.gov





From: Rhoads, Matthew <<u>MRhoads@indot.IN.gov</u>>
Sent: Wednesday, September 1, 2021 9:33 AM
To: Dye, David <<u>DDYE@indot.IN.gov</u>>
Subject: FW: Des 1298633 SR 258 Sight Distance Correction | Progress Report and Preliminary Schedule

Dave,

Please see below from Mr. Romano regarding SR 258. The environmental discussion takes off after the first paragraph.

-Matt

From: Dominick Romano <dromano@cmtengr.com>
Sent: Tuesday, August 31, 2021 5:15 PM
To: Rhoads, Matthew <<u>MRhoads@indot.IN.gov</u>>
Subject: RE: Des 1298633 SR 258 Sight Distance Correction | Progress Report and Preliminary Schedule

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Hi Matt,

Thanks for the response; I was going to reach out in the next few days to see if you would like a phone call to be brought up to speed, but you beat me to it!

For the public road approach/joint drive (R/W question), we will move forward as we have it for STG1, with a note to the reviewer that this is being investigated. For further clarification, our question stems from direction on a previous project that R/W cannot be acquired from one property owner to provide a driveway for an adjacent property owner; rather a public road would need to be constructed for this purpose. Both the Indiana Design Manual (46-11.01(05) and the INDOT Driveway Permit Manual discuss the use of a joint residential drive, however, both of these indicate the centerline of the joint drive should be located on the property line dividing the two owners, and based on the vertical profile adjustments associated with the sight distance improvements, placing the driveway on the property line is not feasible. Based on the location of the apparent existing R/W line for SR 258, while not located on the property line, a joint drive could be provided within the state owned R/W. If allowable (based on R/W and other constraints), CMT recommends that this be designed as a joint drive, and not a public road; however, whichever option is selected, we recommend having this decided by STG2.

For the Environmental Document, we had a few questions that we thought could benefit from early input from INDOT Environmental Services

• The previously approved document was a CE-2, and did not include a noise analysis. CMT's understanding of the regulations for when a noise analysis is required includes when a project includes a substantial vertical alteration that exposes receptors to traffic noise, such as by changing the elevation of the noise source or altering topography in between the noise source

and the receptor. The current proposed profile results in raising the roadway elevation by approximately 12 feet and 10 feet in the vicinity of 2 residential receptors; there are changes in elevation at other receptor locations, but not as significant as these.

 2 questions associated with this: is a noise analysis required? If a noise analysis is required, can this be part of an AI to the previously approved CE-2, or is something more substantial needed?

A noise study is not required.

- For the cultural resources (historic and archaeology), it is our understanding that the previously completed investigations/reports remain valid, and only the following activities would be required:
  - Complete investigations for areas outside of the previous study area (notably to the west and east along SR 258) and develop AI documents
  - Obtain a new signed finding (since the APE has changed from the previous study) The APE should actually be reduced. But coordination with INDOT CRO should take place.
- RFI Based on the time lapse from the previous investigation, along with the increased study area, is a new RFI required?
  - In reviewing the CE and SAM Manuals, since the CE document was approved, it is unclear if the age of the RFI necessitates a new investigation.
     The age of the RFI dictates the need for a new RFI.
- Early Coordination Letters Based on the time lapse from the previous coordination, along with the increased study area, should coordination be re-initiated?

In addition to the time elapsed, the scope is changing significantly. New EC is needed.

- WOTUS Report it is our understanding that based on the time lapse from the previous investigation (> 5 years), along with the increased study area, a new report would be required
  - Although not anticipated, if the revised design results in additional wetland or stream impacts resulting in a change in the CE level threshold, can that be covered by an Al document, or is something more substantial needed?
     For the same reasons, a new or revised waters report will be needed. Coordinate with INDOT EWPO.

My apologies for the long-winded email, just wanted to be sure we are on the same page as it relates to some of our questions. I'm looking forward to working with you, and if a call would be better to discuss any of these items or other project issues, let me know.

Thanks, Dominick

**DOMINICK J. ROMANO, JR., PE | Crawford, Murphy & Tilly** | w 317.298.4500 *Project Manager* 

From: Rhoads, Matthew <<u>MRhoads@indot.IN.gov</u>>
Sent: Tuesday, August 31, 2021 2:53 PM
To: Dominick Romano <<u>dromano@cmtengr.com</u>>
Cc: Carleton, Greg <<u>GCARLETON@indot.IN.gov</u>>
Subject: RE: Des 1298633 SR 258 Sight Distance Correction | Progress Report and Preliminary Schedule

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Hi Roderick,

I wanted to reach out based on Greg's email yesterday.

A note on the plans seems reasonable at this point regarding the R/W and it can be looked at in the near future by INDOT R/W Services.

As far as the environmental document, what exactly are you wanting to address with INDOT Environmental Services? I mentioned it to Dave Dye and he remembered reviewing the environmental document several years ago and thought there would need to be an AI in order to amend it for use in this contract. If you have specific questions/concerns please let me know and I will see if I can get them addressed or set up a meeting, if appropriate. Otherwise, we couldn't do much more than direct you to the Manual at this point.

-Matt

Matthew Rhoads, PE Project Manager 185 Agrico Lane Seymour, IN 47274 Office: (812) 524-3941 Cell: (812) 569-2364 Email: mrhoads@indot.in.gov





### **Organization and Project Information**

Project ID:Des. ID:1298633Project Title:SR 258 Sight Distance Correction Project #1298633Name of Organization:CMTRequested by:Laura Sakach

### **Environmental Assessment Report**

1. Geological Hazards:

- High liquefaction potential
- 1% Annual Chance Flood Hazard

#### 2. Mineral Resources:

- Bedrock Resource: Moderate Potential
- Sand and Gravel Resource: Low Potential
- 3. Active or abandoned mineral resources extraction sites:
  - None documented in the area

\*All map layers from Indiana Map (maps.indiana.edu)

#### **DISCLAIMER:**

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

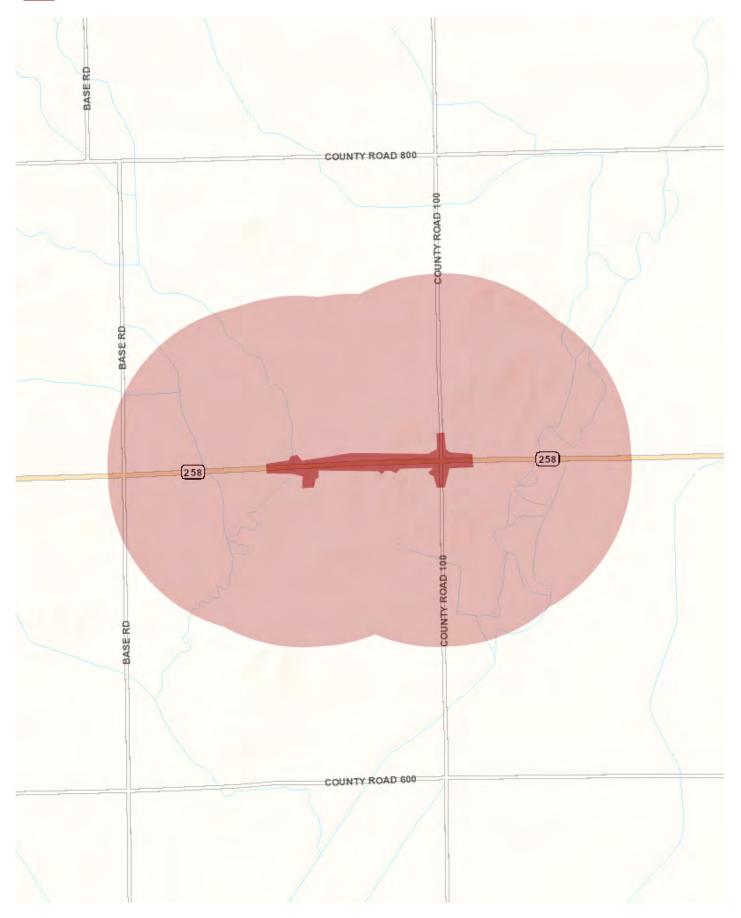
This information was furnished by Indiana Geological Survey

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

Email: IGSEnvir@indiana.edu

Phone: 812 855-7428

Date: November 05, 2021



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# Metadata:

- https://maps.indiana.edu/metadata/Geology/Seismic\_Earthquake\_Liquefaction\_Potential.html
- https://maps.indiana.edu/metadata/Geology/Industrial\_Minerals\_Sand\_Gravel\_Resources.html
- https://maps.indiana.edu/metadata/Hydrology/Floodplains\_FIRM.html
- https://maps.indiana.edu/metadata/Geology/Bedrock\_Geology.html

# Indiana Department of Environmental Management

We Protect Hoosiers and Our Environment.

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

INDOT Matthew Rhoads 185 Agrico Lane Seymour, IN 47274 Seymour , IN 47274 Date Crawford, Murphy & Tilly Dominick Romano 8790 Purdue Road Indianapolis , IN 46268

Dear Grant Administrator or Other Finance Approval Authority:

RE: The Indiana Department of Transportation (INDOT), with federal funding, intends to proceed with a project involving a sight distance correction along State Road 258 (SR 258) in Jackson County, Indiana. The proposed project includes lowering the existing roadway crest by approximately 5 feet and raising the existing roadway sag vertical curves on either side of the crest by approximately 15 feet. The proposed project limits are from approximately 0.55 mile west of N County Road (CR) 100 E to approximately 500 feet east of N CR 100 E. Roadway improvements are also required on N CR 100 E, from approximately 500 feet south and approximately 300 feet north of the SR 258 intersection, to accommodate the vertical profile change on SR 258. Approximately 4.3 acres of permanent right of way and 1.9 acres of temporary right of way will be needed for the project.

The Indiana Department of Environmental Management (IDEM) is aware that many local government or not-forprofit entities are seeking grant monies, a bond issuance, or another public funding mechanism to cover some portion of the cost of a public works, infrastructure, or community development project. IDEM also is aware that in order to be eligible for such funding assistance, applicants are required to first evaluate the potential impacts that their particular project may have on the environment. In order to assist applicants seeking such financial assistance and to ensure that such projects do not have an adverse impact on the environment, IDEM has prepared the following list of environmental issues that each applicant must consider in order to minimize environmental impacts in compliance with all relevant state laws.

IDEM recommends that each applicant consider the following issues when moving forward with their project. IDEM also requests that, in addition to submitting the information requested above, each applicant also sign the attached certification, attesting to the fact that they have read the letter in its entirety, agree to abide by the recommendations of the letter, and to apply for any permits required from IDEM for the completion of their project.

IDEM recommends that any person(s) intending to complete a public works, infrastructure, or community development project using any public funding consider each of the following applicable recommendations and requirements:

## WATER AND BIOTIC QUALITY

 Section 404 of the Clean Water Act requires that you obtain a permit from the U.S. Army Corps of Engineers (USACE) before discharging dredged or fill materials into any wetlands or other waters, such as rivers, lakes, streams, and ditches. Other activities regulated include the relocation, channelization, widening, or

#### https://apps.idem.in.gov/IDEMWebForms/enviroletter.aspx

other such alteration of a stream, and the mechanical clearing (use of heavy construction equipment) of wetlands. Thus, as a project owner or sponsor, it is your responsibility to ensure that no wetlands are disturbed without the proper permit. Although you may initially refer to the U.S. Fish and Wildlife Service National Wetland Inventory maps as a means of identifying potential areas of concern, please be mindful that those maps do not depict jurisdictional wetlands regulated by the USACE or the Department of Environmental Management. A valid jurisdictional wetlands determination can only be made by the USACE, using the 1987 Wetland Delineation Manual.

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

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

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

- 2. In the event a Section 404 wetlands permit is required from the USACE, you also must obtain a Section 401 Water Quality Certification from the IDEM Office of Water Quality. To learn more about the water quality certification program, visit: http://www.in.gov/idem/4384.htm (http://www.in.gov/idem/4384.htm).
- 3. If the USACE determines that a wetland or other body of water is isolated and not subject to Clean Water Act regulation, it is still regulated by the state of Indiana . A state isolated wetland permit from IDEM's Office of Water Quality is required for any activity that results in the discharge of dredged or fill materials into isolated wetlands. To learn more about isolated wetlands, contact the Office of Water Quality at 317-233-8488.
- 4. If your project will impact more than 0.5 acres of wetland, stream relocation, or other large-scale alterations to bodies of water such as the creation of a dam or a water diversion, you should seek additional input from the Office of Water Quality, Wetlands staff at 317-233-8488.
- 5. Work within the one-hundred year floodway of a given body of water is regulated by the Department of Natural Resources, Division of Water. Contact this agency at 317-232-4160 for further information.
- 6. The physical disturbance of the stream and riparian vegetation, especially large trees overhanging any affected water bodies should be limited to only that which is absolutely necessary to complete the project.

The shade provided by the large overhanging trees helps maintain proper stream temperatures and dissolved oxygen for aquatic life.

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

To obtain, and operate under, a Rule 5 permit you will first need to develop a Construction Plan (http://www.in.gov/idem/4917.htm#constreq (http://www.in.gov/idem/4917.htm#constreq)), and as described in 327 IAC 15-5-6.5 (http://www.in.gov/legislative/iac/T03270/A00150 [PDF] (http://www.in.gov/legislative/iac/T03270/A00150.PDF), pages 16 through 19). Before you may apply for a Rule 5 Permit, or begin construction, you must submit your Construction Plan to your county Soil and Water Conservation District (SWCD) (http://www.in.gov/isda/soil/contacts/map.html (http://www.in.gov/isda/soil/contacts/map.html)).

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

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

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

Regardless of the size of your project, or which agency you work with to meet storm water requirements, IDEM recommends that appropriate structures and techniques be utilized both during the construction phase, and after completion of the project, to minimize the impacts associated with storm water runoff. The use of appropriate planning and site development and appropriate storm water quality measures are recommended to prevent soil from leaving the construction site during active land disturbance and for post construction water quality concerns. Information and assistance regarding storm water related to construction activities are available from the Soil and Water Conservation District (SWCD) offices in each county or from IDEM.

- For projects involving impacts to fish and botanical resources, contact the Department of Natural Resources
   Division of Fish and Wildlife (317-232-4080) for additional project input.
- 9. For projects involving water main construction, water main extensions, and new public water supplies, contact the Office of Water Quality Drinking Water Branch (317-308-3299) regarding the need for permits.

- For projects involving effluent discharges to waters of the State of Indiana , contact the Office of Water Quality - Permits Branch (317-233-0468) regarding the need for a National Pollutant Discharge Elimination System (NPDES) permit.
- 11. For projects involving the construction of wastewater facilities and sewer lines, contact the Office of Water Quality Permits Branch (317-232-8675) regarding the need for permits.

# AIR QUALITY

The above-noted project (see page 1) should be designed to minimize any impact on ambient air quality in, or near, the project area. The project must comply with all federal and state air pollution regulations. Consideration should be given to the following:

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

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

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

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

3. The U.S. EPA and the U.S. Surgeon General recommend that people not have long-term exposure to radon at levels above 4 pCi/L. For a county-by-county map of predicted radon levels in Indiana , visit http://www.in.gov/idem/4267.htm (http://www.in.gov/idem/4267.htm).

The U.S. EPA further recommends that all homes and apartments (within three stories of ground level) be tested for radon. If in-home radon levels are determined to be 4 pCi/L or higher, then U.S. EPA recommends a follow-up test. If the second test confirms that radon levels are 4 pCi/L or higher, then U.S. EPA recommends the installation of radon-reduction measures. For a list of qualified radon testers and radon mitigation (or reduction) specialists, visit http://www.

in.gov/isdh/regsvcs/radhealth/pdfs/radon\_testers\_mitigators\_list.pdf

(http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon\_testers\_mitigators\_list.pdf). Also, is recommended that

#### https://apps.idem.in.gov/IDEMWebForms/enviroletter.aspx

radon reduction measures be built into all new homes, particularly in areas like Indiana that have moderate to high predicted radon levels.

To learn more about radon, radon risks, and ways to reduce exposure, visit http://www.in.gov/isdh/regsvcs/radhealth/radon.htm (http://www.in.gov/isdh/regsvcs/radhealth/radon.htm), http://www.in.gov/idem/4145.htm (http://www.in.gov/idem/4145.htm), or http://www.epa.gov/radon/index.html (http://www.epa.gov/radon/index.html).

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

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

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

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

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

For more information about IDEM policy regarding asbestos removal and disposal, visit: http://www.in.gov/idem/4983.htm (http://www.in.gov/idem/4983.htm).

- 5. With respect to lead-based paint removal, IDEM encourages all efforts to minimize human exposure to lead-based paint chips and dust. IDEM is particularly concerned that young children exposed to lead can suffer from learning disabilities. Although lead-based paint abatement efforts are not mandatory, any abatement that is conducted within housing built before January 1, 1978, or a child-occupied facility is required to comply with all lead-based paint work practice standards, licensing and notification requirements. For more information about lead-based paint removal, visit http://www.in.gov/idem/permits/guide/waste/leadabatement.html (http://www.in.gov/idem/permits/guide/waste/leadabatement.html).
- Ensure that asphalt paving plants are permitted and operate properly. The use of cutback asphalt, or asphalt emulsion containing more than seven percent (7%) oil distillate, is prohibited during the months of April through October. See 326 IAC 8-5-2 , Asphalt Paving Rule (http://www.ai.org/legislative/iac/T03260/A00080.PDF (http://www.ai.org/legislative/iac/T03260/A00080.PDF)).

- 7. If your project involves the construction of a new source of air emissions or the modification of an existing source of air emissions or air pollution control equipment, it will need to be reviewed by the IDEM Office of Air Quality (OAQ). A registration or permit may be required under 326 IAC 2 ( www.ai.org/legislative/iac/t03260/a00020.pdf (http://www.ai.org/legislative/iac/t03260/a00020.pdf).). New sources that use or emit hazardous air pollutants may be subject to Section 112 of the Clean Air Act and corresponding state air regulations governing hazardous air pollutants.
- For more information on air permits, visit http://www.in.gov/idem/4223.htm (http://www.in.gov/idem/4223.htm), or to initiate the IDEM air permitting process, please contact the Office of Air Quality Permit Reviewer of the Day at (317) 233-0178 or oamprod at idem.in.gov.

# LAND QUALITY

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

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

### FINAL REMARKS

Should the applicant need to obtain any environmental permits in association with this proposed project, please be mindful that IC 13-15-8 requires that they notify all adjoining property owners and/or occupants within ten days of your submittal of each permit application. Applicants seeking multiple permits, may still meet the notification requirement with a single notice if all required permit applications are submitted with the same ten day period.

Please note that this letter does not constitutes a permit, license, endorsement, or any other form of approval on the part of either the Indiana Department of Environmental Management or any other Indiana state agency.

Should you have any questions relating to the content or recommendations of this letter, or if you have additional questions about whether a more complete environmental review of your project should be conducted, please feel free to contact Steve Howell at (317) 232-8587, snhowell@idem.in.gov.

### Signature(s) of the Applicant

I acknowledge that I am seeking grant monies, a bond issuance, or other public funding mechanism to cover some portion of the cost of the public works, infrastructure, or community development project as described herein, which I am working (possibly with others) to complete.

### **Project Description**

The Indiana Department of Transportation (INDOT), with federal funding, intends to proceed with a project involving a sight distance correction along State Road 258 (SR 258) in Jackson County, Indiana. The proposed project includes lowering the existing roadway crest by approximately 5 feet and raising the existing roadway sag vertical curves on either side of the crest by approximately 15 feet. The proposed project limits are from approximately 0.55 mile west of N County Road (CR) 100 E to approximately 500 feet east of N CR 100 E. Roadway improvements are also required on N CR 100 E, from approximately 500 feet south and approximately 300 feet north of the SR 258 intersection, to accommodate the vertical profile change on SR 258. Approximately 4.3 acres of permanent right of way and 1.9 acres of temporary right of way will be needed for the project.

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

Dated Signature of the Public Owner Contact/Responsible Elected Official Matthew Rhoads

11/7/2021

Matthew Rhoads

Dated Signature of the Project Planner/Consultant Contact Person

11/05/2021

Dominick Romano

Dear Ms. Sakach,

This responds to your recent letter requesting our comments on the aforementioned project.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U.S. Fish and Wildlife Service's Mitigation Policy.

The project is within the range of the Indiana bat (*Myotis sodalis*) and northern long-eared bat (*Myotis septentrionalis*) and should follow the new Indiana bat/northern long-eared bat programmatic consultation process, if applicable (*i.e.* a federal transportation nexus is established). The Service has 14 days after a "Not Likely to Adversely Affect" determination letter is generated to review the project and provide additional comments or request additional information; if you do not receive a response from us within 14 days, we have no additional comments. Please note, if tree impacts occur greater than 100 feet from the edge of pavement, additional compensatory mitigation may be required.

Wetland and stream impacts may require permits from the U.S. Army Corps of Engineers, the Indiana Department of Environmental Management's Water Quality Certification program, and the Indiana Department of Natural Resources. Wetland impacts should be avoided, and any unavoidable impacts should be compensated for in accordance with agency mitigation guidelines.

Based on a review of the information you provided, the U.S. Fish and Wildlife Service has no other comments on the project as currently proposed. However, should new information arise pertaining to project plans or a revised species list be published, it will be necessary for the Federal agency to reinitiate consultation. Standard recommendations are provided below.

We appreciate the opportunity to comment at this early stage of project planning. If you have any questions about our recommendations, please contact me at robin\_mcwilliams@fws.gov or you may call 812-334-4261 x. 207.

Sincerely, Robin McWilliams Munson

**Standard Recommendations:** 

1. Do not clear trees or understory vegetation outside the construction zone boundaries.

# (This restriction is not related to the "tree clearing" restriction for potential Indiana Bat habitat.)

2. Restrict below low-water work in streams to placement of culverts, piers, pilings and/or footings, shaping of the spill slopes around the bridge abutments, and placement of riprap. Culverts should span the active stream channel, should be either embedded or a 3-sided or open-arch culvert, and be installed where practicable on an essentially flat slope. When an open-bottom culvert or arch is used in a stream, which has a good natural bottom substrate, such as gravel, cobbles and boulders, the existing substrate should be left undisturbed beneath the culvert to provide natural habitat for the aquatic community.

3. Restrict channel work and vegetation clearing to the minimum necessary for installation of the stream crossing structure.

4. Minimize the extent of hard armor (riprap) in bank stabilization by using bioengineering techniques whenever possible. If riprap is utilized for bank stabilization, extend it below low-water elevation to provide aquatic habitat.

5. Implement temporary erosion and sediment control methods within areas of disturbed soil. All disturbed soil areas upon project completion will be vegetated following INDOT's standard specifications.

Avoid all work within the inundated part of the stream channel (in perennial streams and larger intermittent streams) during the fish spawning season (April 1 through June 30), except for work within sealed structures such as caissons or cofferdams that were installed prior to the spawning season. No equipment shall be operated below Ordinary High-Water Mark during this time unless the machinery is within the caissons or on the cofferdams.
 Evaluate wildlife crossings under bridge/culverts projects in appropriate situations. Suitable crossings include flat areas below bridge abutments with suitable ground cover, high water shelves in culverts, amphibian tunnels and diversion fencing

Robin McWilliams Munson Fish and Wildlife Biologist U.S. Fish and Wildlife Service 620 South Walker Street Bloomington, IN 46142 812-334-4261

Mon-Tues 8-3:30p Wed-Thurs 8:30-3p Telework

From: Laura Sakach <lsakach@cmtengr.com>Sent: Friday, November 5, 2021 4:53 PMTo: McWilliams, Robin <robin\_mcwilliams@fws.gov>

Cc: Dominick Romano <dromano@cmtengr.com>

**Subject:** [EXTERNAL] Early Coordination Letter: SR 258 Sight Distance Correction Project #1298633

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

Dear Interested Party,

The Indiana Department of Transportation (INDOT) intends to proceed with a project involving a sight distance correction along State Road 258 (SR 258) in Hamilton Township, Jackson County, Indiana (INDOT Des No.: 1298633). Please see the attached letter, which is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. We will incorporate your comments into a study of the project's environmental impacts.

If you have any questions or concerns regarding this matter, please feel free to contact INDOT Seymour District Project Manager Matthew Rhoads at <u>mrhoads@indot.in.gov</u>, or Dominick Romano at (317) 298-4500 or via email at <u>dromano@cmtengr.com</u>.. Thank you for your assistance, and we look forward to your response.

Thank you, Laura

#### **LAURA SAKACH** | Project Engineer

Crawford, Murphy & Tilly | Engineers & Consultants 8790 Purdue Road | Indianapolis, IN 46268 w 863.885.3020| m 217.652.8280 | f 217.787.4183 | <u>Isakach@cmtengr.com</u>

\_\_\_\_ Centered in Value

THIS IS NO	T A PERMIT
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#### State of Indiana DEPARTMENT OF NATURAL RESOURCES Division of Fish and Wildlife

Early Coordination/Environmental Assessment

DNR #:	ER-24226	Request Received: November 5, 2021
Requestor:	Crawford Mur Dominick Ron 8790 Purdue Indianapolis, I	Road
Project:		SR 258 sight distance correction, from about 0.55 mile west of CR 100 East to about 500' east; Des #1298633, CMT #20709.03.01
County/Site info	<b>)</b> :	Jackson
		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 Ass	essment:	This proposal will require the formal approval of our agency pursuant to the Flood Control Act (IC 14-28-1) for any proposal to construct, excavate, or fill in or on the floodway of the unnamed tributary to White Creek, unless it qualifies for a bridge exemption (see enclosure) Please submit a copy of this letter with the permit application, if required.
Natural Heritage	e Database:	The Natural Heritage Program's data have been checked. To date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity.
Fish & Wildlife (	Comments:	Avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts. The following are recommendations that address potential impacts identified in the proposed project area:
		1) Crossing Structure: It is unclear if the structure carrying SR 258 over the unnamed tributary to White Creek will be modified or replaced for this project. Maintaining or improving wildlife passage under roads is a priority concern for the Division of Fish & Wildlife for the ecological health of wildlife populations in terms of movement and dispersal, habitat connectivity, and to avoid unnecessary wildlife mortality on roads. Maintaining or improving wildlife passage ability under roads means less wildlife crossing traffic lanes and consequently reduced driving hazards.
		If the structure is to be replaced, the Environmental Unit recommends bridges rather than culverts and bottomless culverts rather than box or pipe culverts for the purpose of maintaining fish and wildlife passage through the crossing structure. 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. 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.

Attachments: A - Bridge Exemption Criteria

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

There are a number of techniques and materials for incorporating wildlife passage into the design of a crossing structure. Coordination with the Regional Environmental Biologist to address wildlife passage issues before submitting a permit application (if required) is encouraged to avoid delays in the permitting process. The following links are good resources to consider in the design of stream crossing structures to maintain fish and wildlife passage: http://www.fs.fed.us/wildlifecrossings/library/, https://roadecology.ucdavis.edu/files/content/projects/DOT-FHWA Wildlife Crossing St ructures Handbook.pdf, https://www.fs.fed.us/biology/nsaec/fishxing/aop pdfs.html, https://www.fhwa.dot.gov/engineering/hydraulics/pubs/11008/hif11008.pdf. 2) 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: http://iac.iga.in.gov/iac/20200527-IR-312200284NRA.xml.pdf. Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to non-wetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, 1 inch to 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10" dbh or greater (5:1 mitigation based on the number of large trees) or by using the 1:1 replacement ratio based on area depending on the type of habitat impacted (individual canopy tree removal in an urban streetscape or park-like environment versus removal of habitat supporting a tree canopy, woody understory, and herbaceous layer). Impacts under 0.10 acre in an urban area may still involve the replacement of large diameter trees but typically do not require any additional mitigation or additional plantings beyond seeding and stabilizing disturbed areas. There are exceptions for high quality habitat sites however. 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. 3) Wetland Habitat: Large blocks of forested habitat identified as forested wetland by the National Wetland Inventory exist at the west end extending east to about 650' from the west terminus (on the north side of the road) and 450' east of the west terminus on the south side of the road which appear likely to be impacted by the project. As the project area contains wetlands or potential wetland, we recommend coordination with the US Army Corps of Engineers and the Indiana Department of Environmental Management. A wetland determination/delineation that has been verified by the US Army Corps of Engineers is likely necessary. Wetland mitigation may be required, and any wetland mitigation plan must be developed in accordance with the DNR's Habitat Mitigation Guidelines. 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 inchannel disturbance and the clearing of trees and brush.

Attachments: A - Bridge Exemption Criteria

#### THIS IS NOT A PERMIT

#### State of Indiana DEPARTMENT OF NATURAL RESOURCES Division of Fish and Wildlife

#### Early Coordination/Environmental Assessment

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. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized. 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. **Contact Staff:** Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.

<sup>C</sup>hristie L. Stanifer Date: December 3, 2021

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

The Flood Control Act (IC 14-28-1) contains a provision (Section 22), which exempts certain bridge projects from its permitting requirement. Specifically, the Act states:

A permit is not required for "a construction or reconstruction project on a state or county highway bridge in a rural area that crosses a stream having an upstream drainage area of not more than fifty (50) square miles..."

Therefore, in order for a bridge project to be exempt, it must:

- be a state or county highway department project;
- be a bridge;
- be located in a rural area; and
- cross a stream having an upstream drainage area of less than 50 square miles.

The initial criterion is very specific - the structure must be a state or county highway department project.

The second requirement mandates that the project be a bridge (for this provision, the Department of Natural Resources considers a culvert to be a bridge). Projects such as bank protection, spoil disposal, borrow pits, etc. are not automatically exempt. Anyone proposing to undertake a non-bridge related activity should consult with the Division of Water's Technical Services Section staff at 317-232-4160 (or toll free at 1-877-928-3755) regarding the applicability of the exemption prior to initiating work.

The third criterion states that the project must be located in a rural area. The phrase "rural area" is defined as an area:

- where the lowest floor elevation, including a basement, of any residential, commercial, or industrial building impacted by the project is at least 2 feet above the 100 year flood elevation with the project in place;

- located outside the corporate boundaries of a consolidated or an incorporated city or town; and

- located outside of the territorial authority for comprehensive planning (generally, a 2 mile planning buffer around a city or town).

The final criterion limits the exemption to a project crossing a stream having an upstream drainage area of less than 50 square miles. The drainage area includes all land area contributing to runoff above the project site and is determined from the United States Geological Survey 7½ minute series quadrangle maps. The Department of Natural Resources will determine the drainage area upon written request.

This exemption has been grossly misunderstood and liberally applied in the past. As a result, the Department of Natural Resources is taking a firm stance on future violations. If challenged, it will be the responsibility of the person claiming the exemption to prove to the Department that all 4 criteria have been satisfied. Failure to do so will result in the Department initiating litigation with the potential for the imposition of fines in amounts up to \$10,000 per day.

Note: This exemption only applies to the Flood Control Act. If a bridge is to be constructed over a navigable waterway, or over or near a public freshwater lake, a permit will be required.



December 10, 2021

Dominick J. Romano, Jr., PE Project Manager Crawford, Murphy & Tilly, Inc. <u>dromano@cmtengr.com</u>

Dear Mr. Romano:

The proposed project to proceed with a sight distance correction for State Road 258 in Jackson County, Indiana (Des No. 1298633), as referred to in your letter received on November 5, 2021, will cause a conversion of prime farmland.

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

If you need additional information, please contact John Allen at 317-295-5859 or john.allen@usda.gov.

Sincerely,

RICHARD Digitally signed by RICHARD NEILSON NEILSON Date: 2021.12.13 13:15:44 -05'00' RICK NEILSON State Conservationist

Enclosures

B-28

F	U.S. Departmen	-							
PART I (To be completed by Federal Agen	cy)	Date Of La	and Evaluation	Request					
			Date Of Land Evaluation Request Federal Agency Involved						
			County and State						
PART II (To be completed by NRCS)	Date Requ	lest Received	Ву	Person Completing Form:					
Does the site contain Prime, Unique, Statewide or Local Important Farmland?       YES         (If no, the FPPA does not apply - do not complete additional parts of this form)       Important Farmland?				Acres I	rrigated	Average	Farm Size		
Major Crop(s) Farmable Land In Govt. Jurisdiction Acres: %				Amount of Farmland As		L Defined in FPPA			
				Acres:	%				
Name of Land Evaluation System Used	Name of State or Local Sit	Name of State or Local Site Assessment System         Date Land Evaluation Returned by NRCS							
PART III (To be completed by Federal Age	ncy)			Site A	Alternative Site B	Site Rating Site C	Site D		
A. Total Acres To Be Converted Directly									
B. Total Acres To Be Converted Indirectly									
C. Total Acres In Site									
<b>PART IV</b> (To be completed by NRCS) Lan	d Evaluation Information								
A. Total Acres Prime And Unique Farmland									
B. Total Acres Statewide Important or Loca									
C. Percentage Of Farmland in County Or L									
D. Percentage Of Farmland in Govt. Jurisdi	ction With Same Or Higher Relativ	ve Value							
<b>PART V</b> (To be completed by NRCS) Land Relative Value of Farmland To Be C		<b>`</b>							
<b>PART VI</b> (To be completed by Federal Age (Criteria are explained in 7 CFR 658.5 b. For	ency) Site Assessment Criteria	, 	Maximum Points	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	<b>•</b>		(20)						
4. Protection Provided By State and Local	Government		(15)						
<ol> <li>5. Distance From Urban Built-up Area</li> <li>6. Distance To Urban Support Services</li> </ol>			(15)						
7. Size Of Present Farm Unit Compared To			(10)						
8. Creation Of Non-farmable Farmland	Average		(10)						
9. Availability Of Farm Support Services			(5)						
10. On-Farm Investments			(20)						
11. Effects Of Conversion On Farm Suppor	t Services		(10)						
12. Compatibility With Existing Agricultural			(10)						
TOTAL SITE ASSESSMENT POINTS			160						
PART VII (To be completed by Federal A	Agency)								
Relative Value Of Farmland (From Part V)			100						
Total Site Assessment (From Part VI above or local site assessment)									
TOTAL POINTS (Total of above 2 lines)			260						
Site Selected:	Date Of Selection		Was A Local Site Assessment Used?       YES     NO						
Reason For Selection:				1					

Date:

#### STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

- Step 1 Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, <a href="http://fppa.nrcs.usda.gov/lesa/">http://fppa.nrcs.usda.gov/lesa/</a>.
- Step 2 Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at <a href="http://offices.usda.gov/scripts/ndISAPI.dll/oip\_public/USA\_map">http://offices.usda.gov/scripts/ndISAPI.dll/oip\_public/USA\_map</a>, or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

#### INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM (For Federal Agency)

Part I: When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

Part III: When completing item B (Total Acres To Be Converted Indirectly), include the following:

- 1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
- 2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.
- Part VI: Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).
- 1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.
- 2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

**Part VII:** In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160. Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

 $\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$ 

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.

Note: Duplicate mapping was included in the Waters Report, but were intentionally removed. Please see Appendix A for maps.

### Waters Report

State Road 258 Jackson County, Indiana Sight Distance Improvement

DES No: 1298633 Asset ID #: CV 258-036-4.73

Completed Date: FEBRUARY 3, 2022 INDOT EWPO Approval Date: APPROVED:

APPROVED: Stephen C. Sperry Ecology and Waterway Permitting Office Indiana Department of Transportation 8:37 am, Feb 09 2022



PREPARED BY:

CRAWFORD, MURPHY & TILLY, INC. 8790 PURDUE ROAD INDIANAPOLIS, INDIANA 46268



PREPARED FOR:

INDIANA DEPARTMENT OF TRANSPORTATION SEYMOUR DISTRICT OFFICE Waters Report SR 258 in Jackson County, Indiana Sight Distance Improvement DES No: 1298633 Asset ID #: CV 258-036-4.73 Prepared by: Claudia McAllister-Peterson Contact Information: cmcallister-peterson@cmtengr.com, 317-808-9466 Company: Crawford, Murphy & Tilly, Inc. Completed Date: February 3, 2022

#### **PROJECT INFORMATION**

#### Date of Field Reconnaissance: September 28, 2021

#### Location:

Sections 1 and 12, Township 6 North, and Range 4 East Sections 6 and 7, Township 6 North, and Range 5 East Brownstown Indiana, Quadrangle Jackson County, Indiana 38.979213 Latitude, -86.021602 Longitude

#### PROJECT DESCRIPTION

Per the U.S. Geological Survey (USGS) Brownstown, Indiana Quadrangle Map, the investigated area is situated within Sections 1 and 12, Township 6 North, and Range 4 East, and Sections 6 and 7, Township 6 North, and Range 5 East.

The project includes lowering the existing State Road 258 (SR 258) roadway hill by approximately 5 feet and raising the existing roadway valleys on either side of the hill by approximately 15 feet to provide acceptable stopping sight distances to allow for safe and efficient movement of traffic. Roadway improvements are also required on N CR 100 E to accommodate the vertical profile change on SR 258. The following drainage structure improvements are also required to accommodate the roadway profile changes:

- The existing 18 feet by 6 feet box culvert (CV 258-036-4.73) located at unnamed tributary 3 to White Creek will be lengthened with new headwalls/wingwalls constructed to accommodate the increased elevation of SR 258.
- 7 existing culverts in the project limits will be removed and replaced "in kind" (Culverts 1, 2, 3, 4, 5, 6, and 7).
- An existing 12-inch driveway pipe under the residential drives on the south side of SR 258 at the top of the hill will be removed, but no new structure will be placed at this location, as the roadside ditches will be graded to carry water away from these driveways.

The locations of CV 258-036-4.73, Culverts 1, 2, 3, 4, 5, 6, and 7, and the 12-inch driveway pipe are shown on the attached WOTUS Resource Maps.

Land use in the vicinity of the project is residential and forested, surrounded by predominately forested areas.

The project has been programmed by INDOT as SR 258 Sight Distance Improvement, DES No: 1298633.

The investigated area was established using the anticipated project footprint to construct the proposed improvements. The location of the project within Jackson County and the investigated area are shown on the attached mapping.

#### DESKTOP RECONNAISSANCE

#### SOILS

According to the Soil Survey Geographic (SSURGO) Database for Jackson County, Indiana, the investigated area does contain soil areas with nationally listed hydric soils.

Soil Name	Map Abbreviation	NRCS Hydric Soil Category	Hydric Range
BnwD2	Bonnell silt loam, 12 to 18 percent slopes, eroded	Nonhydric	Not Hydric (0%)
BocD3	Bonnell silty clay loam, 10 to 18 percent slopes, severely eroded	Nonhydric	Not Hydric (0%)
CkkC2	Cincinnati silt loam, 6 to 12 percent slopes, eroded	Nonhydric	Not Hydric (0%)
ComD	Coolville silt loam, 12 to 20 percent slopes	Nonhydric	Not Hydric (0%)
HccB2	Haubstadt silt loam, 2 to 6 percent slopes, eroded	Nonhydric	Not Hydric (0%)
KxzG	Kurtz silt loam, 20 to 55 percent slopes	Nonhydric	Not Hydric (0%)
OmkC2	Otwell silt loam, 6 to 12 percent slopes, eroded	Nonhydric	Not Hydric (0%)
RbID3	Rarden silty clay loam, 12 to 18 percent slopes, severely eroded	Nonhydric	Not Hydric (0%)
StdAH	Stendal silt loam, 0 to 2 percent slopes, frequently flooded, brief duration	Predominantly Nonhydric	Hydric (1 to 32%)

#### NATIONAL WETLAND INVENTORY (NWI) INFORMATION

There are three (3) NWI features identified within the investigated area. There are three (3) NWI features, including one (1) freshwater forested/shrub wetland and two (2) freshwater ponds, identified near the investigated area.

Wetland Type	Location
Riverine (R5UBH)	A stream is mapped within the western end of the investigated area.
Freshwater Forested/Shrub Wetland (PFO1A)	A wetland is mapped within the western end of the investigated area.
Freshwater Pond (PUBGh)	A pond is mapped within the northeastern portion of the investigated area.
Freshwater Forested/Shrub Wetland (PFO1A)	A wetland is mapped approximately 0.01 mile south of the investigated area.
Freshwater Pond (PUBGh)	A pond is mapped approximately 0.01 mile south of the investigated area.
Freshwater Pond (PUBGh)	A pond is mapped approximately 0.02 mile northeast of the investigated area.

#### **12 DIGIT HUC**

051202060405 – Cooley Creek-White Creek

#### USGS NATIONAL HYDROGRAPHY DATASET (NHD)

According to the USGS National Hydrography Dataset (NHD layer), two (2) NHD stream/river flowlines are identified within the investigated area. One (1) NHD stream flowline is located within the western portion of the investigated area, flowing south underneath SR 258; this feature was identified during the on-site investigation as unnamed tributary (UNT) 3 to White Creek. One (1) NHD stream flowline is located within the eastern portion of the investigated area, flowing southeast underneath the SR 258 and N CR 100 E intersection; a portion of this feature was identified during the on-site investigation as UNT 1 to White Creek.

#### FEMA FLOOD INSURANCE RATE MAP (FIRM)

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the investigated area is not located within or adjacent to a floodplain.

#### ATTACHED DOCUMENTS

- Project Mapping (Project Location, Aerial, Topographic, NRCS Soils, NWI, USGS NHD, 12 Digit HUC, Floodplain, and StreamStats)
- Photographs with Photo Location Map
- Wetland Data Sheets

#### FIELD RECONNAISSANCE

Three (3) wetlands, four (4) streams, one (1) pond, and fourteen (14) non-jurisdictional roadside ditches were identified within the investigated area during the onsite investigation for the presence of wetlands and other Waters of the United States (WOTUS) by Crawford, Murphy and Tilly, Inc (CMT).

The investigation for wetlands was conducted in accordance with the *1987 U.S. Army Corps of Engineers (USACE) Wetland Delineation Manual and the August 2010 Midwest Regional Supplement (Version 2.0) Manual.* Supporting materials used for identifying, delineating, and verifying wetlands included the soil survey report and hydric soil list for Jackson County, the State of Indiana 2016 Wetland Plant List and indicator status for the Midwest Region, topography, USGS topo map, NWI map, and the Field Indicators for Hydric Soils of the United States V 8.1, 2017. The wetland boundaries were flagged and surveyed using a handheld GPS device with sub-foot accuracy.

Streams were evaluated according to the definition of a Water of the United States in 40 CFR 230.3(s). The attached WOTUS Map depicts the location of identified surface water resources, including the wetland and upland data point locations, on an aerial photograph. Routine Wetland Determination data forms are attached. Representative photographs are provided.

#### STREAMS

	Stream Summary Table											
Water Feature Name	WOTUS Photos	Lat/Long	OHWM Width (ft)	OHWM Depth (in)	USGS Blue- Line? Type?	Stream Type	Riffles? Pools?	Quality	Substrate	Likely Water of the U.S.?	Total Linear Feet within Investigated Area	
UNT 1 to White Creek	41-46	38.979116°N -86.021191°W	3.6	3	No	Ephemeral	Yes	Poor	Gravel, silt	Yes	707	
UNT 2 to White Creek	47-50	38.978452°N -86.021370°W	3.5	2	No	Ephemeral	No	Poor	Silt	Yes	182	
UNT 3 to White Creek	62-65	38.978871°N -86.030210°W	6.0	2	Yes Perennial	Perennial	Yes	Poor	Silt	Yes	180	

Four (4) streams were identified within the investigated area. A summary of the streams are provided in the table below. Photographs of the streams are attached within the Photolog.

SR 258 Sight Distance Improvement, Jackson Co., IN DES No: 1298633

Water Feature Name	WOTUS Photos	Lat/Long	OHWM Width (ft)	OHWM Depth (in)	USGS Blue- Line? Type?	Stream Type	Riffles? Pools?	Quality	Substrate	Likely Water of the U.S.?	Total Linear Feet within Investigated Area
UNT 4 to White Creek	85-86	38.979478°N -86.026407°W	1.6	0.5	No	Ephemeral	No	Poor	Silt	Yes	93
Total Linear Feet of Stream									1162		

#### UNT 1 TO WHITE CREEK

An unnamed tributary to White Creek (UNT 1 to White Creek), was located within a roadside ditch south of SR 258. UNT 1 to White Creek flows generally east through an existing open channel for 515 linear feet within the investigated area before passing through existing Culvert 3 as an encapsulated stream under N CR 100 E for 36 linear feet and continuing to flow southeast through an open channel for 156 feet before exiting the investigated area. Approximately 707 linear feet of UNT 1 to White Creek is within the investigated area. StreamStats does not show this stream as a 'blue-line' feature. The drainage area upstream of the investigated area is estimated to be 0.03 square miles. Although UNT 1 to White Creek is not mapped on the USGS topographic quadrangle as a 'blue-line' feature, it exhibits connectivity to White Creek, a mapped perennial 'blue-line' feature. UNT 1 to White Creek flows through White Creek, which is a tributary to the East Fork White River. Based on the ultimate connection to the East Fork White River, a Section 10 Traditional Navigable Water (TNW), UNT 1 to White Creek is likely to fall under the jurisdiction of the USACE. The USACE will make the final determination of jurisdiction.

Within the investigated area, UNT 1 to White Creek has silt, gravel, cobble, sand, and riprap substrate. This stream was visually observed to have isolated pools with no flow with a prior rain event occurring within 48 hours; therefore, it was determined to have ephemeral flow within the investigated area. The maximum width of the ordinary high water mark (OHWM) is 3.6 feet within the investigated area. The maximum depth of the OHWM is 3 inches within the investigated area. The OHWM was taken outside the influence of any structure. This stream has average riffle/pool complexes dominated by wide, shallow, and stable riffles within the investigated area.

Based on predominately gravel and silt substrate, 20% opacity, bank erosion, and stream channel modifications from SR 258 and N CR 100 E, UNT 1 to White Creek is a poor-quality stream.

# UNT 2 TO WHITE CREEK

An unnamed tributary to White Creek (UNT 2 to White Creek), was located crossing under N CR 100 E in the southeastern end of the investigated area. UNT 2 to White Creek flows generally east through an existing open channel for 70 linear feet within the investigated area before passing through existing Culvert 4 as an encapsulated stream under N CR 100 E for 32 linear feet and continuing to flow east through an open channel for 80 feet before exiting the investigated area. Approximately 182 linear feet of UNT 2 to White Creek is within the investigated area. StreamStats does not show this stream as a 'blue-line' feature. The drainage area upstream of the investigated area is estimated to be 0.01 square miles. Although UNT 2 to White Creek is not mapped on the USGS topographic quadrangle as a 'blue-line' feature, it exhibits connectivity to White Creek to White Creek, which is a tributary to the East Fork White River. Based on the ultimate connection to the East Fork White River, a Section 10 TNW, UNT 2 to White Creek is likely to fall under the jurisdiction of the USACE. The USACE will make the final determination of jurisdiction.

Within the investigated area, UNT 2 to White Creek has silt, gravel, and sand substrate. This stream was visually observed to be dry with a prior rain event within 48 hours; therefore, it was determined to have ephemeral flow within the investigated area. The maximum width of the OHWM is 3.5 feet within the investigated area. The maximum depth of the OHWM is 2 inches within the investigated area. The OHWM was taken outside the influence of any structure. This stream has no riffle/pool complexes within the investigated area.

Based on a dry channel, predominately silt substrate, bank erosion, and stream channel modifications from N CR 100 E, UNT 2 to White Creek is a poor-quality stream.

# UNT 3 TO WHITE CREEK

An unnamed tributary to White Creek (UNT 3 to White Creek), was located crossing under SR 258 in the western end of the investigated area. UNT 3 to White Creek flows generally south through an open channel for 111 linear feet within the investigated area before passing through existing culvert CV-258-036-4.73 as an encapsulated stream under SR 258 for 29 linear feet and continuing to flow south through an open channel for 40 feet before exiting the investigated area. Approximately 180 linear feet of UNT 3 to White Creek is within the investigated area. The drainage area upstream of the investigated area is estimated to be 1.95 square miles, as shown on the attached StreamStats Drainage Basin Map. UNT 3 to White Creek is mapped on the USGS topographic quadrangle as a perennial 'blue-line' feature. UNT 3 to White Creek flows through White Creek, which is a tributary to the East Fork White River. Based on the ultimate connection to the East Fork White River, a Section 10 TNW, UNT 3 to White Creek is likely to fall under the jurisdiction of the USACE. The USACE will make the final determination of jurisdiction.

Within the investigated area, UNT 3 to White Creek has silt and riprap substrate. This stream was visually observed to have substantial flow and water without a prior rain event within 36 hours; therefore, along with its drainage area size, it was determined to flow year-round during a

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typical year and have perennial flow within the investigated area. The maximum width of the OHWM is 6.0 feet within the investigated area. The maximum depth of the OHWM is 2 inches within the investigated area. The OHWM was taken outside the influence of any structure. This stream has average riffle/pool complexes dominated by wide, shallow, and stable riffles within the investigated area. The open stream channel located upstream of the existing SR 258 culvert (CV-258-036-4.73) had recently been dredged and the banks had been cleared of vegetation.

Based on predominately silt substrate, bank erosion, recent dredging, 75% opacity, and stream channel modifications from installation of a new SR 258 culvert at UNT 3 to White Creek, UNT 3 to White Creek is a poor-quality stream.

# UNT 4 TO WHITE CREEK

An unnamed tributary to White Creek (UNT 4 to White Creek), was located within a forested area north of SR 258. UNT 4 to White Creek flows generally north through an open channel for 93 linear feet within the investigated area. StreamStats does not show this stream as a 'blue-line' feature. The drainage area upstream of the investigated area is estimated to be 0.05 square miles. Although UNT 4 to White Creek is not mapped on the USGS topographic quadrangle as a 'blue-line' feature, it exhibits connectivity to UNT 3 to White Creek, a mapped perennial 'blue-line' feature. UNT 4 to White Creek flows into UNT 3 to White Creek to White Creek, which is a tributary to the East Fork White River. Based on the ultimate connection to the East Fork White River, a Section 10 TNW, UNT 4 to White Creek is likely to fall under the jurisdiction of the USACE. The USACE will make the final determination of jurisdiction.

Within the investigated area, UNT 4 to White Creek has clay, silt, gravel, and sand substrate. This stream was visually observed to be dry with a prior rain event within 48 hours; therefore, it was determined to have ephemeral flow within the investigated area. The maximum width of the OHWM is 1.6 feet within the investigated area. The maximum depth of the OHWM is 0.5 inches within the investigated area. The OHWM was taken outside the influence of any structure. This stream has no riffle/pool complexes within the investigated area.

Based on a dry channel, predominately silt substrate, bank erosion, and stream channel modifications from SR 258, UNT 4 to White Creek is a poor-quality stream.

# WETLANDS

Three (3) wetlands were identified in the investigated area. A summary of the data points and the wetlands are provided in the tables below. Details on the soil, hydrology and dominant vegetation for the wetlands are provided on the attached Routine Wetland Determination data forms. Photographs of the wetlands are attached within the Photolog.

Data Point Summary Table							
Data Point	Vegetation Soils Hydrolog		Hydrology	Wetland			
A1	Yes	Yes	Yes	Yes			
A2	No	No	No	No			
B1	Yes	Yes	Yes	Yes			
B2	Yes	No	No	No			
C2	No	No	No	No			
D1	Yes	Yes	Yes	Yes			
D2	No	No	No	No			

Wetland Summary Table									
Wetland Name	WOTUS Photos	Lat/Long	Туре	Quality	Likely Water of the U.S.?	Isolated Wetland Class	Exempt Isolated Wetland?	Length (LF)	Total Area within Study Area (acres)
Wetland A	28-35	38.979345°N -86.020861°W	palustrine emergent persistent (PEM1)	Poor	Yes	NA	NA	58	0.005
Wetland B	68-75	38.979006°N -86.031023°W	PEM1	Poor	Yes	NA	NA	98	0.017
Wetland D	94-97	38.979448°N -86.021750°W	PEM1	Poor	Yes	NA	NA	82	0.059
Total Acres of Wetlands						0.081			

# WETLAND A

Wetland A is a 0.005-acre, palustrine emergent persistent (PEM1) wetland located in a roadside ditch along the north side of SR 258 and east of N CR 100 E. This wetland drained generally west through RSD5 to existing Culvert 2 under SR 258 to UNT 1 to White Creek, which is a tributary to the East Fork White River, a Section 10 TNW. Based on the connection to a downstream TNW, this wetland is likely federally jurisdictional.

# WETLAND DATA POINT A1

The vegetation was dominated by blunt spike-rush (*Eleocharis obtusa*, OBL, 90%) in the herbaceous layer. The vegetative community had a dominance test of >50%; therefore, the vegetation is hydrophytic. From the surface to 18 inches deep, the soil matrix had a color of 10YR 5/2 with 20% redox features with a color of 7.5YR 5/8 and 5% redox features with a color of Gley1 6/5GY. The soil at this site was clay and silt and met the depleted matrix hydric soil indicator. Wetland A exhibited five primary hydrology indicators including 5 inches of surface water, a high water table at a depth of 8 inches, saturation to the surface, algal mat, and oxidized rhizospheres on living roots. Wetland A also exhibited two secondary wetland hydrology indicators including, drainage patterns and geomorphic position. All three wetland criteria including, vegetation, soils, and hydrology and vegetation modifications from the construction of SR 258, low species diversity, and mown grass buffer, Wetland A is a poor-quality wetland.

# UPLAND DATA POINT A2

Upland point A2 was taken on a hillslope near Wetland A to determine the boundary of Wetland A. The vegetation in this area failed to meet the requirements for the dominance test or the prevalence index and, therefore, is not hydrophytic. The soil profile failed to meet any hydric soil indicators. No wetland hydrology indicators were observed. None of the three wetland criteria were met; therefore, data point A2 is not within a wetland. The boundary of Wetland A was determined by geomorphic position, the presence of hydrophytic plants and hydrology indicators. The shape of Wetland A was defined by a depression and hydrophytic vegetation.

# WETLAND B

Wetland B is a 0.017-acre, palustrine emergent persistent (PEM1) wetland located within a roadside ditch along the north side of SR 258 and west of UNT 3 to White Creek. This wetland drained generally east through RSD12 to UNT 3 to White Creek, which is a tributary to the East Fork White River, a Section 10 TNW. Based on the connection to a downstream TNW, this wetland is likely federally jurisdictional.

# WETLAND DATA POINT B1

The vegetation was dominated by reed canary grass (*Phalaris arundinacea*, FACW, 40%) and rough barnyard grass (*Echinochioa muricata*, OBL, 20%) in the herbaceous layer. The vegetative community had a dominance test of >50%; therefore, the vegetation is hydrophytic. From the surface to 18 inches deep, the soil matrix had a color of 10YR 5/2 with 20% redox

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features with a color of 7.5YR 4/6. The soil at this site was silty clay and met the depleted matrix hydric soil indicator. Wetland B exhibited one primary hydrology indicator, saturation to the surface. Wetland B also exhibited three secondary wetland hydrology indicators including drainage patterns, geomorphic position, and a positive FAC-neutral test. All three wetland criteria including, vegetation, soils, and hydrology were met at this data point; therefore, data point B1 is within a wetland. Based on hydrology and vegetation modifications from the construction of SR 258, the dominance of invasive species, low species diversity, and mown grass buffer, Wetland B is a poor-quality wetland.

# UPLAND DATA POINT B2

Upland point B2 was taken on a hillslope near Wetland B to determine the boundary of Wetland B. The vegetation in this area was dominated by giant ragweed (*Ambrosia trifida*, FAC, 50%) in the herbaceous layer and green ash (*Fraxinus pennsylvanica*, FACW, 40%), American basswood (*Tilia americana*, FACU, 30%), and American elm (*Ulmus americana*, FACW, 20%) in the sapling/shrub layer. The vegetative community had a dominance test >50%; therefore, the vegetation is hydrophytic. However, the soil profile failed to meet any hydric soil indicators and no wetland hydrology indicators were observed. Only one of the three wetland criteria were met; therefore, data point B2 is not within a wetland. The boundary of Wetland B was determined by geomorphic position and hydrology indicators. The shape of Wetland B was defined by a depression and hydrophytic vegetation.

# WETLAND D

Wetland D is a 0.059-acre, palustrine emergent persistent (PEM1) wetland located in a depression in the northwest quadrant of the N CR 100 E and SR 258 intersection. This wetland drained generally southeast to RSD14 to existing Culvert 5 under N CR 100 E to RSD2 to existing Culvert 2 under SR 258 to UNT 1 to White Creek, which is a tributary to the East Fork White River, a Section 10 TNW. Based on the connection to a downstream TNW, this wetland is likely federally jurisdictional.

# WETLAND DATA POINT D1

The vegetation was dominated by rice cut grass (*Leersla oryzoides*, OBL, 45%), lamp rush (*Juncus effusus*, OBL, 10%), shallow sedge (*Carex lurida*, OBL, 10%), soft-stem club-rush (*Schoenoplectus tabernaemontani*, OBL, 10%), old-man-in-the-spring (*Senecio vulgaris*, UPL, 10%), and black bent (*Agrostis gigantea*, FACW, 10%) in the herbaceous layer. The vegetative community had a dominance test of >50%; therefore, the vegetation is hydrophytic. From the surface to 18 inches deep, the soil matrix had a color of 10YR 4/2 with 20% redox features with a color of 10YR 5/8. The soil at this site was clay and silt and met the depleted matrix hydric soil indicator. Wetland D exhibited four primary hydrology indicators including 1 inch of surface water, a high water table at 6 inches deep, saturation to the surface, and oxidized rhizospheres on living roots. Wetland D also exhibited one secondary wetland hydrology indicator, geomorphic position. All three wetland criteria including, vegetation, soils, and hydrology were met at this data point; therefore, data point D1 is within a wetland. Based on hydrology modifications from the construction of SR 258 and N CR 100 E, low species diversity, and mown grass buffer, Wetland D is a poor-quality wetland.

# UPLAND DATA POINT D2

Upland point D2 was taken on a hillslope near Wetland D to determine the boundary of Wetland D. The vegetation in this area failed to meet the requirements for the dominance test or the prevalence index and, therefore, is not hydrophytic. The soil profile failed to meet any hydric soil indicators. No wetland hydrology indicators were observed. None of the three wetland criteria were met; therefore, data point D2 is not within a wetland. The boundary of Wetland D was determined by geomorphic position, the presence of hydrophytic plants and hydrology indicators. The shape of Wetland D was defined by a depression and hydrophytic vegetation.

# NON-WETLAND DATA POINTS

The wooded area surrounding UNT 3 to White Creek at the western end of the investigated area is identified on the NWI map as a palustrine forested broad-leaved deciduous temporarily flooded wetland (PFO1A). One (1) non-wetland data point was taken within the mapped NWI area within the investigated area.

# UPLAND DATA POINT C2

Based on the presence of a mapped NWI feature within the investigated area, upland data point C2 was taken near UNT 3 to White Creek north of SR 258 within the investigated area, to determine the presence or absence of wetlands. The vegetation in this area failed to meet the requirements for the dominance test or the prevalence index and, therefore, is not hydrophytic. Within the investigated area, the area was dominated by upland vegetation, including Northern white oak (*Quercus alba*, FACU, 40%) in the tree stratum, Northern spicebush (*Lindera benzoin*, FACW, 30%) and common pawpaw (*Asimina triloba*, FAC, 30%) in the sapling/shrub stratum, virginia-creeper (*Parthenocissus quinquefolia*, FACU, 10%) in the herbaceous stratum. The soil profile failed to meet any hydric soil indicators. No wetland hydrology indicators were observed. None of the three wetland criteria were met; therefore, data point C2 is not within a wetland.

No data point C1 was taken because there was no wetland point to document.

#### OPEN WATER

One (1) open water area was located within the investigated area. A summary of the pond is provided in the table below. Photographs of the pond are attached within the Photolog.

Open Water Summary Table							
Open Water Name	WOTUS Photos	Lat/Long	Likely Water of the U.S.?	Total Area (acres)	Total Area within Investigated Area (acres)		
Pond 1	87-88	38.979806∘N -86.021771∘W	Yes	0.503	0.009		

# POND 1

Pond 1 is a 0.009-acre, residential pond located along the west side of N CR 100 E and north of SR 258. This pond drained into an existing drain/culvert located at the edge of the pond to an unknown location. It is assumed that this drain ultimately connects to UNT 1 to White Creek, which is a tributary to the East Fork White River, a Section 10 TNW. Based on the connection to a downstream TNW, this pond is likely federally jurisdictional.

The edge of the pond was riprap-lined within the investigated area. Fish and frogs were observed within the pond. Pond 1 had a maximum depth of 6 inches within the investigated area. Pond 1 extends west beyond the investigated area.

# OTHER FEATURES

# ROADSIDE DITCHES

Fourteen (14) non-jurisdictional roadside ditches without an OHWM were located throughout the investigated area. These ditches were either vegetated or riprap-lined. Minimal surface water, if any, was observed within the roadside ditches.

One vegetated roadside ditch (RSD1) was located within the northeast quadrant of the investigated area along the east side of N CR 100 E and north of SR 258. The roadside ditch drains south through a mostly vegetated ditch for 240 linear feet within the investigated area. RSD1 drains into existing driveway Culvert 1 to RSD2 to existing Culvert 2 underneath SR 258 to UNT 1 to White Creek to White Creek, which is a tributary to the East Fork White River, a Section 10 TNW.

A vegetated roadside ditch (RSD2) located within the northeast quadrant of the investigated area along the east side of N CR 100 E and north of SR 258 drains generally southeast for 46 linear feet within the investigated area, through existing Culvert 2 underneath SR 258 to UNT 1 to White Creek.

A riprap-lined roadside ditch (RSD3) located along the north side of SR 258 and east of N CR 100 E drains generally south within a riprap-lined ditch for 5 linear feet within the investigated area, into RSD4 to Wetland A to RSD5 to existing Culvert 2 underneath SR 258 to UNT 1 to White Creek.

A vegetated roadside ditch (RSD4) located along the north side of SR 258 and east of N CR 100 E drains generally west within a vegetated roadside ditch for 263 linear feet within the investigated area, into Wetland A to RSD5 to existing Culvert 2 underneath SR 258 to UNT 1 to White Creek.

A vegetated roadside ditch (RSD5) located along the north side of SR 258 and east of N CR 100 E drains generally west for 122 linear feet within the investigated area, from Wetland A to existing Culvert 2 underneath SR 258 to UNT 1 to White Creek.

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A vegetated roadside ditch (RSD6) located along the west side of N CR 100 E and south of SR 258 drains generally north for 213 linear feet within the investigated area, into UNT 2 to White Creek.

A roadside ditch (RSD7) located along the south side of SR 258 and west of N CR 100 E formed as an erosional feature and drains generally northeast for 28 linear feet within the investigated area, into UNT 1 to White Creek.

A partially vegetated roadside ditch (RSD8) located along the south side of SR 258 and west of N CR 100 E drains generally east for 238 linear feet within the investigated area, into UNT 1 to White Creek.

A partially vegetated roadside ditch (RSD9) located along the south side of SR 258 and west of N CR 100 E drains generally west for 1,080 linear feet within the investigated area, into an existing driveway Culvert 6 to RSD10 to UNT 3 to White Creek.

A vegetated roadside ditch (RSD10) located along the south side of SR 258 and west of N CR 100 E drains generally west for 218 linear feet within the investigated area, into UNT 3 to White Creek.

A partially vegetated roadside ditch (RSD11) located along the north side of SR 258 and west of N CR 100 E drains generally east for 83 linear feet within the investigated area, into Wetland B to RSD12 to UNT 3 to White Creek.

A vegetated roadside ditch (RSD12) located along the north side of SR 258 and west of N CR 100 E drains generally east within a vegetated roadside ditch for 99 linear feet and then through a riprap-lined ditch for 38 linear feet, for a total of 137 linear feet within the investigated area. RSD12 drains from Wetland B into UNT 3 to White Creek.

A vegetated and riprap-lined roadside ditch (RSD13) located along the north side of SR 258 and west of N CR 100 E drains generally west within a vegetated roadside ditch for 90 linear feet and then northwest within a riprap-lined ditch for 136 linear feet, for a total of 226 linear feet within the investigated area. RSD13 drains into UNT 4 to White Creek.

A vegetated roadside ditch (RSD14) located along the west side of N CR 100 E and north of SR 258 drains generally southeast for 13 linear feet within the investigated area, from Wetland D to existing Culvert 5 underneath N CR 100 E to RSD2 to existing Culvert 2 underneath SR 258 to UNT 1 to White Creek.

All of these roadside ditches were man-made and created from the construction of roadways. These roadside ditches are expected to contain water only during and shortly after heavy rain events. All of the roadside ditches ultimately drain into the East Fork White River, a Section 10 TNW. Although the roadside ditches connect wetlands and drain into streams and could impact the chemical, physical and/or biological integrity of the TNWs, they do not have a continuous OHWM or bed and bank, and do not transport relatively permanent flow; therefore, the roadside ditches are likely not jurisdictional.

# CONCLUSIONS

Four (4) streams, three (3) wetlands, one (1) pond, and fourteen (14) non-jurisdictional roadside ditches were identified within the investigated area. A total of three (3) wetlands (0.081 acre) are likely Waters of the U.S. No wetland mitigation is anticipated.

Four streams (UNT 1 to White Creek, UNT 2 to White Creek, UNT 3 to White Creek, and UNT 4 to White Creek), three wetlands (Wetland A, Wetland B, and Wetland D), and one pond (Pond 1) are likely Waters of the U.S. Every effort should be taken to avoid and minimize impacts to the waterway and wetlands. If impacts are necessary, then mitigation may be required. The INDOT Environmental Services Division should be contacted immediately if impacts will occur. The final determination of jurisdictional waters is ultimately made by the U.S. Army Corps of Engineers. This report is our best judgment based on the guidelines set forth by the Corps.

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# ACKNOWLEDGEMENT

This waters determination has been prepared based on the best available information, interpreted in the light of the investigator's training, experience and professional judgement in conformance with the *1987 Corps of Engineers Wetlands Delineation Manual*, the appropriate regional supplement, the USACE *Jurisdictional Determination Form Instructional Guidebook*, and other appropriate agency guidelines.

Clay Millit-Pet

Claudia McAllister-Peterson Ecological Engineer Crawford, Murphy & Tilly, Inc.

Date: February 3, 2022

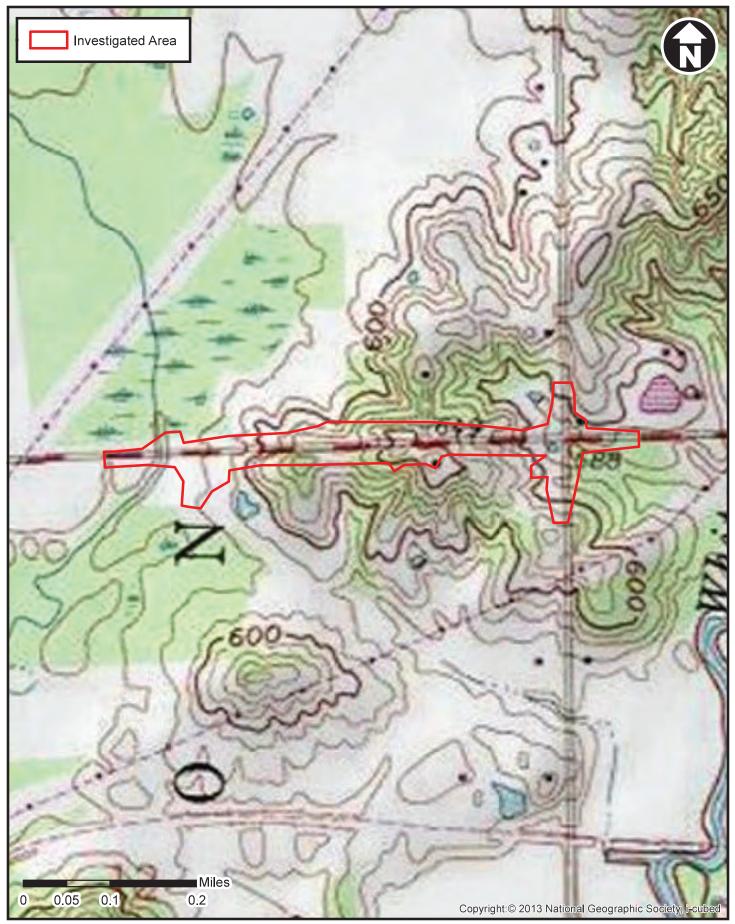
Marion Welle

Marion Wells - Reviewer Environmental Scientist Crawford, Murphy & Tilly, Inc.

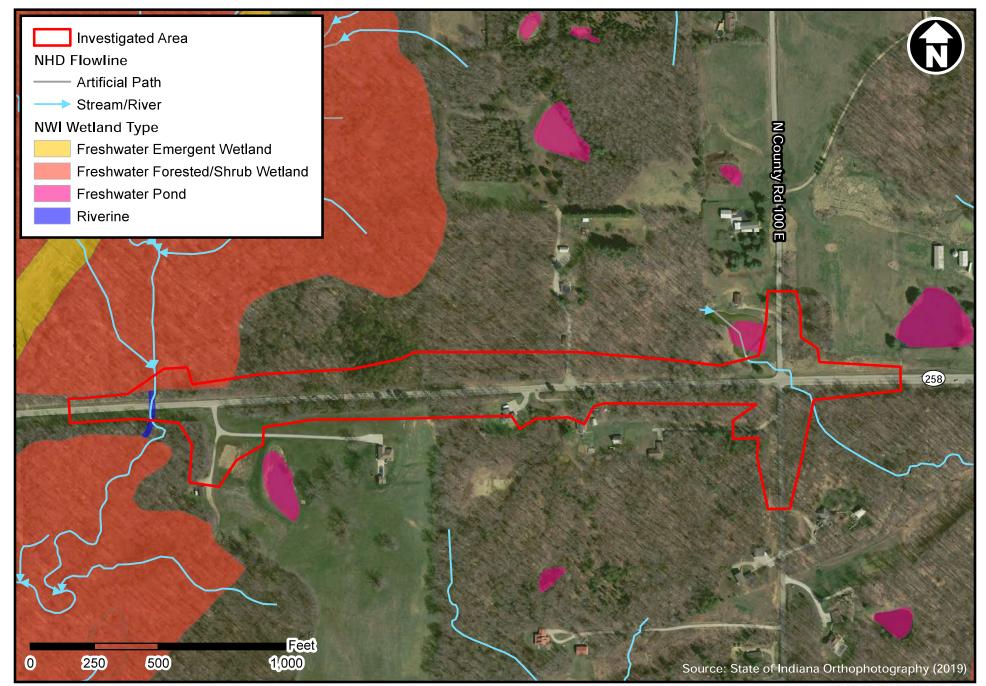
Date: February 3, 2022

# SUPPORTING DOCUMENTATION

- Maps
- Photos
- Wetland Delineation Data Sheets



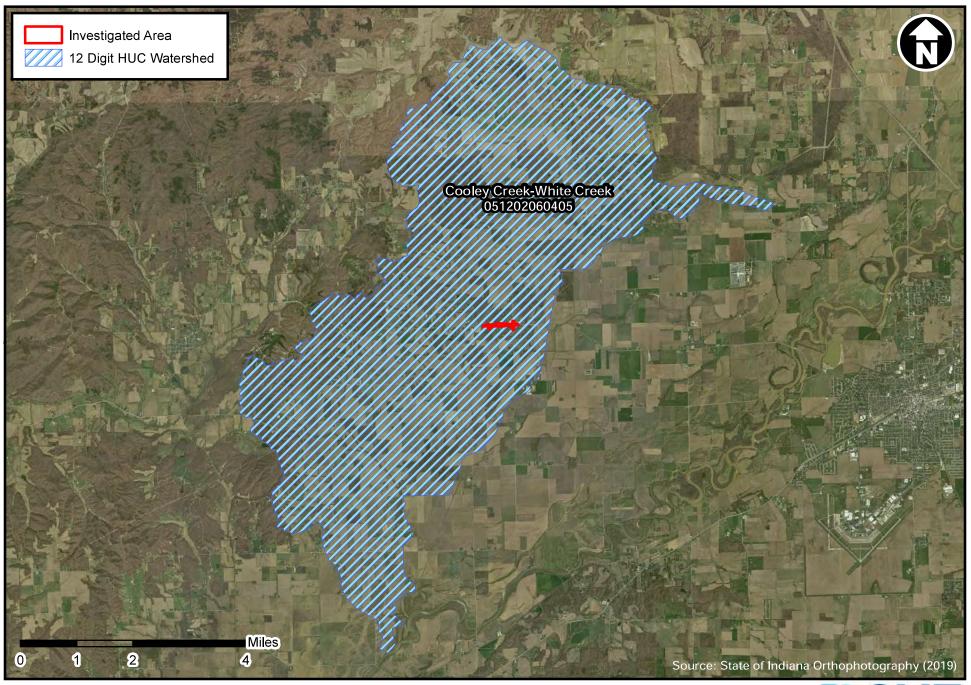
SR 258 Sight Distance Improvement (Des No. 1295633) - Jackson Co., IN USGS Topographic Map - Brownstown, IN Quadrangle



SR 258 Sight Distance Improvement (Des No. 1298633) - Jackson Co., IN National Wetland Inventory (NWI) & National Hydrography Dataset (NHD) Map



Author: Ellen Hogrebe; 12/10/2021



SR 258 Sight Distance Improvement (Des No. 1298633) - Jackson Co., IN **12 Digit Hydrologic Unit Code (HUC) Watershed Map** 



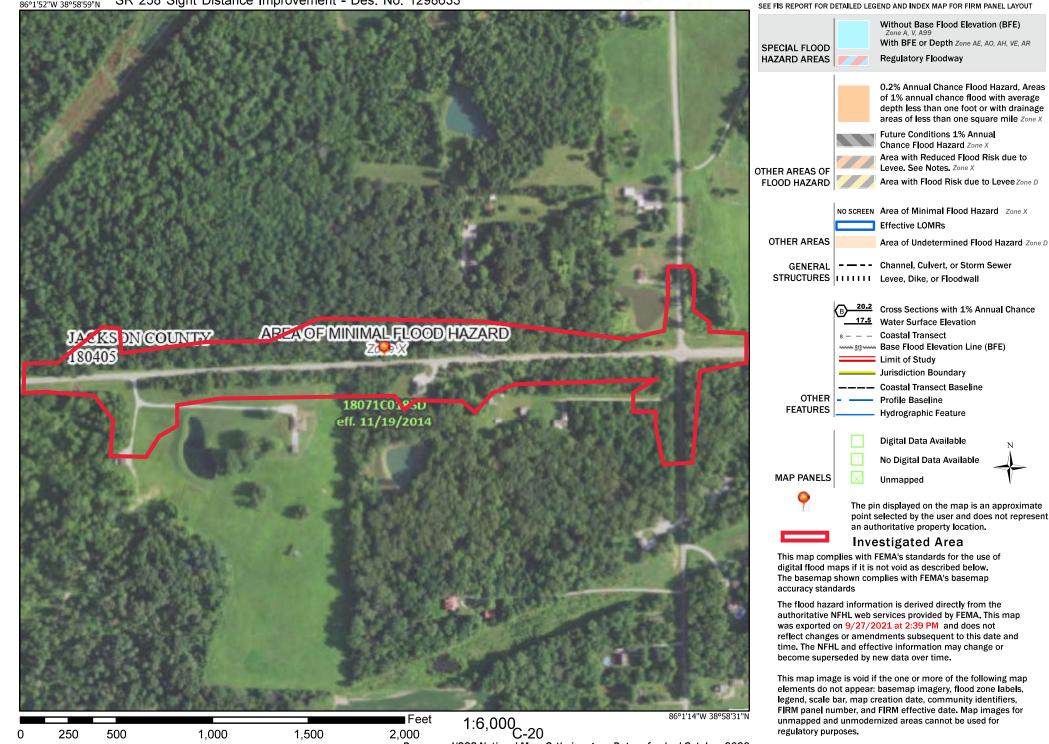
Author: Ellen Hogrebe; 12/10/2021

# National Flood Hazard Layer FIRMette

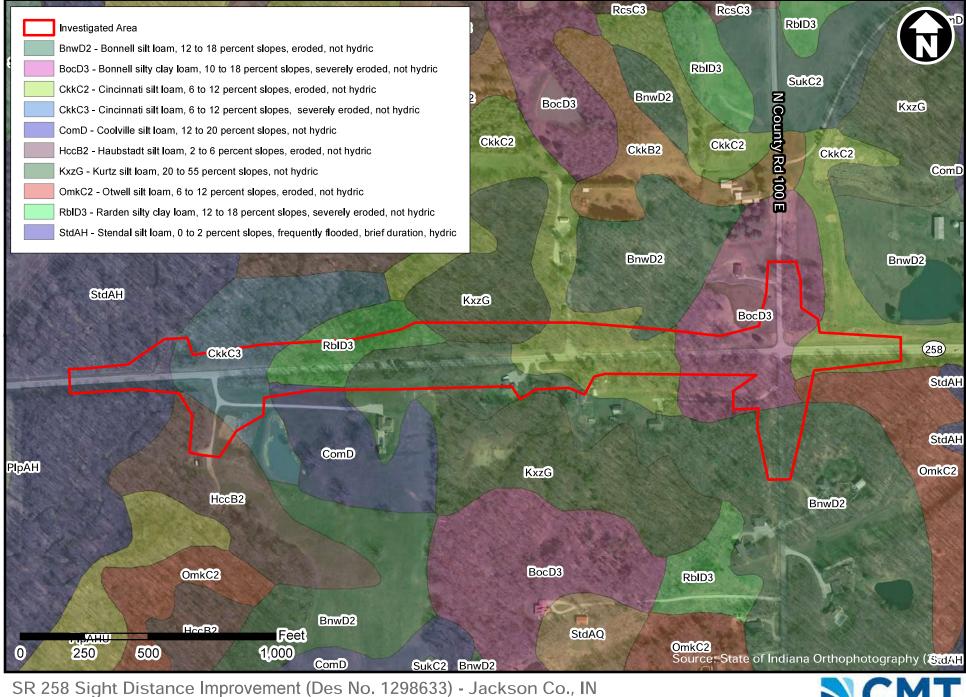


# Legend

86°1'52"W 38°58'59"N SR 258 Sight Distance Improvement - Des. No. 1298633



Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020



# NRCS SSURGO Soil Survey Map

Author: Ellen Hogrebe; 12/10/2021

Crawford, Murphy & Tilly

# **StreamStats Report - SR 258 Sight Distance**

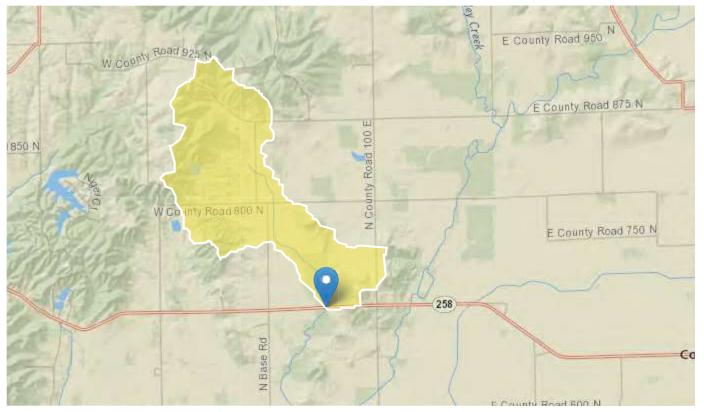
# Improvement (Des No. 1298633) - UNT 3 to White Creek

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 Workspace ID:
 IN20220114164827466000

 Clicked Point (Latitude, Longitude):
 38.97883, -86.03029

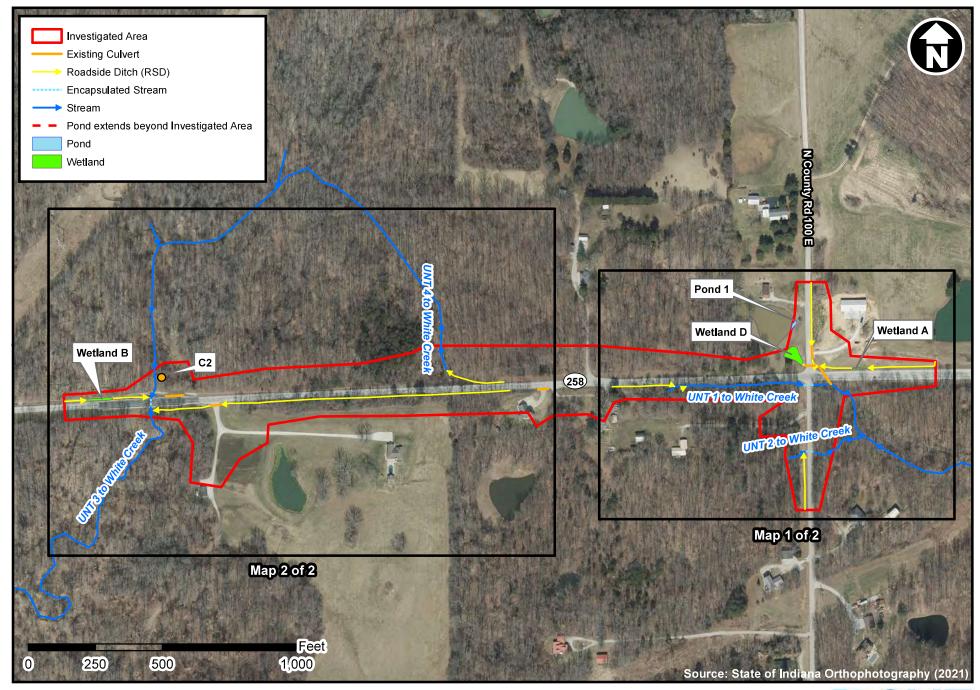
 Time:
 2022-01-14 11:48:47 -0500



General Flow Statistics Parameters	[Harmonic Mean !	Southern Region	2016 5102
	[i lattionic means	Southern Region	

Parameter Code	Parameter Name	Value	Units	Min Limit	Max Limit
DRNAREA	Drainage Area	1.951	square miles	6.95	533
LC01FOREST	Percent_Forest_from_NLCD2001	53.4	percent	7.3	91.3
LOWREG	Low Flow Region Number	1730	dimensionless		

General Flow Statistics Disclaimers [Harmonic Mean Southern Region 2016 5102]



SR 258 Sight Distance Correction (Des No. 1298633) - Jackson Co., IN Water of the United States (WOTUS) Resource Map

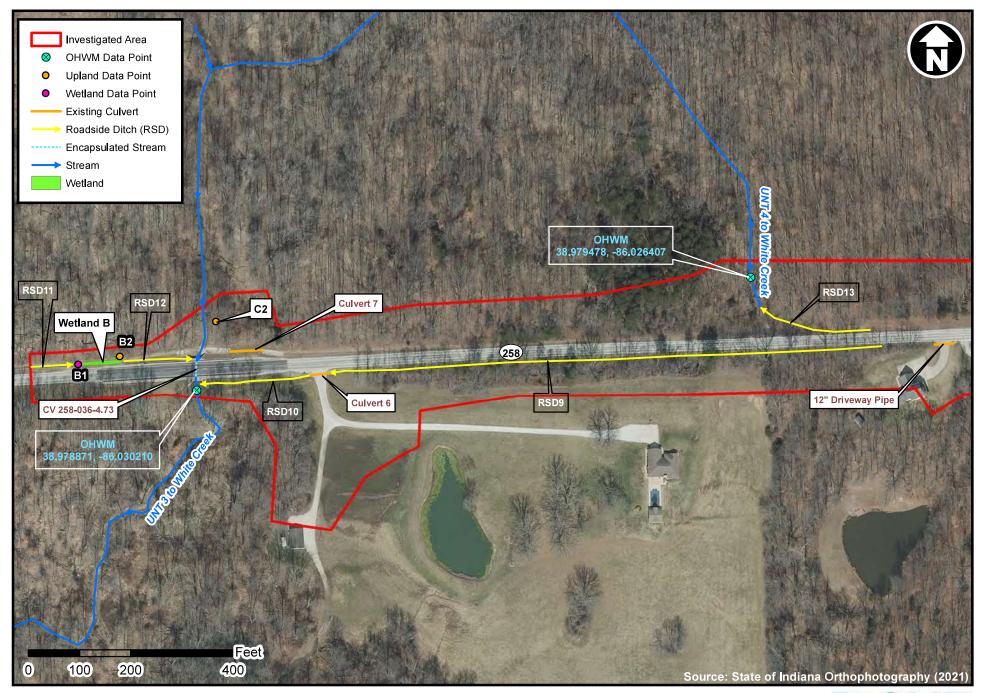
Author: Ellen Hogrebe; 2/3/2022

Crawford, Murphy & Tilly



SR 258 Sight Distance Correction (Des No. 1298633) - Jackson Co., IN Water of the United States (WOTUS) Resource Map 1 of 2

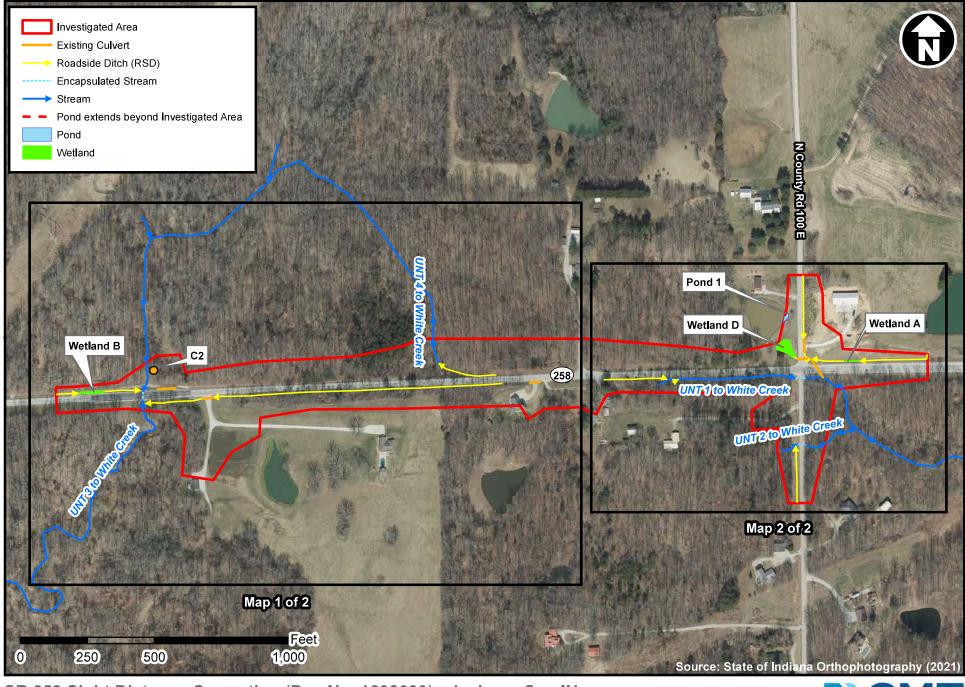




SR 258 Sight Distance Correction (Des No. 1298633) - Jackson Co., IN Water of the United States (WOTUS) Resource Map 2 of 2

Author: Ellen Hogrebe; 2/3/2022

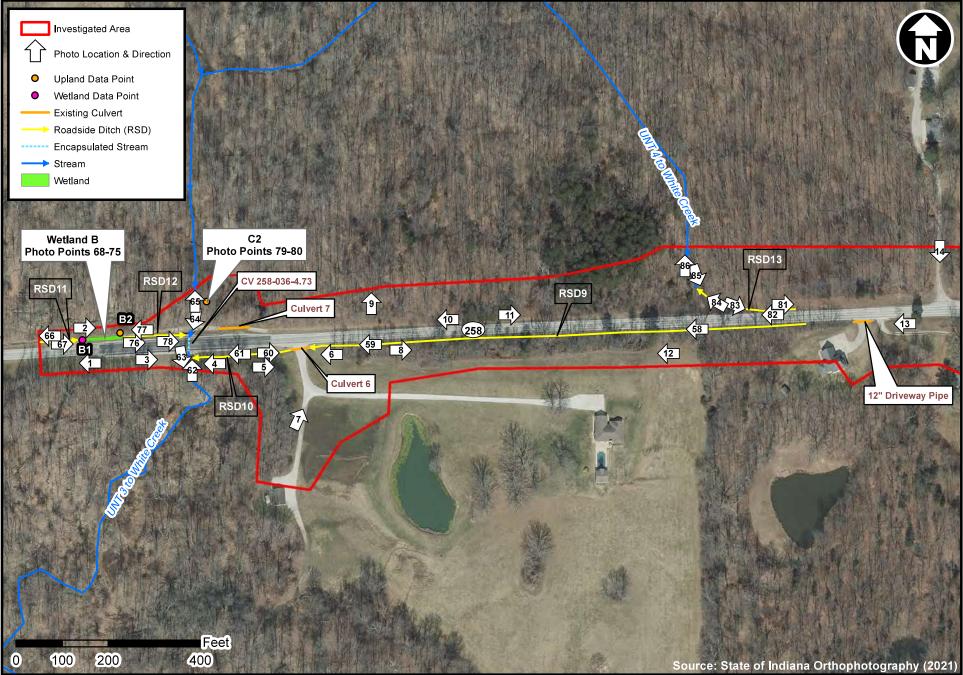
Crawford, Murphy & Tilly



SR 258 Sight Distance Correction (Des No. 1298633) - Jackson Co., IN Photo Key Map

# Author: Ellen Hogrebe; 2/3/2022



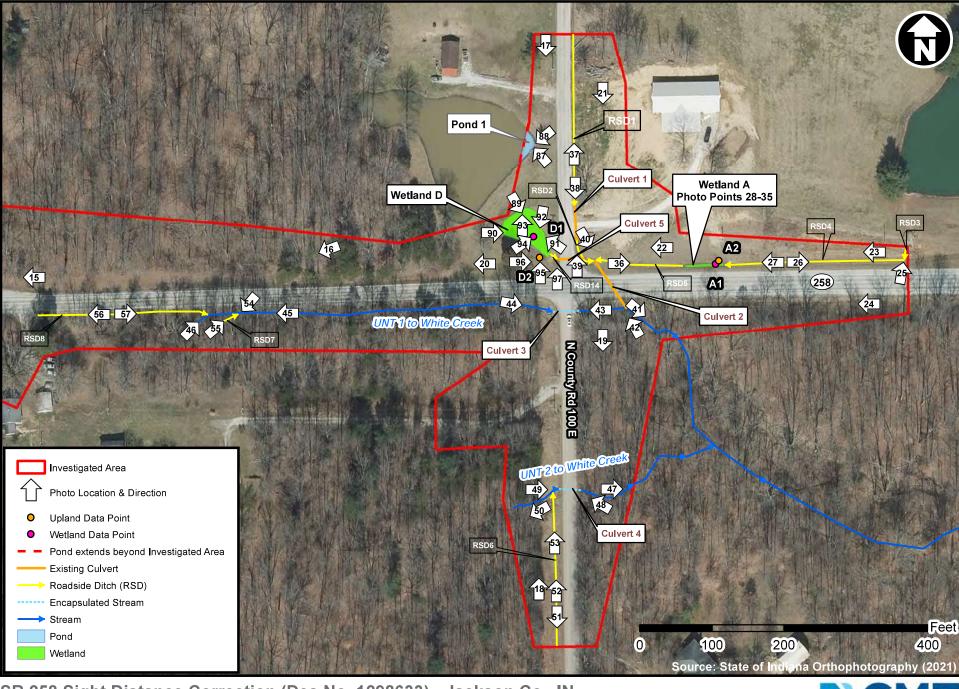


SR 258 Sight Distance Correction (Des No. 1298633) - Jackson Co., IN Photo Key 1 of 2



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Author: Ellen Hogrebe; 2/3/2022



SR 258 Sight Distance Correction (Des No. 1298633) - Jackson Co., IN Photo Key 2 of 2

Author: Ellen Hogrebe; 2/3/2022



Crawford, Murphy & Tilly





 View of mowed right-of-way (ROW) along the south side of SR 258, looking west. 9/28/2021



2. View of ROW along the north side of SR 258, looking east. 9/28/2021

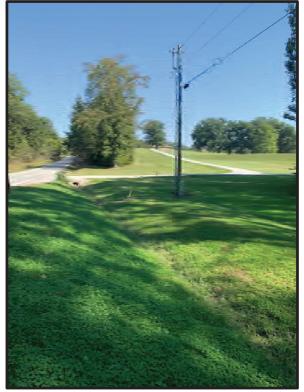


 View of mowed ROW and new box culvert (CV 258-036-4.73) along the south side of SR 258, looking east. 9/28/2021



 View of new box culvert (CV 258-036-4.73) at UNT 3 to White Creek on the south side of SR 258, looking west. 9/28/2021





5. View of mowed ROW, RSD10, and driveway entrance along the south side of SR 258, looking east. 9/28/2021



6. View of mowed ROW, RSD9, and driveway entrance along the south side of SR 258, looking west. 9/28/2021



 View along driveway on the south side of SR 258, looking northeast towards SR 258. 9/28/2021

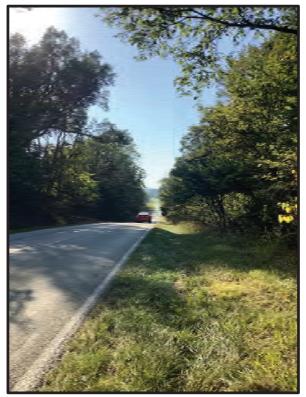


 View of mowed ROW and upland forested area along the south side of SR 258, looking east. 9/28/2021





9. View of upland forested area on the north side of SR 258, looking north. 9/28/2021



10. View of mowed ROW and upland forested area along the north side of SR 258, looking west. 9/28/2021

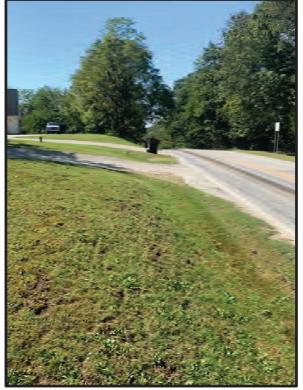


11. View of mowed ROW and upland forested area along the north side of SR 258, looking east. 9/28/2021



12. View of mowed lawn and upland forested area on the south side of SR 258, looking west. 9/28/2021





13. View of mowed ROW and driveway entrances along the south side of SR 258, looking west. 9/28/2021



 View along driveway on north side of SR 258, looking south, towards SR 258. 9/28/2021



15. View of mowed ROW and driveway entrance on north side of SR 258, looking west. 9/28/2021



 View of upland forested area along the north side of SR 258, looking southwest. 9/28/2021





17. View of mowed ROW and Pond 1 along the west side of N CR 100 E, looking south towards SR 258. 9/28/2021



 View of mown ROW, prairie, and upland forested area along the west side of N CR 100 E, looking north towards intersection with SR 258. 9/28/2021



19. View of upland forested area along the east side of N CR 100 E, looking south. 9/28/2021



20. View of mowed ROW on north side of SR 258, looking west. 9/28/2021





21. View of mowed lawn along the east side of N CR 100 E, looking south towards SR 258. 9/28/2021



22. View of mowed ROW and drainage inlet on the north side of SR 258, looking west across N CR 100 E. 9/28/2021



23. View of mowed ROW and RSD4 along the north side of SR 258, looking west. 9/28/2021



24. View of mowed ROW along the south side of SR 258, looking west. 9/28/2021





25. View of riprap-lined RSD3 transitioning to vegetated RSD4 located north of SR 258 at the eastern end of the investigated area, looking north. 9/28/2021



26. View of RSD4, located north of SR 258, looking east. 9/28/2021



27. View of RSD4 into Wetland A, located north of SR 258, looking west. 9/28/2021



28. View of Wetland A, located within a roadside ditch along the north side of SR 258 and east of N CR 100 E, looking east. 9/28/2021





29. View of Wetland A and surrounding terrain, looking west. 9/28/2021



30. View of Wetland A, looking southeast. 9/28/2021



31. View from within Wetland A, looking out towards surrounding terrain, looking west. 9/28/2021



32. View of Wetland A, with shovel located at wetland data point A1, looking south. A1 passed the dominance for hydrophytic vegetation. 9/28/2021