

Categorical Exclusion
Appendix C
Early Coordination



September 13, 2019

«Name»
«Title»
«Address1»
«Address2»
«City» «State» «Zip»

Sample Early Coordination Letter

Re: Des. Nos.: 1801002 & 1801387
I-69 Section 6 Mitigation Site – Stotts Creek Landlocked
State Project
Approximately 6.0 miles north of Martinsville, along the west side of SR 37, south/east
of the White River, both north and south of the confluence of Stotts Creek
Morgan County, Indiana

Dear «Salu»:

The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT) propose to proceed with the development of the Stotts Creek Landlocked Mitigation Site (Des Numbers: 1801002 & 1801387) to provide a portion of the forest mitigation for Section 6 of the I-69 project from Martinsville to Indianapolis (Des. No. 0300382).

This letter is part of the early coordination phase of the environmental review process requesting comments associated with this project. Please use the above Des. Nos. and project description in your reply, and your comments will be incorporated into the formal environmental study. Your cooperation in this endeavor is appreciated.

Project Location and Existing Conditions

The proposed project is located approximately six miles north of the City of Martinsville along the west side of State Road (SR) 37 and south/east of the White River (both north and south of the confluence of Stotts Creek). The project is approximately located from just north of the SR 37/CR 500 E intersection to the SR 37/Cragen Road intersection. More specifically, the project is located in Sections 4, 5, and 8, Township 12 North, Range 2 East, in Clay and Green Townships as depicted on the Mooresville East and Cope 1:24,000 scale quadrangles. Adjacent land use consists of transportation, agricultural, and residential areas, as well as a sand and gravel operation.

The total size of the Stotts Creek Landlocked Mitigation Site is approximately 120.1 acres. Of this, 58.4 acres consist of existing bottomland forest habitat. The remaining 61.7 acres consist primarily of fields in agricultural row crop production. Please see attachments for maps and photographs of the proposed project area.

Purpose and Need

The need for the project stems from the loss of forest and streams occurring from the construction of Section 6 of I-69 and White River bank erosion that is endangering the existing SR 37 and future I-69 infrastructure. The purpose of the project is to provide compensatory mitigation for unavoidable impacts due to the construction of Section 6 of I-69 and to comply with permitting regulations. Additionally, stabilization of the White River bank to prevent further migration toward the highway may be necessary.

Proposed Project

The Stotts Creek Landlocked Mitigation Site will provide forest mitigation for the impacts associated with Design Contracts 2-5 of the I-69 Section 6 project. Design Contracts 2-5 extend from west of Morgan Street north of Martinsville along State Road 37 to the northern terminus of Section 6 at I-465 in Indianapolis. The proposed mitigation plan for the property includes 61.7 acres of bottomland reforestation and 58.4 acres of forest preservation. The existing forested habitat will undergo enhancements in the form of invasive species treatments. Bank stabilization measures along the White River are also being considered.

Proposed site activities will include seeding, planting, mulching, and mowing. Should bank stabilization measures be pursued, additional activities may include stone toe protection, bank grading, live staking, and/or bendway weirs along and within the White River.

No permits will be required for the reforestation activities. If bank stabilization measures are pursued, an Indiana Department of Environmental Management (IDEM) Rule 5 Notice of Intent and an Indiana Department of Natural Resources (IDNR) Construction in Floodway permit will likely be required. The project may require a modification of the IDEM Section 401 Water Quality Certification and United States Army Corps of Engineers (USACE) Section 404 Permits associated with the I-69 Section 6 roadway project or separate Section 401/404 permits may be required for any riverbank work. Access to the mitigation site during and after construction will be from multiple entrances directly off of SR 37/I-69 on the east side of the property. A construction entrance will be installed to prevent equipment from tracking soil material onto the roadways. Because the property directly abuts the I-69 Section 6 right-of-way, a permanent easement will not be required.

No work will be performed within the roadway; therefore, a maintenance of traffic plan will not be required.

Construction is anticipated to begin in fiscal year (FY) 2020.

Right-of-Way (ROW)

This project will require the acquisition of approximately 120.1 acres of permanent right-of-way. The mitigation site is being purchased from multiple owners, primarily due to the properties becoming landlocked as a result of the I-69 Section 6 project. All parcels south of and several parcels north of the Stotts Creek confluence with the White River have been acquired by INDOT via fee simple purchase. INDOT is currently in negotiations for fee simple acquisition of the

remainder of the property. Following acquisition, the property will be deed restricted. Tree clearing will be limited to that required for the potential river bank stabilization work.

Environmental Resources

A Red Flag Investigation (RFI) was performed within a 0.5-mile radius of the property. Several “Red Flags” were identified within the 0.5-mile search radius; however, not all will be impacted by the proposed project. One cemetery is located adjacent to the project area. One potential White River Greenway trail segment is within the project area. The project is located within a floodplain. Due to the presence of two NWI-line segments, four river and stream segments, and five NWI wetlands, coordination with INDOT ES Ecology and Waterway Permitting will occur. Due to the presence of the two NPS NRI listed stream segments, coordination with the National Park Service will occur. The White River, Stotts Creek, and an unnamed tributary (UNT) to Stotts Creek are listed as impaired for E. coli. The White River and the UNT to Stotts Creek are also listed as impaired for PCBs (and/or mercury) in fish tissue and impaired biotic communities.

Section 106

The National Register of Historic Places (NRHP) and the Indiana Register of Historic Sites and Structures (State Register) were reviewed using the State Historical and Archaeological Database (SHAARD) and the Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBM). No resources on either list are within a quarter-mile (0.25 mile) of the project area. The *Morgan County Interim Report* (1993) was examined; there are two (2) inventoried resources rated Contributing within a quarter-mile (0.25 mile) of the project area. There are no cemeteries within a quarter-mile (0.25 mile) of the project area listed in the databases; however, there is a known cemetery adjacent to the project as identified above. This cemetery will be avoided, as no ground disturbing or other construction activities associated with this mitigation site will occur within 100 feet of the cemetery boundary. The *Indiana Historic Bridge Inventory Volume 2: Listing of Historic and Non-Historic Bridges* (February 2009) by Mead & Hunt was also consulted. No bridges eligible for listing in the NRHP are within a quarter mile (0.25 mile) of the project area. As the project area contained undisturbed soils, an archaeological field reconnaissance was required. Upon completion of a Phase 1A archaeological survey by a qualified professional archaeologist, and a field review by a qualified professional historian, no archaeological or above ground resources eligible for, or listed in, the NRHP were located within or near the project limits. Therefore it was determined the undertaking qualifies as a minor project under the Minor Project Programmatic Agreement (MPPA) under Category B, Item 13. INDOT, acting on behalf of FHWA, provided an MPPA determination form on June 20, 2019 stating that the project does, indeed, qualify as a minor project under Category B, Item 13. This determination concluded the Section 106 review process.

Range-wide Informal Programmatic Consultation

Morgan County is within the range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*). Project information was submitted through the USFWS’s Information for Planning and Consultation (IPaC) portal and it was determined that the project falls outside of the scope of the Range-wide Programmatic

Informal Consultation for the Indiana bat and northern long-eared bat (NLEB); therefore, standard coordination with U.S. Fish and Wildlife Service (USFWS) will occur.


Early Coordination

This letter is part of the early coordination review process. You are asked to review this information and provide any comments you may have relative to anticipated impacts of the project on areas in which you have jurisdiction or special expertise. We will incorporate your comments into a study of the project's environmental impacts. To facilitate the development of this project, you are asked to reply within **30 days** of receipt of this letter. If no response is received by that date, it will be assumed you have no comments at the present time.

If you have any questions regarding this project, please feel free to contact me at (812) 479-6200 or hhume@lochgroup.com. Additionally, should you want to contact the sponsor of this project, the Indiana Department of Transportation, please contact the project manager for I-69 Section 6 Mitigation, Sandra Flum, at (317) 234-7248 or sflum@indot.IN.gov.

Thank you in advance for your input.

Sincerely,



Holly Hume
Environmental Biologist
Lochmueller Group, Inc.

Attachments:

- General Location Map
- Red Flag Investigation Maps
- Soil and Wetland Map
- Photo Location Map and Photographs
- Proposed Mitigation Plan Map

Note: Attachments have been removed to avoid duplication and reduce file size.

Distribution List:

- USFWS, Bloomington Field Office (electronic submission)
- National Resources Conservation Service, Indianapolis Office (electronic submission)
- U.S. Department of Housing and Urban Development (electronic submission)
- U.S. Army Corps of Engineers (electronic submission)
- National Park Service, Nationwide Rivers Inventory (electronic submission)
- National Park Service, Midwest Regional Office
- FHWA – Indiana Division (electronic submission)

- IDNR, Division of Fish and Wildlife (electronic submission)
- IDEM (electronic submission)
- IDEM, Groundwater Section (electronic submission)
- INDOT, Office of Public Involvement (electronic submission)
- INDOT, Environmental Services (electronic submission)
- INDOT, Seymour District (electronic submission)
- Indiana Geological Survey (electronic submission)
- Morgan County MS4 Coordinator
- Indianapolis Metropolitan Planning Organization
- Morgan County Board of Commissioners
- Morgan County Planning and Zoning Office/Floodplain Administrator
- Morgan County Surveyor
- Morgan County Soil and Water Conservation District
- Morgan County Highway Department
- Morgan County Council
- Morgan County Sheriff's Office
- Morgan County EMA
- Morgan County Parks and Recreation
- Clay Township Trustee
- Green Township Trustee



May 18, 2020

«Name»
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«City», «State» «Zip»

Sample Addendum

Note: It was initially thought that four structures would need to be demolished; however, during final ROW acquisition only two of the four structures that had been cleared for demolition were acquired.

Re: Addendum to Early Coordination Letter
Des. No.: 1801387
I-69 Section 6 Mitigation Site – Stotts Creek 2
State Project
Approximately 6.0 miles north of Martinsville, along the west side of SR 37, south/east of the White River, north of the confluence of Stotts Creek
Morgan County, Indiana

Dear «Salu»:

The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT) propose to proceed with the development of the Stotts Creek Mitigation Site (Des. No. 1801387) to provide a portion of the forest mitigation for Section 6 of the I-69 project from Martinsville to Indianapolis (Des. No. 0300382).

Combined early coordination for Des. No. 1801002 & 1801387, was initiated on September 13, 2019. This addendum is being sent to recipients of the original Des. No. 1801002 & 1801387 early coordination package to update the *Proposed Project, Right-of-Way (ROW)*, and *Section 106* sections for Des. No. 1801387. **Please note this addendum only pertains to Des No. 1801387 (Stotts Creek 2 Mitigation Site).** The environmental document for Des No. 1801002 (Stotts Creek 1 Mitigation Site) was approved on February 24, 2020.

Proposed Project

Additional site activities not discussed in the original early coordination letter include the removal of up to four dilapidated structures from the Des No. 1801387 project area, bank stabilization measures along approximately 1,800 feet of the White River (north of the confluence with Stotts Creek), and up to 7.6 acres of tree clearing for access to the White River bank for stabilization measures and equipment staging. Please see attached graphic.

Due to the proposed bank stabilization measures, an Indiana Department of Environmental Management (IDEM) Rule 5 Notice of Intent and an Indiana Department of Natural Resources (IDNR) Construction in Floodway permit will likely be required. Additionally, the project may require a modification of the IDEM Section 401 Water Quality Certification and United States Army Corps of Engineers (USACE) Section 404 Permits associated with the I-69 Section 6 roadway project or separate Section 401/404 permits may be required.

Right-of-Way (ROW)

In addition to the 53.3 acres of proposed ROW for Stotts Creek 2 mitigation site discussed in the original early coordination letter, the project will acquire an additional 0.44 acre of excess land already owned by the INDOT for preservation. Please see attached graphic.

Section 106

The National Register of Historic Places (NRHP) and the Indiana Register of Historic Sites and Structures (State Register) were reviewed using the State Historical and Archaeological Database (SHAARD) and the Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBM). No resources on either list are within a quarter-mile (0.25 mile) of the project area. The *Morgan County Interim Report* (1993) was examined; there are two (2) inventoried resources rated Contributing within a quarter-mile (0.25 mile) of the project area. A qualified professional historian conducted a field review of the project area, established an Area of Potential Effects (APE), and prepared a Historic Property Short Report which also concluded no resources within the APE are listed, or eligible for listing, in the NRHP.

There is one cemetery within the mitigation site project limits, CR-55-64; Old Mt. Olive Methodist Cemetery, Not-Rated. Due to the demolition of up to four Non-Contributing structures west of the cemetery, ground disturbance activities associated with the demolition efforts in the project limits may occur within 100 feet of the cemetery boundary. Therefore, a Cemetery Development Plan has been prepared and will be provided to the Indiana State Historic Preservation Officer (SHPO) for review.

The *Indiana Historic Bridge Inventory Volume 2: Listing of Historic and Non-Historic Bridges* (February 2009) by Mead & Hunt was also consulted. No bridges eligible for listing in the NRHP are within a quarter mile (0.25 mile) of the project area.

As the project area contains undisturbed soils, an archaeological field reconnaissance was required. Upon completion of a Phase 1A archaeological survey by a qualified professional archaeologist, no archaeological or above ground resources eligible for, or listed in, the NRHP were located within or near the project limits.

For the portion of the mitigation site covered under Des. No. 1801387, it was determined the undertaking requires full Section 106 review due to the demolition of structures, and recently added riverbank stabilization work, occurring within this portion of the project area. As such, A Historic Property Short Report, along with the Phase 1A archaeological report, will be submitted to the SHPO for review. Following SHPO, and other consulting parties, concurrence with these reports, A "No Historic Properties Affected" finding document and related materials will be submitted to the SHPO, and other consulting parties, for review. Should the SHPO, and other consulting parties, concur with this finding, the Section 106 process will conclude for Des. No. 1801387.

Early Coordination

This letter is an addendum to the early coordination review process. You are asked to review this information and provide any comments you may have relative to anticipated impacts of the project on areas in which you have jurisdiction or special expertise. We will incorporate your comments into a study of the project's environmental impacts. To facilitate the development of this project, you are asked to reply within **30 days** of receipt of this letter. If no response is received by that date, it will be assumed you have no comments at the present time.

If you have any questions regarding this update to the proposed site activities, right-of-way acreage, or Section 106 process for Des. No. 1801387, please feel free to contact me at (812) 479-6200 or at

hhume@lochgroup.com. Additionally, should you want to contact the sponsor of this project, the Indiana Department of Transportation, please contact the project manager for I-69 Section 6 Mitigation, Sandra Flum, at (317) 234-7248 or sflum@indot.IN.gov.

Sincerely,



Holly Hume
Environmental Biologist
Lochmueller Group, Inc.

Attachments:

- Mitigation Plan Map

Distribution List:

- USFWS, Bloomington Field Office (electronic submission)
- U.S. Department of Housing and Urban Development (electronic submission)
- U.S. Army Corps of Engineers (electronic submission)
- National Park Service, Nationwide Rivers Inventory (electronic submission)
- National Park Service, Midwest Regional Office
- FHWA – Indiana Division (electronic submission)
- IDNR, Division of Fish and Wildlife (electronic submission)
- IDEM (online submission)
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- Morgan County Surveyor
- Morgan County Soil and Water Conservation District
- Morgan County Highway Department
- Morgan County Council
- Morgan County Sheriff's Office
- Morgan County EMA
- Morgan County Parks and Recreation
- Clay Township Trustee
- Green Township Trustee



Indiana Department of Environmental Management

We Protect Hoosiers and Our Environment.

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(800) 451-6027 - (317) 232-8603 - www.idem.IN.gov

INDOT
Sandra Flum
100 N Senate Ave
Rm N601-IPD
Indianapolis , IN 46204
Date

Lochmueller Group, Inc.
Holly Hume
6200 Vogel Road
Evansville , IN 47715

To Engineers and Consultants Proposing Roadway Construction Projects:

RE: The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT) propose to proceed with the development of the Stotts Creek 2 Mitigation Site (Des Number: 1801387) to provide a portion of the forest mitigation for Section 6 of the I-69 project from Martinsville to Indianapolis (Des. No. 0300382). The proposed project is located approximately six miles north of the City of Martinsville along the west side of State Road (SR) 37 and south/east of the White River (both north and south of the confluence of Stotts Creek). The project is approximately located from just north of the SR 37/CR 500 E intersection to the SR 37/Cragen Road intersection. More specifically, the project is located in Sections 4, 5, and 8, Township 12 North, Range 2 East, in Clay and Green Townships as depicted on the Mooresville East and Cope 1:24,000 scale quadrangles. Adjacent land use consists of transportation, agricultural, and residential areas, as well as a sand and gravel operation. The total size of the Stotts Creek 2 Mitigation Site is approximately 54.0 acres. Of this, 52.7 acres consist of existing bottomland forest habitat. The remaining 1.3 acres consist primarily of fallow agricultural fields. The need for the project stems from the loss of forest occurring from the construction of Section 6 of I-69 and White River bank erosion that is endangering the existing SR 37 and future I-69 infrastructure. The purpose of the project is to provide compensatory mitigation for unavoidable impacts due to the construction of Section 6 of I-69 and to comply with permitting regulations. Additionally, stabilization of the White River bank to prevent further migration toward the highway may be necessary. Proposed site activities will include the removal of up to four dilapidated structures from the Des No. 1801387 project area, bank stabilization measures along approximately 1,800 feet of the White River (north of the confluence with Stotts Creek), and up to 7.6 acres of tree clearing for access to the White River bank for stabilization measures and equipment staging. Due to the proposed bank stabilization measures, an Indiana Department of Environmental Management (IDEM) Rule 5 Notice of Intent and an Indiana Department of Natural Resources (IDNR) Construction in Floodway permit will likely be required. Additionally, the project may require a modification of the IDEM Section 401 Water Quality Certification and United States Army Corps of Engineers (USACE) Section 404 Permits associated with the I-69 Section 6 roadway project or separate Section 401/404 permits may be required. Construction is anticipated to begin in fiscal year (FY) 2021. A Red Flag Investigation (RFI) was performed within a 0.5-mile radius of the property. Several "Red Flags" were identified within the 0.5-mile search radius; however, not all will be impacted by the proposed project. One cemetery is located adjacent to the project area. One potential White River Greenway trail segment is within the project area. The project is located within a floodplain. Due to the presence of two NWI-line segments, four river and stream segments, and five NWI wetlands, coordination with INDOT ES Ecology and Waterway Permitting will occur. Due to the presence of the two NPS NRI listed stream segments, coordination with the National Park Service will occur. The White River, Stotts Creek, and an unnamed tributary (UNT) to Stotts Creek are listed as impaired for E. coli. The White River and the UNT to Stotts Creek are also listed as impaired for PCBs (and/or mercury) in fish tissue and impaired biotic communities.

This letter from the Indiana Department of Environmental Management (IDEM) serves as a standardized response to enquiries inviting IDEM comments on roadway construction, reconstruction, or other improvement projects within existing roadway corridors when the proposed scope of the project is beneath the threshold requiring a formal National Environmental Policy Act-mandated Environmental Assessment or Environmental Impact Statement. As the letter attempts to address all roadway-related environmental topics of potential concern, it is possible that not every topic addressed in the letter will be applicable to your particular roadway project.

For additional information on specific roadway-related topics of interest, please visit the appropriate Web pages cited below, many of which provide contact information for persons within the various program areas who can answer questions not fully addressed in this letter. Also please be mindful that some environmental requirements may be subject to change and so each person intending to include a copy of this letter in their project documentation packet is advised to download the most recently revised version of the letter; found at: <http://www.in.gov/idem/5283.htm> (<http://www.in.gov/idem/5283.htm>).

To ensure that all environmentally-related issues are adequately addressed, IDEM recommends that you read this letter in its entirety, and consider each of the following issues as you move forward with the planning of your proposed roadway construction, reconstruction, or improvement project:

WATER AND BIOTIC QUALITY

1. 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 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>) 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, Kosciusko, 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 Wetlands Program. To learn more about the Wetlands 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 water body 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 (OWQ) 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 OWQ Wetlands Program at 317-233-8488.
4. If your project will involve over a 0.5 acre of wetland impact, stream relocation, or other large-scale alterations to water bodies such as the creation of a dam or a water diversion, you should seek additional input from the OWQ Wetlands Program staff. Consult the Web at: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>) for the appropriate staff contact to further discuss your project.
5. Work within the one-hundred year floodway of a given water body is regulated by the Department of Natural Resources, Division of Water. The Division issues permits for activities regulated under the follow statutes:
 - IC 14-26-2 Lakes Preservation Act 312 IAC 11
 - IC 14-26-5 Lowering of Ten Acre Lakes Act No related code
 - IC 14-28-1 Flood Control Act 310 IAC 6-1
 - IC 14-29-1 Navigable Waterways Act 312 IAC 6
 - IC 14-29-3 Sand and Gravel Permits Act 312 IAC 6
 - IC 14-29-4 Construction of Channels Act No related code

For information on these Indiana (statutory) Code and Indiana Administrative Code citations, see the DNR Web site at: <http://www.in.gov/dnr/water/9451.htm> (<http://www.in.gov/dnr/water/9451.htm>) . Contact the DNR Division of Water at 317-232-4160 for further information.

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.

6. 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.

7. For projects involving impacts to fish and botanical resources, contact the Department of Natural Resources - Division of Fish and Wildlife (317/232-4080) for addition project input.
8. 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.
9. 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.
10. 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 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:

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

However, 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) onsite, although burying large quantities of such material can lead to subsidence problems, later on.

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.

Additionally, 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 3-5 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 3-5 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.

2. The U.S. EPA and the 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/4145.htm> (<http://www.in.gov/idem/4145.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, EPA recommends a follow-up test. If the second test confirms that radon levels are 4 pCi/L, or higher, 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)). It also is recommended that 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>).

3. With respect to asbestos removal: all facilities slated for renovation or demolition (except residential buildings that have (4) four 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.

However, 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 <http://www.in.gov/icpr/webfile/formsdiv/44593.pdf> (<http://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. All notification remitters will be billed 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>).

4. 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/isdh/19131.htm> (<http://www.in.gov/isdh/19131.htm>).
5. 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 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>)).
6. 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 (View at: 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.
7. 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 atdem.state.in.us.

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 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).
6. 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. See: <http://www.in.gov/idem/4999.htm> (<http://www.in.gov/idem/4999.htm>).

FINAL REMARKS

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

Should the scope of the proposed project be expanded to the extent that a National Environmental Policy Act Environmental Assessment (EA) or Environmental Impact Statement (EIS) is required, IDEM will actively participate in any early interagency coordination review of the project.

Meanwhile, please note that this letter does not constitute a permit, license, endorsement or any other form of approval on the part of the Indiana Department of Environmental Management regarding any project for which a copy of this letter is used. Also note that it is the responsibility of the project engineer or consultant using this letter to ensure that the most current draft of this document, which is located at <http://www.in.gov/idem/5284.htm> (<http://www.in.gov/idem/5284.htm>), is used.

Signature(s) of the Applicant

I acknowledge that the following proposed roadway project will be financed in part, or in whole, by public monies.

Project Description

The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT) propose to proceed with the development of the Stotts Creek 2 Mitigation Site (Des Number: 1801387) to provide a portion of the forest mitigation for Section 6 of the I-69 project from Martinsville to Indianapolis (Des. No. 0300382). The proposed project is located approximately six miles north of the City of Martinsville along the west side of State Road (SR) 37 and south/east of the White River (both north and south of the confluence of Stotts Creek). The project is approximately located from just north of the SR 37/CR 500 E intersection to the SR 37/Cragen Road intersection. More specifically, the project is located in Sections 4, 5, and 8, Township 12 North, Range 2 East, in Clay and Green Townships as depicted on the Mooresville East and Cope 1:24,000 scale quadrangles. Adjacent land use consists of transportation, agricultural, and residential areas, as well as a sand and gravel operation. The total size of the Stotts Creek 2 Mitigation Site is approximately 54.0 acres. Of this, 52.7 acres consist of existing bottomland forest habitat. The remaining 1.3 acres consist primarily of fallow agricultural fields. The need for the project stems from the loss of forest occurring from the construction of Section 6 of I-69 and White River bank erosion that is endangering the existing SR 37 and future I-69 infrastructure. The purpose of the project is to provide compensatory mitigation for unavoidable impacts due to the construction of Section 6 of I-69 and to comply with permitting regulations. Additionally, stabilization of the White River bank to prevent further migration toward the highway may be necessary. Proposed site activities will include the removal of up to four dilapidated structures from the Des No. 1801387 project area, bank stabilization measures along approximately 1,800 feet of the White River (north of the confluence with Stotts Creek), and up to 7.6 acres of tree clearing for access to the White River bank for stabilization measures and equipment staging. Due to the proposed bank stabilization measures, an Indiana Department of Environmental Management (IDEM) Rule 5 Notice of Intent and an Indiana Department of Natural Resources (IDNR) Construction in Floodway permit will likely be required. Additionally, the project may require a modification of the IDEM Section 401 Water Quality Certification and United States Army Corps of Engineers (USACE) Section 404 Permits associated with the I-69 Section 6 roadway project or separate Section 401/404 permits may be required. Construction is anticipated to begin in fiscal year (FY) 2021. A Red Flag Investigation (RFI) was performed within a 0.5-mile radius of the property. Several "Red Flags" were identified within the 0.5-mile search radius; however, not all will be impacted by the proposed project. One cemetery is located adjacent to the project area. One potential White River Greenway trail segment

Signature(s) of the Applicant

I acknowledge that the following proposed roadway project will be financed in part, or in whole, by public monies.

Project Description

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

7/28/2020

Date: _____

Signature of the INDOT Project Engineer or Other Responsible Agent Sandra A. Flum

Sandra Flum

Date: 6/19/2020

Signature of the For Hire Consultant Holly Hume

Holly Hume



Indiana Department of Environmental Management

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204

(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Bruno Pigott
Commissioner

October 8, 2019

66-33
Lochmueller Group, Inc.
Attention: Holly Hume
6200 Vogel Road
Evansville, Indiana 47715

Dear Holly Hume,

RE: Wellhead Protection Area
Proximity Determination
Des No 1801002 & 1801387
I-69 Section 6 Mitigation Site –
Stotts Creek Landlocked
State Project, Approximately 6.0
miles north of Martinsville, along the
west side of SR 37, south/east
of the White River, both north and
south of the confluence of Stotts
Creek, Morgan County, Indiana

Upon review of the above referenced project site, it has been determined that the proposed project area **is not located within** a Wellhead Protection Area. The information is accurate to the best of our knowledge; however, there are in some cases a few factors that could impact the accuracy of this determination. Some Wellhead Protection Area Delineations have not been submitted, and many have not been approved by this office. In these cases we use a 3,000 foot fixed radius buffer to make the proximity determination. To find the status of a Public Water Supply System's (PWSS's) Wellhead Protection Area Delineation please visit our tracking database at <http://www.in.gov/idem/cleanwater/2456.htm> and scroll to the bottom of the page.

Note: the Drinking Water Branch has a self service feature which allows one to determine wellhead proximity without submitting the application form. Use the following instructions:

1. Go to <http://idemmaps.idem.in.gov/whpa2/>
2. Use the search tool located in the upper left hand corner of the application to zoom to your site of interest by way of city, county, or address; or use the mouse to click on the site of interest displayed on the map.
3. Once the site of interest has been located and selected, use the print tool to create a .pdf of a wellhead protection area proximity determination response.

In the future please consider using this self service feature if it suits your needs.

If you have any additional questions please feel free to contact me at the address above or at (317) 233-9158 and aturnbow@idem.in.gov.

Sincerely,

Alisha Turnbow, Environmental Manager,
Ground Water Section, Drinking Water
Branch, Office of Water Quality



A State that Works

Please Reduce, Reuse, Recycle



Organization and Project Information

Project ID: Stotts Creek 2 Mitigation Site
Des. ID: 1801387
Project Title: I-69 Section 6
Name of Organization: Lochmueller Group, Inc.
Requested by: Holly Hume

Environmental Assessment Report

1. Geological Hazards:
 - High liquefaction potential
 - Floodway
2. Mineral Resources:
 - Bedrock Resource: Moderate Potential
 - Sand and Gravel Resource: High Potential
3. Active or abandoned mineral resources extraction sites:
 - Petroleum Exploration Wells

*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

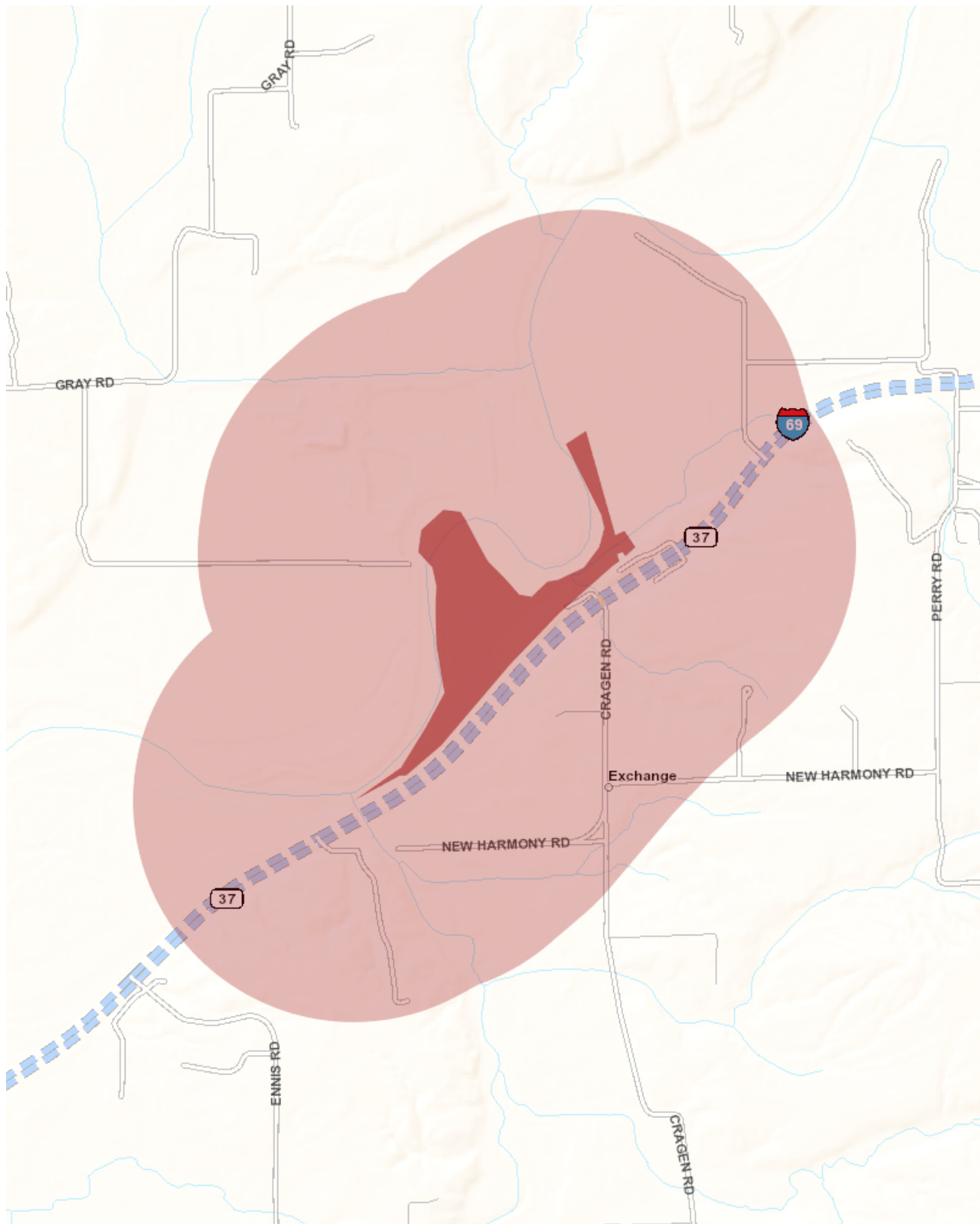
Address: 420 N. Walnut St., Bloomington, IN 47404

Email: IGSEnvir@indiana.edu

Phone: 812 855-7428

Date: May 18, 2020





Metadata:

- https://maps.indiana.edu/metadata/Geology/Petroleum_Wells.html
- 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

Hume, Holly

From: Wright, Mary <MWRIGHT@indot.IN.gov>
Sent: Monday, September 16, 2019 6:17 AM
To: Hume, Holly
Subject: RE: Early Coordination, Des 1801002 & 1801387, Stotts Creek Landlocked Mitigation Site, I-69 Section 6, Morgan

Early Coordination and Creating a Public Involvement Plan (PIP)

We have received your early coordination notification packet for the above referenced project(s). Our office prefers to be notified at the early coordination stage in order to encourage early and ongoing public involvement aside from the specific legal requirements as outlined in our Public Involvement Manual <http://www.in.gov/indot/2366.htm>. Seeking the public's understanding of transportation improvement projects early in the project development stage can allow the opportunity for the public to express their concerns, comments, and to seek buy-in. Early coordination is the perfect opportunity to examine the proposed project and its impacts to the community along with the many ways and or tools to inform the public of the improvements and seek engagement. A good public involvement plan, or PIP, should consider the type, scope, impacts, and the level of public awareness that should, or could, be implemented. In other words, although there are cases where no public involvement is legally required, sometimes it is simply the right thing to do in order to keep the public informed.

The public involvement office is always available to provide support and resources to bolster any public involvement activities you may wish to implement or discuss. Please feel free to contact our office anytime should you have any questions or concerns. Thank you for notifying our office about your proposed project. We trust you will not only analyze the appropriate public involvement required, but also consider the opportunity to do go above and beyond those requirements in creating a good PIP.

Rickie Clark, Manager
100 North Senate Avenue, Room N642
Indianapolis, IN 46204
Phone: 317-232-6601
Email: rclark@indot.in.gov

From: Hume, Holly [mailto:HHume@lochgroup.com]
Sent: Friday, September 13, 2019 5:34 PM
To: Clark, Rickie <RCLARK@indot.IN.gov>
Cc: Wright, Mary <MWRIGHT@indot.IN.gov>; Townsend, Daniel <DTownsend@lochgroup.com>
Subject: Early Coordination, Des 1801002 & 1801387, Stotts Creek Landlocked Mitigation Site, I-69 Section 6, Morgan

Dear Mr. Clark,

We are working on the environmental document for the Stotts Creek Landlocked Mitigation Site (Des 1801002 & 1801387). The early coordination letter package is attached for your review and comment.

Please let me know if you have any questions.

Thank you,
Holly

Holly Hume
Environmental Biologist
Lochmueller Group

6200 Vogel Road, Evansville, IN 47715
812.759.4107 (direct)

Holly Hume

From: Hinkle, Meghan <MHinkle@indot.IN.gov>
Sent: Wednesday, May 27, 2020 6:54 AM
To: Holly Hume
Cc: Miller, Brandon; Daniel Townsend
Subject: FW: Early Coordination, Des 1801002 & 1801387, Stotts Creek Landlocked Mitigation Site, I-69 Section 6, Morgan

Good Morning,

INDOT has reviewed the early coordination letter submitted and the only project in the area that Stotts Creek Mitigation Site should be aware of is the I-69 construction project. The I-69 project has several DES numbers associated with the project and will be constructed near this mitigation site. If your project will require the use of state right-of-way please contact the In-House Services Manager at the appropriate INDOT District Office.

Thank you for allowing us to review this early coordination letter.

Meghan Hinkle
Major Projects / LPA Review Liaison
Environmental Services Division
Indiana Department of Transportation
100 N Senate Ave N642-ES
Indianapolis, IN 46204-2216
317-232-1490
Email: MHinkle@indot.IN.gov



From: Holly Hume <HHume@lochgroup.com>
Sent: Monday, May 18, 2020 3:04 PM
To: Bales, Ronald <rbales@indot.IN.gov>
Cc: Daniel Townsend <DTownsend@lochgroup.com>
Subject: RE: Early Coordination, Des 1801002 & 1801387, Stotts Creek Landlocked Mitigation Site, I-69 Section 6, Morgan

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

Dear Mr. Bales,

The attached addendum is being sent to recipients of the original Des. No. 1801002 & 1801387 early coordination package to update the Proposed Project, Right\$Bc`?P(Bf\$Bc`?8(Bay (ROW), and Section 106 sections for Des. No. 1801387. Please note this addendum only pertains to Des No. 1801387 (Stotts Creek 2 Mitigation Site). Please let me know if you have any questions.

Thank you,

Holly

THIS IS NOT A PERMIT

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

DNR #: ER-21829

Request Received: September 13, 2019

Requestor: Lochmueller Group Inc
Holly Hume
6200 Vogel Road
Evansville, IN 47715

Project: Proposed Stotts Creek Landlocked Mitigation Site to offset impacts associated with I-69 Section 6 (Des #0300382), about 6 miles north of Martinsville along the west side of SR 37; Des #1801002 & 1801387

County/Site info: Morgan

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

Regulatory Assessment: This proposal may 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 a stream or other flowing waterbody which has a drainage area greater than one square mile. Please submit more detailed plans to the Division of Water's Technical Services Section if you are unsure whether or not a permit will be required.

Natural Heritage Database: The Natural Heritage Program's data have been checked. The Bald Eagle (*Haliaeetus leucocephalus*), a state species of special concern, and the following state endangered bat species have been documented within 1/2 mile of the project area:

1. Northern Long-eared Bat (*Myotis septentrionalis*), also federally threatened
2. Little Brown Bat (*Myotis lucifugus*)
3. Evening Bat (*Nycticeius humeralis*)
4. Tricolored Bat (*Perimyotis subflavus*)

Fish & Wildlife Comments: The documented Bald Eagle nest is greater than 1500' from the proposed mitigation site, which is much more than the recommended buffer of 660' that reduces disturbance to nesting raptors. Therefore, we do not foresee any impacts to this species as a result of this project.

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) Bats:

To minimize impacts to the Northern Long-eared bat or Indiana bat, do not cut any trees suitable for 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.

To minimize impacts to foliage roosting species, avoid the cutting of deciduous canopy trees as well from April 1 through September 30 to the extent possible. Foliage roosting species show no strong preference to certain tree species.

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

2) Mitigation Site:

Minimize tree clearing for site access and construction and limit the width of any temporary access roads to 20' or less to facilitate closure of the forest canopy over the cleared access lane.

Live stakes and/or other vegetation planted (woody and herbaceous) should consist of locally-native species only.

3) Bank Stabilization:

Minimize the use of riprap and use alternative erosion protection materials whenever possible. Where riprap must be used, we recommend placing only enough riprap to provide stream bank toe protection, such as from the toe of the bank up to the ordinary high water mark (OHWM). Above the rock toe, a bioengineered method and materials should be used, like erosion control blankets, turf reinforcement mats and other similar materials. These materials should be seeded with native plants to allow a natural, vegetated stream bank to develop.

Information about bioengineering techniques can be found at <http://www.in.gov/legislative/iac/20120404-IR-312120154NRA.xml.pdf>. Also, the following is a USDA/NRCS document that outlines many different bioengineering and other bank stabilization techniques: <http://directives.sc.egov.usda.gov/17553.wba>.

4) Riparian Habitat:

All planting plans, mitigation plans and/or woody revegetation plans should be developed following the DNR's Floodway Habitat Mitigation guidelines (and plant lists). These documents can be found online at: <http://www.in.gov/legislative/iac/20190130-IR-312190041NRA.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 wetland habitat should be mitigated at the appropriate ratio according to the 1991 INDOT/IDNR/USFWS Memorandum of Understanding.

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.
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. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids.
5. Plant native hardwood trees along the top of the bank and right-of-way to replace the vegetation destroyed during construction.
6. Post "Do Not Mow or Spray" signs along the right-of-way.
7. 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.
8. 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,

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

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.



Date: October 11, 2019

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

Hume, Holly

From: McWilliams, Robin <robin_mcwilliams@fws.gov>
Sent: Monday, November 4, 2019 1:27 PM
To: Hume, Holly
Subject: Re: [EXTERNAL] Early Coordination, Des 1801002 & 1801387, Stotts Creek Landlocked Mitigation Site, I-69 Section 6, Morgan County, IN

Dear Holly,

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, as amended, and the U. S. Fish and Wildlife Service's Mitigation Policy.

According to the information you provided our office, the proposed project consists of mitigation development for Section 6 of the I-69 Indianapolis to Evansville interstate project, specifically, impacts associated with Design Contracts 2-5 which extend from west of Morgan Street north of Martinsville along State Road 37 to the northern terminus of Section 6 at I-465 in Indianapolis. The proposed mitigation plan for the property includes 61.7 acres of bottomland reforestation and 58.4 acres of forest preservation. The existing forested habitat will undergo enhancements in the form of invasive species treatments. In addition, bank stabilization measures along the White River are also being considered. Tree clearing in the stabilization area will not exceed the 4.0-acre preservation area shown as shown on the graphics you provided in your email on November 4, 2019. Tree clearing will likely be selective and minimized to the greatest extent possible; the exact tree clearing amount is not known at this time since the design of the riverbank stabilization is not yet complete. Other proposed site activities will include seeding, planting, mulching, and mowing. Additional activities may include stone toe protection, bank grading, live staking, and/or bendway weirs along and within the White River.

RECOMMENDATIONS

Based on a review of the information you provided, we recommend the following mitigation measures be included in the final project plans (where applicable) to minimize adverse impacts to fish and wildlife resources:

1. 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 should be operated below Ordinary High Water Mark during this time unless the machinery is within the caissons or on the cofferdams.

2. Restrict below low-water work to placement of piers, pilings and/or footings, shaping of the spill slopes around the bridge abutments, and placement of riprap.

3. Restrict channel work and vegetation clearing to the minimum necessary.

4. Construct new structures with a widened span and benches on one or both sides to provide for wildlife crossing, if practical. The crossing should be above normal high water, relatively flat and with natural substrate suitable for use by a wide variety of wildlife.

5. If riprap is utilized for bank stabilization, extend it below low-water elevation to provide aquatic habitat.

6. Implement temporary erosion and siltation control devices such as placement of riprap check dams in drainage ways and ditches, installation of silt fences, covering exposed areas with erosion control materials, and grading slopes to retain runoff in basins.

7. Re-vegetate all disturbed soil areas immediately upon project completion, using native trees and shrubs in the riparian zone wherever feasible.

8. Post DO NOT DISTURB signs at the construction zone boundaries and do not clear trees or understory vegetation outside the boundaries.

THREATENED AND ENDANGERED SPECIES

The proposed project is within the range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*) (NLEB). There are numerous records of both species in Morgan County.

Indiana bats hibernate in caves then disperse to reproduce and forage in relatively undisturbed forested areas associated with water resources during spring and summer. Recent research has shown that they will inhabit fragmented landscapes with adequate forest for roosting and foraging. Young are raised in nursery colony roosts in trees, typically near drainage-ways in undeveloped areas. Like all other bat species in Indiana, the Indiana bat diet consists exclusively of insects.

NLEBs typically roost singly or in colonies in cavities, underneath bark, crevices, or hollows of both live and dead trees and/or snags (typically ≥ 3 inches dbh). Males and non-reproductive females may also roost in cooler places, like caves and mines. This bat seems opportunistic in selecting roosts, using tree species based on presence of cavities or crevices or presence of peeling bark. It has also been occasionally found roosting in structures like barns and sheds (particularly when suitable tree roosts are unavailable). They forage for insects in upland and lowland woodlots and tree lined corridors. During the winter, NLEBs predominantly hibernate in caves and abandoned mine portals. Additional habitat types may be identified as new information is obtained.

There is suitable summer habitat for **both** of these species present throughout the area surrounding the project site, including wooded areas within the project boundary. The project will not eliminate enough habitat to affect these species, but to avoid incidental take from removal of an occupied roost tree we request that tree-clearing be avoided during the period **April 1 - September 30**. If this measure is implemented we concur that the proposed project is not likely to adversely affect the Indiana bat or the northern long-eared bat.

In addition, the acreage of tree-clearing needed to develop the bank stabilization project should not be included in any forest preservation credits

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. 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 reinstate consultation.

We appreciate the opportunity to comment at this early stage of project planning. If project plans change such that fish and wildlife habitat may be affected, please re-coordinate with our office as soon as possible. If you have any questions about our recommendations, please call Robin McWilliams Munson at (812) 334-4261 (Ext. 207).

Sincerely,

Robin

Robin McWilliams Munson

U.S. Fish and Wildlife Service
620 South Walker Street
Bloomington, Indiana 46403
812-334-4261 x. 207 Fax: 812-334-4273

Monday, Tuesday - 7:30a-3:00p
Wednesday, Thursday - telework 8:30a-3:00p

Holly Hume

From: McWilliams, Robin <robin_mcwilliams@fws.gov>
Sent: Monday, June 1, 2020 12:56 PM
To: Holly Hume
Subject: Re: [EXTERNAL] RE: Early Coordination, Des 1801002 & 1801387, Stotts Creek Landlocked Mitigation Site, I-69 Section 6, Morgan County, IN

Dear Holly,

Thank you for providing us the updated information on the Stotts Creek #2 mitigation site (Des. 1801387). It is our understanding the the proposed changes include removal of up to four dilapidated structures from the project area, bank stabilization measures along approximately 1,800 feet of the White River (north of the confluence with Stotts Creek), and up to an additional 7.6 acres of tree clearing for access to the White River bank for stabilization measures and equipment staging.

The area that will be cleared for the stabilization project is planned to be replanted and included in the overall forest preservation credits for Indiana bat habitat. Since the newly planted area will not be initially as supportive of wildlife as it was pre-clearing, the Service has agreed to allow half credit for those acres. We agree that this approach can be used for the stabilization area on the adjacent Stott's Creek #1 mitigation site as well (Des. 1801002).

Our previous recommendations and threatened and endangered species information in our November 4, 2019 email are still valid, including the implementation of seasonal tree-clearing dates.

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. 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 reinstate consultation.

Sincerely,
Robin

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

Bridge/Structure Bat Assessment Form

Date & Time of Assessment: 8/21/2020		DOT Project Number: Des No. 1801387		Route/Facility Carried: I-69 Section 6		County: Morgan	
Federal Structure ID: N/A		Structure Coordinates (latitude and longitude): 39.508728 -86.322589		Structure Height (approximate): N/A		Structure Length: N/A	
Structure Type (check one)				Structure Material (check all that apply)			
<i>Bridge Construction Style</i>				<i>Deck Material</i>		<i>Beam Material</i>	
<input type="radio"/> Cast-in-place		<input type="radio"/> Pre-stressed Girder		<input type="checkbox"/> Metal <input type="checkbox"/> Concrete <input type="checkbox"/> Timber <input type="checkbox"/> Open grid <input type="checkbox"/> Other: N/A		<input type="checkbox"/> None <input type="checkbox"/> Concrete <input type="checkbox"/> Steel <input type="checkbox"/> Timber <input type="checkbox"/> Other: N/A	
<input type="radio"/> Flat Slab/Box		<input type="radio"/> Steel I-beam				<input type="checkbox"/> Concrete <input type="checkbox"/> Timber <input type="checkbox"/> Stone/Masonry <input type="checkbox"/> Other: N/A	
<input type="radio"/> Truss		<input type="radio"/> Covered				<input type="checkbox"/> Creosote Evidence <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unknown	
<input type="radio"/> Parallel Box Beam		<input type="radio"/> Other:		<i>Culvert Material</i>			
<i>Culvert Type</i>		<i>Other Structure</i>		<input type="checkbox"/> Metal <input type="checkbox"/> Concrete <input type="checkbox"/> Plastic <input type="checkbox"/> Stone/Masonry <input type="checkbox"/> Other: N/A		<input type="checkbox"/> Notes:	
<input type="radio"/> Box <input type="radio"/> Pipe/Round <input type="radio"/> Other: N/A		<input checked="" type="radio"/> Building/Shed					
Crossings Traversed (check all that apply)				Surrounding Habitat (check all that apply)			
<input type="checkbox"/> Bare ground <input type="checkbox"/> Rip-rap <input type="checkbox"/> Flowing water <input type="checkbox"/> Standing water <input type="checkbox"/> Seasonal water		<input type="checkbox"/> Open vegetation <input type="checkbox"/> Closed vegetation <input type="checkbox"/> Railroad <input type="checkbox"/> Road/trail - Type: <input type="checkbox"/> Other: N/A		<input type="checkbox"/> Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Residential-urban <input type="checkbox"/> Residential-rural <input checked="" type="checkbox"/> Woodland/forested		<input type="checkbox"/> Grassland <input type="checkbox"/> Ranching <input checked="" type="checkbox"/> Riparian/wetland <input type="checkbox"/> Mixed use <input type="checkbox"/> Other: N/A	
Areas Assessed (check all that apply)							
Check all areas that apply. If an area is not present in the structure, check the "not present" box.							
Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.							
Area (check if assessed)		Assessment Notes		Evidence of Bats (include photos if present)			
<input checked="" type="checkbox"/> All crevices and cracks: Bridges/culverts: rough surfaces or imperfections in concrete Other structures: soffits, rafters, attic areas		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Concrete surfaces (open roosting on concrete)		<input type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Spaces between concrete end walls and the bridge deck		<input type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Crack between concrete railings on top of the bridge deck 		<input type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Vertical surfaces on concrete I-beams		<input type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input checked="" type="checkbox"/> Spaces between walls, ceiling joists		<input checked="" type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> Weep holes, scupper drains, and inlets/pipes		<input type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> All guiderails		<input type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
<input type="checkbox"/> All expansion joints		<input type="checkbox"/> Not present		<input type="checkbox"/> Visual - live # dead # <input type="checkbox"/> Guano <input type="checkbox"/> Staining		<input type="checkbox"/> Audible <input type="checkbox"/> Odor <input type="checkbox"/> Photos <input type="checkbox"/> Species	
Name: Matt Riehle				Signature:			

Bridge/Structure Bat Assessment Form

Date & Time of Assessment: 8/21/2020 2:30 pm	DOT Project Number: Des No. 1801387	Route/Facility Carried: I-69 Section 6	County: Morgan
Federal Structure ID: N/A	Structure Coordinates (latitude and longitude): 39.508536 -86.322837	Structure Height (approximate): N/A	Structure Length: N/A
Structure Type (check one)		Structure Material (check all that apply)	
<i>Bridge Construction Style</i>		<i>Deck Material</i>	<i>Beam Material</i> / <i>End/Back Wall Material</i>
<input type="radio"/> Cast-in-place	<input type="radio"/> Pre-stressed Girder	<input type="checkbox"/> Metal	<input type="checkbox"/> None / <input type="checkbox"/> Concrete
<input type="radio"/> Flat Slab/Box	<input type="radio"/> Steel I-beam	<input type="checkbox"/> Concrete	<input type="checkbox"/> Concrete / <input type="checkbox"/> Timber
<input type="radio"/> Truss	<input type="radio"/> Covered	<input type="checkbox"/> Timber	<input type="checkbox"/> Steel / <input type="checkbox"/> Stone/Masonry
<input type="radio"/> Parallel Box Beam	<input type="radio"/> Other: _____	<input type="checkbox"/> Open grid	<input type="checkbox"/> Timber / <input type="checkbox"/> Other: N/A
<i>Culvert Type</i>	<i>Other Structure</i>	<i>Culvert Material</i>	<i>Creosote Evidence</i>
<input type="radio"/> Box	<input checked="" type="radio"/> Building/Cabin	<input type="checkbox"/> Metal	<input type="radio"/> Yes / <input checked="" type="radio"/> No
<input type="radio"/> Pipe/Round		<input type="checkbox"/> Concrete	<input type="radio"/> Unknown
<input type="radio"/> Other: N/A		<input type="checkbox"/> Plastic	<i>Notes:</i>
		<input type="checkbox"/> Stone/Masonry	
		<input type="checkbox"/> Other: N/A	
Crossings Traversed (check all that apply)		Surrounding Habitat (check all that apply)	
<input type="checkbox"/> Bare ground	<input type="checkbox"/> Open vegetation	<input type="checkbox"/> Agricultural	<input type="checkbox"/> Grassland
<input type="checkbox"/> Rip-rap	<input type="checkbox"/> Closed vegetation	<input type="checkbox"/> Commercial	<input type="checkbox"/> Ranching
<input type="checkbox"/> Flowing water	<input type="checkbox"/> Railroad	<input type="checkbox"/> Residential-urban	<input checked="" type="checkbox"/> Riparian/wetland
<input type="checkbox"/> Standing water	<input type="checkbox"/> Road/trail - Type: _____	<input type="checkbox"/> Residential-rural	<input type="checkbox"/> Mixed use
<input type="checkbox"/> Seasonal water	<input type="checkbox"/> Other: N/A	<input checked="" type="checkbox"/> Woodland/forested	<input type="checkbox"/> Other: _____
Areas Assessed (check all that apply)			
Check all areas that apply. If an area is not present in the structure, check the "not present" box. Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.			
Area (check if assessed)	Assessment Notes	Evidence of Bats (include photos if present)	
<input type="checkbox"/> All crevices and cracks: Bridges/culverts: rough surfaces or imperfections in concrete <input checked="" type="checkbox"/> Other structures: soffits, rafters, attic areas	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Species / <input type="checkbox"/> Odor / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input checked="" type="checkbox"/> Concrete surfaces (open roosting on concrete)	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Species / <input type="checkbox"/> Odor / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input type="checkbox"/> Spaces between concrete end walls and the bridge deck	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Species / <input type="checkbox"/> Odor / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input type="checkbox"/> Crack between concrete railings on top of the bridge deck Gap Railing	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Species / <input type="checkbox"/> Odor / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input type="checkbox"/> Vertical surfaces on concrete I-beams	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Species / <input type="checkbox"/> Odor / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input checked="" type="checkbox"/> Spaces between walls, ceiling joists	<input checked="" type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Species / <input type="checkbox"/> Odor / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input type="checkbox"/> Weep holes, scupper drains, and inlets/pipes	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Species / <input type="checkbox"/> Odor / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input type="checkbox"/> All guiderails	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Species / <input type="checkbox"/> Odor / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
<input type="checkbox"/> All expansion joints	<input type="checkbox"/> Not present	<input type="checkbox"/> Visual - live #	<input type="checkbox"/> dead # / <input type="checkbox"/> Audible / <input type="checkbox"/> Species / <input type="checkbox"/> Odor / <input type="checkbox"/> Guano / <input type="checkbox"/> Photos / <input type="checkbox"/> Staining
Name: Matt Riehle		Signature:	



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

Phone: (812) 334-4261 Fax: (812) 334-4273

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>

In Reply Refer To:

June 10, 2020

Consultation Code: 03E12000-2020-SLI-1891

Event Code: 03E12000-2020-E-07685

Project Name: Des No. 1801387; I-69 Section 6; Stotts Creek 2 Mitigation Site

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

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service if they determine their project “may affect” listed species or critical habitat.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website <http://ecos.fws.gov/ipac/> at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

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

determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process.

For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*) and Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at <http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html> to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

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

This species list is provided by:

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

(812) 334-4261

Project Summary

Consultation Code: 03E12000-2020-SLI-1891

Event Code: 03E12000-2020-E-07685

Project Name: Des No. 1801387; I-69 Section 6; Stotts Creek 2 Mitigation Site

Project Type: TRANSPORTATION

Project Description: The mitigation site is located approximately 6.6 miles north of the City of Martinsville along the west side of State Road (SR) 37 and south/east of the White River, north of its confluence with Stotts Creek and extending north along SR 37 to approximately 0.1 mile north of the SR 37/Cragen Road intersection. Specifically, the location is Sections 4, 5, and 8, Township 12 North, Range 2 East, in Clay and Green Townships as depicted the on the Mooresville East U.S. Geological Survey (USGS) 1:24,000 scale quadrangle.

The total size of the Stotts Creek 2 Mitigation Site is approximately 54.0 acres. Within the project area, the existing conditions include 52.7 acres of bottomland forest habitat and 1.3 acres of fallow agricultural fields. Adjacent land use consists of transportation, agricultural, and residential areas, as well as a sand and gravel operation.

This mitigation site will serve to replace unavoidable impacts to forests through preservation of existing forest habitats. Approximately 52.7 acres of existing forest will be preserved at the site. The existing forested habitat will undergo enhancements in the form of invasive species treatments. Bank stabilization measures along the White River are being planned as a separate future project. While final design of the bank stabilization measures is not yet complete, related activities may include stone toe protection, bank grading, live staking, and/or bendway weirs along and within the White River. Additional site activities include the removal of up to four dilapidated structures from the eastern portion of the project area and up to 7.6 acres of tree clearing for access to the White River bank for stabilization measures and equipment staging. Tree removal will take place between October 1, 2020 and April 1, 2021.

The existing bottomland forest and the dilapidated structures would be considered suitable summer habitat. Upon completion of construction of the bank stabilization measures, the cleared area will be replanted with a mix of native trees and shrubs and preserved in perpetuity.

The project does not involve any bridges or culverts.

A check of the USFWS database by INDOT - Seymour District staff on March 21, 2019 did indicate the presence of endangered bat species in or within 0.5 mile of the project area.

No permanent lighting will be required for the project; although not anticipated, if night work occurs, temporary lighting may be used during construction.

Demolition of the dilapidated structures will begin in fall/winter 2020. Construction of the bank stabilization measures is anticipated to begin in spring of 2021.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/39.50675202271458N86.32722052067055W>



Counties: Morgan, IN

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

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

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

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

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949 Species survey guidelines: https://ecos.fws.gov/ipac/guideline/survey/population/1/office/31440.pdf	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Incidental take of the NLEB is not prohibited here. Federal agencies may consult using the 4(d) rule streamlined process. Transportation projects may consult using the programmatic process. See www.fws.gov/midwest/endangered/mammals/nleb/index.html Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Critical habitats

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

November 21, 2019

Holly Hume
Lochmueller Group, Inc.
6200 Vogel Road
Evansville, Indiana 47715

Dear Ms. Hume:

The proposed project to provide compensatory mitigation for unavoidable impacts due to the construction of Section 6 of Interstate 69 in Morgan County, Indiana, (Des No 1801002 and 1801387), as referred to in your letter received September 13, 2019, will not cause a conversion of prime farmland.

If you need additional information, please contact John Allen at 317-295-5859.

Sincerely,

JERRY RAYNOR Digitally signed by JERRY RAYNOR
Date: 2019.11.29 17:19:58 -05'00'

JERRY RAYNOR
State Conservationist

