



State Revolving Fund Loan Programs Drinking Water, Wastewater, Nonpoint Source

ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT

WESTERN WAYNE REGIONAL SEWER DISTRICT

WASTEWATER TREATMENT PLANT EXPANSION
PRELIMINARY ENGINEERING REPORT
STATE REVOLVING FUND PROJECT # WW 14 17 89 01

DATE: November 6, 2014

TARGET APPROVAL DATE: December 8, 2014

I. INTRODUCTION

The above entity has applied to the State Revolving Fund (SRF) Loan Program for a loan to finance all or part of the wastewater project described in the Environmental Assessment (EA) attached to this Finding of No Significant Impact (FNSI). As part of facilities planning requirements, an environmental review has been completed which addresses the project's impacts on the natural and human environment. This review is summarized in the attached EA, which can also be viewed at <http://www.in.gov/ifa/srf/>.

II. PRELIMINARY FINDING OF NO SIGNIFICANT IMPACT (FNSI)

The SRF has evaluated all pertinent environmental information regarding the proposed project and determined that an Environmental Impact Statement is not necessary. Subject to responses received during the 30-day public comment period, and pursuant to Indiana Code 4-4-11, it is our preliminary finding that the construction and operation of the proposed facilities will result in no significant adverse environmental impact. In the absence of significant comments, the attached EA shall serve as the final environmental document.

III. COMMENTS

All interested parties may comment upon the EA/FNSI. Comments must be received at the address below by the target project approval date. Significant comments may prompt a reevaluation of the preliminary FNSI. If appropriate, a new FNSI will be issued for another 30-day public comment period. A final decision to proceed, or not to proceed, with the proposed project shall be effected by finalizing, or not finalizing, the FNSI as appropriate. Comments regarding this document should be sent within 30 days to:

April Douglas
Senior Environmental Manager
State Revolving Fund -- IGCN 1275
100 N. Senate Ave.
Indianapolis, IN 46204
317-234-72294
adouglas@ifa.in.gov

ENVIRONMENTAL ASSESSMENT

I. PROJECT IDENTIFICATION

Project Name and Address: **Wastewater Treatment Plant Expansion**
Western Wayne RSD
201 S. Plum Street
Cambridge City, IN 47327

SRF Project Number: WW 14 17 89 01

Authorized Representative: Waunalea Dungan, Board President

II. PROJECT LOCATION

The proposed projects include expansion at the Wastewater Treatment Plant (WWTP). The District's existing WWTP is located in Wayne Township in Wayne County in Township 16 N, Range 12 E, in Section 27 on the Cambridge City Quadrangle map; see Figure 1.

III. PROJECT NEED AND PURPOSE

Western Wayne Regional Sewer District (WWRSD) proposes to expand the WWTP. Much of the existing mechanical equipment is nearing the end of its useful service life or has limited capability for processing future wastewater flows. The WWTP has experienced some sanitary sewer overflows in the past due to hydraulic limitations at the facility. Deficiencies in the biosolids handling facilities have also been noted. The project will provide needed added capacity and through the use of more efficient processes/equipment, will provide improved treatment and a more reliable effluent quality.

IV. PROJECT DESCRIPTION

The selected alternative provides for a new extended aeration WWTP with some reuse of the existing treatment structures and equipment; see Figure 2. The project includes a new interceptor sewer and raw sewage pump station, new influent structure with mechanical fine screening and grit removal, new Vertical Loop Reactor activated sludge system, new secondary clarifiers with flow splitter structure, new RAS/WAS pump station, new UV disinfection structure with reaeration and outfall sewer, four new aerobic digesters, new sludge dewatering and storage building, new maintenance garage, new administration building, and modification of several existing structures.

V. ESTIMATED PROJECT COSTS, AFFORDABILITY AND FUNDING

A. Selected Plan Estimated Cost Summary

Interceptor Sewer, Raw Sewage Pump Station and Flow Meter	\$273,000
Influent Structure with Screening and Grit Removal	\$1,102,000
Vertical Loop Reactor Extended Aeration System	\$1,890,000
Two Circular Secondary Clarifiers and Splitter Box	\$788,000
RAS/WAS Pump Station and Flow Meters	\$189,000
Effluent Structure with UV Disinfection, Reaeration and Flow Meter	\$420,000
Four Aerobic Digesters, Diffusers and Blowers	\$735,000
Rehabilitate Existing Aerobic Digesters	\$189,000
Sludge Dewatering System and Disposal	\$735,000
Equipment for Laboratory and Sampling, Lab Building Improvements	\$131,000
Administration Building	\$262,000
Maintenance Garage	\$157,000
Standby Generator and Transfer Switch	\$210,000
Electrical, Instrumentation and Controls	\$1,060,000
Control Building Modifications	\$84,000
Site Work, including yard piping, fencing, new plant outfall	<u>\$1,085,000</u>
Subtotal Construction Cost	\$9,310,000
Contingency	\$940,000
Total Construction Cost	\$10,250,000
Non-Construction Costs	<u>\$2,570,000</u>
Total Estimated Project Cost	\$12,820,000

- B. Western Wayne will finance the project with a loan from the State Revolving Fund Loan Program for a 20-year term at an annual fixed interest rate to be determined at loan closing. The actual loan amount will depend on the bids received.

VI. DESCRIPTION OF EVALUATED ALTERNATIVES

The “No Action” alternative is not a viable alternative. If no action is taken, the system will not be able to reliably treat the wastewater and serve the needs of the district.

Wastewater Treatment Plant Improvements/Upgrade: The considered alternatives included optimization of the existing facilities and the rehabilitation and expansion of the existing WWTP. The recommended alternative is to upgrade the existing plant by adding new Vertical Loop Reactors for biological treatment. Other improvements would include construction of a new raw sewage pump station, a new influent structure, new secondary clarifiers, new UV disinfection, and new aerobic digesters. Modifications to some of the existing structures would occur and a new Administration Building and new Maintenance Garage would be completed.

VII. ENVIRONMENTAL IMPACTS OF THE FEASIBLE ALTERNATIVES

A. Direct Impacts of Construction and Operation

Disturbed/Undisturbed Land: The proposed Project Area is currently farmland and undeveloped land to the south of the existing WWTP. The land disturbances for this project includes the construction of a new interceptor sewer to the new influent structure, sludge handling building, vertical loop reactors, UV disinfection structure, clarifiers, new effluent outfall and other optional improvements. Additional land disturbance and modifications will occur at the existing WWTP.

Borrow soil will not be needed during construction. Excess soil that remains from excavation activities will be disposed of properly. The total area of land disturbance will exceed 1 acre. Appropriate erosion and sediment control measures will be implemented during construction to minimize siltation of adjacent waterways and erosion of soils on the construction site. Silt fencing, erosion control blankets, and other appropriate measures, if necessary, will be utilized to prevent erosion in the areas of construction activity. Disturbed land will be temporarily seeded if permanent seeding is delayed.

Structural Resources (Figures 3, 4 and 5): Because construction activities for the project will occur on previously undisturbed land, a Phase I Archaeological Reconnaissance was completed by Pioneer Consulting on February 4, 2010. The site reconnaissance determination found no archaeological artifacts, features or resources in the area and no further archaeological assessment was recommended.

The proposed project will not affect historic sites or districts, including sites on or eligible for listing on the National Register of Historic Places, according to the Wayne County Interim Report and the historic sites information on the website of the Indiana Department of Natural Resources Division of Historic Preservation and Archaeology. The SRF's finding pursuant to Section 106 of the National Historic Preservation Act is: "*no historic properties affected.*"

Surface Waters: These projects will not adversely affect any ephemeral (intermittent) and perennial (permanent) streams as identified by the Indiana Map GIS Atlas. The proposed projects will not cross any streams or bore under any streams. The proposed construction activities on the new plant outfall may disturb areas below the Ordinary High Water Mark (OHWM) of the West Fork of the Whitewater River. A Section 404 Permit under the CWA through the USACE and a Section 401 Water Quality Certification permit through IDEM will be required for any work below the OHWM of Lake Freeman. All required USACE and IDEM permits will be obtained prior to any construction work.

The project will not adversely affect Outstanding State Resource Waters (327 IAC 2-1.3-3(d)), Exceptional Use Streams (327 IAC 2-1-11(b)), Natural and Scenic Recreational Rivers and Streams (312 IAC 7-2), Salmonid Stream (327 IAC 2-1.5-5(a)(3)), or waters on the Outstanding Rivers list (NRCS Non- Rule Policy Document).

Wetlands (Figure 6): The map shows wetlands located along the West Fork of the Whitewater River and are specified as type R2UBH meaning Riverine, Lower perennial, unconsolidated bottom, permanently flooded. A new plant outfall will be constructed along the river. The construction of the outfall may disturb wetlands along the river bottom or edges. Wetlands will not be affected by other aspects of the construction or operation of the project.

A Section 404 Permit under the Clean Water Act (CWA) through the U.S. Army Corps of Engineers (USACE) will be required for the proposed work in the wetland areas. Additionally, a Section 401 Water Quality Certification permit through the Indiana Department of Environmental Management (IDEM) will be required for work in a wetland. All required USACE and IDEM permits will be obtained prior to any construction work.

The proposed projects will not cross any streams or bore under any streams. The proposed construction activities on the new plant outfall may disturb areas below the Ordinary High Water Mark (OHWM) of the West Fork of the Whitewater River. A Section 404 Permit under the CWA through the USACE and a Section 401 Water Quality Certification permit through IDEM will be required for any work below the OHWM of Lake Freeman. All required USACE and IDEM permits will be obtained prior to any construction work.

Floodplain (Figure 7): The floodway for Cambridge City has been delineated, so any permitting will be based on the floodway and base flood elevations. The Indiana Map indicates the existing WWTP is located within the floodway and only a portion of the new Project Area is located in the floodway. The FEMA FIRM indicates the floodway extends west to Center Street through the entire Project Area. A survey will delineate the construction activities that will occur below the base flood elevation (925-926 feet). A Permit Application for Construction in a Floodway will be submitted to the DNR Division of Water prior to any construction activities. The floodway construction activities will adhere to DNR standards and structures will be protected from the 100-year flood.

Groundwater: Dewatering may be required to temporarily lower the groundwater table in some areas during construction and modification. Minor fluctuations in groundwater levels will be temporary in nature. Discharge from dewatering activities will be filtered or settled to remove sediment and will not be directly discharged to any waterway, wetland, or storm water conveyance. Notes to this effect will be included in the project plans and specifications. Soil borings will be obtained as necessary to evaluate soil suitability and determine groundwater depths.

Plants and Animals: The Preliminary Engineering Report (PER) states: *The construction and operation of the project are not expected to pose a threat to or negatively impact state or federal-listed endangered species and their habitat. According to preliminary design plans, tree removal will be minimized. DNR will be contacted immediately if it is determined that a species from the Indiana or Federal List is found to be disturbed by construction activities. The Project will be implemented to minimize impacts to non-endangered species and their habitat.*

The Indiana Bat (Myotis Sodalis) is a Federal and State listed endangered species that migrates into Indiana in the summer months. Since the Project Areas are adjacent to wooded areas and a waterway, there is a potential for Indiana Bats to be present. Tree removal is expected to be minimal for construction of this project. When tree removal is required, it will not be conducted between April and September 30 to avoid potential impacts to the Indiana Bat. Other mitigation measures suggested by DNR, the U.S. Fish and Wildlife Service or other comment letters will be implemented.

Prime Farmland: The project will convert 4.3 acres of prime farmland.

Air Quality: Construction for the proposed projects may generate dust and noise during construction. The Project Area is located in a commercial and residential area. The hours of construction activity will be limited to daylight hours on weekdays to minimize noise effects. Construction specifications will require proper control measures be utilized to control wind erosion from all construction areas. Proper cleanup practices will be required to reduce the

generation of dust and other construction debris. When impacts cannot be avoided, appropriate measures will be utilized. Open burning of trees and brush is not allowed for this project according to 326 IAC 4. The proposed project will have no long term effects on air quality. Wayne County is attaining the National Ambient Air Quality Standards (NAAQS) for the criteria pollutants that may affect public health and welfare (<http://www.in.gov/idem/airquality/2339.html>).

Open Space and Recreational Opportunities: The proposed project will be constructed on land owned by the WWRSD or land purchased for the project. Areas are not currently used for recreational activities according to local and county websites. The proposed WWTP expansion will change the current land use. The proposed construction and operation will neither create nor destroy open space and recreational opportunities.

Construction specifications will require that proper control measures be utilized to control storm water runoff and erosion from all proposed construction sites. A Rule 5 permit will be obtained from IDEM prior to the start of construction.

National Natural Landmarks: Construction and operation of the proposed project will not affect National Natural Landmarks.

B. Indirect Impacts

The WWRSD's Preliminary Engineering Report (PER) states: *The District, through its council, planning commission or other means, will ensure that future sanitary sewer or treatment works projects connected to SFR funded facilities will not adversely impact wetlands, archaeological/historical/structural resources, or other sensitive environmental resources. The District will require new development and sewer projects to be constructed within the guidelines of the U.S. Fish and Wildlife Service, DNR, IDEM, and other environmental review authorities.*

C. Comments from Environmental Review Authorities

The Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology (DHPA), in correspondence dated September 2, 2014, stated: *Pursuant to IC 13-18-21 and 327 IAC 14 and Section 106 of the National Historic Preservation Act (16U.S.G § 470f) and 36 C.F.R Part &00, the Indiana State Historic Preservation Officer ("Indiana SHPO") is conducting an analysis of the materials dated and received by the Indiana SHPO on August 4, 2014, for the above indicated project in Cambridge City, Jackson Township, Wayne County, Indiana.*

In regard to buildings and structures, we have identified the Cambridge City Historic District listed in the National Register of Historic Places within the probable area of potential effects. However, based on the information provided to our office, we do not believe the characteristics that qualify above identified historic property for inclusion in the National Register will be diminished as a result of this project.

In terms of archaeology, we concur with the archaeological report that no currently known archaeological resources eligible for inclusion in the National Register of Historic Places have been recorded within the proposed project area. No further archaeological investigations appear necessary.

If any prehistoric or historic archaeological artifacts or human remains are uncovered during construction, demolition, earth moving activities, state law {Indiana Code 14-21-1-27 and 29} requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to

Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

The U.S. Fish and Wildlife Service, in correspondence dated August 11, 2014 stated: This responds to your email of August 4, 2014 requesting U.S. Fish and Wildlife Service (FWS) review of a proposed wastewater project for the Western Wayne Regional Sewer District in Wayne County, Indiana.

These comments are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

Your letter states that the proposed project includes construction of a new extended aeration wastewater treatment plant (WWTP) at the site of the current WWTP, including a new plant outfall discharging to the West Fork Whitewater River. We recommend the following mitigation measures to minimize impacts on fish and wildlife resources.

- 1. Locate the sewer line and outfall to minimize clearing of woody riparian vegetation and destabilization of the river bank.*
- 2. Stabilize disturbed stream banks as quickly as possible after construction is completed, using bioengineering techniques wherever possible. If riprap is utilized for bank stabilization, extend it below low-water elevation to provide aquatic habitat.*
- 3. Implement temporary erosion and siltation control devices as necessary.*
- 4. Revegetate all disturbed soil areas with native plant species suitable for riparian areas immediately upon project completion.*
- 5. Avoid channel work during the fish spawning season (April 1 through June 30). Ephemeral streams, agricultural ditches and badly degraded streams can be excluded from this recommendation.*

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

Endangered Species

*Wayne County is within the range of the federally endangered Indiana bat (*Myotis sodalis*) and northern long-eared bat (*M septentrionalis*), a species proposed as endangered.*

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 forested drainageways in undeveloped areas.

The northern long-eared bat (NLEB) is currently proposed for listing under the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.). The final listing decision for the NLEB is expected in April 2015. At this time, no critical habitat has been proposed for the NLEB. Species proposed for listing are not afforded protection under the ESA; however as soon as a listing becomes effective, the prohibition against jeopardizing its continued existence and take applies regardless of an action's stage of completion. Additional information regarding NLEB and conference procedures can be found at

(<http://www.fws.gov/midwest/endangered/mammals/nlbalindex.html>).

During the summer, 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 predominately hibernate in caves and abandoned mine portals. Additional habitat types may be identified as new information is obtained.

There is suitable summer habitat for these bats along the West Fork Whitewater River and forested tributaries. There are no current records of Indiana or northern long-eared bats near the site but to our knowledge the area has not been surveyed. The project will not eliminate enough habitat to affect these species, but to avoid incidental take from removal of an occupied roost tree we recommend 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 these species.

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. If project plans are changed significantly please contact our office for further consultation.

In correspondence dated August 14, 2014, the Department of Natural Resources Environmental Unit stated: *Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.*

Regulatory Assessment: This proposal will require the formal approval for construction in a floodway under the Flood Control Act, IC 14-28-1. However, the outfall structure may qualify for a general license under Administrative Rule 312 IAC 10-5 (see enclosure). Please submit a copy of this letter (the correspondence letter from Department of Natural Resources Environmental Unit) with the permit application.

National Heritage Database: The Natural Heritage Program's data have been checked. To date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity.

Fish and Wildlife Comments: Due to the presence or potential presence of wetlands on site, we recommend contacting and coordinating with the Indiana Department of Environmental Management (IDEM) 401 program and also the US Army Corps of Engineers (USAGE) 404 program. Impacts to wetlands should be mitigated at the appropriate ratio (see guidelines above in Regulatory Assessment section).

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 grasses (excluding all varieties of tall fescue), legumes, and native shrub and hardwood tree species as soon as possible upon completion.*
- 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. Do not cut any trees suitable for Indiana bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark) from April 1 through September 30.
5. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids.
6. Underlay the riprap with a bedding layer of well graded aggregate or a geotextile to prevent piping of soil underneath the riprap.
7. Minimize the movement of resuspended bottom sediment from the immediate project area.
8. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
9. Seed and protect all disturbed streambanks and slopes that are 3:1 or steeper with erosion control blankets (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.

In correspondence dated July 13, 2009, the Natural Resources Conservation Service stated: *The project to expand and upgrade the existing wastewater treatment plant ... will cause a conversion of prime farmland.*

VIII. MITIGATION MEASURES

WWRSB's PER states:

*Erosion control measures will be implemented during all construction activity. Areas disturbed by construction will be restored and revegetated with seeding and other measures such as erosion control blankets, as necessary. The removal of trees and other natural vegetation will be avoided between April 1 through September 30 for completion so as to not disturb the habitat of the Indiana Bat (*Myotis Sodalis*). A Rule 5 permit for erosion control will be obtained from IDEM prior to construction. A Section 401 and 404 permits will be obtained from IDEM and USACE for disturbances to jurisdictional wetlands or waterways and a Construction in a Floodway permit will be obtained from DNR prior to construction, as required.*

IX. PUBLIC PARTICIPATION

A properly noticed public hearing was held on May 12, 2014, at 7:00 pm at the Dublin City Building to discuss the PER. No written comments were received during the 5-day comment period following the hearing.



Send To Printer Back To TerraServer Change To 8.5x11 Print Size Show Grid Lines United States 01 Jul 1984
 USGS 1 km SE of Cambridge City, Indiana

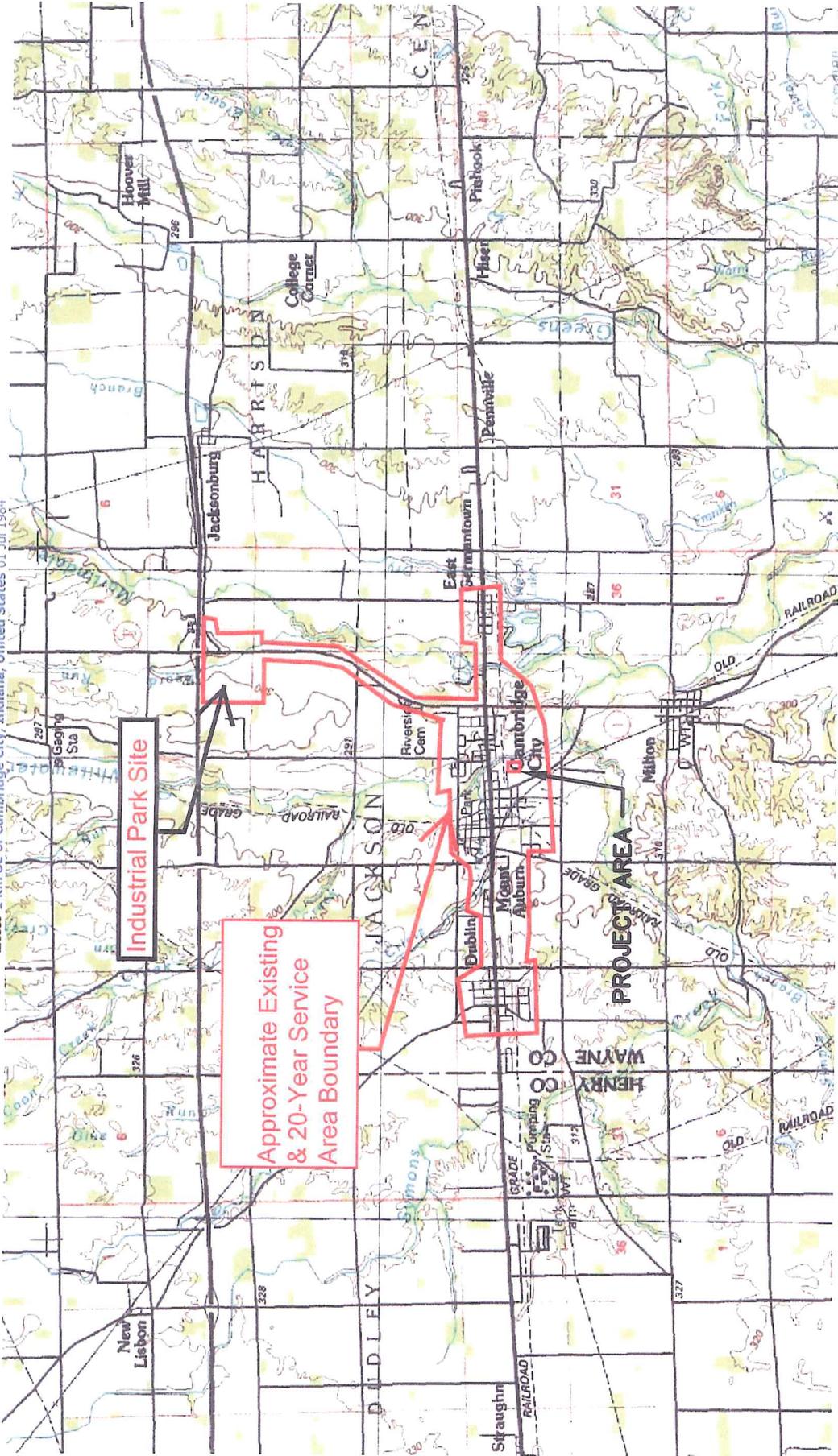
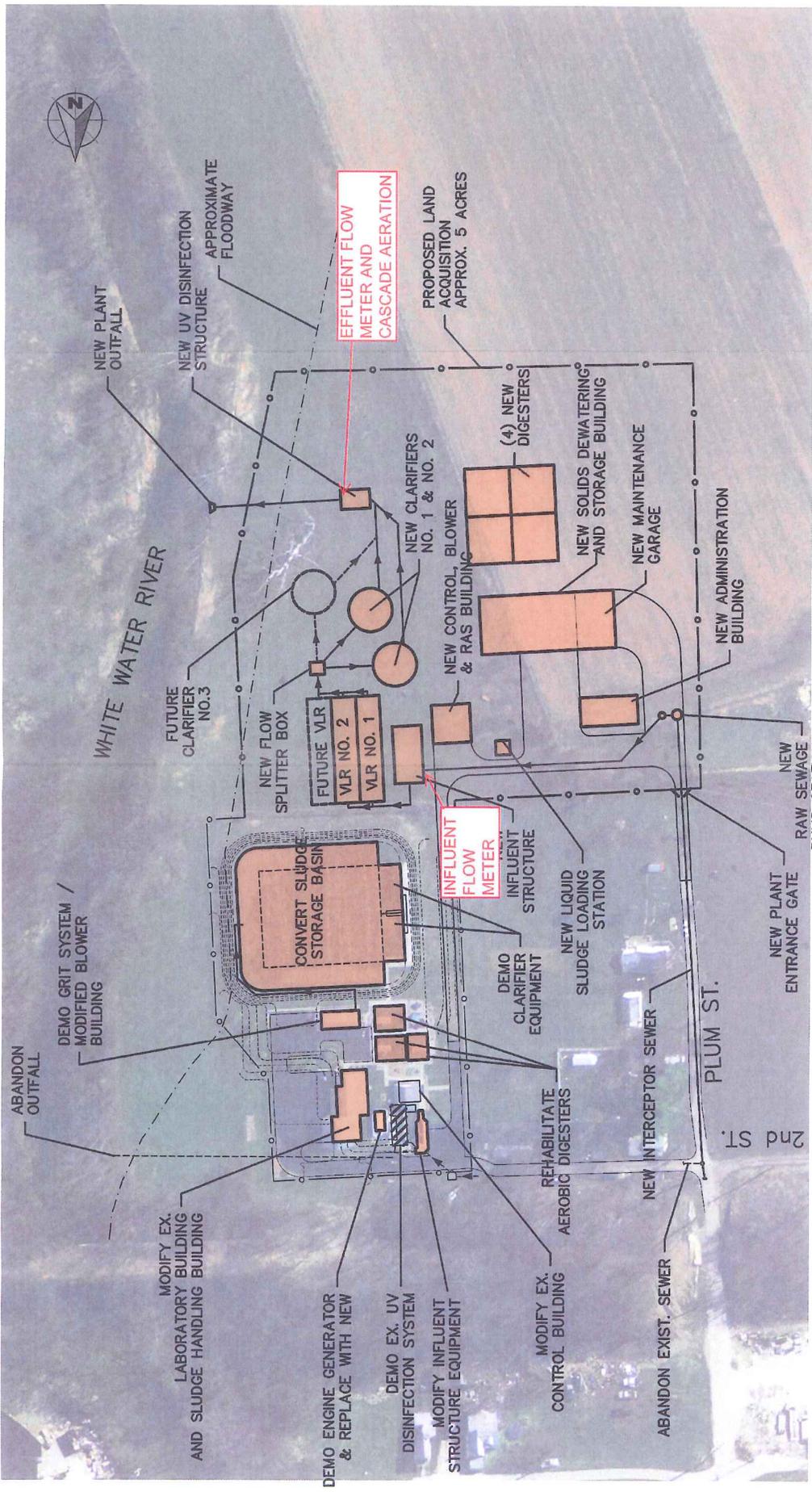


Image courtesy of the U.S. Geological Survey
 © 2004 Microsoft Corporation. Terms of Use Privacy Statement

Figure 1

Western Wayne RSD WWTP Improvement Projects Location



PROJECT NO. 124208-01-002

1.2 MGD NEW EXTENDED AERATION WWTP

SCALE: 1" = 100'

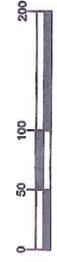


Figure 2

WWTP IMPROVEMENT PROJECT
WESTERN WAYNE RSD

Revised 9/23/14

Jackson Township (70001-086)

Jackson Township was formed in 1817 as one of the first six townships in Wayne County. It is located on the western edge of the county and covers 28.5 square miles. The township includes the towns of Cambridge City, East Germantown, Dublin, and Mt. Auburn, all located along the National Road. Jackson Township is one of Wayne County's most diverse and well-maintained historic regions. Western Wayne Heritage, Inc. offers occasional tours of historic resources in the area. Many date to as early as 1835, such as the Wilson Farm on Golay Road (70082).

The first settlers, mostly Carolina Quakers and Pennsylvania Germans, began to arrive in 1809. The National Road was a primary route for settlers, and many inns prospered along its path. Transportation has been a key theme in the history of Jackson Township. In addition to the continued use of the National Road, railroads, interurban railways, and canals have all traversed the area. Examples of transportation-related structures are the Lake Erie and Western Railroad Bridges (70042-044), the Richmond Street & Interurban Railway Company Tunnel (70062), and a tourist cabin (70057). From the 1930s to the 1950s, Lake Wehi south of East Germantown served as a recreation destination for tourists.

In addition to the four towns along the National Road, Jackson Township is home to many farms and related outbuildings. Two historic school buildings (70016, 70046) and seven cemeteries have been identified, the earliest dating to c.1830 (70011, 70083). Outstanding farms in the township include the Moses and Mary Myers Farm (70021) and the Solomon Meredith Farm (70079), which dates to 1836. Zion Evangelical Lutheran Church (70051) and the John Evans House (70066) are among Jackson Township's important twentieth-century structures.

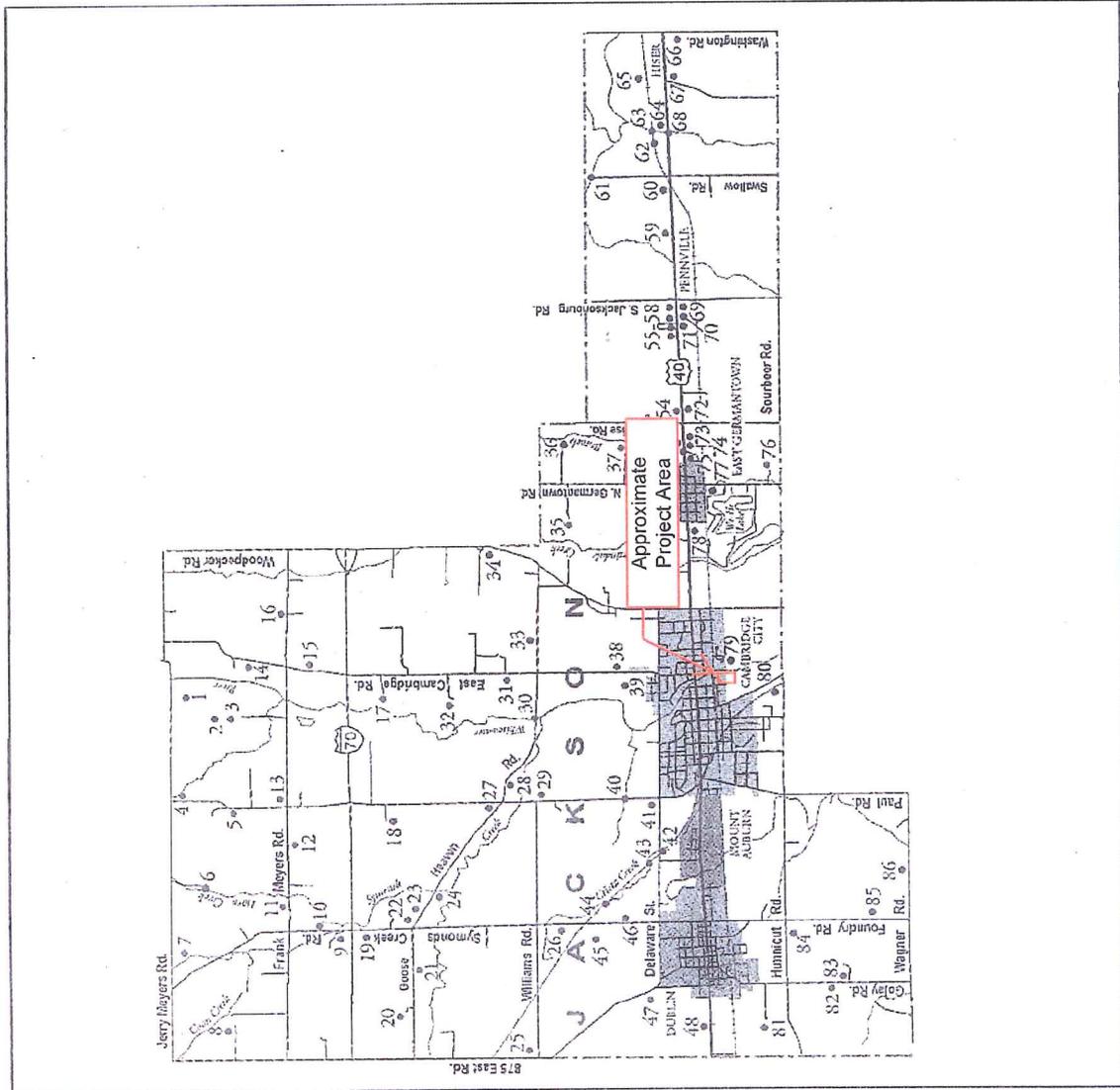


Figure 3

Cambridge City Historic District (73001-465)

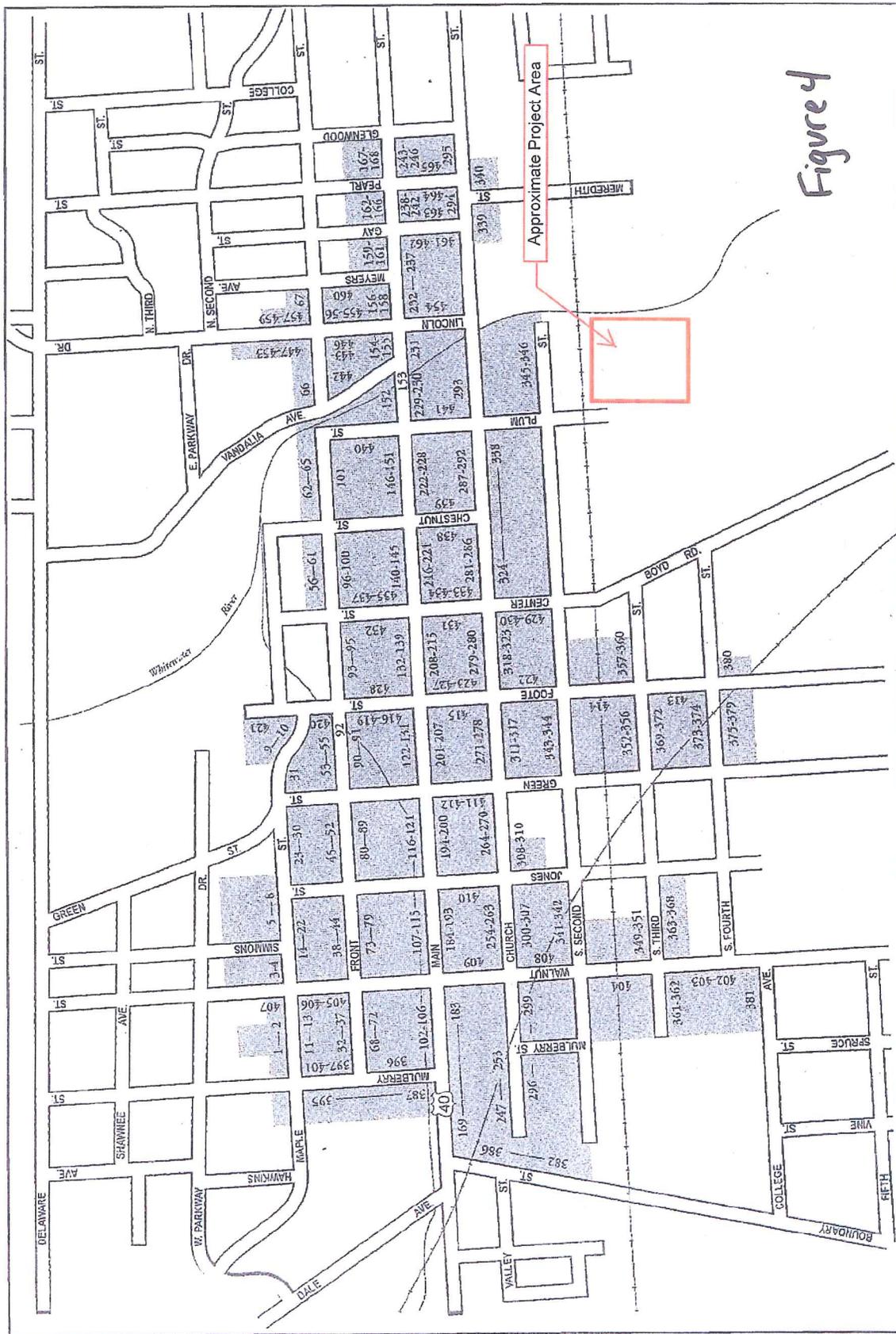
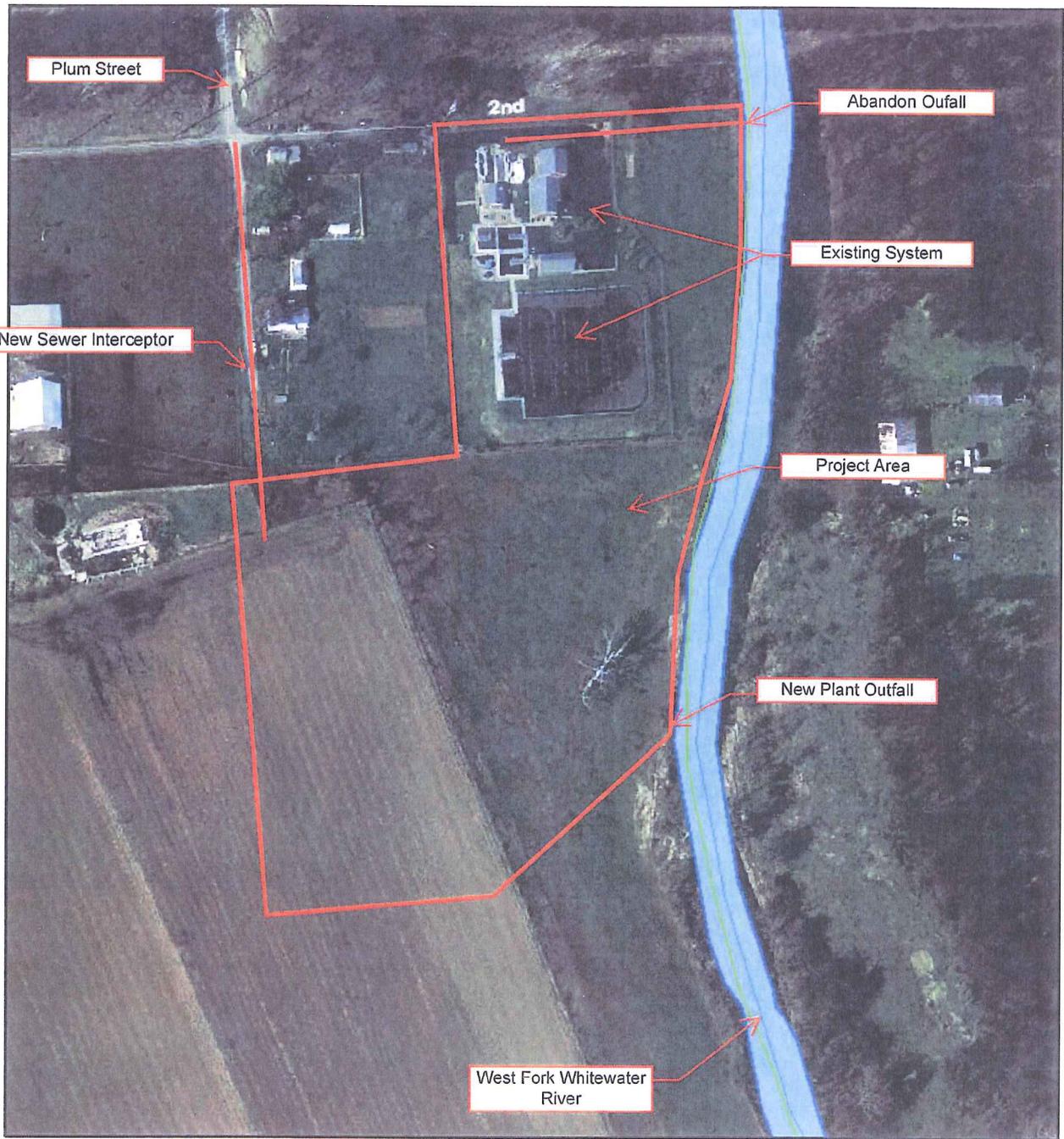
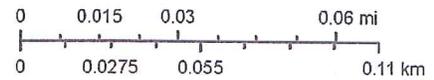


Figure 4

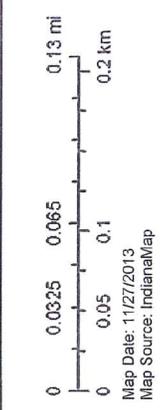
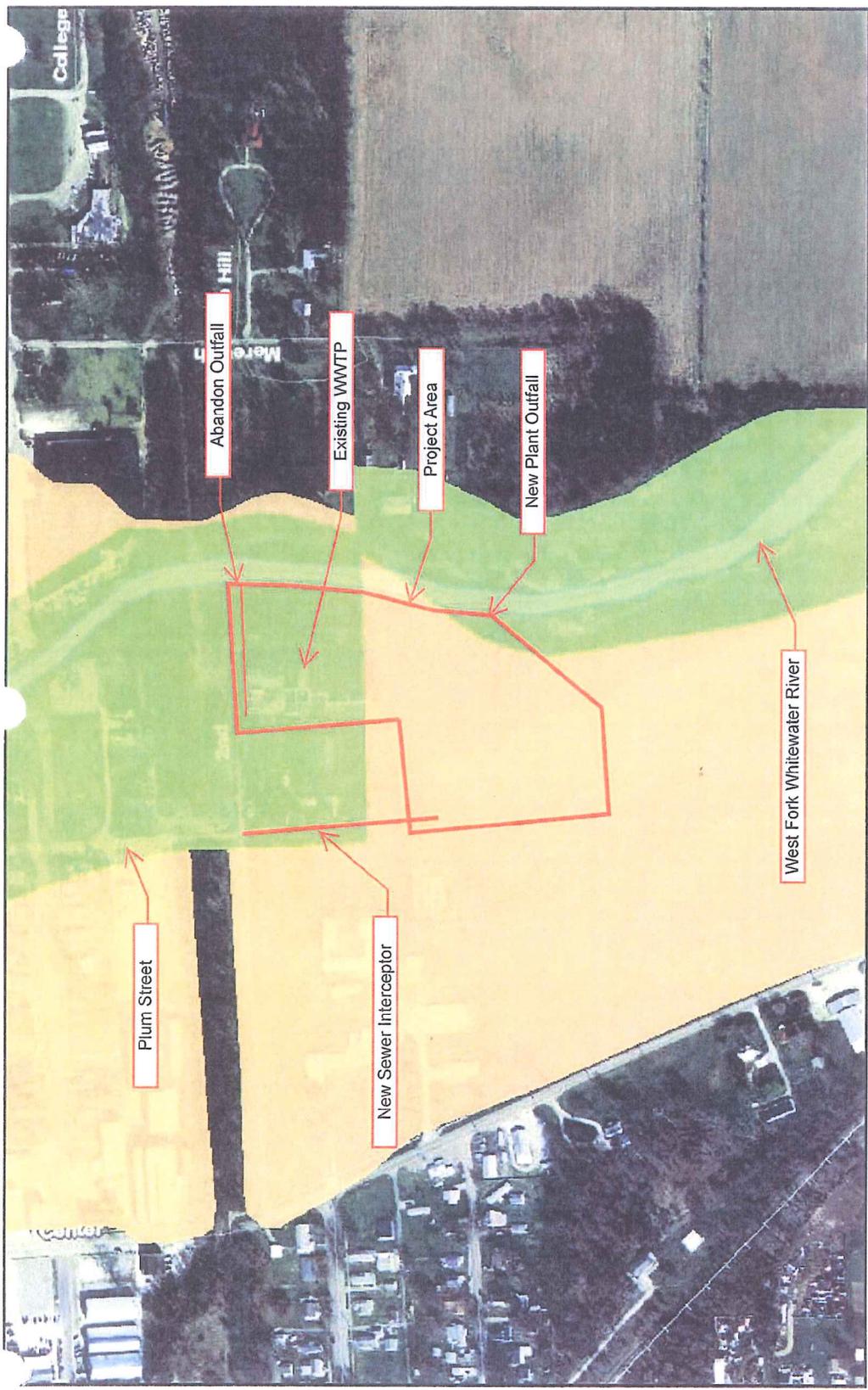


Legend:

- Wetland Lines
- Wetland Points
- Wetlands
- Streams (NHD)
- Rivers (NHD)



Map Date: 11/27/2013
Map Source: IndianaMap



- Legend:
- 0.2% Risk (aka 500-year Flood Zone)
 - 1% Risk (aka 100-yr Flood Zone)
 - Floodway
 - Streams (NHD)
 - Rivers (NHD)



WASTEWATER TREATMENT PLANT EXPANSION

WESTERN WAYNE REGIONAL SEWER DISTRICT
Cambridge City, Indiana

FLOODPLAIN FIRM

Figure 7

ARTICLE 10. FLOOD PLAIN MANAGEMENT

Rule 5. General Licenses and Specific Exemptions from Floodway Licensing

312 IAC 10-5-8 Qualified outfall projects; general license

Authority: IC 14-10-2-4; IC 14-28-1-5

Affected: IC 14-28-1; IC 14-29-1

Sec. 8. (a) This section establishes a general license for the placement of a qualified outfall project in a floodway.

(b) A person who wishes to implement a project for the placement of a qualified outfall project on a river or stream, other than on a river or stream identified in section 0.3(b) or 0.3(c) of this rule, may do so without notice to the department if the project conforms to the following conditions:

- (1) Tree removal and brush clearing shall be contained and minimized within the outfall project area. No more than one (1) acre of trees shall be removed within the floodway.
 - (2) Construction activities within the waterway from April 1 through June 30 shall not exceed a total of two (2) calendar days.
 - (3) Best management practices shall be used during and after construction to minimize erosion and sedimentation.
 - (4) Following the completion of construction, disturbed areas shall be reclaimed and revegetated. Disturbed areas shall be mulched with straw, wood fiber, biodegradable erosion blanket, or other suitable material. To prevent erosion until revegetated species are established, loose mulch shall be anchored by crimping, tackifiers, or netting. To the extent practicable, revegetation must restore species native to the site. If revegetation with native species is not practicable, revegetation shall be performed by the planting of a mixture of red clover, orchard grass, timothy, perennial rye grass, or another species that is approved by the department as being suitable to site and climate conditions. In no case shall tall fescue be used to revegetate disturbed areas.
 - (5) Disturbed areas with slopes of three to one (3:1) or steeper, or areas where run-off is conveyed through a channel or swale, shall be stabilized with erosion control blankets or suitable structural armament.
 - (6) Areas in the vicinity of concentrated discharge points shall be protected with structural armament to the normal water level of the waterway. Any riprap must have an average minimum diameter of six (6) inches and extend below the normal water level.
 - (7) The size of the outfall project shall not exceed any of the following dimensions:
 - (A) Ten (10) square feet in cross-sectional flow area as determined by the summation of cross-sectional area of conduits within the outfall project area for an outfall structure.
 - (B) Five (5) feet deep as determined by the difference in elevation between the lowest bank elevation and the bottom of the swale for an outfall structure.
 - (C) An area of disturbance thirty (30) feet wide.
 - (8) Adequate cover shall be provided to ensure the structural integrity of the outfall conduit and to allow suitable vegetative growth.
 - (9) Within the project area, the postconstruction ground surface elevation shall be less than six (6) inches above the preconstruction elevation.
 - (10) The outlet structure shall:
 - (A) be supported by a headwall, slopewall, or anchored end section; and
 - (B) conform to the bank of the waterway.
 - (11) If flow passing through the outfall project in a reverse direction would induce flood damages during a regulatory flood, the outfall project shall be equipped with a closure mechanism.
 - (12) Construction debris and material not used as backfill shall be removed from the floodway.
- (c) A person who elects to act under this section must comply with the general conditions under subsection (b). Failure to comply with these terms and conditions may result in the revocation of the general license, a civil penalty, a commission charge, and any other sanction provided by law for the violation of a permit issued under IC 14-28-1 and, if the waterway is navigable, the violation of a license issued under IC 14-29-1. (*Natural Resources Commission; 312 IAC 10-5-8; filed Jul 5, 2001, 9:12 a.m.: 24 IR 3398, eff Jan 1, 2002; filed Dec 26, 2001, 2:42 p.m.: 25 IR 1546; errata filed Jan 16, 2002, 1:14 p.m.: 25 IR 1906; filed Aug 2, 2004, 3:18 p.m.: 27 IR 3880*)

From Page 7:

Department of Natural Resources Environmental Unit's enclosure.