Additional Information Document No. 2

US 24 New Haven, Indiana to Defiance, Ohio Corridor Project Interchange Modification / I-469 at US 24 Des. No. 1800092

Allen County

Prepared by:	
Susan Harrington, HNTB	
November 12, 2021	
Approval:	
INDOT Environmental Services Division	Date
Federal Highway Administration	Date
Released for Public Involvement:	
	12-1-2021
INDOT Environmental Services Division (Initials)	Date
Certification of Public Involvement:	

Date

INDOT Major Projects Delivery Director

County Allen Route I-469 & US 24 Des. No. 1800092

Introduction

The US 24 New Haven, Indiana to Defiance, Ohio Corridor Project (Fort to Port) Final Environmental Impact Statement (FEIS) and Record of Decision (ROD) were approved by Federal Highway Administration (FHWA) on October 26, 2005 and December 9, 2005, respectively (Appendix K, page 2 and page 120). In 2002, during the National Environmental Policy Act (NEPA) process for the Fort to Port Project, the Indiana Department of Transportation (INDOT) recommended that the existing I-469 and US 24 interchange should be upgraded to a full and free flowing interchange. Nineteen conceptual alternatives were developed and evaluated for this interchange. The evaluation was documented in the I-469 and US 24 Interchange: Conceptual Alternatives Summary (May 2003). Through a screening process and agency coordination, three feasible interchange configurations, Alternative 12, 13 and 14 were identified. Environmental analyses conducted on the three Feasible Alternatives included noise studies, ecological impacts, land use impacts, and community impacts. The evaluation of the three Feasible Alternatives was presented in a separate report entitled I-469 and US 24 Interchange Feasible Alternatives Analysis (January 2004). A modified version of one of these alternatives, Alternative 13 Modified, was selected as the preferred alternative in the Fort to Port FEIS (Appendix K, pages 50-52).

Creating a full and free flowing connection between US 24 and I-469 was a commitment made in the FEIS/ROD for US 24 Fort to Port Project. The interchange modification at I-469 and US 24 is the last improvement to be completed for the Fort to Port Project. The interchange modification was divided into two phases due to the immediate need for safety improvements and funding constraints. Phase I, the east side of the intersection, is fully constructed and was opened to traffic in Fall of 2020 (Des. 1383675). The east side reconstruction was to address urgent safety and traffic operations issues at the northbound I-469 ramps. Ramps for I-469 northbound to US 24 eastbound and US 24 eastbound to I-469 northbound were constructed, which allowed for the traffic signal at the northbound ramp terminal intersection to be removed. A traffic signal was placed at the southbound ramp terminal intersection as an interim improvement until Phase II could be completed. The environmental impacts of the Phase I portion of the project were documented with an Additional Information (AI) document approved by FHWA on July 26, 2017 (AI No. 1). The Phase II plan for the western portion of the interchange originally included a non-conventional flyover ramp to serve the US 24 westbound to I-469 southbound movement that would avoid the Neimeyer farm. Neimeyer farm was a farmstead eligible for the National Register of Historic Places (NRHP) located northwest of the interchange. However, the residence and outbuildings that contribute to the integrity of the farmstead have been removed through actions not associated with this project; therefore, the farmstead is no longer eligible for the NRHP. As a result of the farmstead removal, additional options for the design of Phase II have been considered.

This AI document (AI No. 2) is being provided to document the changes in Phase II of the I-469/US 24 portion of the project and determine if the original decision in the approved FEIS/ROD remains valid. The original environmental decision remains valid after comprehensively considering the changes discussed in this AI No. 2.

Purpose and Need

The overall needs of the project are a result of:

- Delay and queuing at the interchange,
- The number of crashes at the interchange,
- The commitment made during the development of the Fort to Port FEIS/ROD to provide a free-flowing connection between I-469 and US 24.

Crashes on I-469 southbound, I-469 southbound ramps and ramp terminal intersections, and US 24, during the years 2017 to 2019 were studied. There were 45 crashes within the study that were separated into three groups: southbound I-469, southbound ramp terminal intersection and ramps, and US 24. No crashes at the Rose Avenue and Linden Road intersection were found. The severity level of each crash is defined as property damage only, non-incapacitating injury, incapacitating injury, or fatality. Within the study area, 27% of the crashes resulted in personal injury and no fatalities occurred. At the southbound ramp terminal intersection there were 21 crashes. A majority of the crashes were high severity left turn or right-angle crashes. Vehicles disregarding the traffic control device or following too closely to react appropriately were the cause of many crashes at the intersection (Appendix I, pages 7-8).

This is page 2 of 19 Project name: Interchange Modification – Phase II Date: No	November 12, 2021	
---	-------------------	--

The purpose of the I-469 and US 24 Interchange Modification Project is to:

- Improve functionality of the interchange, including traffic flow,
- Provide free flow service for all interchange directional movements,
- Enhance the regional transportation network,
- Improve overall safety of the interchange,
- Implement the commitment made in the Fort to Port FEIS/ROD to provide a full and free flowing connection between US 24 and I-469.

Existing Conditions

The I-469/US 24 interchange was constructed in 1992 and is located east of Fort Wayne, near the town of New Haven in Allen County. More specifically the project is located in Section 6, Township 30 North, Range 14 East in Adams and Jefferson Townships. US 24 begins at the west side of the interchange and extends east to Ohio. Rose Avenue begins on the west side of the interchange and extends west into New Haven (Appendix B, pages 1-3). The interchange serves a portion of eastern Allen County as a point of entry into the interstate system.

The existing interchange has been partially reconstructed. The northbound ramps are a cloverleaf type interchange with directional and loop ramps in the northeast and southeast quadrants. The southbound ramps are a partial cloverleaf type with a traffic signal at the ramp terminal intersection. Bridge rehabilitation was included in Phase I of the project. The scope of the rehabilitation included: deck overlay, replacement of the bridge railings, replacement of the expansion joints and conversion of end bents to semi-integral, removal of existing deck drains, cleaning and painting the steel superstructure.

US 24 is classified as a non-interstate freeway with a posted speed limit of 50 miles per hour (mph). East of the interchange, US 24 is a four-lane divided highway with a grass median. West of the interchange the four-lane divided highway transitions to a two-lane minor arterial (Rose Avenue) under local jurisdiction. I-469 is classified as an interstate and serves as a bypass for I-69 around Fort Wayne. It is a four-lane concrete barrier separated freeway with a posted speed limit of 70 mph. Land use in the project area is primarily agricultural and residential with some commercial use. The Maumee River extends east-west at the northern terminus of the project.

Proposed Project

The preferred alternative for this project is construction of a cloverleaf interchange that will provide full, free-flowing access and is compatible with the Phase I improvements. The east side of the interchange will remain as is, but the west side will be reconstructed. This includes removal of the existing signal west of I-469 and converting the ramps into a full cloverleaf type interchange. The US 24 westbound to I-469 southbound and I-469 southbound to Rose Avenue movement will be added. The existing ramps in the southwest quadrant will be reconstructed as needed. Permanent lighting will be added as needed.

The existing bridges and a portion of the existing ramps will be re-used. Since no additional bridges are needed, the construction costs are lower than originally estimated. This alternative also has lower utility impacts and avoids the transmission lines affected by other alternatives.

The 36-inch drainage culvert under Rose Avenue (CLV-002-152.42), approximately 600 feet from the intersection of Rose Avenue and Linden Road is in deteriorated condition and will be replaced in-kind with this project. This pipe conveys stormwater from the north side of Rose Avenue south to the roadside drainage system for Rose Avenue and US 24. Additionally, there is a seven-foot culvert, 284 feet in length, carrying the Wabash and Erie Canal under the eastbound US 24 to southbound I-469 and the southbound I-469 to US 24 ramps. This culvert, CV I469-002-020.90, will be replaced as part of the reconstruction of those ramps.

Project plans can be found in Appendix B, pages 28-38.

The preferred alternative of a full cloverleaf alternative meets the purpose and need by removing the potential for left turn and right-angle crashes at the ramp terminal intersection, thus improving safety; by improving functionality and flow of the interchange; providing free flow service for all interchange directional movements; by fulfilling the commitment made in the Fort to Port FEIS/ROD to provide a full and free flowing connection between US 24 and I-469; and enhancing the regional transportation network.

This is page 3 of 19 Project name: Interchange Modification – Phase II	Date:	November 12, 2021
--	-------	-------------------

County	/ Allen	Route I-469 & US 24	Des. No. 1800092
--------	---------	---------------------	------------------

The project has independent utility because it will provide a fully functional roadway without any additional transportation improvements beyond the project limits. The project termini are appropriate as they include all areas that contribute to the transportation problem and encompass a range of solutions appropriate to solving the transportation problem.

Alternatives Considered and Dismissed

Various interchange types with the southbound ramps were screened based on their ability to meet the project needs and compatibility with Phase I, which is already constructed. Currently, the heavy westbound to southbound movement is controlled by a traffic signal at the southbound ramp terminal intersection. Removal of the traffic signal is key to achieving free-flowing access, which is a primary focus of the project needs.

In Phase I, the interchange was reconstructed from a partial cloverleaf to a full a cloverleaf interchange with ramps in the northeast and northwest quadrants. Construction was completed in Fall of 2020, therefore Phase II improvements should be compatible with Phase I. The following interchange types were considered.

Alternative 4a (Appendix I, page 13)

When the Neimeyer farm was still present in the northwest quadrant, the original intent of the project was to move forward in the Phase II of the project with Alternative 4a, as defined in the 2016 Engineer's Report. This alternative would include a non-conventional flyover ramp to serve the US 24 westbound to I-469 southbound movement. Construction for Alternative 4a includes the construction of two bridges for the ramp from US 24 westbound to I-469 southbound. These bridges would have to be maintained by INDOT long-term. In addition, utility transmission lines would have to be relocated to and from the substation west of the interchange. Although this alternative would meet the purpose and need of the project, if was eliminated from further consideration due to cost, once it was discovered the 4(f) property, Neimeyer farm, was demolished.

Diamond Interchange (Appendix I, page 11)

A diamond interchange would require traffic signals or stop signs at the ramp terminal intersections. The west half of the interchange could be configured as a diamond, leaving the east side as is. Although would be compatible with Phase I, it would not meet the purpose and need of the project. It was therefore eliminated from further consideration.

Displaced Left Turn Interchange (Appendix I, page 11)

A displaced left turn interchange would not be compatible with Phase I, as the east and west sides of the interchange would need to be reconstructed. This type of interchange would require traffic signals and would not meet the purpose and need of the project. It was therefore eliminated from further consideration.

Diverging Diamond Interchange (Appendix I, page 11)

This type of interchange would not be compatible with Phase I, as the east and west sides of the interchange would need to be reconstructed. A diverging diamond requires traffic signals at each ramp terminal intersection and would not meet the purpose and need of the project. It was therefore eliminated from further consideration.

Single Point Interchange (Appendix I, page 11)

A single point interchange would require major reconstruction of the entire interchange and thus would not be compatible with Phase I. All interchange ramps would be controlled by one traffic signal and would not meet the purpose and need of the project. It was therefore eliminated from further consideration.

No Build (Appendix I, page 12)

The "no build" scenario referenced in this document assumes completion of Alternative 4a Phase I, which reconstructed the east side of the interchange. No additional construction would take place and no additional environmental impacts would occur. The commitment in the US 24 Fort to Port FEIS/ROD would not be fulfilled and free-flowing traffic would not be achieved on US 24. This alternative would not meet the purpose and need of the project and was eliminated from further consideration.

Funding Status and Schedule

This project is included in the Fiscal Year (FY) 2020-2024 Northeastern Indiana Regional Coordinating Council

This is page 4 of 19	Project name:	Interchange Modification – Phase II	Date:	November 12, 2021
1 0	,		_	

County Allen Route I-469 & US 24 Des. No. 1800092

Transportation Improvement Program (MPO TIP) and Statewide Transportation Improvement Program (STIP) (Appendix H, pages 1-2). According to the STIP, the total cost of the project is \$8,395,349, including \$1,200,000 (FY 2020) for preliminary engineering, \$250,000 (FY 2022) for right-of-way, and \$6,945,349 (FY 2023-2024) for construction. Construction is expected to begin in Fall of 2023.

Maintenance of Traffic (MOT)

The existing number of lanes will be maintained in the first phase of MOT by shifting traffic to the median to construct I-469 southbound to westbound Rose Avenue and US 24 westbound to I-469 southbound ramps. Existing traffic patterns at the ramp terminus will be maintained as work during this phase is offline. The second construction phase will modify I-469 southbound to eastbound US 24 and eastbound Rose Avenue to I-469 southbound. The Rose Avenue to I-469 southbound movement will be maintained with part-width construction. The construction of the I-469 southbound to eastbound US 24 ramp will require the existing ramp to be closed. Traffic will be detoured utilizing one of the ramps constructed in the previous phase or to a nearby interchange. In the third phase, work on US 24 and in the US 24 median will completed. All newly constructed ramps will be open and one lane in each direction on US 24 will be maintained during this phase. Signs and sign structures that conflict with the phasing will be covered or relocated as necessary. Shoulder strength will be analyzed as part of the geotechnical investigation.

Public Involvement

A series of three public hearings were held to offer the public an opportunity to comment on the DEIS for the Fort to Port Project. These hearings were held on October 26, 28 and 30, 2003. Approximately 400 people attended the three public hearings. After the public hearings INDOT and the Ohio Department of Transportation held several meetings with various affected property owners and elected officials (Appendix K, pages 16-25). For Phase I of this project, the eastern portion of the I-469/US 24 interchange, a public hearing was held on May 10, 2017. Approximately 35 members of the public and elected officials were in attendance and 11 comments were received.

To meet the public involvement requirements of Section 106, a legal notice of FHWA's finding of "No Historic Properties Affected" was published in The Journal Gazette on June 11, 2021, offering the public an opportunity to submit comment pursuant to 36 CFR 800.2(d), 800.3(e), and 800.6(a)(4). The public comment period closed 30 days later on July 12, 2021. The text of the public notice and the affidavit of publication appear in Appendix D, pages 53-55. No comments were received.

The project will meet the minimum requirements described in the current Indiana Department of Transportation (INDOT) Public Involvement Manual which requires the project sponsor to offer the public an opportunity to submit comments and/or request a public hearing. A public hearing will be offered for this project. This document will be revised after the public involvement requirements are fulfilled.

Environmental Effect of Proposed Revisions

Early Coordination:

Early coordination letters were sent on November 19, 2020 (Appendix C, pages 1-3).

Agency	Date Sent	Date Response	Appendix
		Received	
Allen County Department of Health	November 19, 2020	December 1, 2020	C-25
Allen County Surveyor	November 19, 2020	NA	NA
Allen County Sheriff	November 19, 2020	NA	NA
Allen County Highway Department	November 19, 2020	NA	NA
Allen County Department of Planning Services	November 19, 2020	NA	NA
Allen County SWCD	November 19, 2020	N/A	N/A
East Allen County Community Schools	November 19, 2020	NA	NA
Allen County Emergency Preparedness	November 19, 2020	NA	NA
INDOT Media Relations	November 19, 2020	NA	NA
New Haven/Adams Park Department	November 19, 2020	September 7, 2021	C-35
New Haven Mayor	November 19, 2020	NA	NA
New Haven Zoning Administration/Planning Department	November 19, 2020	NA	NA

This is page 5 of 19 Project name: Interchange Modification – Phase II Date: November 12, 2021

County	Allen	Route	I-469 & US 24	_ Des. No.	1800092	

New Haven Police Department	November 19, 2020	NA	NA
New Haven Fire Department	November 19, 2020	NA	NA
New Haven Public Works	November 19, 2020	NA	NA
Federal Highway Administration	November 19, 2020	NA	NA
USACE Environmental Analysis Branch	November 19, 2020	NA	NA
USDA Natural Resources Conservation Service	November 19, 2020	November 30, 2020 & February 18, 2021	C-19 – C-24
Indiana Department of Transportation, Office of Aviation	November 19, 2020	November 23, 2020	C-18
US Environmental Protection Agency	November 19, 2020	December 17, 2020	C-27 - C-34
US Fish and Wildlife Service	November 19, 2020	November 23, 2020	C-4
Northeastern Indiana Regional Coordinating Council	November 19, 2020	January 12, 2021	C-26
Indiana Department of Natural Resources, Division of Oil and Gas	November 19, 2020	NA	NA
Indiana Department of Natural Resources, Division of Fish and Wildlife	November 19, 2020	December 16, 2021	C-5 -C-6
Indiana Department of Transportation, Environmental Services Division	November 19, 2020	NA	NA
Indiana Department of Transportation, Fort Wayne District	November 19, 2020	NA	NA
Indiana Department of Environmental Management, Groundwater Section	November 19, 2020	NA	NA
Indiana Department of Environmental Management, via webform	N/A	January 8, 2021	C-10 – C-17
Indiana Geological and Water Survey, via webform	N/A	February 26, 2021	C-7 – C-9

Right-of-Way:

The original I-469 and US 24 Interchange Modification Engineer's Report (October 2004) estimated that 41.1 acres of additional right-of-way, not already within existing highway right-of-way, would be required for Alternative 13 Modified. This included 32.0 acres of agricultural land and 9.1 acres of residential property. Alternative 4a Phase I required 28.84 acres of right-of-way, 19.33 acres from agricultural property and 9.1 acres from residential property.

Phase II of the project will require approximately 15.11 acres of permanent right-of-way from residential, agricultural, forested, and wetland property on the northwest and southwest quadrants of the interchange. This right-of-way was not included in the original FEIS right-of-way totals, since the original design in the FEIS assumed no impacts would occur to the Neimeyer Farm. The project will not require any temporary right-of-way. When combined with Phase I of the project, the total right-of-way needed for the I-469 and US 24 interchange is 43.95 acres, which is a net increase of 2.85 acres from the original total (41.1 acres) documented in the approved FEIS/ROD.

Right-of-Way	Amount (acres)		
Land Use Impacts	Permanent	Temporary	
Residential	2.75	0	
Commercial	0	0	
Agricultural	8.61	0	
Forest	3.70*	0	
Wetlands	0.05	0	
Other:	0	0	
Other:	0	0	
TOTAL	15.11	0	

^{*} Total includes forested wetlands

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

This is page 6 of 19 Project name: Interchange Modification – Phase II Date: November 1:	.2. 202 ⁻	<u>′</u> 1
--	----------------------	------------

County Allen Route I-469 & US 24 Des. No. 180009	2
--	---

Relocations:

An evaluation of relocations required for the I-469/US 24 interchange was documented in the I-469 and US 24 Interchange: Conceptual Alternatives Summary (May 2003). This evaluation documented the potential need for five relocations for the construction of the interchange. Two of these potential relocations, both at the eastern end of the interchange study area, were not realized during the development of the US 24 Fort to Port project and were not anticipated to be required for completion of Alternative 4a. The three remaining residential relocations, two in the southeast quadrant of the interchange and one in the northeast quadrant of the interchange were necessary for the construction of Phase I of Alternative 4a (the eastern portion of the interchange). No relocations of people, businesses, or farms will take place as a result of Phase II of the project (the western portion of the interchange).

Streams:

The I-469 and US 24 Interchange Modification Engineer's Report (October 2004) identified effects to wetlands totaling 0.3 acres for Alternative 13 Modified. An AI documenting Phase I of this interchange (July 2017) documented 4.2 acres of impacts to emergent wetlands. A new *Waters of the U.S. Determination / Wetland Delineation Report* was prepared for this project to ensure that the information would reflect current conditions.

Based on the desktop review, the aerial map of the project area, and the RFI report (Appendix E, pages 1-11) there are five streams, rivers, watercourse or other jurisdictional features within the 0.5 mile search radius. There are two streams, rivers, watercourses, or other jurisdictional features mapped within or adjacent to the project area (Wabash-Erie Canal within and Maumee River adjacent). That number was confirmed by the site visit on October 9, 2020.

A Waters of the U.S. Determination / Wetland Delineation Report was approved by INDOT Ecology and Waterway Permitting Office on September 13, 2021. Please refer to Appendix F, pages 1-25 for the Waters of the U.S. Determination / Wetland Delineation Report. It was determined that there is one likely jurisdictional stream, the Maumee River, present within the project area. The U.S. Army Corps of Engineers (USACE) makes all final determinations regarding jurisdiction. No streams or rivers within the project area are listed as Federal, Wild and Scenic Rivers; State Natural, Scenic, and Recreational Rivers; Outstanding Rivers for Indiana; navigable waterways; or National Rivers Inventory waterways. The Maumee River is outside of the construction limits and will not be directly impacted. However, reconstruction of the roadside ditch along I-469 will outfall to the Maumee River.

Three roadside ditches (RSD) were identified within the I-469 southbound right-of-way. The roadside ditches did not exhibit consistent ordinary high-water mark (OHWM) or defined bed and bank. It was determined these features are unlikely to be jurisdictional.

Early Coordination

US Fish and Wildlife Service (USFWS) responded on November 23, 2020, stating that "because the proposed project will have minor impacts on natural resources, and no Federally endangered species are known to be present, the U.S. Fish and Wildlife Service will not be providing a comment letter" (Appendix C, page 4).

Indiana Department of Natural Resources, Department of Fish and Wildlife (IDNR-DFW) responded on December 16, 2020, with recommendations to avoid or minimize impacts to streams and fish and wildlife habitat (Appendix C, pages 5-6). Recommendations included both permanent and temporary measures to minimize impacts and limit disturbance. The recommendations include not excavating in the waterway and minimizing disturbance to bank vegetation and containing disturbance to within the project limits, as well as standard sediment and erosion control commitments.

US Environmental Protection Agency (USEPA) responded on December 17, 2020, with recommendations regarding alternatives' analysis, mitigation, coordination, onsite assessment of resources, stormwater best management practices, and consideration of frequent and intense precipitation events during construction (Appendix C, pages 27-34).

An automated letter was generated from the Indiana Department of Environmental Management's (IDEM's) website on January 8, 2021 (Appendix C, pages 10-17). This letter contains recommendations pertaining to sediment and erosion control, permitting requirements, and restrictions regarding disturbance of vegetation.

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

This is page 7 of 19 Project name: Interchange Modification – Phase II Date	 November 12, 20 	021
---	-------------------------------------	-----

County Allen Route I-469 & US 24 Des. No. 1800092

Wetlands:

Wetland No.	Classification	Total Size (Acres)	Impacted Acres	Comments
Wetland A	PFO1C	0.04	0.04	INDOT acknowledges that this wetland is likely a Waters of the State. However, INDOT has requested that USACE take jurisdiction over it; located in a wooded area in the northwest quadrant of the interchange (Appendix F, page 12)
Wetland B	PFO1C	0.76	0.21	INDOT acknowledges that this wetland is likely a Waters of the State. However, INDOT has requested that USACE take jurisdiction over it; located in a wooded area in the northwest quadrant of the interchange (Appendix F, page 12)
Wetland C	PFO1C	0.11	0.11	INDOT acknowledges that this wetland is likely a Waters of the State. However, INDOT has requested that USACE take jurisdiction over it; located in a wooded area in the northwest quadrant of the interchange (Appendix F, page 12)
Wetland F	PEM1A	0.75	0.03	Likely jurisdictional; located along the south side of US 24/Rose Ave. (Appendix F, page 12)

Based on the desktop review, the aerial map of the project area, and the RFI report (Appendix E, pages 1-11) there are 24 wetlands within the 0.5 mile search radius. There are two wetlands mapped within or adjacent to the project area. That number was updated to four wetlands within the project area by the site visit on October 9, 2020, by HNTB.

A Waters of the U.S. Determination / Wetland Delineation Report was approved by INDOT Ecology and Waterway Permitting Office on September 13, 2021. Please refer to Appendix F, pages 1-25 for the Waters of the U.S. Determination / Wetland Delineation Report. It was determined that there was one likely jurisdictional and three likely not jurisdictional wetlands present within the project area. USACE makes all final determinations regarding jurisdiction; however, INDOT acknowledges that the non-jurisdictional wetlands are likely a Waters of the State and has requested that USACE take jurisdiction over them. Please note that the waters report had originally identified three additional potential wetlands, but Wetlands D, G, and E were determined to be roadside ditches.

A total of 0.39 acre of wetlands will be impacted by regrading and fill associated with the construction of the loop ramp.

Early Coordination

USFWS responded on November 23, 2020, stating that "because the proposed project will have minor impacts on natural resources, and no Federally endangered species are known to be present, the U.S. Fish and Wildlife Service will not be providing a comment letter" (Appendix C, page 4).

IDNR DFW responded on December 16, 2020, with recommendations to avoid or minimize impacts to wetlands (Appendix C, pages 5-6). Recommendations included mitigation for forest and riparian habitat and not to excavate or place fill in any riparian habitat, as well as standard sediment and erosion control commitments.

USEPA responded on December 17, 2020, with recommendations regarding alternatives' analysis, mitigation, coordination, onsite assessment of resources, and stormwater best management practices (Appendix C, pages 27-34).

An automated letter was generated from IDEM's website on January 8, 2021 (Appendix C, pages 10-17). This letter contains recommendations pertaining to sediment and erosion control, permitting requirements, and restrictions

This is page 8 of 19 Project name: Interchange M	Modification – Phase II Date:	November 12, 2021
--	-------------------------------	-------------------

County Allen Route I-469 & US 24 Des. No. 180009	2
--	---

regarding disturbance of vegetation.

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

Open Waters:

Based on the desktop review, the aerial map of the project area, and the RFI report (Appendix E, pages 1-11) there are eight open water features within the 0.5 mile search radius. There are two open water features mapped adjacent to the project area. It was confirmed by the site visit on October 9, 2020, by HNTB that there are no open water features within the project area. No impact is expected.

Terrestrial Habitat:

In November 2002, field studies were conducted to identify ecological resources within the study area. Ecological Resources identified within the I-469 and US 24 interchange are included in Appendix K.

Based on a desktop review, a site visit on October 9, 2020, by HNTB and the aerial map of the project area (Appendix B, page 2), the Phase II project will impact the same terrestrial habitat types documented in the FEIS/ROD. Habitat types within the project area include upland forest, wetland forest, residential lawns, successional fields, and agricultural fields. Trees are located along the Maumee River at the northern terminus of the project, along the Wabash and Erie Canal on the south side of US 24/Rose Avenue, and on the farmstead in the northwest quadrant of I-469 and US 24. A total of 4.97 acres of trees were noted within the proposed right-of-way. The majority of the trees are located in a woodlot/pasture surrounded by row crops in the northwest quadrant and along the Wabash and Erie Canal. Species noted in the proposed right-of-way include the following.

- sugar maple (*Acer saccharum*)
- silver maple (*Acer saccharinum*)
- shagbark hickory (Carya ovata)
- rough leaf dogwood (Cornus drummondii)
- green ash (Fraxinus pennsylvanica)
- honey locust (Gleditsia triacanthos)
- northern spicebush (*Lindera benzoin*)
- American sycamore (Platanus occidentalis)
- Eastern cottonwood (*Populus deltoides*)
- American elm (*Ulmus americana*)
- common wood sedge (Carex blanda)
- white grass (*Leersia virginica*)
- riverbank grape (*Vitis riparia*)
- meadow foxtail (*Alopecurus pratensis*)
- tall goldenrod (Solidago altissima)
- tall fescue (Schedonorus arundinaceus)
- poison ivy (*Toxicodendron radicans*)
- eastern woodland sedge (Carex blanda)
- narrowleaf cattail (Typha angustifolia)
- Fuller's teasel (*Dipsacus fullonum*)

Approximately 25.31 acres of habitat disturbance will occur due to construction of the ramps needed for the new portion of the interchange including existing right-of-way that is not currently pavement. Of that total, approximately 4.97 acres of tree clearing will be necessary. Mitigation for habitat disturbance is not anticipated.

This is page 9 of 19	Project name:	Interchange Modification – Phase II	Date:	November 12, 2021
Tills is page 3 of 13	i roject name.	interchange weameatten i nase n	Date.	140 VOITIBOT 12, 2021

County Allen Route I-469 & US 24 Des. No. 180009	2
--	---

Early Coordination

USFWS responded on November 23, 2020, stating that "because the proposed project will have minor impacts on natural resources, and no Federally endangered species are known to be present, the U.S. Fish and Wildlife Service will not be providing a comment letter" (Appendix C, page 4).

IDNR DFW responded on December 16, 2020, with recommendations to avoid or minimize impacts to terrestrial habitat (Appendix C, pages 5-6). Recommendations included mitigation for forest and riparian habitat, not to excavate or place fill in any riparian habitat, time of year restrictions on tree clearing, as well as standard sediment and erosion control commitments.

USEPA responded on December 17, 2020, with recommendations regarding habitat loss mitigation, invasive species, and coordination (Appendix C, pages 27-34).

An automated letter was generated from IDEM's website on January 8, 2021 (Appendix C, pages 10-17). This letter contains recommendations pertaining to sediment and erosion control, permitting requirements, and restrictions regarding disturbance of vegetation.

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

Protected Species:

Since the approval of the FEIS/ROD, the northern long eared bat (NLEB) has been listed as a federally threatened species that is within range of the project.

Based on a desktop review and the RFI report (Appendix E, pages 1-11), completed by HNTB on May 19, 2021, the IDNR Allen County Endangered, Threatened and Rare (ETR) Species List has been checked. According to the IDNR-DFW early coordination response letter dated December 16, 2020, (Appendix C, pages 5-6), the Natural Heritage Program's Database has been checked. The federal and state endangered white catspaw (*Epioblasma perobliqua*) has been documented in the Maumee River within 1/2 mile of the project area. IDNR-DFW does not foresee any impacts to White Catspaw as a result of this project.

Project information was submitted through the USFWS's Information for Planning and Consultation (IPaC) portal, and an official species list was generated (Appendix C, pages 42-47). The project is within range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened NLEB (*Myotis septentrionalis*). No additional species were generated in the IPaC species list other than the Indiana bat and northern long-eared bat.

Based on habitat removal and/or tree removal/trimming within suitable habitat outside of 300 feet from the existing roadway edge of pavement, this project does not qualify for the *Rangewide Programmatic Informal Consultation* for the Indiana bat and NLEB. A standard coordination letter was prepared and submitted for INDOT review on August 26, 2021. INDOT reviewed the standard coordination letter and submitted to USFWS for review on August 30, 2021. On September 15, 2021, USFWS issued a concurrence letter with the "May affect, but not likely to adversely affect" finding (Appendix C, pages 55-56). Avoidance and Minimization Measures (AMMs) are included as firm commitments in the Environmental Commitments section of this document.

Geological and Mineral Resources:

Based on a desktop review, the project is located outside the designated karst region of Indiana as outlined in the July 15, 2021 *INDOT Protection of Karst Features during Project Development and Construction* guidance. According to the topo map of the project area (Appendix B, page 3), the RFI report (Appendix E, page 3), and a site visit on October 9, 2020, by HNTB, there are no karst features identified within or adjacent to the project area.

In the early coordination response on February 26, 2021, the Indiana Geological and Water Survey (IGWS) did not indicate that karst features exist in the project area (Appendix C, pages 7-9). The IGWS response indicated that there is high liquefaction potential, and the project is located in a floodway, high potential for bedrock resources, high potential for sand and gravel resources, and no documented active or abandoned mineral resource extraction sites. Response from IGWS was communicated to the designer on September 7, 2021. No impacts are expected.

This is page 10 of 19 Project name:	Interchange Modification – Phase II	Date: November 12, 2021
-------------------------------------	-------------------------------------	-------------------------

County Allen Route I-469 & US 24 Des. No. 1800092

Drinking Water Resources:

Sole Source Aquifer

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

Wellhead Protection Area and Source Water

The Indiana Department of Environmental Management's Wellhead Proximity Determinator website (http://www.in.gov/idem/cleanwater/pages/wellhead/) was accessed on Septmber7, 2021 by HNTB. This project is not located within a Wellhead Protection Area or Source Water Area.

Water Wells

The Indiana Department of Natural Resources Water Well Record Database website (https://www.in.gov/dnr/water/3595.htm) was accessed on September 7, 2021 by HNTB. One unspecified well was located on the north side of Rose Avenue on the western end of the project. This well was not verified in the field. The feature will not be affected because the proposed project would not disturb the existing wells and no other earth disturbing activities will occur in the vicinity of the well. Therefore, no impacts are expected. Should it be determined during the right-of-way phase that these wells will be affected, a cost to cure will likely be included in the appraisal to restore the wells.

Urban Area Boundary

Based on a desktop review of the 2010 Adjusted Urban Area Boundaries prepared by the Northeastern Indiana Regional Coordinating Council by HNTB on September 7, 2021, this project is located adjacent to an Urban Area Boundary (UAB). An early coordination letter was sent on November 19, 2020 to both New Haven and Allen County. No response was received.

Floodplains:

Based on a desktop review of The Indiana Department of Natural Resources Indiana Floodway Information Portal website (http://dnrmaps.dnr.in.gov/appsphp/fdms) by HNTB on September 7, 2021, and the RFI report, this project is located in a regulatory floodplain as determined from approved IDNR floodplain maps (Appendix F, page 20). An early coordination letter was sent on November 19, 2020 to Allen County, which includes the local Floodplain Administrator. Allen County did not respond within the 30-day time frame. The only work within the floodway will be reconstruction of the roadside drainage ditch and water outlet control structure to the Maumee River. This project qualifies as a Category 3 per the current INDOT CE Manual, which states the following.

The modifications to drainage structures included in this project will result in an insubstantial change in their capacity to carry flood water. This change could cause a minimal increase in flood heights and flood limits. These minimal increases will not result in any substantial adverse impacts on the natural and beneficial floodplain values; they will not result in substantial change in flood risks or damage; and they do not have substantial potential for interruption or termination of emergency service or emergency routes; therefore, it has been determined that this encroachment is not substantial.

Farmland:

During the preparation of the FEIS/ROD a Farmland Conversion Impact Rating (FCIR) form (AD-1006) was generated for Alternative 13 Modified. This FCIR analysis was completed separately from the rest of the project. The interchange configuration approved in the FEIS/ROD, Alternative 13 Modified had a FCIR point value of 187 (Appendix K, page 62).

Based on a desktop review, a site visit on October 9, 2020, by HNTB, and the aerial map of the project area (Appendix B, page 2), the project will convert 8.61 acres of farmland as defined by the Farmland Protection Policy Act. The 8.61

This is page 11 of 19 Project name: Interchange Modification – Phase II Date: November 12, 2021

County Allen Route I-469 & US 24 Des. No. 1800092

acres of farmland includes tilled land. When combined with the farmstead property, the total is 11.07 acres. An early coordination letter was sent on November 19, 2020, to Natural Resources Conservation Services (NRCS). Coordination with NRCS resulted in a score of 108 on the NRCS AD 1006 Form (Appendix C, page 21). As the design of the interchange has progressed, the amount and location of right-of-way acquisition has been revised since coordination with NRCS occurred in 2020. Re-coordination was initiated with NRCS on September 16, 2021. NRCS responded on September 20, 2021, and a revised NRCS AD 1006 Form resulted in a score of 110 (Appendix C, pages 23-24). NRCS's threshold score for significant impacts to farmland that result in the consideration of alternatives is 160. Since this project score is less than the threshold, no significant loss of prime, unique, statewide, or local important farmland will result from this project. No alternatives other than those previously discussed in this document will be investigated without reevaluating impacts to prime farmland.

Cultural Resources:

The Section 106 process completed as part of the Fort to Port Project resulted in a finding of "No Historic Properties Affected" for the Niemeyer farm under the Preferred Alternative. This finding, contained within the Programmatic Agreement (PA) for the Fort to Port Project, expired in October of 2015. Through coordination with INDOT Cultural Resources Office (CRO) it was determined that the expiration of the PA necessitated re-initiation of the Section 106 process.

Area of Potential Effect (APE)

The Area of Potential Effects (APE) is the area in which the proposed project may cause alterations in the character or use of historic resources. The APE encompasses all resources immediately adjacent to the project limits and those that may not be immediately adjacent but that have a proximate viewshed of the project. The project area consists of 29.5 hectares (72.8 acres) that includes an approximate 0.4 kilometer (0.25 mile) viewshed APE in all directions from the interchange project limits (Appendix D, pages 7-9). The APE contains no resources either listed in or recommended eligible for listing in the National Register of Historic Places (National Register).

Coordination with Consulting Parties

Early coordination was initiated on December 30, 2020. The early coordination letter was uploaded to the Indiana Section 106 Consultation and Outreach Portal Enterprise (IN SCOPE), http://erms.indot.in.gov/Section106
Documents/ on December 30, 2020 and released for viewing online the same day. The early coordination email was also sent to consulting parties on December 30, 2020. The email asked consulting parties to review the early coordination letter via IN SCOPE; a hard copy of the early coordination letter was mailed to the Mayor of the City of New Haven and to landowners Mr. and Mrs. Melcher on December 30, 2020. Please see Appendix D, pages 22-23 for the consulting party distribution list, including those who accepted consulting party status and Appendix D, pages 25-31 for a copy of the early coordination letter and associated email correspondence.

In a letter dated January 12, 2021, the Northeastern Indiana Regional Coordination Council responded agreeing to be a consulting party. The following comments were provided. The historic Wabash and Erie Canal route followed the alignment of US 24 through the area of the US 24/I-469 Interchange. A potential lock associated with the Wabash and Erie Canal (The Gronauer's Lock #2) is identified near the US 24/I-469 interchange (Appendix D, page 32).

In a letter dated January 21, 2021, the Indiana State Historic Preservation Officer (IN SHPO) confirmed status as a consulting parting, stating, "We are not aware of any parties who should be invited to participate in the Section 106 consultation on this federal undertaking, beyond those whom INDOT already has invited. In your next regular correspondence on this project, please advise us as to which of the invited consulting parties has accepted the invitation." In addition, the letter noted looking forward to receiving and reviewing the reports for the above-ground and archaeological investigations (Appendix D, pages 33-34).

In a letter dated January 22, 2021, the Miami Tribe of Oklahoma confirmed their acceptance as a consulting party in a letter stating, "The Miami Tribe offers no objection to the above-referenced project at this time, as we are not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site." The letter also requested that the Miami Tribe be consulted with immediately should any human remains, Native American cultural items, or archaeological evidence be discovered falling under the Native American Graves Protection and Repatriation Act (NAGPRA) (Appendix D, page 35).

This is page 12 of 19 Proje	ect name: Interchange Modific	cation – Phase II	Date:	November 12, 2021
-----------------------------	-------------------------------	-------------------	-------	-------------------

County Allen Route I-469 & US 24 Des. No. 1800092

In a letter dated January 28, 2021, the Pokagon Band of Potawatomi Indians confirmed their acceptance as a consulting party in a letter stating, "The proposed work is occurring within a mile of a known historic site or feature that is recorded in the Pokagon Band Historic Inventory Database. I have made the determination that this undertaking will have No Adverse Effect on any historic, religious, or culturally significant resources to the Pokagon Band of Potawatomi Indians." The letter also requested that if cultural or archeological resources are uncovered during the construction phase of the project, work should stop, and the Tribal Historic Preservation Officer (THPO) should be contacted immediately (Appendix D, page 36).

In an email dated January 28, 2021, the Shawnee Tribe confirmed their acceptance as a consulting party stating, The Shawnee Tribe's Tribal Historic Preservation Department concurs that no known historic properties will be negatively impacted by this project. We have no issues or concerns at this time, but in the event that archaeological materials are encountered during construction, use, or maintenance of this location, please re-notify us at that time as we would like to resume immediate consultation under such a circumstance" (Appendix D, pages 37-38).

In a letter dated May 27, 2021, the IN SHPO concurred to both the Historic Property Short Report (HPSR) and the Phase Ia Archaeology Report and findings (Appendix D, pages 44-45).

<u>Archaeology</u>

A Phase Ia archaeological reconnaissance survey was conducted by Gray & Pape between December 14 and 16, 2020, and January 5 and 8, 2021. Eight previously recorded archaeological sites were either within or adjacent to the survey limits (12AL384, 12AL385, 12AL400, 12AL474, 12AL476, 12AL479, 12AL542, and 12AL2081). In addition, the channel of the Wabash and Erie Canal was also documented within the survey area. The archaeological reconnaissance identified four new archaeological sites (12AL2309–12AL2312), failed to reidentify five previously recorded sites (12AL384, 12AL400, 12AL474, 12AL476, and 12AL2081), and determined three others (12AL385, 12AL479, 12AL542) had been destroyed. The portion of the Wabash and Erie Canal within the survey area had also been destroyed by the previous construction of US 24. Sites 12AL2309–12AL2312 were determined to be ineligible for inclusion in the NRHP under Criteria A, B, C, or D, or the Indiana Register of Historic Sites and Structures. No further archaeological investigation was recommended. In addition, deep shovel probe excavations on the terrace and floodplain of the Maumee River indicated a low potential for stable intact soil horizons conducive for buried archaeological deposits. No Phase Ic subsurface reconnaissance investigations were recommended within the current survey area limits (Appendix D, pages 49-50).

Historic Properties

The literature review included a check of the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) of the Division of Historic Preservation and Archaeology (DHPA). SHAARD is a searchable Geographic Information System (GIS)-based clearinghouse for cultural resource data maintained in several inventories. The database includes previously surveyed above-ground resources, including data from the Indiana Historic Sites and Structures Inventory (IHSSI), the NRHP inventory, the INDOT Historic Bridge Inventory, and the Indiana Cemetery and Burial Ground Registry. The history/architecture investigations consisted of a survey of all resources within the APE that will be over 50 years old at the time of construction letting, September 13, 2023.

Two resources were previously found eligible for listing in the NRHP at the conclusion of the 2016 cultural resource investigations for the eastern section of the interchange. The Niemeyer Farmstead (IHSSI No.: 003-382-09003) and a Ranch-style House (WA-1). Neither historic property was determined to have been adversely impacted by the project, resulting in a finding of "No Adverse Effect", signed on October 27, 2016. However, since the 2016 finding, the Niemeyer farmhouse has been removed through actions not associated with the project, leaving two extant outbuildings on the property. The Ranch-style House (WA-1) is outside the current above-ground APE.

A Gray & Pape historian who meets the Secretary of the Interior's Professional Qualification Standards, performed an historical above-ground structures survey of the APE on December 15 and 16, 2020. The surveyed architectural resources were documented through photography. Architectural historians from Gray & Pape used these photographs, along with a wide array of additional resources, to complete the architectural investigation. Dates of construction for the structural resources identified during the survey were established through a review of property records maintained by the Allen County Auditor's office, structural form and materials analysis, historical atlas analysis, and other cartographic research. Field documentation for each property included photographs of the primary and secondary

This is page 13 of 19 Project name: Interchange Modification – Phase II Date: November 12, 2021

County	/ Allen	Route I-469 & US 24	Des. No. 1800092
--------	---------	---------------------	------------------

façades, when accessible; ownership information; building style or type; and integrity considerations. Using the data recorded during the survey and through subsequent research, each architectural resource was rated using the IHSSI rating system. Twenty-three resources were identified within the APE; however, six were not assessed because they were previously surveyed in 2016 as part of the eastern phase of the interchange modification project. The remaining 17 properties were surveyed, evaluated, and rated using the IHSSI rating system. Ten of these 17 properties are within the Tanglewood subdivision, which was evaluated as a single resource. All resources were rated as Contributing or lower

The results of the above-ground survey determined that the APE included no properties recommended eligible for listing in the NRHP (Appendix D, pages 47-48).

Documentation, Findings

An 800.11(e) document was signed by INDOT, on behalf of FHWA, on June 7, 2021, which issued a "No Historic Properties Affected" finding for the project. The 800.11(e) was then sent to consulting parties, including the SHPO, on June 9, 2021. SHPO's concurrence with the "No Historic Properties Affected" finding was received on June 30, 2021 (Appendix D, pages 51-52). No responses were received from consulting parties.

To meet the public involvement requirements of Section 106, a legal notice of FHWA's finding of "No Historic Properties Affected" was published in *The Journal Gazette* on June 11, 2021, offering the public an opportunity to submit comment pursuant to 36 CFR 800.2(d), 800.3(e), and 800.6(a)(4). The public comment period closed 30 days later on July 12, 2021. The text of the public notice and the affidavit of publication appear in Appendix D, pages 53-55. No comments were received.

This completes the Section 106 process and the responsibilities of the FHWA under Section 106 have been fulfilled.

Environmental Justice (EJ)

The approved FEIS/ROD for the Fort to Port project documented EJ impacts to communities throughout the project area, but none at the I-469/US 24 project area (Appendix K, pages 64-65). Since over 15 years have passed, an updated EJ analysis was completed for this AI.

Under FHWA Order 6640.23A, FHWA and the project sponsor, as a recipient of funding from FHWA, are responsible to ensure that their programs, policies, and activities do not have a disproportionately high and adverse effect on minority or low-income populations. An EJ Analysis is required for all EIS/ROD projects. Therefore, an EJ Analysis is required for this AI.

Potential EJ impacts are detected by locating minority and low-income populations relative to a reference population to determine if populations of EJ concern exists and whether there could be disproportionately high and adverse impacts to them. The reference population may be a county, city or town and is called the community of comparison (COC). In this project, the COC is Allen County. The community that overlaps the project area is called the affected community (AC). In this project, the affected community is Census Tracts 110. An AC has a population of concern for EJ if the population is more than 50% minority or low-income or if the low-income or minority population is 125% of the COC. Data from the 2019 American Community Survey was obtained from the US Census Bureau Website https://data.census.gov on September 3, 2021 by HNTB. The data collected for minority and low-income populations within the AC are summarized in the below table.

County Allen Route I-469 & US 24 Des. No. 1800092

Table 1: Minority and Low-Income Data (American Community Survey, 2019)				
	COC: Allen County	AC: Census Tract 110		
Percent Minority	26.15 %	2.03 %		
125% of COC	32.69 %	AC < 125% COC		
EJ Population of Concern		No		
Percent low-income	13.25 %	6.05 %		
125% of COC	16.56 %	AC < 125% COC		
EJ Population of Concern		No		

Census Tract 110 has a percent minority of 2.03%, which is below 50% and is below the 125% COC threshold. Therefore, Census Tract 110 does not contain minority populations of EJ concern. Census Tract 110 has a percent low-income of 6.05%, which is below 50% and is below the 125% COC threshold. Therefore, Census Tract 110 does not contain low-income populations of EJ concern.

The census data sheets and map can be found in Appendix I, pages 19-22. The EJ analysis did not identify any populations of EJ concern. No further environmental justice analysis is warranted.

Section 4(f) Resources:

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

Based on a desktop review, the aerial map of the project area (Appendix B, page 2), and the RFI report (Appendix E, pages 1-11), there are four potential 4(f) resources located within the 0.5 mile search radius. According to additional research and by the site visit on October 9, 2020 by HNTB, there is one potential 4(f) resource located within or adjacent to the project area. The planned Maumee Valley Loop of the Maumee Valley Heritage Trail is located within the project area. An early coordination letter was sent to New Haven/Adams Park Department on November 19, 2020. During a follow-up phone call on September 7, 2021, the New Haven Park Department superintendent indicated he had no concerns regarding the interchange modification project and that the proposed trail is not included in their current plan (Appendix C, page 35). According to the FHWA Section 4(f) Policy Paper, dated July 20, 2012, planned trails are considered 4(f) resources "if the land for the planned facility is presently publicly owned, presently formally-designated for Section 4(f) purposes, and presently significant." Review of the planned trails on IndianaMap and the Trail Plan Portion of the *Bicycle-Pedestrian Transportation Plan*, which is also part of the Northeast Indiana United Trails Plan (https://www.nircc.com/uploads/1/2/9/8/129837621/unitedtrailsallenlargetrail.pdf), indicated no planned trails along Rose Avenue or US 24. The mapped planned Maumee Valley Loop of the Maumee Valley Heritage Trail appears to no longer be a planned trail and is not considered to be a 4(f) resource. Therefore, no 4(f) use is expected.

6(f) Resources:

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

A review of 6(f) properties on the INDOT ESD website by HNTB on September 7, 2021, revealed a total of 30 grants

County Allen Route I-469 & US 24 Des. No. 1800092	
---	--

in Allen County (Appendix I, page 23). None of these properties are located within or adjacent to the project area. Therefore, there will be no impacts to 6(f) resources.

Air Quality:

This project is included in the Fiscal Year (FY) FY) 2020-2024 Northeastern Indiana Regional Coordinating Council Transportation Improvement Program (MPO TIP) and Statewide Transportation Improvement Program (STIP) (Appendix H, pages 1-2).

This project is located in Allen County, which is currently a maintenance area for Ozone under the 1997 Ozone 8-hour standard, which was revoked in 2015 but is being evaluated for conformity due to the February 16, 2018, South Coast Air Quality Management District V. Environmental Protection Agency, Et. Al. Decision. The project's design concept and scope are accurately reflected in both the Northeastern Indiana Regional Coordinating Council Transportation Plan (TP) and the TIP and both conform to the State Implementation Plan (SIP). Therefore, the conformity requirements of 40 CFR 93 have been met.

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

Noise:

A noise analysis was conducted in May 2003 as part of the Fort to Port EIS and re-evaluated in 2016 for the portions of the interchange which have already been improved. The noise analysis evaluated the three feasible interchange alternatives evaluated at that time. The evaluation found that three of the four representative receivers experienced noise levels which exceeded the FHWA Noise Abatement Criteria (NAC), and that interchange improvements would have a negligible effect on ambient noise levels at surrounding properties.

As part of this AI, HNTB completed a traffic noise analysis report in August 2021. The potential noise impacts of the proposed improvements within the I-469/US 24 Interchange Modification Phase II (Des. 1800092) study area were evaluated in compliance with the Federal Highway Administration's (FHWA) Procedures for Abatement of Highway Traffic Noise and Construction Noise as presented in the Code of Federal Regulations, Title 23 Part 772 (23 CFR 772) and the INDOT Traffic Noise Analysis Procedure (2017). The noise analysis presents the existing and future acoustical environment along the project corridor (Appendix J, pages 2-19).

Existing noise level measurements were conducted on October 22, 2020, at four representative sites in the project corridor. Sites were selected based on distribution throughout the project corridor. A 20-minute measurement was taken at each site. The measurements were made in accordance with FHWA and INDOT guidelines using a Larson Davis LXT integrating sound level analyzer meeting American National Standards Institute (ANSI) and International Electrotechnical Commission (IEC) Type 1 specifications. Traffic counts were taken concurrently with the noise measurements.

TNM®2.5 (TNM), was used to model existing (2020) and design year (2045) worst hourly traffic noise levels within the I-469/US 24 Interchange Modification Phase II project study area. Seven (7) noise receivers representing 7 receptors were modeled in the Existing, No Build, and Build conditions. The study area includes receivers located within 500 feet from the roadway. Receivers consist of single-family residences and an outpatient medical facility.

Existing exterior peak hour (2020) noise levels range from 60.8 to 68.4 dBA Leq(1h). Residential noise levels ranged from 60.8 to 68.4 dBA Leq(1h).

The exterior noise levels under the Build Alternative would range from 60.4 to 69.1 dBA Leq(1h). Noise levels at residential receivers would range from 60.4 to 69.1 dBA Leq(1h). One noise sensitive receptor (R4) is anticipated to be impacted by approaching or exceeding the NAC as a result of the proposed project.

Predicted future noise levels change over existing noise levels range from 0.5 to 1.0 dBA. Therefore, none of the predicted future noise levels would substantially exceed existing noise levels.

One barrier was analyzed in the study area. A noise barrier 22-24 feet in height and approximately 1,046 feet in length would provide at least a 7 dBA reduction for one impacted receptor (R4); however, at an estimated cost of \$719,430, this noise barrier would exceed the cost per benefited receiver threshold of \$30,000 and would not be cost effective.

This is page 16 of 19 Project name: Interchange Modification – Phase II	Date:	November 12, 2021
---	-------	-------------------

	County Allen	Route _ I-469 & US 24	Des. No. <u>1800092</u>
--	--------------	-----------------------	-------------------------

Because abatement would be feasible but would not meet all the criteria for reasonableness (cost effectiveness), no abatement is proposed.

On August 25, 2021, INDOT approved the traffic analysis report and stated, "Based on the studies thus far accomplished, the State of Indiana has not identified any locations where noise abatement is likely. A reevaluation of the noise analysis will occur during final design. If during final design it has been determined that conditions have changed such that noise abatement is feasible and reasonable, the abatement measures might be provided. The final decision on the installation of any abatement measure(s) will be made upon the completion of the project's final design and the public involvement process." (Appendix J, page 1)

Community Impacts:

The approved FEIS/ROD concluded that there would be no impacts to communities/neighborhoods in New Haven, Allen County, as the project abuts the community and does not change the existing alignment of US 24 (Appendix K, pages 65-66). Although that remains accurate, there has been growth in the area since the time of the FEIS/ROD approval in 2005. This project's long-term impacts on the surrounding community will be predominantly positive due to the improvement in traffic flow at the interchange. The right-of-way acquisition is not anticipated to have a substantial impact on the tax base or property values. The project will not result in substantial impacts to community cohesion, there will be no relocations, and the project will not divide existing neighborhoods or change community access. There may be temporary inconveniences associated with construction, such as increased travel times, construction, noise, and fugitive dust. However, these will cease upon completion of construction activities.

The project's MOT plan allows for traffic to be maintained with temporary lane and ramp closures. Access to individual properties will be maintained, but typical delays in construction zones with reduced speeds and potential restrictions can be expected during construction of the project.

The closures/lane restrictions will pose a temporary inconvenience to traveling motorists (including school buses and emergency services); however, no significant delays are anticipated, and all inconveniences and delays will cease upon project completion.

Hazardous Materials:

Based on a review of GIS and available public records, a RFI was approved by INDOT Site Assessment and Management (SAM) on May 21, 2021 (Appendix E, pages 1-11). One Resource Conservation and Recovery Act (RCRA) Generator, two Leaking Underground Storage Tanks, 10 National Pollutant Discharge Elimination System (NPDES) Facilities, and one NPDES Pipe Location are located within 0.5 mile of the project area. None of the hazmat sites identified will impact the project. Further investigation for hazardous material concerns is not required at this time.

Permits:

USACE 404 Indiana RGP and IDEM 401 Water Quality Certification are anticipated to be required for construction.

A Construction in a Floodway Permit from the Indiana Department of Natural Resources will be required for reconstruction of the roadside ditch outfall to the Maumee River.

A Rule 5 Sediment and Erosion Control Permit will be required, as greater than 0.9 acre of earth disturbing activity will occur.

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

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

Commitments

The commitments listed below were provided through re-coordination with resource agencies during the development of this AI document. These commitments only include those not documented in the FEIS/ROD. Commitments made during the FEIS/ROD remain valid.

This is page 17 of 19	Project name:	Interchange Modification – Phase II	Date:	November 12, 2021
This is page 17 of 15	i roject name.	interestange meanication i mace ii	Date.	110101111001 12, 2021

County Allen Route I-469 & US 24 Des. No. 180009	2
--	---

Firm

- 1. If the scope of work or permanent or temporary right-of-way amounts change, the INDOT Environmental Services Division (ESD) and the INDOT District Environmental Section will be contacted immediately. (INDOT ESD)
- 2. It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access. (INDOT ESD)
- 3. General AMM 1. Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs. (USFWS)
- 4. Lighting AMM 1. Direct temporary lighting away from suitable habitat during the active season. (USFWS)
- 5. Lighting AMM 2. When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, the goal is to be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable. (USFWS)
- 6. Tree Removal AMM 1. Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to the extent practicable to avoid tree removal in excess of what is required to implement the project safely. (USFWS)
- 7. Tree Removal AMM 2. Apply time of year (October 1 to March 31) restrictions for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/rail surface and outside of documented roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed. (USFWS, IDNR-FWD)
- 8. Tree Removal AMM 3. Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits). (USFWS)
- 9. Tree Removal AMM 4. Do not remove documented Indiana bat or NLEB roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or documented foraging habitat any time of year. (USFWS)

For Consideration

- 10. 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, at least 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). (IDNR-FWD)
- 11. Do not excavate in the waterway and minimize disturbance to bank vegetation and contain disturbance to within the project limits. (IDNR-FWD)
- 12. All excavated material must be properly spread or completely removed from the project site such that erosion and off-site sedimentation of the material is prevented. (IDNR-FWD)
- 13. Inspect structural erosion and sediment control practices daily and repair as necessary until all construction is complete and disturbed areas are permanently stabilized. (IDNR-FWD)
- 14. Prior to construction, require a construction traffic management plan to ensure that trucks hauling materials and heavy machinery avoid areas where children congregate, when possible. Aim to route construction truck traffic away from schools, daycare facilities, and parks, and use crossing guards when such areas cannot be avoided. (USEPA)
- 15. USEPA recommends stormwater from roadway surfaces not be discharged directly to Waters of the U.S. Rather, stormwater should be channeled toward green infrastructure, such as bioswales, that would allow first flush road pollutants to be captured prior to discharge to surface waters, such as the Maumee River. For information

This is page 18 of 19	Project name:	Interchange Modification – Phase II	Date:	November 12, 2021
			-	

County	Allen	Route	I-469 & US 24	Des. No.	1800092	

regarding stormwater management and stormwater management best practices, see EPA's website: http://www.epa.gov/greeningepa/stormwater/best-practices.htm. (USEPA)

- 16. USEPA recommends that measures be taken to control the introduction of invasive species during and after project construction. In addition, consider using native and pollinator promoting plants and/or plant seed mixtures for reclamation of disturbed areas associated with project construction/modification activities. (USEPA)
- 17. USEPA recommends that zero-emission technologies or advanced emission control systems be required for vehicles during construction. (USEPA)
- 18. USEPA recommends considering an anti-idling policy for the construction site. (USEPA)
- 19. USEPA recommends considering use of on-site renewable electricity generation and/or grid-based electricity rather than diesel-powered generators or other equipment at the construction site. (USEPA)
- 20. Use electric starting aids such as block heaters with older vehicles to warm the engine and regularly maintain diesel engines to keep exhaust emissions low. (USEPA)
- 21. Retrofit engines with an exhaust filtration devise to capture diesel particulate matter before it enters the construction site. (USEPA)
- 22. Repower older vehicles and/or equipment with diesel- or alternative-fueled engines certified to meet newer, more stringent emissions standards. (USEPA)
- 23. Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative, where appropriate. This applies to both inactive and active sites, during workdays, weekends, holidays, and windy conditions. (USEPA)
- 24. Install wind fencing and phase grading operations where appropriate and operate water trucks for stabilization of surfaces under windy conditions. (USEPA)
- 25. When hauling material and operating non-earthmoving equipment, prevent spillage and limit speeds to 15 miles per hour (mph). Limit speed of earth-moving equipment to 10 mph. (USEPA)
- 26. Reduce exposure through work practices and training, such as turning off engines when vehicles are stopped for more than a few minutes, training diesel-equipment operators to perform routine inspections, and maintaining filtration devices. (USEPA)
- 27. Position the exhaust pipe so that diesel fumes are directed away from the operator and nearby workers, reducing the fume concentration to which personnel are expose. (USEPA)
- 28. Use enclosed, climate-controlled cabs pressurized and equipped with high-efficiency particulate air (HEPA) filters to reduce the operator's exposure to diesel fumes. Pressurization ensures air moves from inside to outside. HEPA filters ensure that any incoming air is filtered first. (USEPA)

Conclusion

This AI was prepared to address modification made to the scope of the project. There are no additional impacts to environmental features, other than those outlined in this document. The original environmental decision remains valid after comprehensively considering the changes discussed in this AI No. 2.

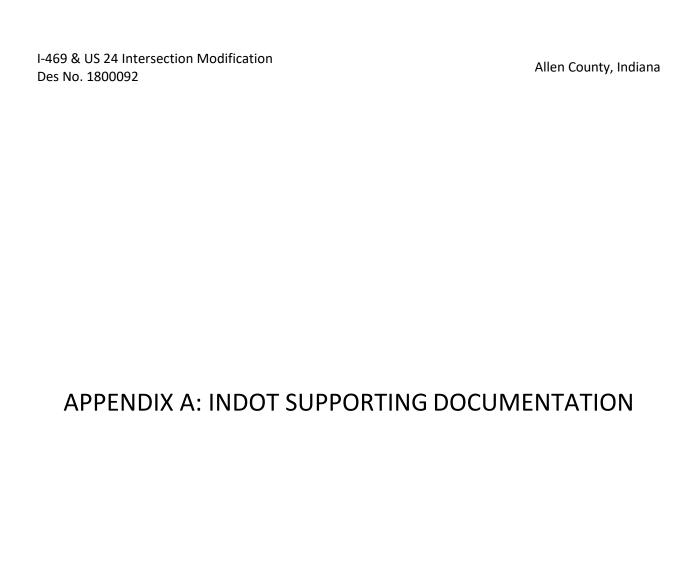
This is page 19 of 19	Project name:	Interchange Modification – Phase II		November 12, 2021

Appendix Table of Contents Appendix A: INDOT Supporting Documentation

INDOT ESD Correspondence	1
Appendix B: Graphics	
Project Location Map	
Project Aerial Map	2
USGS 7.5 Minute Topographic Quadrangle Map	3
Photo Location Maps	4-10
Site Photos (from Waters Report)	11-27
Construction Plans	28-38
Appendix C: Early Coordination	
Sample Early Coordination Letter	1-3
U.S. Fish and Wildlife Service	4
Indiana Department of Natural Resources, Division of Fish and Wildlife	5-6
Indiana Geological and Water Survey (Automated Response)	7-9
Indiana Department of Environmental Management (Automated Response)	10-17
INDOT Office of Aviation	18
US Department of Agriculture – Natural Resources Conservation Service (NRCS)	19-24
Allen County Department of Health	25
Northeastern Indiana Regional Coordinating Council	26
US Environmental Protection Agency	27-34
New Haven-Adams Township Parks and Recreation Department	
INDOT Fort Wayne District USFWS Bat Database Check	36
Culvert Inspection Forms	37-40
U.S. Fish and Wildlife Correspondence	41
U.S. Fish and Wildlife Service Official Species List	42-47
U.S. Fish and Wildlife Service Informal Consultation for the Indiana Bat and Northern Long-Eared Bat	48-54
U.S. Fish and Wildlife Service Consultation Response	55-56
Appendix D: Section 106 of the NHPA	
Section 106 Effect Finding	1-50
IDNR Division of Historic Preservation & Archaeology Concurrence Letter	51-52
Public Notice Publisher's Affidavit	53-55
Appendix E: Red Flag and Hazardous Materials	
Red Flag Investigation	1-11
Appendix F: Water Resources	
Waters of the US Report	1-25
Appendix G: Public Involvement	
Appendix H: Air Quality	
Northeastern Indiana Regional Coordinating Council FY 2020-2024 Transportation Improvement Program	1
INDOT FY 2020-2024 Statewide Transportation Improvement Program	2

Appendix I: Additional Studies

Abbreviated Engineer's Assessment (Excerpt)	1-18
Environmental Justice (EJ) Supporting Documentation	19-22
Land and Water Conservation Fund (LWCF) County Listing	23
Appendix J: Noise Analysis	
INDOT Approval Correspondence	1
Traffic Noise Technical Report	2-19
Appendix K: Approved Final Environmental Impact Statement (FEIS)	
US 24 FEIS, October 2005 (Excerpt)	1-102
Federal Highway Administration Record of Decision	103-120



From: Bales, Ronald <rbales@indot.IN.gov>

Sent: Friday, July 9, 2021 8:34 AM

To: Susan Harrington; Miller, Brandon; Novak, Karen

Cc: Christine Meador; Yarian, Matthew

Subject: RE: Des. No. 1800092 - I-469 & US 24 Interchange Modification, Allen County

This approach seems reasonable to satisfy completion of the interchange as documented in the FEIS under Modified Alternative 13. Yes it would need FHWA approval.

Ron Bales

INDOT-Environmental Services Division

Office: (317) 515-7908 Email: rbales@indot.in.gov

From: Susan Harrington <<u>sharrington@HNTB.com</u>>

Sent: Thursday, July 08, 2021 6:53 PM

To: Bales, Ronald <<u>rbales@indot.IN.gov</u>>; Miller, Brandon <<u>BraMiller1@indot.IN.gov</u>>; Novak, Karen

<KNovak@indot.IN.gov>

Cc: Christine Meador < CMeador@hntb.com; Yarian, Matthew < MYarian@indot.IN.gov>
Subject: Des. No. 1800092 - I-469 & US 24 Interchange Modification, Allen County

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

Karen, Ron, and Brandon,

We are working on an AI document for the above referenced project. I'm not sure if you all are familiar with this project, but it is part of the larger US 24 New Haven, Indiana to Defiance, Ohio Corridor Project (Fort to Port). The Fort to Port (Des. No. 0300291) Final Environmental Impact Statement (FEIS) / Record of Decision (ROD) that was signed on October 26, 2005, specified that the I-469 and US 24 interchange would require an upgrade to a full and free flowing interchange. The eastern half of the interchange has been constructed (Des 1383675). The environmental document that was completed in 2017 for that half of the project was an AI to the original FEIS. It used the signature page of the CE form, but not rest of the form (see attached for text portion). Our plan was to follow that same format for the western half of the interchange. Do you concur that this is the appropriate way to proceed? Also, I assume that since the original environmental document was an EIS that this would be reviewed at central office and FHWA. Is that correct?

Thank you! Susan

Susan Harrington

Scientist III

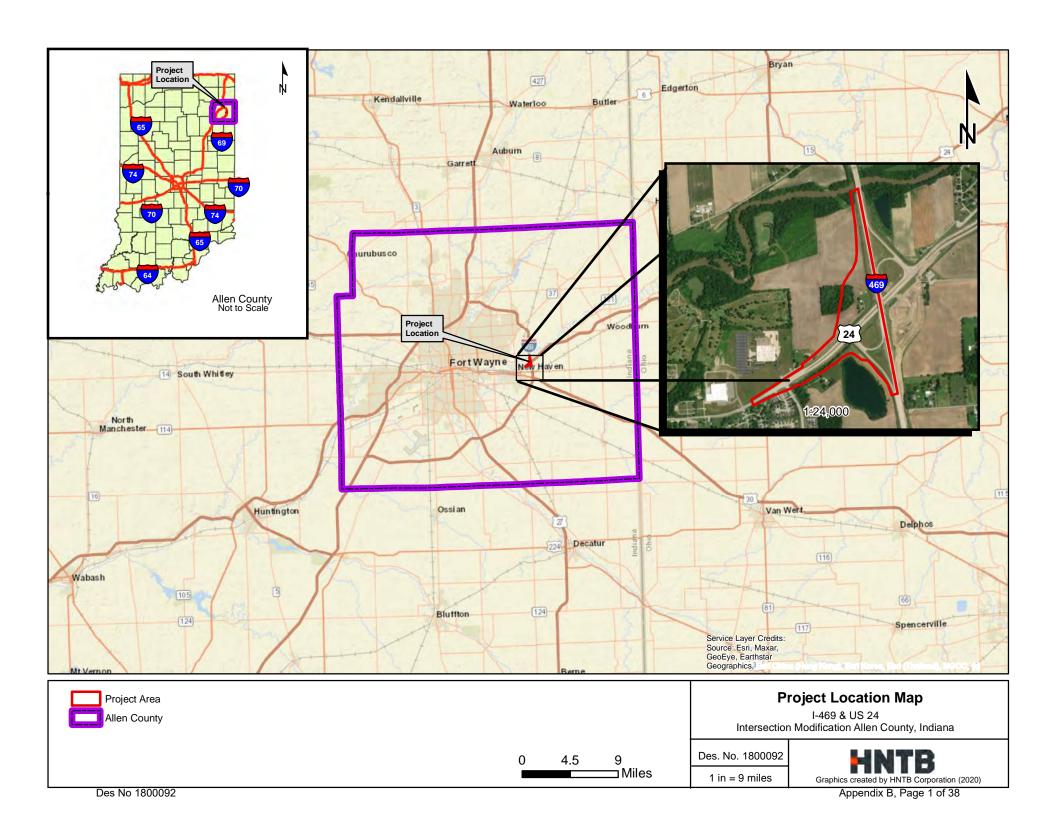
Tel (317) 917-5233 Cell (317) 902-0672 Email sharrington@hntb.com

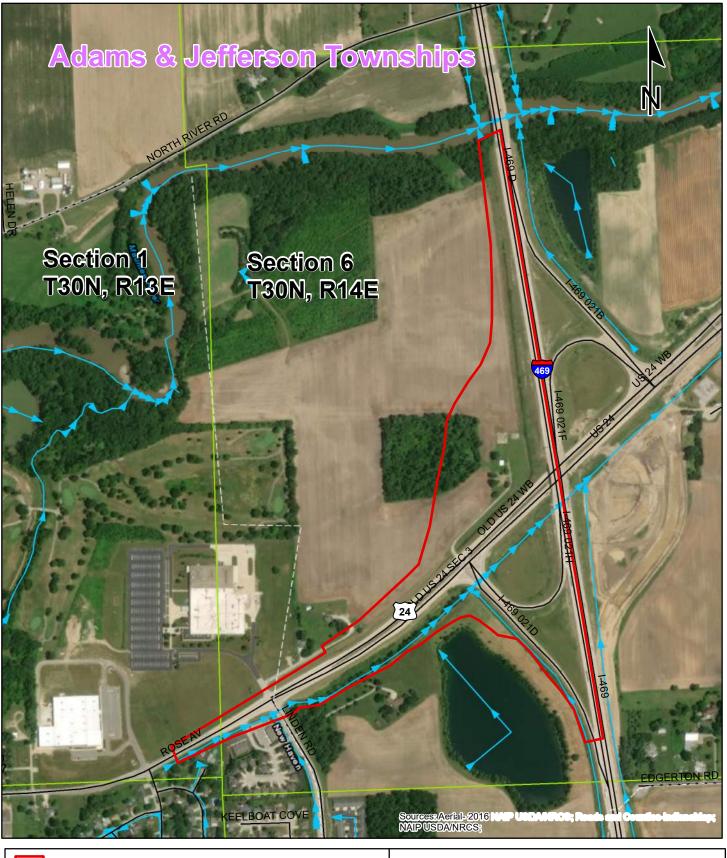
HNTB CORPORATION

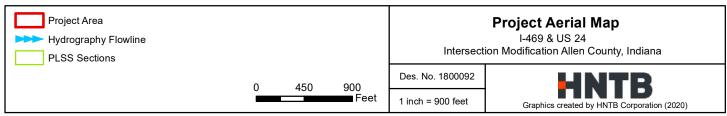
111 Monument Circle, Suite 1200 | Indianapolis, IN 46204 | hntb.com

Des No 1800092 Appendix A, Page 1 of 1

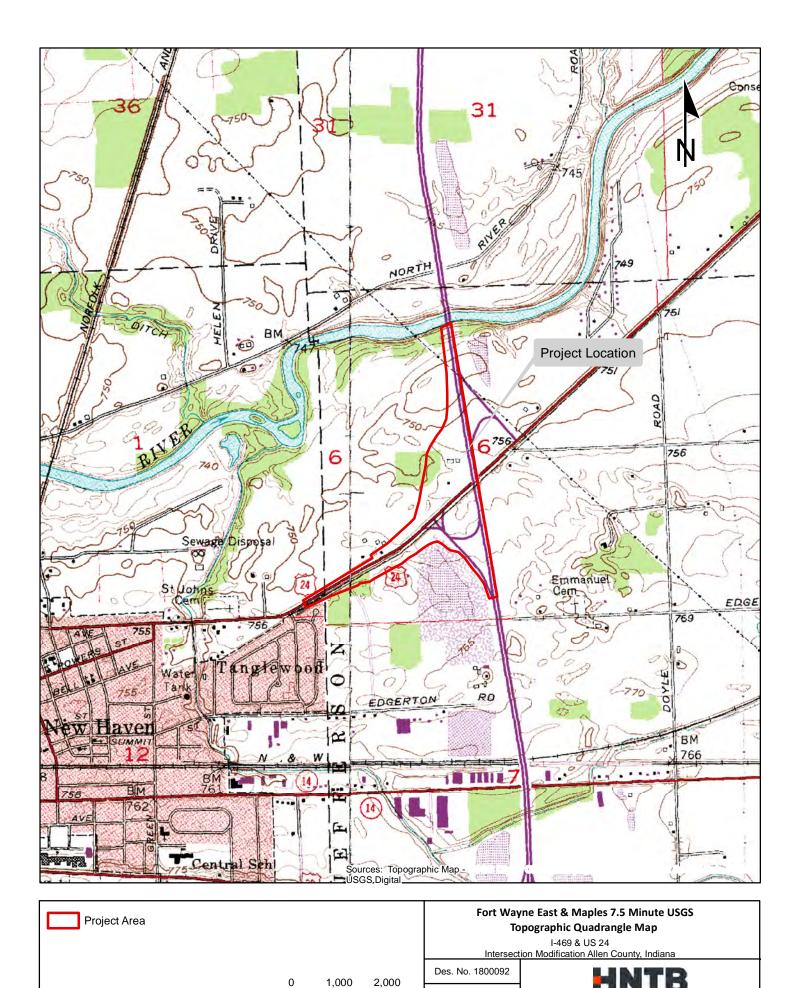
APPENDIX B: GRAPHICS







Des No 1800092 Appendix B, Page 2 of 38

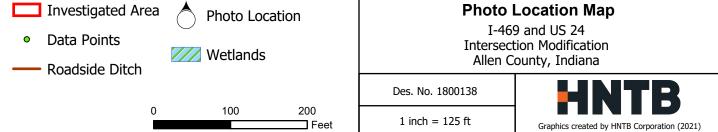


Feet

1 inch = 2,000 feet

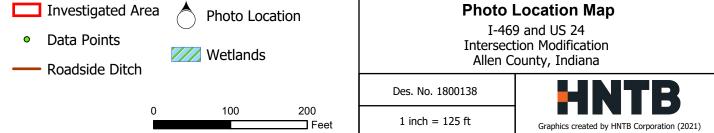
Graphics created by HNTB Corporation (2020)



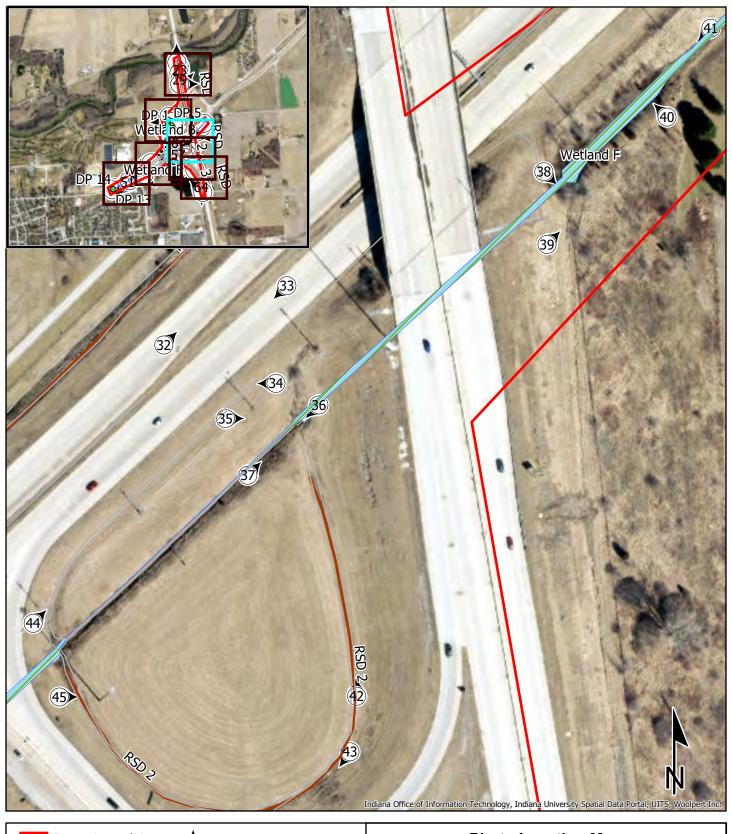


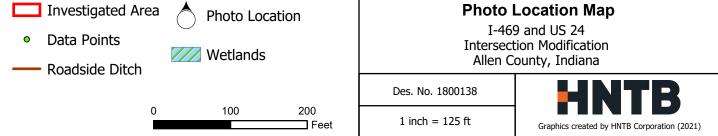
Des No 1800092 Appendix B, Page 4 of 38





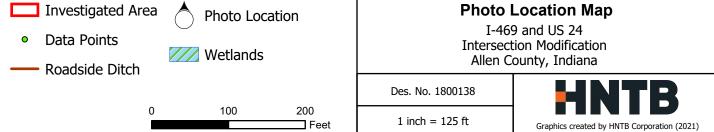
Des No 1800092 Appendix B, Page 5 of 38



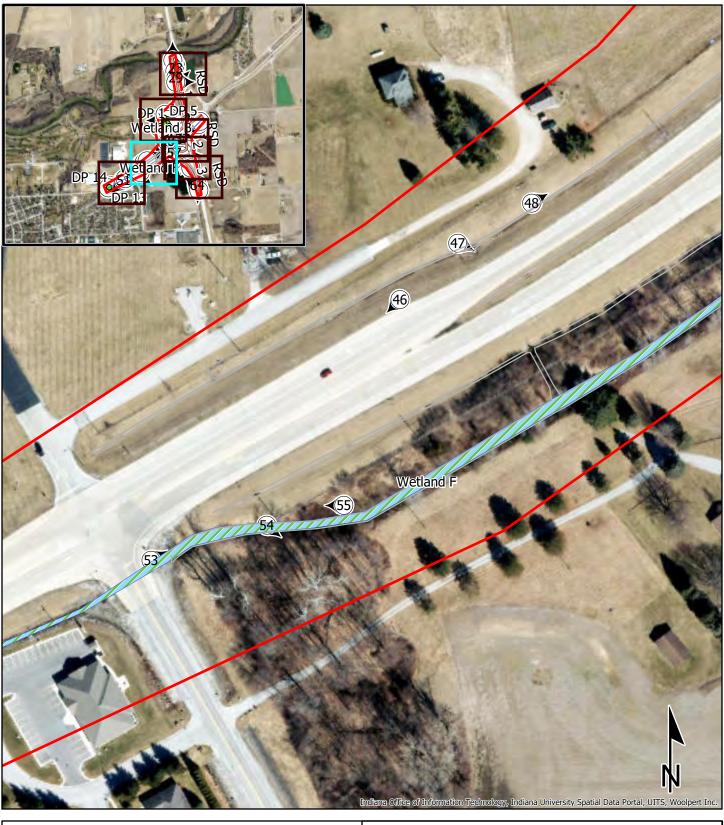


Des No 1800092 Appendix B, Page 6 of 38





Des No 1800092 Appendix B, Page 7 of 38



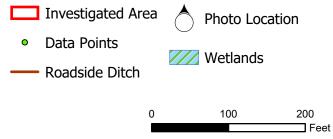


Photo Location Map

I-469 and US 24 Intersection Modification Allen County, Indiana

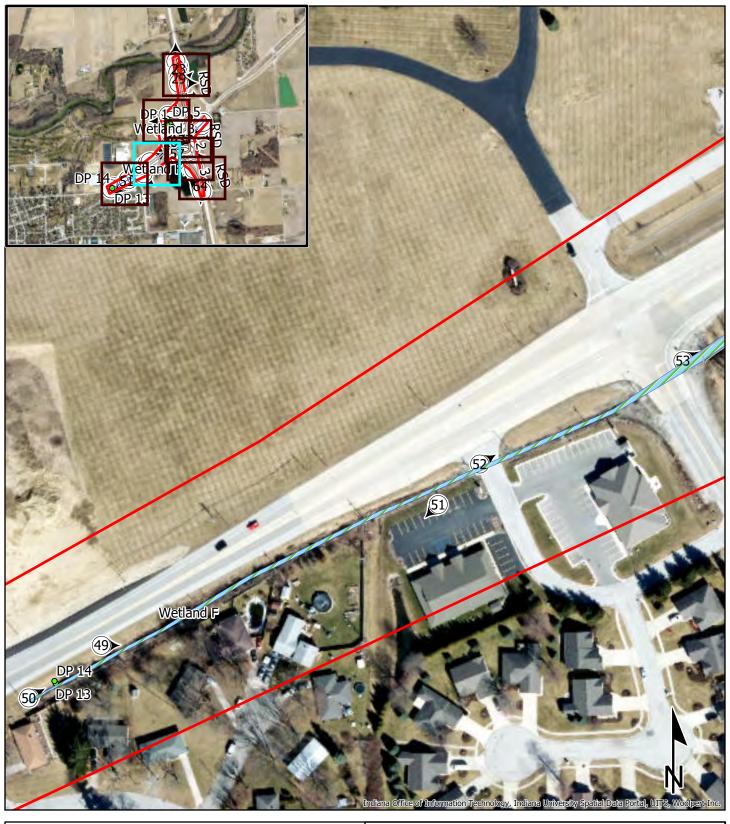
Des. No. 1800138

1 inch = 125 ft

HRTB

Graphics created by HNTB Corporation (2021)

Des No 1800092 Appendix B, Page 8 of 38



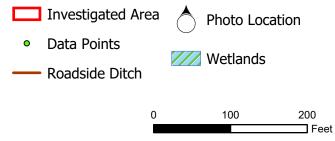


Photo Location Map

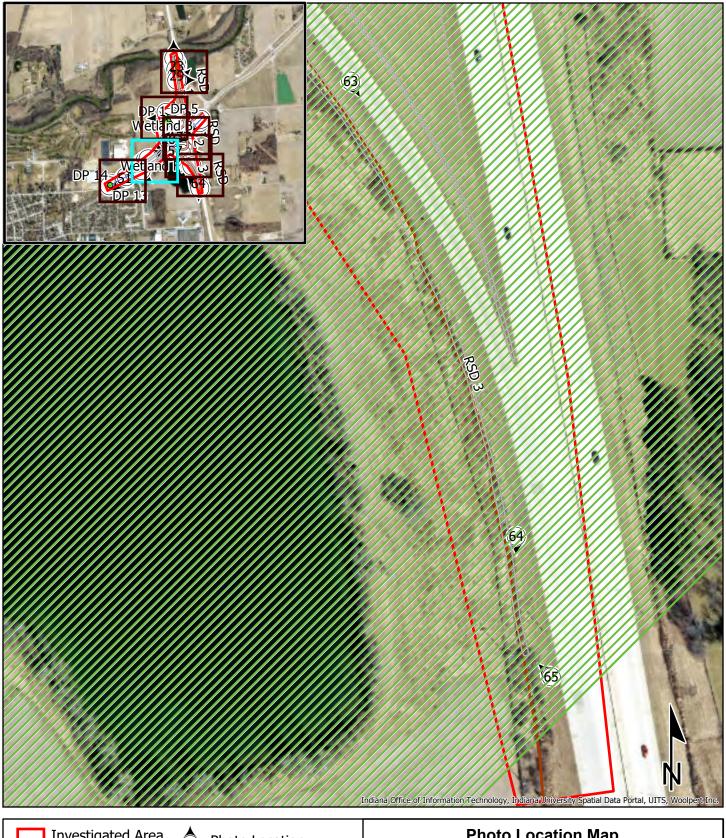
I-469 and US 24 Intersection Modification Allen County, Indiana

Des. No. 1800138

1 inch = 125 ft

Graphics created by HNTB Corporation (2021)

Des No 1800092 Appendix B, Page 9 of 38



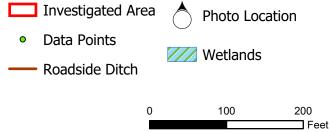


Photo Location Map

I-469 and US 24 Intersection Modification Allen County, Indiana

Des. No. 1800138

1 inch = 125 ft

Graphics created by HNTB Corporation (2021)

Des No 1800092 Appendix B, Page 10 of 38



1. Looking north at foundation of historic farmstead



3. Looking north along wooded area and agricultural field Des No 1800092



2. Looking south towards agricultural field



4. Looking north in upland wooded area Appendix B, Page 11 of 38



5. Looking west in upland wooded area





6. Looking east at Wetland A



8. Looking southwest at Wetland A Appendix B, Page 12 of 38



9. Looking southeast at Wetland B



11. Looking west within Wetland B Des No 1800092



10. Looking east within Wetland B



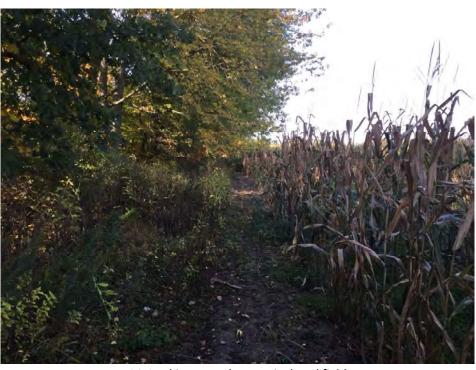
12. Looking northwest at Wetland C Appendix B, Page 13 of 38



13. Looking west at Wetlands C



15. Looking southeast within wooded area Des No 1800092



14. Looking east along agricultural field



16. Looking west within Wetland B Appendix B, Page 14 of 38



17. Looking east along agricultural field



19. Looking northwest at wooded area Des No 1800092



18. Looking east along agricultural field



20. Looking east along SR 24 note RSD 1 Appendix B, Page 15 of 38



21. Looking southwest along SR 24 note RSD 1



23. Looking south along I-469



22. Looking southeast towards I-469 on ramp



24. Looking north west along I-469
Appendix B, Page 16 of 38



25. Looking north within right of way



27. Looking north towards culvert note RSD 1 Des No 1800092



26. Looking south up RSD 1



28. Looking north from right of way Appendix B, Page 17 of 38



29. Looking north along right of way note RSD 1



31. Looking east towards RSD 1



30. Looking northeast at pre-existing check dam



32. Looking northeast in US 24 median Appendix B, Page 18 of 38



33. Looking southwest along US 24 median



35. Looking east towards Wetland-F culvert Des No 1800092



34. Looking west towards US 24



36. Looking southwest at Wetland F - Appendix B, Page 19 of 38



37. Looking northeast down Wetland-F



39. Looking northeast at Wetland-F Des No 1800092



38. Looking southeast at Wetland-F



40. Looking northwest at Wetland-F Appendix B, Page 20 of 38



41. Looking southwest at Wetland-F



43. Looking southwest towards RSD 2 Des No 1800092



42. Looking north towards RSD 2



44. Looking northeast at Wetland-F Appendix B, Page 21 of 38



45. Looking east at RSD 2



 $$47.\ Looking\ south\ west\ at\ culvert\ Des\ No\ 1800092$



46. Looking southwest from US 24



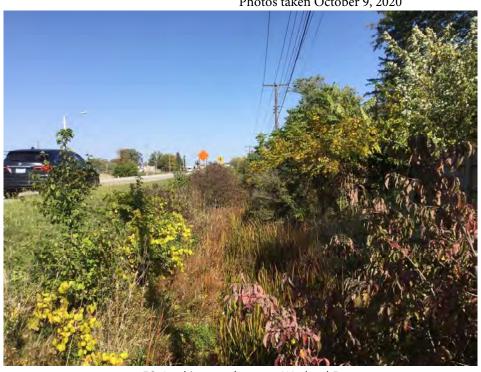
48. Looking north along US 24 Appendix B, Page 22 of 38



49. Looking east at Wetland-F $\,$



51. Looking southwest at Wetland F Des No 1800092



50. Looking northeast at Wetland F



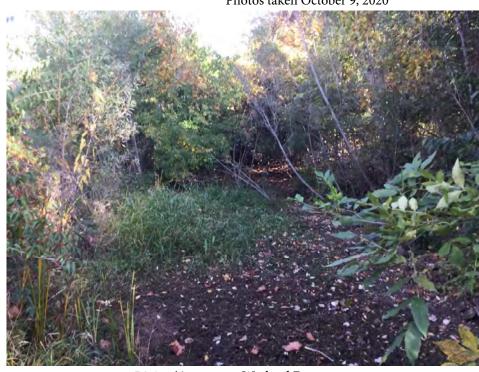
52. Looking northeast at Wetland F Appendix B, Page 23 of 38



53. Looking northeast at Wetland F



55. Looking west at Wetland-F Des No 1800092



54. Looking east at Wetland-F



56. Looking north at RSD 3 Appendix B, Page 24 of 38



57. Looking south west towards pond



59. Looking east at I-469 interchange median Des No 1800092



58. Looking south at I-469 interchange median



60. Looking north at I-469 interchange median Appendix B, Page 25 of 38



61. Looking south towards RSD 3



63. Looking south along I-469 on ramp and RSD 3 Des No 1800092



62. Looking southeast along I-469 on ramp note RSD 3



64. Looking south along I-469 and RSD 3 Appendix B, Page 26 of 38



65. Looking northwest at southern end of RSD 3

