

Relocation of Historic Bridge to Salt Creek Trail Categorical Exclusion – Level 4

Brown County, Indiana | Des. Nos. 1400311 and 1400365

July 2015



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Relocation of Historic Bridge to Salt Creek Trail, Brown County, Indiana – Des.
Nos. 1400311 and 1400365

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Name and Organization of CE/EA Preparer: Alan K. Ball, Parsons Transportation Group

Part I - PUBLIC INVOLVEMENT

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

Does the project have a historic bridge processed under the Historic Bridges PA*?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If No, then:		
Opportunity for a Public Hearing Required?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

Remarks: This project involves the relocation of Bridge Number 046-11-01316C, a two-span truss structure listed on the National Register of Historic Places (NRHP) and identified as "Select" in the Indiana Historic Bridge Inventory (August 2009). Bridge Number 046-11-01316C is currently proposed for replacement under Des. Number 0800910. Through this project, the bridge would be relocated to the Salt Creek Trail in Brown County, where the spans would be separated and used for two pedestrian crossings of Salt Creek. A separate CE document, to be approved concurrently with this one, has been prepared for the impacts associated with the Eel River bridge project. As such, public involvement associated with the proposed relocation of the Eel River bridge is described in that CE document. The activities described below are focused exclusively on the placement of the historic bridge spans as part of the Salt Creek Trail.

The Salt Creek Trail has been under development for more than 10 years, with substantial support from the community and stakeholders.

Due to the limited impacts associated with this project, and because much of the project would take place on state and county-owned lands, public involvement to date has been focused on coordinating with relevant agencies. Multiple meetings with representatives from the Brown County School Corporation and the Brown County State Park have been held to discuss this project so that impacts to these public lands are minimized.

Section 106 of the National Historic Preservation Act affords interested parties a chance to comment on the project's impacts on historic properties. For the purposes of Section 106, this project and the Clay County portion of the project were combined in terms of outreach to consulting parties. As described in Section C, invitations to participate as consulting parties were sent to relevant individuals and organizations.

During the consultation process, several Section 106 consulting parties indicated a preference for the bridge to remain in its current location or elsewhere in Clay County. In order to assess the public's interest in retaining the bridge in its current location, INDOT held a public meeting on January 29, 2015 at the Bowling Green Community Building in Bowling Green, approximately one mile east of the bridge. The meeting included a presentation made by INDOT and the project team, followed by an opportunity for the public to provide comments on the alternatives being considered, including the preliminary preferred alternative, which would relocate the bridge to Salt Creek. Approximately 150 people attended the meeting, with 10 persons making statements during the comment period and an additional 14 comments received in written form. A summary of the public meeting, including the presentation and comments received both during and following the meeting, is provided in the CE for the Eel River bridge.

During the public meeting, INDOT explained that it would consider requests to retain the bridge in Clay County if a party (local government or private organization) was willing to take ownership of the bridge and

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maintain it for public use for a minimum of 25 years. The public hearing, tentatively scheduled for the first week of August, will be the last opportunity for a party to come forward. To date, no party has stepped forward to assume ownership in order to retain the bridge in Clay County.

A public notice indicating FHWA’s finding of “No Adverse Effect” for the proposed placement of the historic bridge spans as part of the Salt Creek Trail was published in the *Brown County Democrat* on July 8, 2015 (Appendix D, page 90) with comments requested no later than August 6, 2015. No comments have been received to date.

Because of this project’s relationship to the SR 46 Eel River bridge project, the Federal Highway Administration (FHWA) has determined that an opportunity to request a public hearing is warranted for this project. INDOT will publish a “Public Notice of Planned Improvement,” which is a formal legal notice of the action that INDOT is proposing. The notice will be published in the local newspaper and may be mailed to adjacent property owners, local elected officials, and appropriate agencies.

Following the completion and certification of the public involvement requirements, this CE document will be revised as necessary and resubmitted for approval.

Public Controversy on Environmental Grounds Yes No
Will the project involve substantial controversy concerning community and/or natural resource impacts?

Remarks: The proposed project would relocate the National Register listed SR 46 bridge to a new multi-use recreational trail between Brown County State Park and Nashville, IN, where the two spans would be separated in order to form two pedestrian crossings over Salt Creek. Environmental impacts have been addressed through coordination with the U.S. Fish and Wildlife Service (USFWS), the Indiana Department of Natural Resources (IDNR), and other Resource Agencies (see Appendix C). The preferred alternative would require minimal new permanent right-of-way (0.25 acre) and no relocations. To date, this project has not generated substantial controversy concerning community or natural resource impacts.

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

Sponsor of the Project: Indiana Department of Transportation INDOT District: Seymour
Local Name of the Facility: Salt Creek Trail

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

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

PURPOSE AND NEED:

Describe the transportation problem that the project will address. The solution to the traffic problem should NOT be discussed in this section. (Refer to the CE Manual, Section IV.B.2. Purpose and Need)

During development of the SR 46 bridge project at Eel River in Clay County (Des. No. 0800910), relocation alternatives were evaluated for the National Register listed Bridge 046-11-01316C. Based on those efforts, INDOT and FHWA determined that the Salt Creek Trail, a project developed jointly by Brown County and the Indiana Department of Natural Resources (IDNR), was the best alternative to ensure the continued use and upkeep of the historic bridge.

Nashville, Indiana is a regionally popular tourist attraction located in Brown County, and is noted for its arts and craft shops and galleries. Brown County State Park is Indiana’s largest and most visited state park, and is approximately 2 miles east of Nashville. Many visitors to the Brown County State Park also visit Nashville’s tourist-based commercial

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area. Currently, there are no dedicated bike paths or walking trails connecting Brown County State Park and Nashville. This forces visitors to drive between the two attractions, which adds to congestion. Individuals that desire to walk or ride a bicycle between the two attractions are now forced to utilize the shoulder of SR 46, which is a concern due to the potential for conflicts between pedestrians and vehicles. Brown County and IDNR desire to provide a safe and healthy alternative for commuters between Brown County State Park and the Nashville commercial area, while also providing tourists and local residences additional recreational opportunities. Brown County and IDNR have advanced plans to construct a trail that would meet these objectives under Des. No. 0401063. The CE for this trail project was prepared and approved on August 17, 2007. Construction has been completed for one phase of the trail; however, the costs associated with the crossings of Salt Creek have delayed construction of the remaining phases.

The purpose of this project is to provide two pedestrian crossings along the planned Salt Creek Trail by incorporating the National Register-listed SR 46 bridge in a manner consistent with the terms of the Historic Bridge PA. FHWA, INDOT, IDNR, and Brown County have identified the mutual benefits of utilizing and preserving the historic spans of Bridge 046-11-01316C along the Salt Creek Trail. In doing so, this project would achieve some of the primary objectives of both the SR 46 bridge project and the Salt Creek Trail project.

PROJECT DESCRIPTION (PREFERRED ALTERNATIVE):

County: Brown Municipality: N/A

Limits of Proposed Work: Two locations over Salt Creek: The "West" span (Des. No. 1400365) would be located about 450 feet south of the SR 46 bridge over Salt Creek, just east of Parkview Road, east of Nashville, IN. The "East" span (Des. No. 1400311) would be located just north of the Brown County State Park swimming pool parking lot, about 600 feet west of the North entrance road to Brown County State Park (see Appendix B, Figure 2). Each of the two locations would encompass approximately 800 feet of construction (300 feet of approach work on each side of the crossing and the installation of the 200-foot span). Additional work areas, adjacent to their final location, are required for reassembly and positioning of each bridge.

Total Work Length: 1,600 Feet Total Work Area: 2.0 Acre(s)

Is an Interchange Modification Study / Interchange Justification Study (IMS/IJS) required? Yes¹ No
 If yes, when did the FHWA grant a conditional approval for this project? Date:

¹If an IMS or IJS is required; a copy of the approved CE/EA document must be submitted to the FHWA with a request for final approval of the IMS/IJS.

In the remarks box below, describe existing conditions, provide in detail the scope of work for the project, including the preferred alternative. Include a discussion of logical termini. Discuss any major issues for the project and how the project will improve safety or roadway deficiencies if these are issues.

This project would take place at two locations over Salt Creek in Brown County, Indiana. The "West" span (Des. No. 1400365) would be located about 450 feet south of the SR 46 bridge over Salt Creek, just east of Parkview Road east of Nashville, IN. The "East" span (Des. No. 1400311) would be located just north of the Brown County State Park pool parking lot, about 600 feet west of the North entrance road to Brown County State Park (see Appendix B, Figure 2). The West span location is located in Section 20 of Township 9 North, Range 3 East, and the East span location is in Section 29 of Township 9 North, Range 3 East. Both locations are contained on the USGS Nashville quadrangle map (see Appendix B, Figure 3).

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Current Conditions

The companion CE-4 document "SR 46 Bridge Project over Eel River, Clay County" provides information regarding the existing spans in their current vehicular use on SR 46 over the Eel River.

This project takes place in rural Brown County, between the small town of Nashville, Indiana and the Brown County State Park. Salt Creek meanders through the project vicinity and is crossed by SR 46 three times between the project area and Nashville. There are currently no pedestrian facilities that cross Salt Creek, although Phase 1 of the Salt Creek Trail Project is now open from the south side of Nashville (near the CVS Pharmacy), east along Salt Creek to near the Brown County YMCA at the end of Hawthorne Drive.

Preferred Alternative: Rehabilitation and Re-use of two-span bridge from Clay County

INDOT, which is obligated under the Historic Bridge Programmatic Agreement (Historic Bridge PA) to ensure that the two-span historic bridge over the Eel River in Clay County is preserved, would pay to relocate and rehabilitate the spans. The Preferred Alternative would rehabilitate and relocate the spans from their current location on SR 46 over the Eel River in Clay County, Indiana to two locations, approximately 3,200 feet apart, over Salt Creek as described above. This alternative includes the construction of a new abutment for each end of the two bridges (4 abutments total) plus placing fill to construct the trail approaches from the existing ground up to the level of the new bridges. It is anticipated that the West span would be owned and maintained by Brown County, and the East span (which would be within Brown County State Park) would be owned and maintained by the Indiana Department of Natural Resources. Prior to approval of this CE document by FHWA, each agency will be required to sign an agreement committing to maintain their respective structure for a minimum of 25 years. Each agency has submitted a letter of intent to take responsibility for the bridge spans (see Appendix H). To outline the terms of obligations to maintain the bridges, INDOT has prepared a draft Interlocal Agreement to be executed with Brown County and a memorandum of Understanding (MOU) to be executed with IDNR (see Appendix D, page 63). These agreements are still being reviewed by all parties involved and may be revised before execution. Once all required signatures have been obtained, the finalized agreements will be incorporated into the appendices, and this section will be revised prior to approval.

Section 4(f) Evaluation

The East bridge would be located within Brown County State Park. IDNR is a partner agency in this project; therefore, this is not a use under Section 4(f). The West bridge would be partially located within Eagle Park, which is owned and maintained by Brown County Schools and includes several baseball/softball fields, a soccer field, a cross country trail and other related facilities. It is not, however, open to the public; therefore, Eagle Park does not qualify as a Section 4(f) property. Two NRHP-eligible resources were identified within the Area of Potential Effects, the Ramp Creek Covered Bridge and the Brown County State Park North Gate House, but no Section 4(f) use of either property would occur.

Right of Way (ROW): Approximately 0.25 acre of permanent ROW would be required for the preferred alternative. This permanent ROW would come from two parcels along the west bank at the proposed location of the West bridge. Construction of the west abutment at this location would also require an additional 0.2 acre of temporary ROW for access to the construction site. The east abutment of the West bridge would be on property owned by Brown County Schools, and would not require ROW acquisition. Likewise, both abutments of the East bridge would be on Brown County State Park property, so no temporary or permanent ROW acquisition would be required for the East bridge.

Maintenance of Traffic (MOT): An MOT plan is not needed, as there would be no involvement with any public roadways during development of the preferred alternative.

Estimated Cost: The estimated cost of relocating and rehabilitating the bridge to bicycle/pedestrian standards is \$3,507,000. Right-of-way costs are estimated at \$7,500.

Environmental Impacts: All environmental impacts are minimal and have been addressed through coordination with the US Fish and Wildlife Service (USFWS), the IDNR, and other resource agencies (see Appendix C). Environmental impacts are described in detail below in Part III of this document.

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OTHER ALTERNATIVES CONSIDERED:

Describe all discarded alternatives, including the Do-Nothing Alternative and an explanation of why each discarded alternative was not selected.

No Build Alternative

The "No Build" alternative would have no associated costs or environmental impacts. However, IDNR and Brown County have demonstrated a persistent desire to establish a multi-use trail between Nashville and Brown County State Park, as demonstrated by the approved CE for Des. No. 0401063, the completion of Phase 1 of the Trail, and their request to incorporate the SR 46 bridge into the remaining phases of the Salt Creek Trail system. The previously approved environmental document for the trail system has established the appropriate need for the trail and the related crossings of Salt Creek, therefore, the "No Build" alternative has not been given any further consideration.

The Do Nothing Alternative is not feasible, prudent or practicable because (Mark all that apply):

- It would not correct existing capacity deficiencies;
- It would not correct existing safety hazards;
- It would not correct the existing roadway geometric deficiencies;
- It would not correct existing deteriorated conditions and maintenance problems; or
- It would result in serious impacts to the motoring public and general welfare of the economy.
- Other (Describe)

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

Other: The Do-Nothing Alternative would not allow for the re-use of the two spans currently in use on SR 46 over the Eel River in Clay County (Bridge Number 046-11-01316C). As explained in the companion CE-4 document also under Des. Number 0800910 ("SR 46 Bridge over Eel River, Clay County") the preferred alternative in that project would relocate the historic spans to a non-vehicular use. Of the non-vehicular uses considered, the Salt Creek Trail project described above was determined to be the best re-use of the two spans. Not only would the Do-Nothing Alternative not place two new pedestrian spans across the Salt Creek in Brown County, but it would also keep the Preferred Alternative from the SR 46 Bridge over the Eel River project from being implemented.

ROADWAY CHARACTER:

Functional Classification: N/A – This project does not involve construction or modification of any roadways.
 Current ADT: _____ VPD (year) Design Year ADT: _____ VPD (year)
 Design Hour Volume (DHV): _____ Truck Percentage (%) _____
 Designed Speed (mph): _____ Legal Speed (mph): _____

Existing **Proposed**

Number of Lanes:	N/A		N/A	
Type of Lanes:	N/A		N/A	
Pavement Width:	N/A	ft.	N/A	ft.
Shoulder Width:	N/A	ft.	N/A	ft.
Median Width:	N/A	ft.	N/A	ft.
Sidewalk Width:	N/A	ft.	N/A	ft.

Setting: Urban Suburban Rural
 Topography: Level Rolling Hilly

If the proposed action has multiple roadways, this section should be filled out for each roadway.

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DESIGN CRITERIA FOR BRIDGES:

Structure/NBI Number(s): N/A Sufficiency Rating: N/A
(Rating, Source of Information)

	Existing	Proposed	
Bridge Type:	N/A	Steel Parker Through Truss	
Number of Spans:	N/A	2	
Weight Restrictions:	N/A	14	ton
Height Restrictions:	N/A	14.67	ft.
Curb to Curb Width:	N/A	24	ft.
Outside to Outside Width:	N/A	25	ft.
Shoulder Width:	N/A	N/A	ft.
Length of Channel Work:	N/A	0	ft.

Describe bridges and structures; provide specific location information for small structures.

Remarks: Bridge No. 46-11-01316C (NBI No. 017050) is currently located on SR 46 over the Eel River, approximately 4.84 miles east of SR 59, in Clay County. The bridge is a steel Parker through truss comprised of two spans that are each 198 feet long. More details about this bridge are contained in the companion CE "SR 46 Bridge Project over Eel River, Clay County," Des. No. 0800910.

The preferred alternative would separate the Eel River bridge into two spans and rehabilitate and relocate them to the two locations described above over Salt Creek. No channel work is anticipated along Salt Creek, but the stream bank would be impacted due to tree clearing, construction of the abutments, and installation of fill to raise the grade of the approaches. No other bridges or small structures exist within the project limits.

Will the structure be rehabilitated or replaced as part of the project? Yes No N/A

If the proposed action has multiple bridges or small structures, this section should be filled out for each structure.

MAINTENANCE OF TRAFFIC (MOT) DURING CONSTRUCTION:

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

Remarks: An MOT plan is not needed. There would be no involvement with any public roadways during development of the preferred alternative. Moreover, the sections of the trail that are in-line with the proposed Salt Creek bridges have not been constructed yet; therefore, this project would not disrupt the use of the existing segment of trail.

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ESTIMATED PROJECT COST AND SCHEDULE:

Engineering: \$ 351,000* (2015-2016) Right-of-Way: \$ 7,500 (2016) Construction: \$ 3,507,000 (2016)

Anticipated Start Date of Construction: November 2016

Date project incorporated into STIP July 1, 2015 (see Appendix G)

Is the project in an MPO Area? **Yes** **No**

If yes,

Name of MPO _____

Location of Project in TIP _____

Date of incorporation by reference into the STIP _____

The construction cost shown above is derived from the Historic Bridge Alternatives Analysis for the related SR 46 Eel River bridge project. This project is reflected in the 2016-2019 Statewide Transportation Improvement Program (STIP) through two related projects:

Des	Description	Phase	Fiscal Year	Cost
1400311	Span 1 over Salt Creek	Construction	2017	\$1,657,000
1400311	Span 2 over Salt Creek	Construction	2017	\$1,657,000

The cost estimates shown in the STIP are based on additional engineering analysis conducted following completion of the Historic Bridge Alternatives Analysis. While the total construction cost shown in the STIP, \$3,314,000, is less than that presented in the CE, for consistency with the SR 46 Eel River project CE, the Alternatives Analysis value is used throughout this document.

RIGHT OF WAY:

Land Use Impacts	Amount (acres)	
	Permanent	Temporary
Residential	0.10	0.00
Commercial	0.15	0.20
Agricultural	0.00	0.00
Forest	0.00	0.00
Wetlands	0.00	0.00
Other:	0.00	0.00
TOTAL	0.25	0.20

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

**Based on 10% of Construction cost.*

This is page 8 of 24 Project name: Historic Bridges on Salt Creek Trail; Brown County Date: July 17, 2015

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Remarks: Approximately 0.25 acre of permanent ROW and 0.2 acre of temporary ROW would be required from two private property parcels located on the west bank of Salt Creek at the West Bridge location. Permanent ROW would include 0.15 acre of commercial property and 0.10 acre of residential property. The temporary ROW would be needed from the commercial property. The maximum ROW width would be approximately 60 feet nearest the abutment, but would taper to about 15 feet at the end of the approach slope furthest from the abutment. The east abutment of the West bridge would be built on land belonging to the Brown County School Corporation, which may involve an easement for routing the trail through the property. The East bridge would be located entirely on within Brown County State Park, which is owned by the IDNR, a cooperating agency in the development of the Salt Creek Trail. Because of this, no easement or ROW acquisition is anticipated for the East bridge.

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

SECTION A – ECOLOGICAL RESOURCES

	<u>Presence</u>	<u>Impacts</u>	
		<u>Yes</u>	<u>No</u>
Streams, Rivers, Watercourses & Jurisdictional Ditches	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Federal Wild and Scenic Rivers			
State Natural, Scenic or Recreational Rivers			
Nationwide Rivers Inventory (NRI) listed			
Outstanding Rivers List for Indiana			
Navigable Waterways	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>

Remarks: The USGS Nashville, Indiana Quadrangle map identifies Salt Creek as a blue-line perennial stream (Appendix B, page 3). The USGS 7.5 minute series topographic map identifies this segment of Salt Creek as “North Fork Salt Creek”. However, it is the primary branch of Salt Creek and is locally called Salt Creek. Therefore, it has been referred to as such throughout this document. Within the project area, Salt Creek exhibited an ordinary high water mark (OHWM), and is likely a jurisdictional water of the U.S. It is listed on the Roster of Indiana Waters Declared Navigable or Non-navigable as a navigable stream from its junction with Salt Creek for 36.7 river miles to its junction with David Branch (which is near the SR 46/SR135 junction, 1.5 miles upstream from the project area). However, it is not identified as a Section 10 Navigable Water per the USACE Louisville District Public Notice No. LRL-2012-5-6, and is therefore not subject to USGS Coast Guard Jurisdiction.

According to the USGS Stream Stats Program, the North Fork of Salt Creek has a contributing drainage area of over 64 square miles upstream of both proposed bridge locations. The North Fork of Salt Creek is not listed on the National Wild and Scenic Rivers System or the State Natural, Scenic and Recreational Rivers System, nor is it on the Indiana Register’s Outstanding Rivers List for Indiana or the National Park Service’s Nationwide Rivers Inventory.

A waters determination was conducted on September 3, 2014 by Parsons to determine the presence of jurisdictional streams and wetlands within the project area. A Waters of the U.S. Determination Report is in progress, and will be submitted to the INDOT Ecology and Waterway Permitting Office for approval upon completion. A draft version of this report has been included in Appendix F for reference. Other than Salt Creek, the waters determination identified no other streams, rivers, watercourses, or jurisdictional ditches in or near the project area. For more details, see the Waters of the U.S. Report summary in Appendix F.

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Impacts to Salt Creek would mainly be caused by tree clearing along the banks for the construction of the bridges. However, no impacts below the OHWM are proposed, as the abutments would be positioned landward of the creek banks.

USFWS, IDNR, and the U.S. Army Corps of Engineers (USACE) were coordinated with on August 11, 2014 (see Appendix C, page 1). IDNR responded on September 4, 2014 (see Appendix C, page 10) and the USFWS responded on May 7, 2015 (see Appendix C, page 14). Both agencies offered recommendations for best management practices with regard to protecting fish and wildlife resources in the project area. The agencies offered recommendations to reduce impacts while working in the stream; however, no work is currently proposed within the channel of Salt Creek or any other stream. Therefore, these recommendations are not relevant and have not been included as commitments. No response was received from the USACE. The complete list of project commitments can be found in "Section J: Environmental Commitments".

Other Surface Waters	<u>Presence</u>	<u>Impacts</u>	
		Yes	No
Reservoirs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lakes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Farm Ponds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Detention Basins	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Storm Water Management Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: Geographic Information Systems (GIS) data was reviewed for surface waters (Appendix E, page 12), and a field investigation for water resources was conducted on September 3, 2014. These investigations identified no water resources in or near the project area, other than those identified in the streams and wetlands sections of this report. See the draft Waters of the U.S. Delineation Report in Appendix F for further details.

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

Total wetland area: 3.34 acre(s) Total wetland area impacted: 0.086 acre(s)

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

Wetland No.	Classification	Total Size (Acres)	Impacted Acres	Comments
Wetland 1	PFO	1.5	0.0	This wetland is a forested wetland mitigation site. It was constructed to mitigate impacts from Phase 1 of the Salt Creek Trail project. It was not formally delineated, and no data sheets were collected because this site already has a protective conservation easement and must be avoided by the proposed project. Its boundary was surveyed so that it could be shown on the plans and figures for the proposed project.
Wetland 2	PFO	0.72	0.086	This forested wetland is near the West bridge, along the east bank of Salt Creek. Approximately 0.086 acre of this wetland would be impacted by construction of the West bridge's east abutment and fill slope needed to carry the trail up to the height of the new bridge.

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Wetland 3	PEM	0.16	0.03 (temporary)	This emergent wetland is near the East bridge and no permanent impacts are proposed. A portion of this wetland may be temporarily impacted by construction access to the north end of the East bridge. Temporary impacts and the restoration thereof would be documented in the appropriate permit applications.
Vernal Pool 1	PUS3C	0.83	0.0	This is a long, narrow vernal pool (described below) near the West bridge location. It would be avoided by the proposed project.
Vernal Pool 2	PUS3C	0.06	0.0	This is a long, narrow vernal pool (described below) near the East bridge location. It would be avoided by the proposed project.
Vernal Pool 3	PUS3C	0.07	0.0	This is a long, narrow vernal pool (described below) near the East bridge location. It would be avoided by the proposed project.

Documentation

ES Approval Dates

Wetlands (Mark all that apply)

- Wetland Determination
- Wetland Delineation
- USACE Isolated Waters Determination
- Mitigation Plan

✓
✓

Pending
Pending

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

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

✓
✓
✓

Measures to avoid, minimize, and mitigate wetland impacts need to be discussed in the remarks box.

Remarks: A wetland delineation was performed within the project area on September 3 and November 11, 2014. The methodology used conforms to guidance contained in the 1987 Corps Manual and the Eastern Mountains and Piedmont Regional Supplement. Six wetlands were identified over the course of field investigations.

Wetland 1 is a forested wetland mitigation site created in the fall of 2013 to offset impacts from Phase 1 of the Salt Creek Trail. Wetland 1 has a clear boundary, which was surveyed for inclusion in project plans and mapping, but no formal data was collected, since the site is already protected by a conservation easement. Wetland 1 is outside of the project limits and would not be impacted.

Wetland 2 is a forested wetland in the riparian zone between Wetland 1 and Salt Creek. Approximately 0.086 acre of Wetland 2 would be impacted by construction of the bridge and the fill slope for the bridge approach. The location of the West Bridge was determined by the need to avoid residential and commercial relocations and to reduce impacts to property owners as much as possible. In order to discourage trespassing on school property, Brown County School Corporation asked that the trail be located as close to the creek as possible. Topography was also a consideration, as a steep rock outcrop and other wetland resources along the west bank limited options for the placement of the bridge. Consideration of these factors would make impacts to Wetland 2 unavoidable. By placing the West bridge on a skewed alignment, the eastern abutment and fill slope for the West bridge was moved away from the center of Wetland 2, which reduced the impact to this wetland by 0.064 acre. As the design is advanced, the project team will look for further ways to reduce impacts to Wetland 2.

Wetland 3 is an emergent wetland near the East bridge location. It lies on the property line between Brown County State Park and the Brown County School Corporation's athletic fields. It is also bisected by a utility easement that runs north-south along the property line. This wetland, which is about 500 feet away from the

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proposed north abutment of the East bridge, would not be permanently impacted by the preferred alternative. The utility corridor has been identified as a potential construction access route, so there may be temporary impacts in the amount of 0.03 acre to Wetland 3. Impacts would be addressed via the appropriate permit applications once design elements have been finalized.

Parsons staff identified three water resources in the project area that, based on their function within the landscape, are best described as vernal pools. In this case, “vernal pool” describes a type of open water habitat that is a seasonally-flooded basin of the palustrine system. They are flooded by precipitation during a portion of the growing season, which is followed by a period when they are dry and contain no water and usually very little vegetation. All three vernal pools in the table above are within the mapped Salt Creek floodplain, but none of them have a jurisdictional connection to Salt Creek. The proposed project would not impact these features.

Wetland impacts would require a USACE Section 404 permit and an IDEM Section 401 Water Quality Certification. While the total impact to wetlands is expected to be approximately 0.116 acre, 0.03 acre would be temporary impacts. As the total permanent amount of wetland impacts (0.086 acre) is less than 0.1 acre, mitigation is not anticipated to be a requirement of these permits. A more accurate estimate of wetland impacts will be determined by the designer after plans have been finalized.

Coordination with the USFWS and IDNR did not result in any recommendations specific to wetlands, other than to state that any wetland impacts may require permits from the USACE and IDEM, and that impacts should be avoided where possible. USACE did not respond to coordination. The complete list of project commitments can be found in “Section J: Environmental Commitments”.

	<u>Presence</u>	<u>Impacts</u>	
		Yes	No
Terrestrial Habitat	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Unique or High Quality Habitat	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Use the remarks box to identify each type of habitat and the acres impacted (i.e. forested, grassland, farmland, lawn, etc).

Remarks: At the West bridge, the west abutment would be on residential and commercial property. The east abutment is in a wooded riparian corridor along Salt Creek on property that is owned by the Brown County School Corporation. At the East bridge, the north abutment is in a wooded area consisting of floodplain forest. The south abutment is in a grassy-covered lawn area adjacent to the Brown County State Park pool parking lot. Terrestrial habitat in the project area primarily consists of floodplain forest, a narrow, wooded riparian corridor along Salt Creek, and grassy lawns. The project area supports a variety of flora and fauna typical to these habitats.

Roughly one acre of tree clearing would be required. The proposed bridges would not fragment habitat on either side of the creek. The associated trail project would establish a narrow physical separation of habitat; however, it would not likely have a substantial effect on how animals use the surrounding habitat. Further, the proposed design would establish a natural wildlife crossing for animals near the creek. The south abutment of the East bridge would be built on an existing embankment between the Brown County State Park pool parking lot and Salt Creek. The other 3 abutments would require tree clearing for the placement of fill to raise the abutments 10 to 15 feet over the existing ground level.

Core forest is forested habitat that is relatively far from the forest/non-forest boundary. Generally core forest is considered to start approximately 300 feet from the forest edge, establishing a buffer that isolates wildlife activity within this habitat from human disruptions. While the hilly terrain of Brown County has inhibited human development and allowed substantial tracts of core forest to survive, the Salt Creek Trail does not

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traverse any such areas. But, activity along the trail may itself establish a forest edge, with the potential to push back the limits of any adjacent core forest. However, activity along such trails is generally sporadic, diurnal, and does not generate much noise, therefore, any effect on core forest is not expected to be substantial.

The appropriate resource agencies were sent coordination letters on August 11, 2014 (see Appendix C, page 1). IDNR responded on September 3, 2014 and the USFWS responded on May 7, 2015. Both agencies included comments to help reduce potential impacts in the project area (see Appendix C). Commitments from the agency responses are located in "Section J: Environmental Commitments".

If there are high incidences of animal movements observed in the project area, or if bridges and other areas appear to be the sole corridor for animal movement, consideration of utilizing wildlife crossings should be taken.

Karst	Yes	No
Is the proposed project located within or adjacent to the potential Karst Area of Indiana?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are karst features located within or adjacent to the footprint of the proposed project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes, will the project impact any of these karst features?	<input type="checkbox"/>	<input type="checkbox"/>

Use the remarks box to identify any karst features within the project area. (Karst investigation must comply with the Karst MOU, dated October 13, 1993)

Remarks: This project is located outside of the designated karst area of the state as identified in the October 13, 1993 Memorandum of Understanding (MOU) between INDOT, IDNR, the Indiana Department of Environmental Management (IDEM), and USFWS. No karst features were observed during field investigations by Parsons on September 3 or November 11, 2014 or are known to exist within or adjacent to the proposed project area.

	Presence	Impacts	
Threatened or Endangered Species		Yes	No
Within the known range of any federal species	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Any critical habitat identified within project area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Federal species found in project area (based upon informal consultation)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State species found in project area (based upon consultation with IDNR)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is Section 7 formal consultation required for this action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Remarks: This project is within the range of the Federally endangered Indiana bat (*Myotis sodalis*). USFWS and IDNR were sent coordination letters on August 11, 2014 (see Appendix C, page 1). USFWS did not respond to the initial request, so follow-up coordination was initiated on April 30, 2015. On May 7, 2015, USFWS responded and noted that the project is within the range of the federally endangered Indiana bat and the federally threatened northern long-eared bat. The agency recommended that tree clearing be avoided from April 1 through September 30, and that if this measure is implemented, then USFWS concurs that the proposed project is not likely to adversely affect the Indiana bat or the northern long-eared bat (see page 34 of Appendix C). As USFWS's opinion of effect on these federally listed species is contingent on implementing this tree clearing restriction, this commitment must be enforced in order to satisfy the coordination requirements of Section 7 of the Endangered Species Act.

On September 4, 2014, IDNR responded that "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." Therefore, impacts to endangered, threatened, or rare species are not likely

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to occur. Like USFWS, IDNR asked that tree clearing be avoided from April 1 through September 30. The complete list of project commitments can be found in "Section J: Environmental Commitments".

SECTION B – OTHER RESOURCES

Drinking Water Resources	<u>Presence</u>	<u>Impacts</u>	
		Yes	No
Wellhead Protection Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Water System(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Residential Well(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Source Water Protection Area(s)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sole Source Aquifer (SSA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If a SSA is present, answer the following:

	Yes	No
Is the Project in the St. Joseph Aquifer System?	<input type="checkbox"/>	<input type="checkbox"/>
Is the FHWA/EPA SSA MOU Applicable?	<input type="checkbox"/>	<input type="checkbox"/>
Initial Groundwater Assessment Required?	<input type="checkbox"/>	<input type="checkbox"/>
Detailed Groundwater Assessment Required?	<input type="checkbox"/>	<input type="checkbox"/>

Remarks: This project is not located within the St. Joseph Aquifer System, the only legally designated SSA in Indiana.

The Indiana Department of Environmental Management (IDEM), Groundwater Section was sent a coordination letter on August 11, 2014 (see Appendix C, page 1). No response was received. The Indiana Department of Environmental Management's Wellhead Proximity Determinator website (<http://idemmaps.idem.in.gov/whpa2/>) was accessed on (May 1, 2015) by Parsons. The required project location data was provided and it was determined that this project is not located within a Wellhead Protection Area.

No other known drinking water resources are known to occur within the project area. If residential wells are impacted during the project, they would be relocated and re-drilled as part of a ROW agreement with the property owner. If any wells need to be filled, the work would be conducted according to the 312 IAC 13-10 and INDOT specifications.

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

Discuss impacts according to classification system described in the "Procedural Manual for Preparing Environmental Studies".

Remarks: This project lies within a regulatory floodplain (see Appendix F, page 14). This project qualifies as a Category 5 project involving the placing of a new structure on a new alignment. There are no homes located within the base floodplain within 1,000 feet upstream and downstream. There would be no substantial impacts on natural and beneficial floodplain values; there would be no substantial change in flood risks; and there would be no substantial increase in potential for interruption or termination of emergency service or emergency evaluation routes; therefore it has been determined that this encroachment is not substantial. A hydraulic design study that addresses various structure size alternates would be completed during the

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preliminary design phase. A summary of this study will be included with the Field Check Plans.

With a contributing drainage area of approximately 64 square miles, this project would not meet the "Rural Bridge Exemption" and would therefore require an IDNR Construction in a Floodway (CIF) permit. Due to the necessary tree clearing, tree mitigation would likely be a requirement of this permit. IDNR's coordination response of September 4, 2014 states that non-wetland impacts to forest less than one acre should be mitigated at a 1:1 ratio, while impacts greater than 1 acre should be mitigated at a 2:1 ratio. Final mitigation requirements will be determined after design plans are complete and in coordination with IDNR.

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

Total Points (from Section VII of CPA-106/AD-1006* N/A
**If 160 or greater, see CE Manual for guidance.*

See CE Manual for guidance to determine which NRCS form is appropriate for your project.

Remarks: The Natural Resources Conservation Service (NRCS) was coordinated with for this project on August 11, 2014 and May 7, 2015. The NRCS, in a letter dated May 15, 2015, stated that this project would not cause a conversion of prime farmland (see Appendix C, page 13). Therefore, the requirements of the Farmland Protection Policy Act (FPPA) do not apply to this project. No other alternatives other than those already discussed in this document would be considered without a re-evaluation of the project's potential impacts upon farmland.

SECTION C – CULTURAL RESOURCES

	Category	Type	INDOT Approval Dates	N/A
Minor Projects PA Clearance				<input checked="" type="checkbox"/>

**Eligible and/or Listed
Resource Present**

Results of Research

Archaeology	<input type="checkbox"/>
NRHP Buildings/Site(s)	<input checked="" type="checkbox"/>
NRHP District(s)	<input type="checkbox"/>
NRHP Bridge(s)	<input checked="" type="checkbox"/>

Project Effect

No Historic Properties Affected No Adverse Effect Adverse Effect

**Documentation
Prepared**

Documentation (mark all that apply)

		ES/FHWA Approval Date(s)	SHPO Approval Date(s)
Historic Properties Short Report	<input type="checkbox"/>		
Historic Property Report	<input checked="" type="checkbox"/>	October 29, 2014	December 22, 2014
Archaeological Records Check/ Review	<input type="checkbox"/>		
Archaeological Phase Ia Survey Report	<input checked="" type="checkbox"/>	December 1, 2014 Addendum: June 22, 2015	December 15, 2014 Addendum: pending
Archaeological Phase Ic Survey Report	<input type="checkbox"/>		
Archaeological Phase II Investigation Report	<input type="checkbox"/>		

This is page 15 of 24 Project name: Historic Bridges on Salt Creek Trail; Brown County Date: July 17, 2015

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Archaeological Phase III Data Recovery
APE, Eligibility and Effect Determination
800.11 Documentation

✓
✓

July 1, 2015
July 1, 2015

Pending
Pending

Memorandum of Agreement (MOA)

--

MOA Signature Dates (List all signatories)

--

Describe all efforts to document cultural resources, including a detailed summary of the Section 106 process, using the categories outlined in the remarks box. The completion of the Section 106 process requires that a Legal Notice be published in local newspapers. Please indicate the publication date, name of paper(s) and the comment period deadline. Likewise include any further Section 106 work which must be completed at a later date, such as mitigation or deep trenching.

Remarks:

Area of Potential Effect (APE): The APE is the area in which the proposed project may cause alterations in the character or use of historic resources. The APE for this project consists of an irregularly shaped area surrounding both the west and east project areas, with a maximum length of approximately 3,800 feet and a width of approximately 2,835 feet (see Appendix D, page 12).

Coordination with Consulting Parties: Due to this project's relationship to the SR 46 Eel River Bridge project and the potential relocation of that bridge to the Salt Creek Trail in Brown County, a single Consulting Party list was maintained. The Eel River Bridge project initiated coordination with potential Consulting Parties through early coordination August 24, 2010. When that project was re-scoped to include the potential relocation of the structure to Brown County, additional Consulting Parties were invited via a November 19, 2014 invitation to a Consulting Party Meeting (see Appendix D, page 40).

Between the 2010 and 2014 invitations, the following is a list of organizations and individuals invited to become a consulting party (those who indicated they wished to be consulting parties are in bold):

- **Mitchell Zoll, State Historic Preservation Officer (SHPO)**
- **Patrick Carpenter, INDOT Cultural Resources Office (CRO)**
- **Federal Highway Administration (FHWA)**
- **Tommy Kleckner, Indiana Landmarks, Western Regional Office**
- Evelyn Brown, Preservation Association of Clay County
- Wilmadean Baker, Poland Historical Chapel Society
- Merv Nolot, West Central Indiana Economic Development District
- Patricia Wilkinson, Clay County Genealogical Society of Indiana
- **Jeffrey Koehler, Clay County Historian**
- Mary Moore, Clay County Historical Society
- **Paul Brandenburg, Indiana Historic Spans Task Force**
- Dr. James L. Cooper
- Clay County Commission
- Vickie Mace, Clay County Historical Society
- Bryan Allender, Clay County Commissioner
- **Mark Dollase, Indiana Landmarks, Central Regional Office**
- Julia Pearson, Brown County Historical Society
- **Dr. Michael Thompson, Brown County Administrator**
- **Bob Kirlin, Salt Creek Trail**

SHPO, FHWA and INDOT CRO are automatically consulting parties.

On November 19, 2014, consulting parties were invited to a consulting parties meeting to be held December

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4, 2014 in Indianapolis. The invitation included a draft copy of the project's Historic Bridge Alternatives Analysis document. Comments were requested on the materials within 30 days. Minutes of that meeting are included in Appendix D (starting at page 41).

During the meeting, it was requested that local agencies in Clay County should have had an opportunity to claim ownership and responsibility of this bridge. At that time, the project team was not aware of any contact with Clay County regarding the bridge. Following the meeting, however, the team learned that the Clay County Commissioners were indeed contacted in 2009 by the previous INDOT project manager. Their response at that time indicated that they had no interest in maintaining the bridge for park use. Based on the length of time that had elapsed, INDOT re-initiated coordination with the Commissioners to determine their interest. A public meeting was also requested to determine the level of support for the community for retaining the bridge in Clay County.

A public meeting was held on January 29, 2015, in Bowling Green and attended by representatives of INDOT, SHPO/DHPA, Parsons, FHWA, and members of the public to discuss the bridge. A brief summary of that meeting is provided in Part I of this CE document, and a more detailed summary is provided in the CE for the Eel River bridge.

On March 5, 2015, SHPO submitted a letter to INDOT (see Appendix D, page 59) expressing concern that relocation and separation of the two trusses of the bridge would result in its removal from the NRHP. The bridge's current listing under Criterion A (only), for its transportation significance in the settlement and development of Clay County, increases the likelihood that it would be removed. SHPO requested that INDOT prepare documentation necessary to have the bridge reviewed for its eligibility under Criterion C, for engineering significance, as well. They further requested that INDOT submit a request that the bridge retain its listing on the NRHP throughout and following its relocation to Brown County. This request requires review by the Indiana Historic Preservation Review Board and the SHPO and, if it receives approval from both, approval by the Keeper of the National Register within the National Park Service. INDOT initiated this process by submitting the necessary documentation to SHPO on May 29, 2015. Both matters will be discussed at the Indiana Historic Preservation Review Board's July 22, 2015 meeting.

Archaeology: A Phase Ia Archaeological Survey was completed by ASC Group, Inc. on November 26, 2014 (see Appendix D, page 27). Three newly identified archaeological sites were recorded. These sites consist of the remnants of historic structures no likely to produce significant information. Shovel testing did not encounter any large areas of deep alluvium so it is unlikely that deeply buried sites could be present in the project area. The report describing these findings was approved by INDOT CRO on December 1, 2014 and then forwarded to SHPO for concurrence. On December 15, 2014, SHPO concurred with the report's findings stating, in part, "[b]ased upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur that archaeological sites 12-Br-345, 346, and 347 do not appear to be eligible for inclusion in the National or State Registers of Historic Places. Therefore, we concur with the recommendation that further archaeological investigation is not necessary as presented in the above mentioned report" (see Appendix D, page 46).

An Addendum to the Phase Ia Archaeological Survey was completed by ASC Group, Inc. on June 16, 2015 (see Appendix D, page 31). The addendum survey covered a small area needed for the project that was not covered in the original Phase Ia survey. The addendum survey located no archaeological resources in the project area. Approval of this addendum survey by DHPA is pending.

Historic Properties: A Historic Properties Report (HPR) was completed by ASC Group, Inc. for this project on October 6, 2014 (see Appendix D, page 24). The report concluded, "Five properties more than 50 years of age were evaluated as part of this study. None of the properties within the APE are currently listed on the NRHP. One property, the Ramp Creek Covered Bridge, was previously determined eligible for the NRHP under Criteria A and C, for its importance in transportation and for its architectural significance, respectively.

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Brown County State Park North Gate House is recommended eligible for the NRHP under Criterion A (for being associated with the New Deal programs of the 1930s) and also under Criterion C, for being architecturally significant. No portion of the APE is recommended as an NRHP-listed historic district, as properties are generally less than 50 years of age, have low integrity, or both.”

The HPR was approved by INDOT CRO on October 29, 2014 and then forwarded to SHPO, which concurred on December 22, 2014. Their letter stated, in part, “We also agree with the HPR, for the purposes of the review of this project, that the only two above-ground historic properties within the Brown County APE are the Ramp Creek Covered Bridge and the Brown County State Park North Gate House, both of which are thought to be eligible for the National Register of Historic Places under criteria A and C” (see Appendix D, page 48).

Documentation, Findings: The documentation specified by 36 CFR 800.11(e) was prepared, and on July 1, 2015, INDOT, on behalf of FHWA, issued a “No Adverse Effect” finding for the project (see Appendix D, page 1). The 800.11(e) documentation was then sent to consulting parties, including the SHPO, on July 8, 2015. SHPO’s concurrence with the “No Adverse Effect” finding is currently pending, and must be received before final approval of this environmental document.

Public Involvement: Notice of the finding was published on July 8, 2015, in the Brown County Democrat with comments requested by August 6, 2015 (see Appendix D, page 90). No comments have been received to date. In addition, substantial public outreach has taken place as related to the potential relocation of the historic SR 46 Bridge over the Eel River and the identification of potential suitable locations for the relocated bridge. Details of those efforts are described in the CE document for that project.

SECTION D – SECTION 4(f) RESOURCES/ SECTION 6(f) RESOURCES

Section 4(f) Involvement (mark all that apply)

Parks & Other Recreational Land

- Publicly owned park
- Publicly owned recreation area
- Other (school, state/national forest, bikeway, etc.)

Presence

✓

Use

Yes	No
	✓

Evaluations Prepared

- Programmatic Section 4(f)*
- “De minimis” Impact*
- Individual Section 4(f)

FHWA Approval date

--

Wildlife & Waterfowl Refuges

- National Wildlife Refuge
- National Natural Landmark
- State Wildlife Area
- State Nature Preserve

Presence

Use

Yes	No

Evaluations Prepared

- Programmatic Section 4(f)*

--

FHWA Approval date

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"De minimis" Impact*
Individual Section 4(f)

Historic Properties

Sites eligible and/or listed on the NRHP

Presence

Use

Yes

No

**Evaluations
Prepared**

Programmatic Section 4(f)*
"De minimis" Impact*
Individual Section 4(f)

**FHWA
Approval date**

**FHWA approval of the environmental document also serves as approval of any Section 4f Programmatic and/or De minimis evaluation(s) discussed below.*

Discuss Programmatic Section 4(f) and "de minimis" Section 4(f) impacts in the remarks box below. Individual Section 4(f) documentation must be separate Draft and Final documents. For further discussions on Programmatic, "de minimis" and Individual Section 4(f) evaluations please refer to the "Procedural Manual for the Preparation of Environmental Studies". Discuss proposed alternatives that satisfy the requirements of Section 4(f).

Remarks:

The East bridge would be located within Brown County State Park. The park is owned and operated by IDNR and open to the public; as such, it is a Section 4(f) property. IDNR is a partner agency in this project: they would be taking ownership responsibility for the East bridge, as well as the portion of the Salt Creek Trail to be located within park property. Therefore, this is not a use under Section 4(f).

The east abutment of the West bridge would be located within Eagle Park, which is owned and maintained by Brown County Schools and includes several baseball/softball fields, a soccer field, a cross country trail and other related facilities. It is not, however, open to the public. A gate located at the facility's lone entrance is closed and locked when the park is not in use for school-sponsored functions. Therefore, Eagle Park does not qualify as a Section 4(f) property.

As discussed in the Section 106 section of this Document, two resources were identified within the Area of Potential Effects as being National Register eligible; the Ramp Creek Covered Bridge and the Brown County State Park North Gate House. As such, these features are eligible for protection under Section 4(f). However, a "No Adverse Effect" finding was determined appropriate; therefore, this project would not establish a use of these resources under Section 4(f).

No other public parks or recreation areas, wildlife or waterfowl refuges, or historic sites eligible for the NRHP are located within the project area.

Section 6(f) Involvement

Presence

Use

Section 6(f) Property

Yes

No

Discuss proposed alternatives that satisfy the requirements of Section 6(f). Discuss any Section 6(f) involvement.

Remarks:

The National Park Service's Land and Water Conservation Fund (LWCF) website (<http://www.nps.gov/ncrc/programs/lwcf/history.html>) was reviewed for properties or resources that have been funded through the LWCF. Four grants were issued to Brown County State Park between 1971 and 1980. As such, the state park, or parts therein, is considered a Section 6(f) property. However, this project is being conducted in cooperation with IDNR and Brown County State Park, and the affected property would remain under the ownership of IDNR for park use. No other properties funded through the LWCF were identified in or near the project area. Based on this analysis, this project would not cause the use of a Section 6(f) property.

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SECTION E – Air Quality

Air Quality

Conformity Status of the Project

Is the project in an air quality non-attainment or maintenance area?

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

If YES, then:

Is the project in the most current MPO TIP?

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

Is the project exempt from conformity?

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

If the project is NOT exempt from conformity, then:

Is the project in the Transportation Plan (TP)?

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

Is a hot spot analysis required (CO/PM)?

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

Level of MSAT Analysis required?

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

Remarks:

This project is located in Brown County, which is currently in attainment for all criteria pollutants and this project is not of regional significance. Therefore, the conformity procedures of 40 CFR Part 93 do not apply. Because this project is in attainment for CO, a CO hot spot analysis is not required.

This project is exempt under the Clean Air Act conformity rule under 40 CFR 93.126, and as such, a Mobile Source Air Toxics analysis is not required.

SECTION F – NOISE

Noise

Is a noise analysis required in accordance with FHWA regulations and INDOT's traffic noise policy?

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

No Yes/ Date

ES Review of Noise Analysis		
	<input type="checkbox"/>	<input type="checkbox"/>

Remarks:

This project is a Type III project. In accordance with 23 CFR 772 and the INDOT Traffic Noise Policy, this action does not require a formal noise analysis.

SECTION G – COMMUNITY IMPACTS

Regional, Community & Neighborhood Factors

Will the proposed action comply with the local/regional development patterns for the area?

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

Will the proposed action result in substantial impacts to community cohesion?

Will the proposed action result in substantial impacts to local tax base or property values?

Will construction activities impact community events (festivals, fairs, etc.)?

Does the community have an approved transition plan?

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If No, are steps being made to advance the community's transition plan?
 Does the project comply with the transition plan? (explain in the remarks box)

	✓
✓	

Remarks: No significant economic or community impacts are expected to develop as a result of this project. This project would allow for the re-use of a Select historic bridge, as well as contribute to the completion of the Salt Creek Trail, which would address the need for pedestrian travel between Brown County State Park and the town of Nashville. The project should have minimal impacts to community cohesion, the local tax base, or property values. As stated above, an MOT plan is not required.

This project is located in a rural part of Brown County, which does not currently have an ADA transition plan. INDOT's 2013 Self-Evaluation and Updated ADA Transition Plan examined "INDOT's current facilities, policies and practices to identify and correct those items that create artificial access barriers for persons with disabilities." There are no existing sidewalks or trails within or adjacent to the project area, or any Level 1 or Level 2 roadway segments as defined by the plan. The proposed Salt Creek Trail, of which this project is a part, will comply with ADA requirements.

Indirect and Cumulative Impacts Yes No
 Will the proposed action result in substantial indirect or cumulative impacts?

Remarks: There would be no substantial indirect or cumulative impacts as a result of this project.

Public Facilities & Services Yes No
 Will the proposed action result in substantial impacts on health and educational facilities, public and private utilities, emergency services, religious institutions, airports, public transportation or pedestrian and bicycle facilities? *Discuss how the maintenance of traffic will affect public facilities and services.*

Remarks: As stated above, an MOT plan is not required for this project, as it would not take place on a current transportation facility. There would be no impacts to health and educational facilities, utilities, emergency services, religious institutions, airports or public transportation. Relocating the two spans to the proposed locations over Salt Creek would allow for the eventual completion of the Salt Creek Trail, which would improve pedestrian and bicycle facilities in the area.

Environmental Justice (EJ) (Presidential EO 12898) Yes No
 During the development of the project were EJ issues identified?
 Does the project require an EJ analysis?
 If YES, then:
 Are any EJ populations located within the project area?
 Will the project result in adversely high or disproportionate impacts to EJ populations?

Remarks: This project would require no relocations and would require 0.25 acre of permanent ROW acquisition. The project would not affect community cohesion, because it would not change access to adjacent properties or access within the community. Therefore, the project would not have a significant negative impact on low-income populations or minority populations that are of concern for environmental justice consideration, and a detailed analysis is not required.

Relocation of People, Businesses or Farms Yes No
 Will the proposed action result in the relocation of people, businesses or farms?
 Is a Business Information Survey (BIS) required?
 Is a Conceptual Stage Relocation Study (CSRS) required?
 Has utility relocation coordination been initiated for this project?

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Number of relocations: Residences: 0 Businesses: 0 Farms: 0 Other: 0

If a BIS or CSRS is required, discuss the results in the remarks box.

Remarks: No relocations of people, businesses, or farms would take place as a result of this project.
 Utility coordination will be completed by INDOT. There is a buried electric utility near the East bridge. Although final design is not complete, no impacts to utilities are anticipated.

SECTION H – HAZARDOUS MATERIALS & REGULATED SUBSTANCES

Hazardous Materials & Regulated Substances (Mark all that apply)

Documentation

Red Flag Investigation		<input checked="" type="checkbox"/>
Phase I Environmental Site Assessment (Phase I ESA)		<input type="checkbox"/>
Phase II Environmental Site Assessment (Phase II ESA)		<input type="checkbox"/>
Design/Specifications for Remediation required?		<input type="checkbox"/>

No Yes/ Date

ES Review of Investigations		✓ / February 18, 2013
------------------------------------	--	-----------------------

Include a summary of findings for each investigation.

Remarks: A Red Flag Investigation (RFI) was completed on February 14, 2013 by Parsons. No hazardous materials items of concern were located within a half-mile radius of the project limits (see Appendix G). INDOT, Environmental Services approved the RFI on April 10, 2014. Site investigations on September 3 and November 11, 2014 identified no items of concern within the project limits. Further investigation for hazardous materials is not required at this time.

SECTION I – PERMITS CHECKLIST

Permits (mark all that apply)

Likely Required

Army Corps of Engineers (404/Section10 Permit)

Individual Permit (IP)	<input type="checkbox"/>
Nationwide Permit (NWP)	<input type="checkbox"/>
Regional General Permit (RGP)	<input checked="" type="checkbox"/>
Pre-Construction Notification (PCN)	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>
Wetland Mitigation required	<input type="checkbox"/>
Stream Mitigation required	<input type="checkbox"/>

IDEM

Section 401 WQC	<input checked="" type="checkbox"/>
Isolated Wetlands determination	<input type="checkbox"/>
Rule 5	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>
Wetland Mitigation required	<input type="checkbox"/>
Stream Mitigation required	<input type="checkbox"/>

IDNR

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Construction in a Floodway	✓
Navigable Waterway Permit	
Lake Preservation Permit	
Other	
Mitigation Required	✓
US Coast Guard Section 9 Bridge Permit	
Others (Please discuss in the remarks box below)	

Remarks: Permits may be required for this project. It will be the responsibility of the designer to submit plans to the INDOT Ecology and Waterway Permitting Office to process permits. A USACE Regional General Permit (RGP) and an IDEM Section 401 WQC would be required due to permanent and temporary impacts to wetlands, which are likely Water of the U.S. An IDEM Rule 5 permit may be required if more than one acre of land would be disturbed. The project would occur within a regulatory floodplain and does not meet the "Rural Bridge Exemption". This project would therefore require an IDNR Construction in a Floodway (CIF) permit. Mitigation will likely only be required for the IDNR Construction in a Floodway permit. The quantities, types and mechanism of mitigation would be determined through further consultation with the appropriate resource agency during the permitting process.

SECTION J- ENVIRONMENTAL COMMITMENTS

The following information should be provided below: List all commitments, name of agency/organization requesting the commitment(s), and indicating which are firm and which are for further consideration. The commitments should be numbered.

Remarks:	Firm:
1.	SHPO Review at 30% Design: Per Attachment B of the Historic Bridges PA, <i>Standard Treatment Approach for Historic Bridges</i> , rehabilitation plans that are in accordance with the Secretary of the Interior's Standards for Rehabilitation, or as close to the Standards as is practicable, must be provided to the Indiana SHPO when design is 30% complete. The Indiana SHPO will have thirty (30) days to review. If comments are not received within thirty (30) days, agreement from the Indiana SHPO on the plans submitted can be assumed. A written response to Indiana SHPO comments must be provided. The Indiana SHPO comments must be addressed. (SHPO, Historic Bridge PA)
2.	SHPO Review at 60% Design: Per Attachment B of the Historic Bridges PA, <i>Standard Treatment Approach for Historic Bridges</i> , rehabilitation plans that are in accordance with the Secretary of the Interior's Standards for Rehabilitation, or as close to the Standards as is practicable, must be provided to the Indiana SHPO when design is 60% complete. The Indiana SHPO will have thirty (30) days to review. If comments are not received within thirty (30) days, agreement from the Indiana SHPO on the plans submitted can be assumed. A written response to Indiana SHPO comments must be provided. The Indiana SHPO comments must be addressed. (SHPO, Historic Bridge PA)
3.	SHPO Review at 100% Design: Per Attachment B of the Historic Bridges PA, <i>Standard Treatment Approach for Historic Bridges</i> , rehabilitation plans that are in accordance with the Secretary of the Interior's Standards for Rehabilitation, or as close to the Standards as is practicable, must be provided to the Indiana SHPO when design is complete. The Indiana SHPO will have thirty (30) days to review. If comments are not received within thirty (30) days, agreement from the Indiana SHPO on the plans submitted can be assumed. A written response to Indiana SHPO comments must be provided. The Indiana SHPO comments must be addressed. (SHPO, Historic Bridge PA)
4.	To avoid incidental take of the federally endangered Indiana bat (<i>Myotis sodalis</i>) and the federally threatened northern long-eared bat (<i>Myotis septentrionalis</i>), avoid all tree clearing from April 1 through September 30. (USFWS & IDNR)
5.	Impacts to non-wetland forested habitat under one acre should be mitigated at a 1:1 ratio by area. Impacts to non-wetland forested habitat over one acre should be mitigated at a minimum 2:1 ratio by area. Any required mitigation must be located within IDNR's regulated floodway. (IDNR)

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6.	Revegetate all bare and disturbed areas with a mixture of native grasses, wildflowers, and native shrubs and hardwood tree species as soon as possible upon completion. Do not use any varieties of tall fescue or other non-native plants (e.g. crown-vetch). (IDNR)
7.	Minimize and contain with the project limits the clearing of trees and brush. (IDNR)
8.	Do not construct any temporary runarounds or causeways. (IDNR)
9.	Plant native hardwood trees along the top of the bank and right-of-way to replace the vegetation destroyed during construction. (IDNR)
10.	Post "Do Not Mow or Spray" signs along the right-of-way. (IDNR)
11.	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. (IDNR)
12.	Seed and protect all disturbed slopes that are 3:1 or steeper with heavy duty biodegradable erosion control blankets (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas. (IDNR)
13.	Permits would be required for this project. USACE Section 404, IDEM Section 401, IDNR CIF, and IDEM Rule 5 permits should be anticipated. It will be the responsibility of the designer to submit applications and plans to ES to process permits. (INDOT)
14.	Delineate all identified water resources from the Waters of the U.S. Report on the plans; mark any jurisdictional resources as "Waters of the U.S." Any resource, or part thereof, not permitted by the appropriate agencies to be impacted shall be labeled as "Do Not Disturb." (INDOT)
15.	Any work in a wetland area within INDOT's right-of-way or borrow/waste areas is prohibited unless specifically allowed in the USACE or IDEM permit. (INDOT)
16.	If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving 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 the 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. (INDOT)
17.	If any potential hazardous materials are discovered during construction, the IDEM Spill Line should be notified with details of the discovery within 24 hours. IDEM Spill Line: 1-888-233-7745. (INDOT)

For Consideration:

18.	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. (USFWS)
19.	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. (USFWS)
20.	Revegetate all disturbed soil areas immediately upon project completion, using native trees and shrubs in the riparian zone wherever feasible. (USFWS)
21.	Post DO NOT DISTURB signs at the construction zone boundaries and do not clear trees or understory vegetation outside the boundaries. (USFWS)

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SECTION K- EARLY COORDINATION

Please list the date coordination was sent and all agencies that were contacted as a part of the development of this Environmental Study. Also, include the date of their response or indicate that no response was received. INDOT and FHWA are automatically considered early coordination participants and should only be listed if a response is received.

Remarks: Early coordination was initiated on August 11, 2014 with applicable federal, state, and local agencies (see Appendix C, page 1). A re-coordination e-mail was sent to USFWS on April 30, 2015 (see Appendix C, page 21). As NRCS did not respond to the initial letter, a second request was sent on May 7, 2015. The resource agencies and dates of their responses are listed below.

Agency	Response	Appendix
IDEM- Roadway Construction Letter (online submittal)	June 10, 2015	C, pg 3
IDEM-Groundwater Section (Wellhead Protection)	No Response; Self-Service site accessed May 1, 2015	N/A
IDNR-Division of Fish and Wildlife	September 4, 2014	C, pg 10
INDOT-Office of Aviation	No Response	N/A
INDOT- Office of Public Involvement	September 11, 2014	N/A
Indiana Geological Survey	September 19, 2014	C, pg 12
Natural Resources Conservation Service		
<ul style="list-style-type: none"> • August 11, 2015 Letter • Follow-up letter 	<ul style="list-style-type: none"> • No Response • May 15, 2015 	<ul style="list-style-type: none"> N/A C, pg 13
U.S. Fish and Wildlife Service		
<ul style="list-style-type: none"> • August 11, 2015 Letter • E-mail follow-up coordination 	<ul style="list-style-type: none"> • No Response • May 5, 2015 	<ul style="list-style-type: none"> N/A C, pg 14
U.S. Dept. of Housing and Urban Development	August 26, 2014 (Response E-mail)	C, pg 23
U.S. Army Corps of Engineers	No Response	N/A
National Park Service	No Response	N/A
Brown County Highway Department	No Response	N/A
Brown County Commissioners	No Response	N/A
Brown County Parks and Recreation	No Response	N/A
Brown County Planning Commission	No Response	N/A

APPENDIX A – INDOT SUPPORTING DOCUMENTATION

- CE Threshold Chart

Categorical Exclusion Level Thresholds

	Level 1	Level 2	Level 3	Level 4
Relocations	None	≤ 2	> 2	> 10
Right-of-Way¹	< 0.5 acre	< 10 acres	≥ 10 acres	≥ 10 acres
Length of Added Through Lane	None	None	Any	Any
Permanent Traffic Pattern Alteration	None	None	Yes	Yes
New Alignment	None	None	< 1 mile	≥ 1 mile ²
Wetlands	< 0.1 acre	< 1 acre	< 1 acre	≥ 1 acre
Stream Impacts*	≤ 300 linear feet of stream impacts, no work beyond 75 feet from pavement	> 300 linear feet impacts, or work beyond 75 feet from pavement	N/A	N/A
Section 4(f)	None	None	None	Any impacts
Section 6(f)	None	None	Any impacts	Any impacts
Section 106*	“No Historic Properties Affected” or falls within guidelines of Minor Projects PA	“No Adverse Effect” or “Adverse Effect”	N/A	If ACHP involved Or Historic Bridge Involvement ⁷
Noise Analysis Required	No	No	Yes ³	Yes ³
Threatened/Endangered Species	“Not likely to Adversely Affect”, or Falls within Guidelines of USFWS 9/8/93 Programmatic Response	N/A	N/A	“Likely to Adversely Affect” ⁴
Sole Source Aquifer Groundwater Assessment	Detailed Assessment Not Required	Detailed Assessment Not Required	Detailed Assessment Not Required	Detailed Assessment Required
Approval Level • ESM ⁵ • ES ⁶ • FHWA	Yes	Yes	Yes Yes	Yes Yes Yes

*These thresholds have changed from the March 2011 Manual.

¹Permanent and/or temporary right-of-way.

²If the length of the new alignment is equal to or greater than one mile, contact the FHWA’s Air Quality/Environmental Specialist.

³In accordance with INDOT’s Noise Policy.

⁴If the project is considered Likely to Adversely Affect Threatened and/or Endangered Species, INDOT and the FHWA should be consulted to determine whether a higher class of document is warranted.

⁵Environmental Scoping Manager

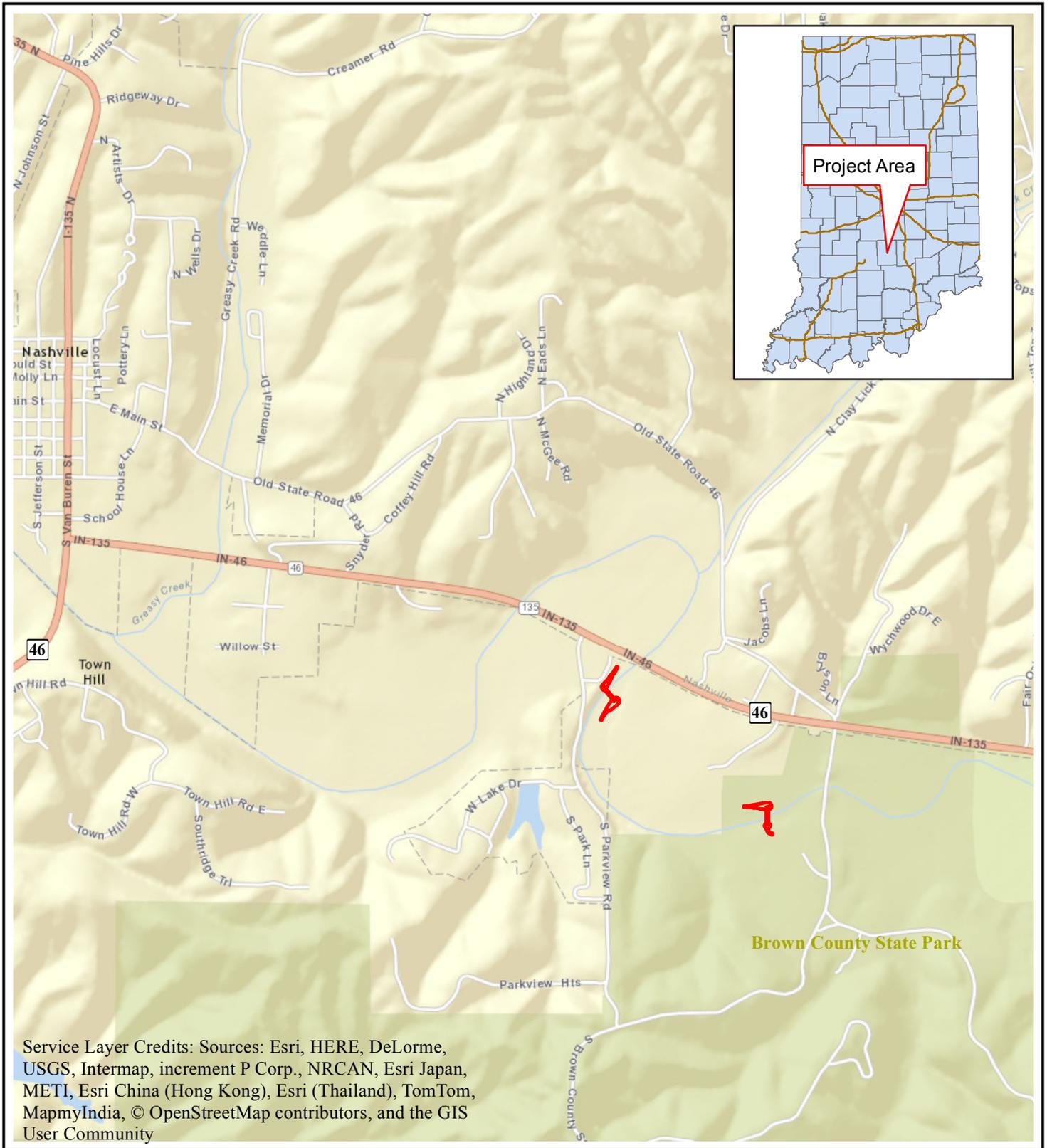
⁶Environmental Services Division

⁷Any involvement with a bridge processed under the Historic Bridge Programmatic Agreement

Due to the project's relationship to the relocation of the historic SR 46 bridge over the Eel River, it has been designated as a CE-4 and will follow the same approval procedures.

APPENDIX B – GRAPHICS

- Project Location Map
- Aerial Imagery
- Topographic Map
- Preliminary Design Details, West Bridge
- Preliminary Design Details, East Bridge
- Photo Location Map, West Bridge
- Photo Location Map, East Bridge
- West Bridge Photo Log
- East Bridge Photo Log
- Stage 1 Plans



Service Layer Credits: Sources: Esri, HERE, DeLorme, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Legend

 Preliminary Construction Limits

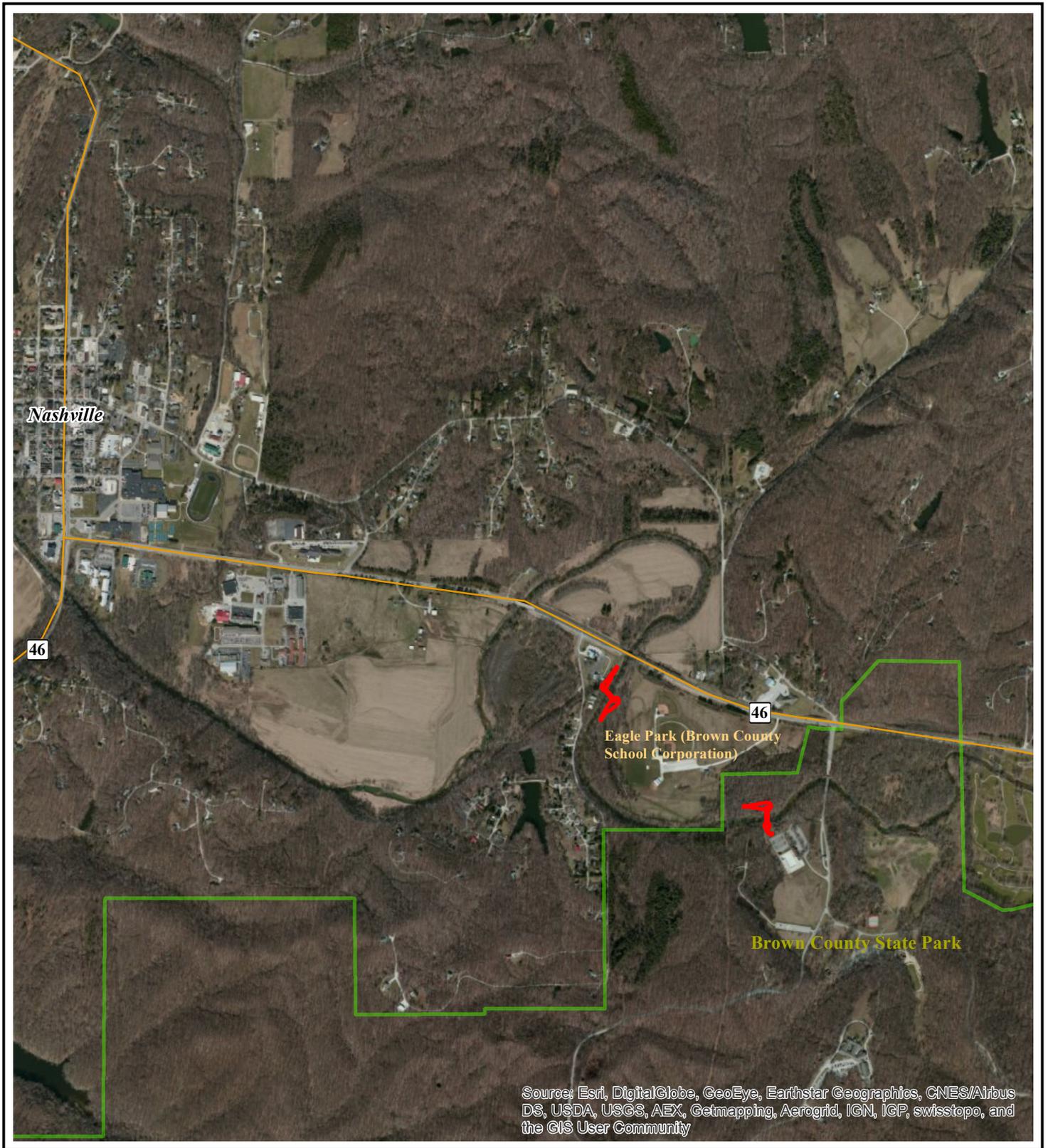


Historic Bridge Relocation to Salt Creek Trail

Des. Nos. 1400311 and 1400365

Figure 1 - Project Location





Legend

 Preliminary Construction Limits

0 750 1,500 3,000
 Feet

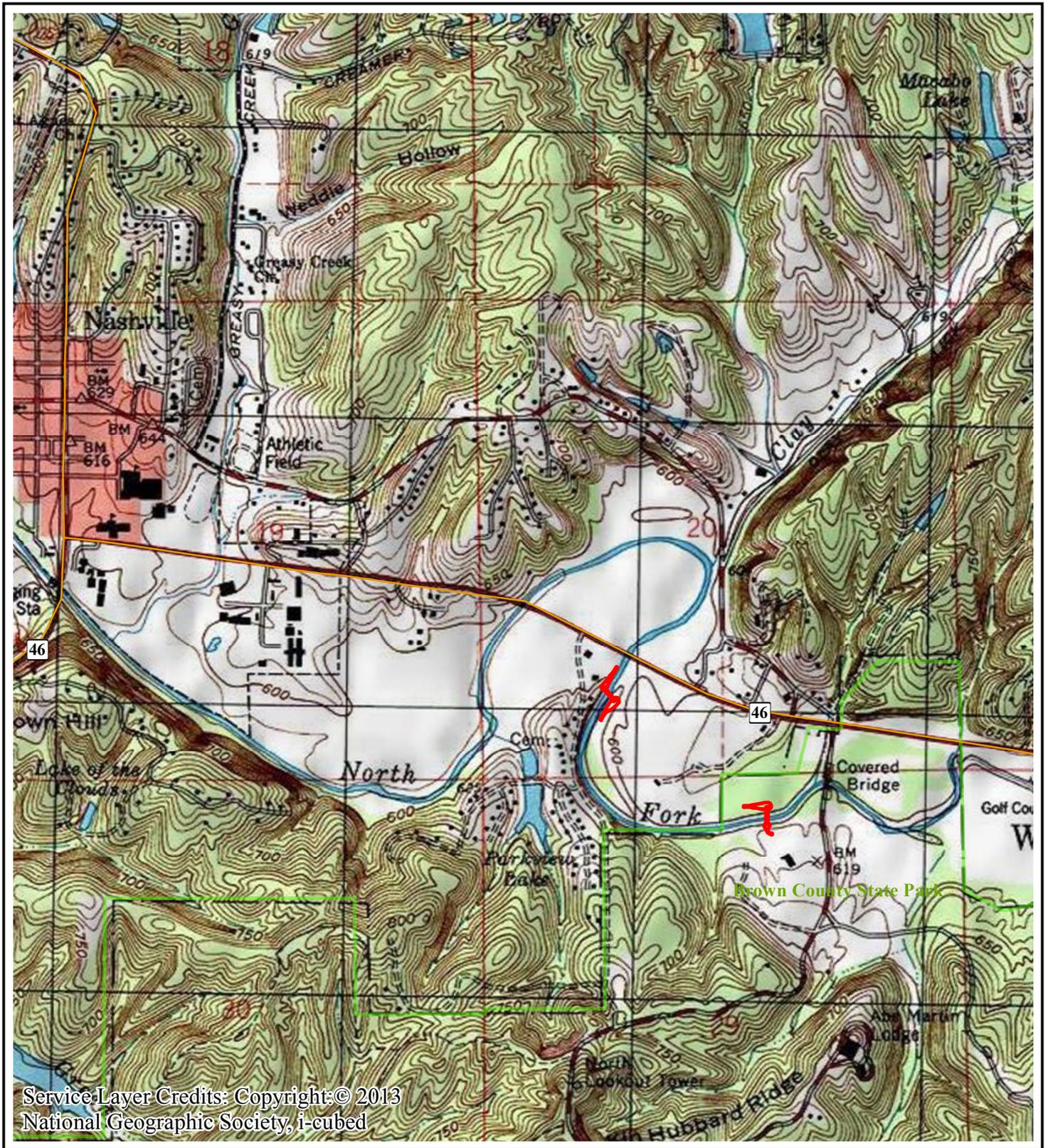


Historic Bridge Relocation to Salt Creek Trail

Des. Nos. 1400311 and 1400365

Figure 2 - Aerial Imagery





Service Layer Credits: Copyright © 2013
National Geographic Society, i-cubed

Legend

 Preliminary Construction Limits



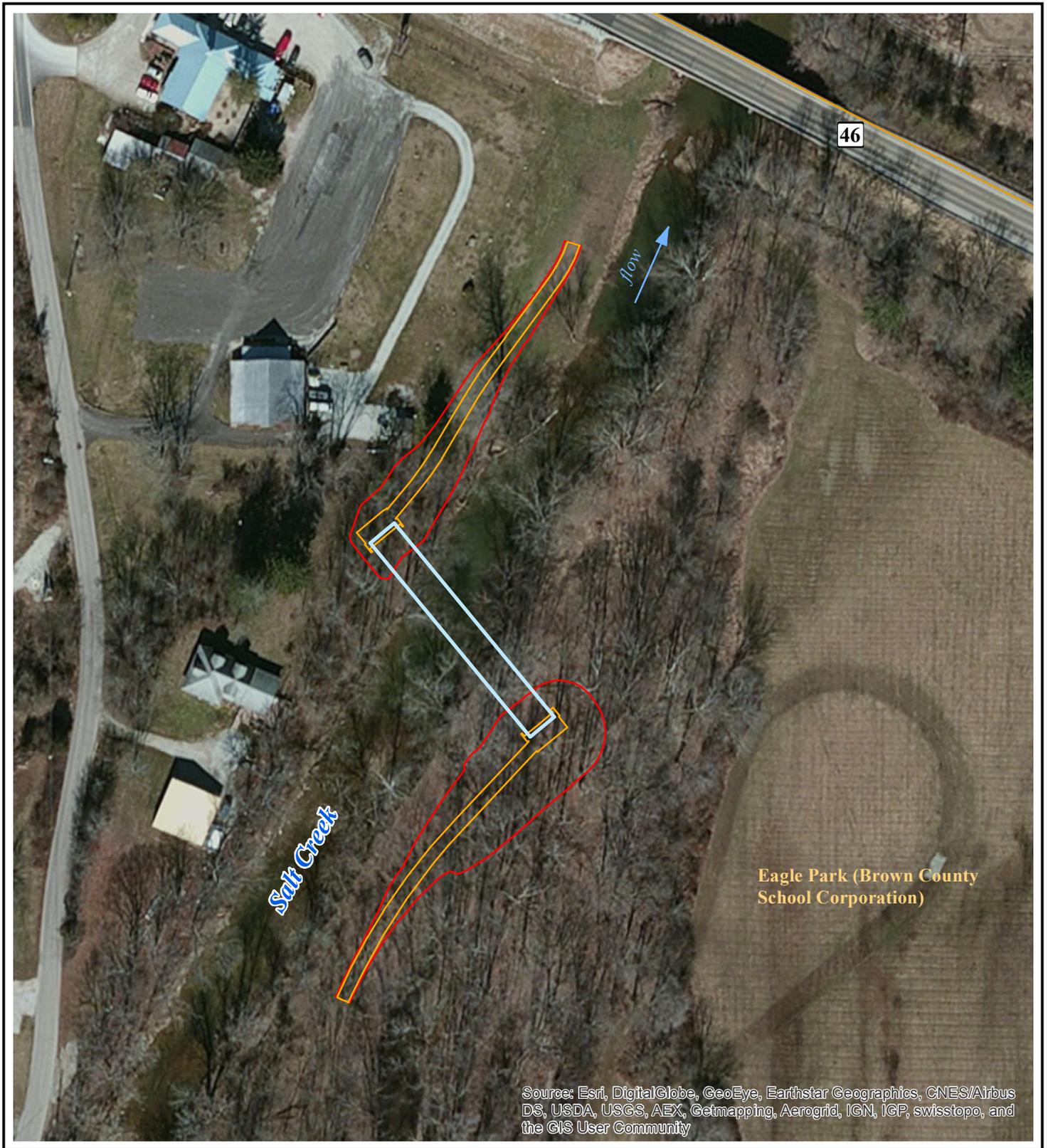
0 750 1,500 3,000
Feet

Historic Bridge Relocation to Salt Creek Trail

Des. Nos. 1400311 and 1400365

Figure 3 - USGS Topographic Map

PARSONS



Legend

- Proposed trail and abutments
- Fill slopes for bridge approaches
- Salt Creek Bridge locations

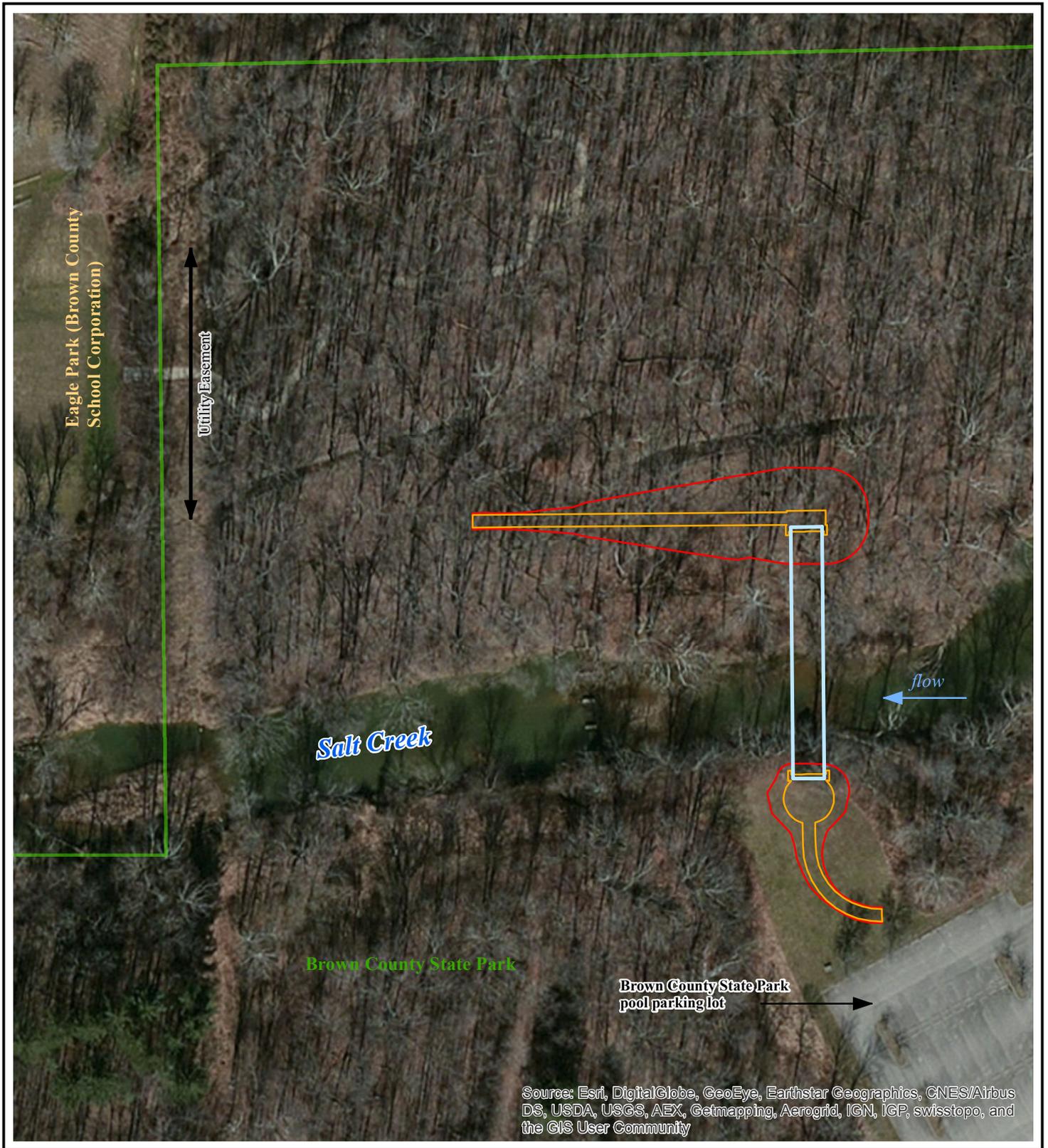
0 50 100 200
 Feet

N

Historic Bridge Relocation to Salt Creek Trail
Des. No. 1400365

Figure 4a - Preliminary Design Details, West Bridge

PARSONS



Legend

- Proposed trail and abutments
- Fill slopes for bridge approaches
- Salt Creek Bridge locations

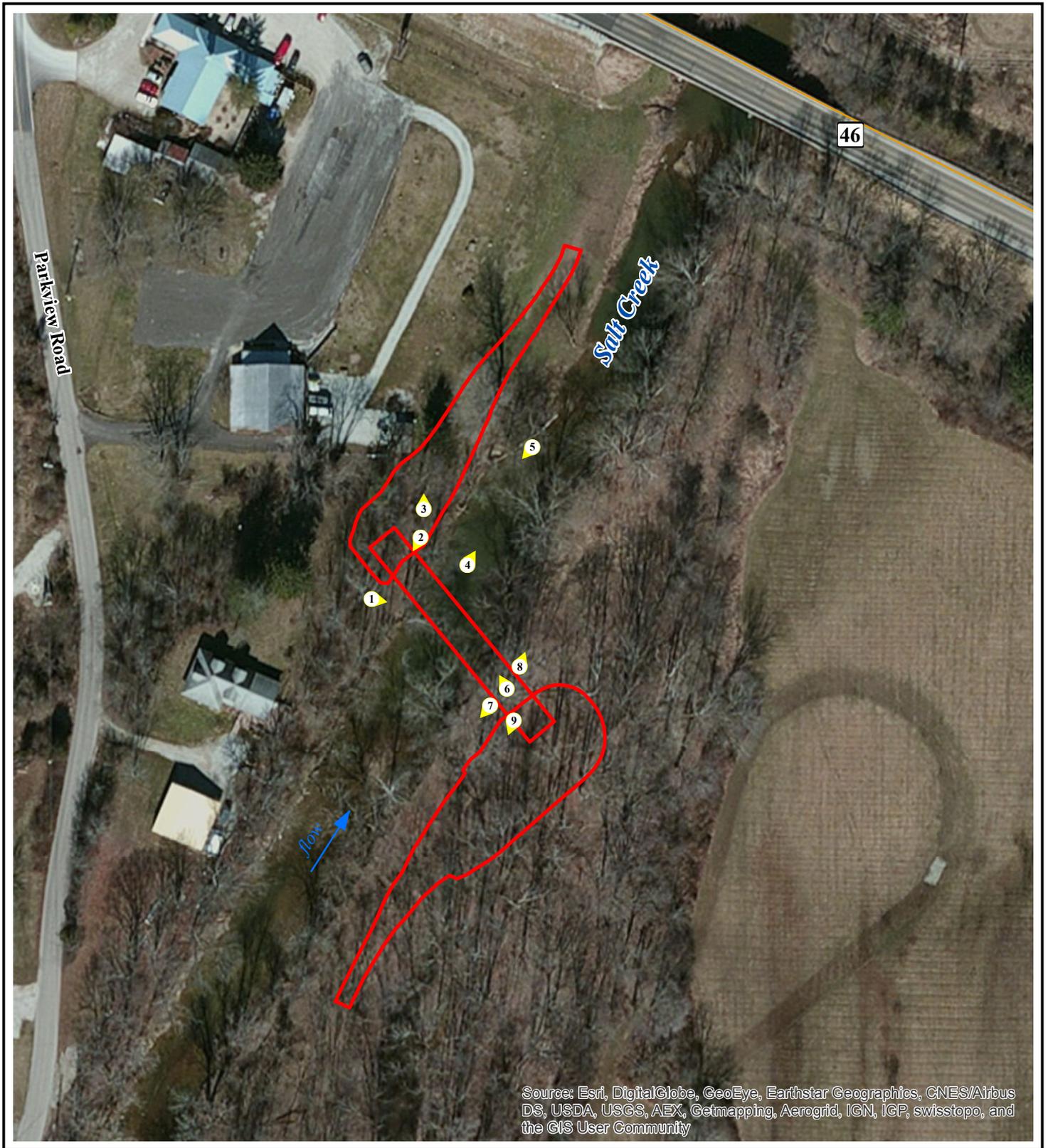
0 50 100 200 Feet

N

Historic Bridge Relocation to Salt Creek Trail
Des. No. 1400311

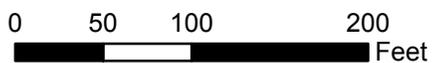
Figure 4b - Preliminary Design Details, East Bridge

PARSONS



Legend

- Preliminary Construction Limits
- Salt Creek photo locations

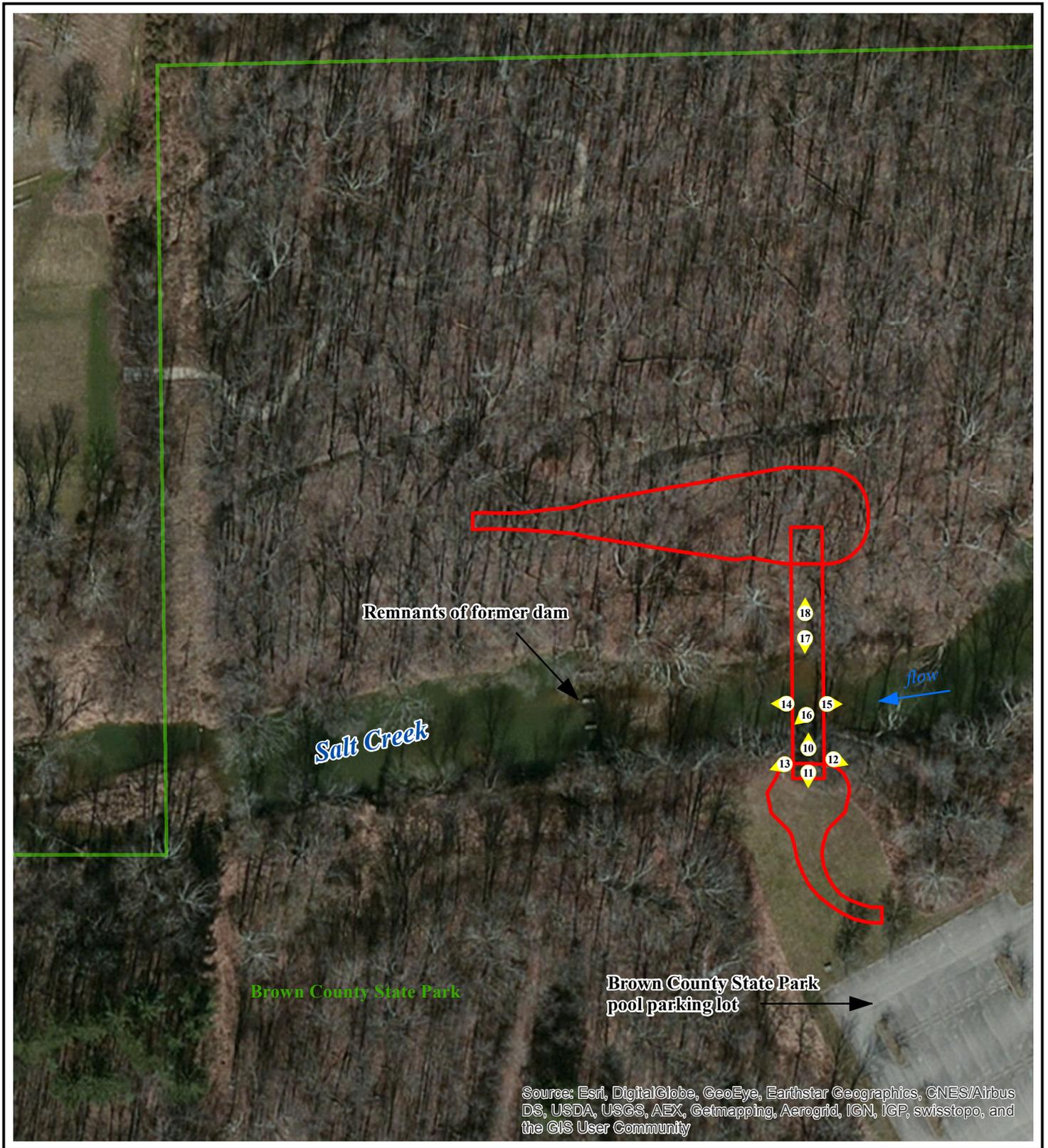


Historic Bridge Relocation to Salt Creek Trail

Des. No. 1400365

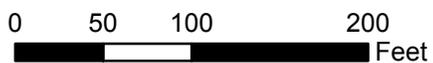
Figure 5a - Photo Location Map, West Bridge





Legend

- Preliminary Construction Limits
- ▲ Salt Creek photo locations



Historic Bridge Relocation to Salt Creek Trail

Des. No. 1400311

Figure 5b - Photo Location Map, East Bridge





Photo 1: West bridge location, looking east across Salt Creek from near the proposed location of the west abutment



Photo 2: West bridge location, looking south along the west bank of Salt Creek just north of the proposed location of the west abutment



Photo 3: West bridge location, looking north along the west bank of Salt Creek from just north of the proposed west abutment



Photo 4: West bridge location, looking north (downstream) at Salt Creek from just north of the proposed west bridge crossing



Photo 5: West bridge location, looking south (upstream) at Salt Creek from 100 feet downstream (north) of the proposed west bridge crossing



Photo 6: West bridge location, looking west across Salt Creek from the east bank at area of the proposed west abutment



Photo 7: West bridge location, looking south (upstream) at Salt Creek from the east bank near the proposed west bridge crossing



Photo 8: West bridge location, looking north along the east bank of Salt Creek from the proposed west bridge crossing



Photo 9: West bridge location, looking south along the east bank of Salt Creek from the proposed west bridge crossing



Photo 10: East bridge location, looking north across Salt Creek from the south bank at the proposed east bridge crossing



Photo 11: East bridge location, looking south towards the Brown County State Park pool parking lot from the south bank of Salt Creek at the proposed east bridge crossing



Photo 12: East bridge location, looking east from the south bank of Salt Creek at the proposed east bridge crossing



Photo 13: East bridge location, looking west from the south bank of Salt Creek at the proposed east bridge crossing



Photo 14: East bridge location, looking west (downstream) from the proposed east bridge crossing at Salt Creek and the remnants of a former dam



Photo 15: East bridge location, looking east (upstream) from the proposed east bridge crossing at Salt Creek



Photo 16: East bridge location, looking southwest (downstream) from the proposed east bridge crossing at the south bank bluff and dam remnants



Photo 17: East bridge location, looking south at the south bank of Salt Creek from north bank of Salt Creek at the proposed east bridge crossing



Photo 18: East bridge location, looking north away from Salt Creek from near the proposed location of the north abutment

PROJECT	DESIGNATION
0800910	1400311 & 1400365
CONTRACT	BRIDGE FILE
B-36390	

STRUCTURE INFORMATION				
STRUCTURE	TYPE	SPAN AND SKEW	OVER	STATION
1	STEEL THROUGH TRUSS BRIDGE	1 Span: 198'-0" Skew: 25°00'00" LT	SALT CREEK	304+01.43 Line "PR-1"
2	STEEL THROUGH TRUSS BRIDGE	1 Span: 198'-0" Skew: SQUARE	SALT CREEK	102+53.00 Line "PR-2"

INDIANA DEPARTMENT OF TRANSPORTATION

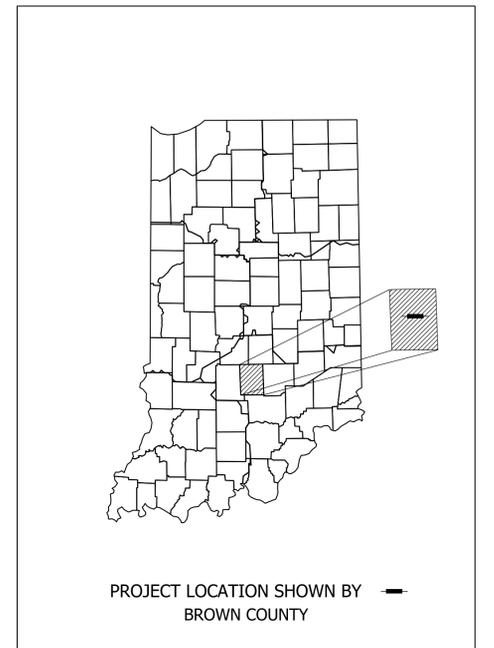


TRAIL & BRIDGE PLANS FOR SPANS OVER 20 FEET

PROJECT NO. 0800910 P.E.
0800910 R/W
0800910 CONST.

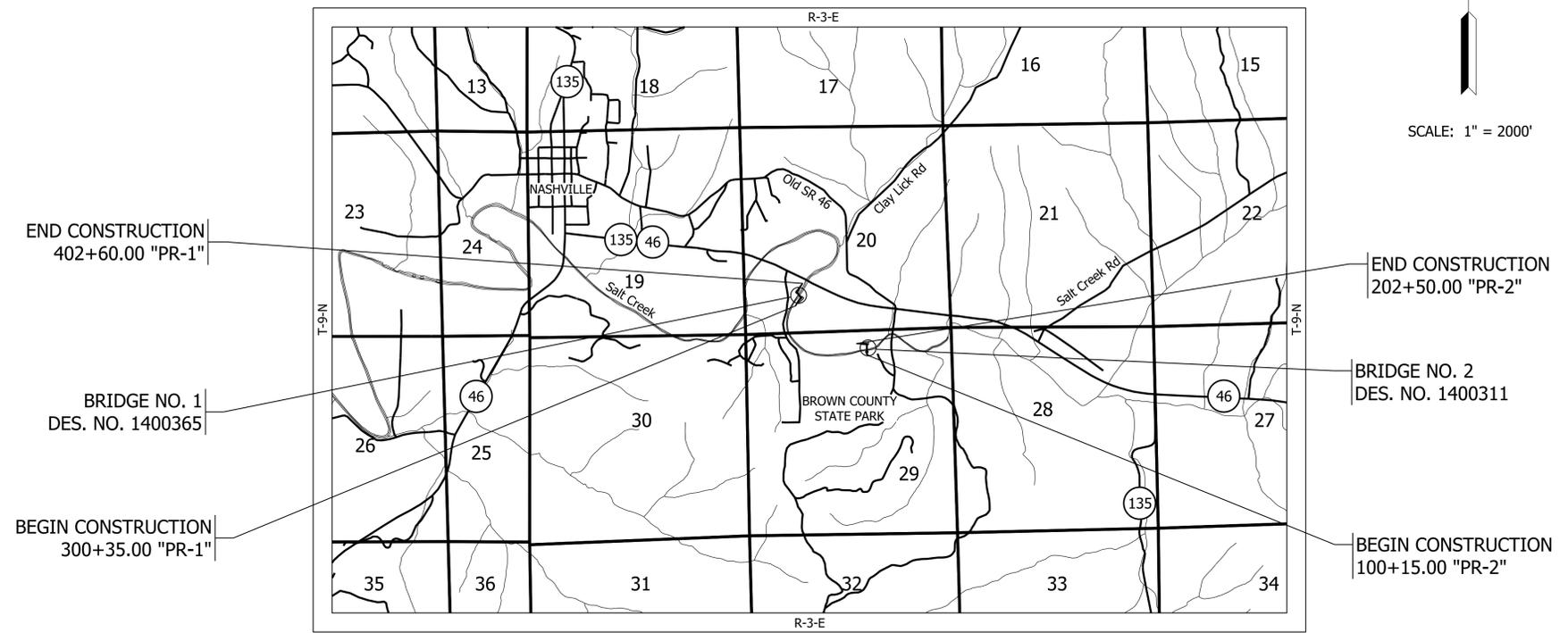
New Trail Construction Project over Salt Creek
Located Approximately 1.5 Miles East of the S.R. 135 and S.R. 46 Intersection in Nashville, IN.
In Sections 20 & 29, T-9-N, R-3-E, Washington Township, Brown County, Indiana

DESIGN DATA	
DESIGN SPEED	15 M.P.H.
PROJECT DESIGN CRITERIA	TRANSPORTATION ENHANCEMENT
FUNCTIONAL CLASSIFICATION	SHARED USE PATH
RURAL/URBAN	RURAL
TERRAIN	LEVEL
ACCESS CONTROL	NONE



LATITUDE: 39° 11' 47" N LONGITUDE: 86° 13' 20" W

BRIDGE LENGTH:	0.076	MI.
ROADWAY LENGTH:	0.181	MI.
TOTAL LENGTH:	0.257	MI.
MAX. GRADE:	8.30%	%



PARSONS
101 W. Ohio St., Suite 2121
Indianapolis, IN 46204
Bus (317) 616-1000
Fax (317) 616-1033

PLANS PREPARED BY: **PARSONS** (317) 616-1016
PHONE NUMBER

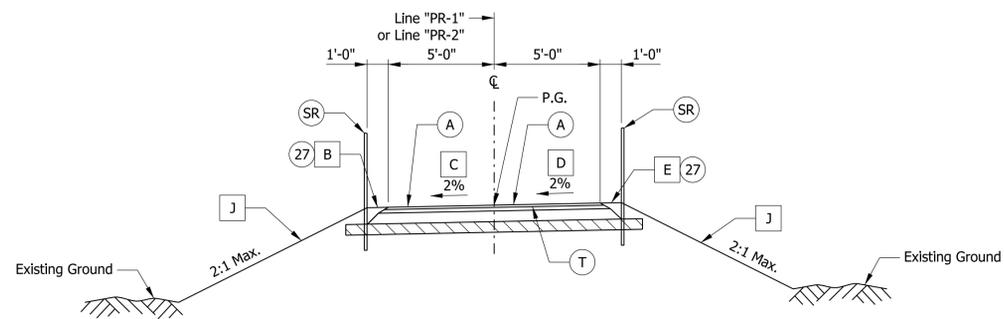
CERTIFIED BY: _____ DATE

APPROVED FOR LETTING: _____ DATE

INDIANA DEPARTMENT OF TRANSPORTATION

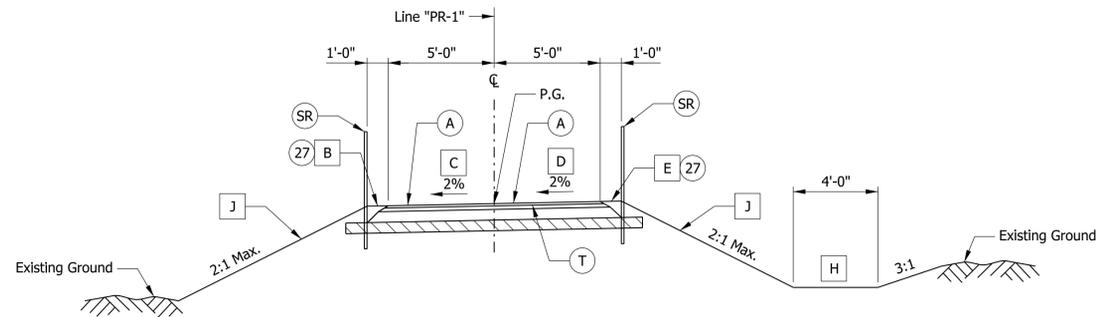
BRIDGE FILE	
DESIGNATION	1400311 & 1400365
SURVEY BOOK	SHEETS
ELECTRONIC	1 of 24
CONTRACT	PROJECT
B-36390	0800910

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23-JUN-2015



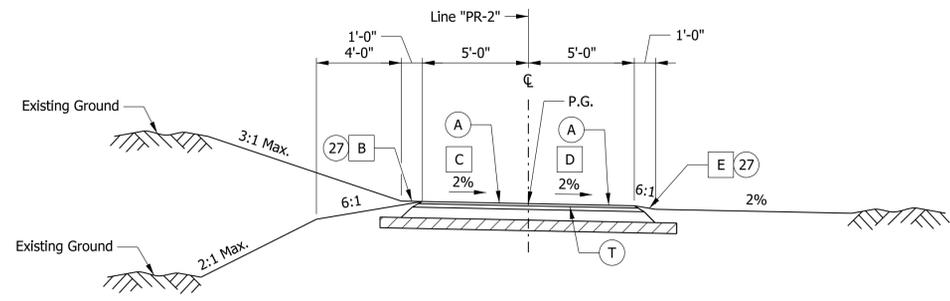
TYPICAL SECTION - SHARED USE PATH

300+35.00 "PR-1" TO 301+62.00 "PR-1"
 STA. EQ. 103+75.58 "PR-2"(BK) = 200+00.00 "PR-2"(AHD)
 200+00.00 "PR-2" TO 202+50.00 "PR-2"



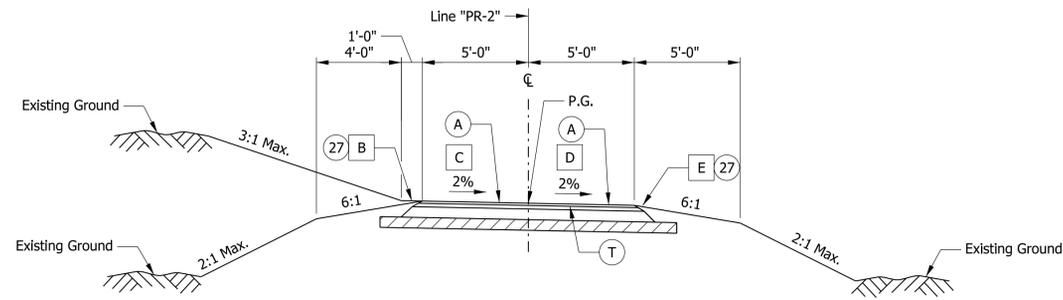
TYPICAL SECTION - SHARED USE PATH

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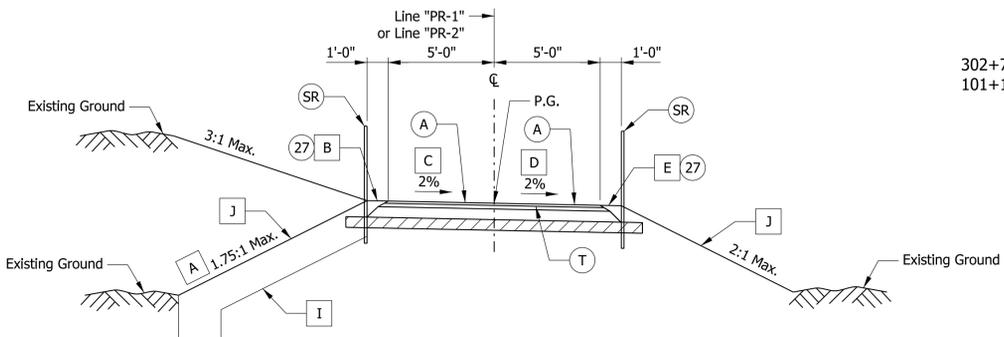
TYPICAL SECTION - SHARED USE PATH

100+15.00 "PR-2" TO 100+50.00 "PR-2"



TYPICAL SECTION - SHARED USE PATH

100+50.00 "PR-2" TO 101+17.16 "PR-2"



TYPICAL SECTION - SHARED USE PATH

302+78.85 "PR-1" TO 305+24.01 "PR-1"
 STA. EQ. 400+00.00 "PR-1"(AHD)
 400+00.00 "PR-1" TO 402+60.00 "PR-1"

BRIDGE PAVING EXCEPTION
 302+78.85 "PR-1" TO 305+24.01 "PR-1"
 101+17.16 "PR-2" TO 103+75.58 "PR-2"

- A Varies 1.75:1 To 2:1
400+30.00 "PR-1" To 400+75.00 "PR-1"
- B Varies 0% To -2%
400+00.00 "PR-1" To 400+30.00 "PR-1"
Varies 2% To 0%
302+28.85 "PR-1" To 302+78.85 "PR-1"
Varies -2% To 2%
200+00.0 "PR-2" To 200+50.00 "PR-2"
- C Varies 0% To -2%
400+00.00 "PR-1" To 400+30.00 "PR-1"
Varies 2% To 0%
302+28.85 "PR-1" To 302+78.85 "PR-1"
Varies -2% To 2%
101+06.76 "PR-2" To 101+51.92 "PR-2"
Varies 0% To 2%
200+00.0 "PR-2" To 200+50.00 "PR-2"
- D Varies 0% To -2%
400+00.00 "PR-1" To 400+30.00 "PR-1"
Varies 2% To 0%
302+28.85 "PR-1" To 302+78.85 "PR-1"
Varies 0% To 2%
200+00.0 "PR-2" To 200+50.00 "PR-2"
- E Varies 0% To -16.67%
400+00.00 "PR-1" To 400+30.00 "PR-1"
Maintain -16.67%
400+30.00 "PR-1" To 400+85.00 "PR-1"
Varies -16.67% To 2%
400+85.00 "PR-1" To 401+15.00 "PR-1"
Varies 2% To 0%
302+28.85 "PR-1" To 302+78.85 "PR-1"
Varies 0% To 2%
200+00.0 "PR-2" To 200+50.00 "PR-2"
- H See Layout Sheet For Special Ditch Elevations
- I Revetment Riprap (18" Deep)
305+08.51 "PR-1" To 400+80.00 "PR-1"
- J Erosion Control Blankets

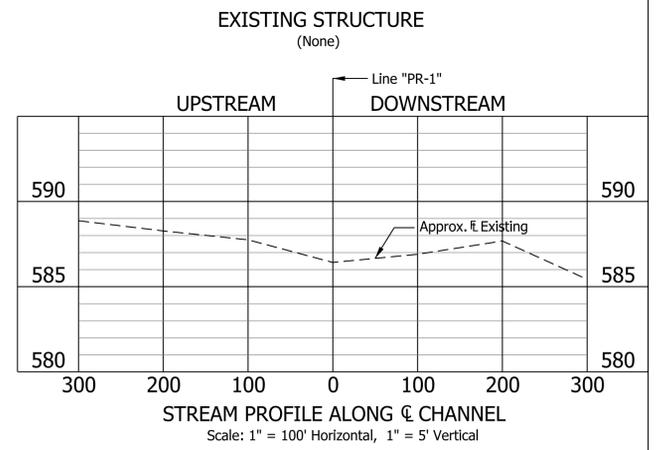
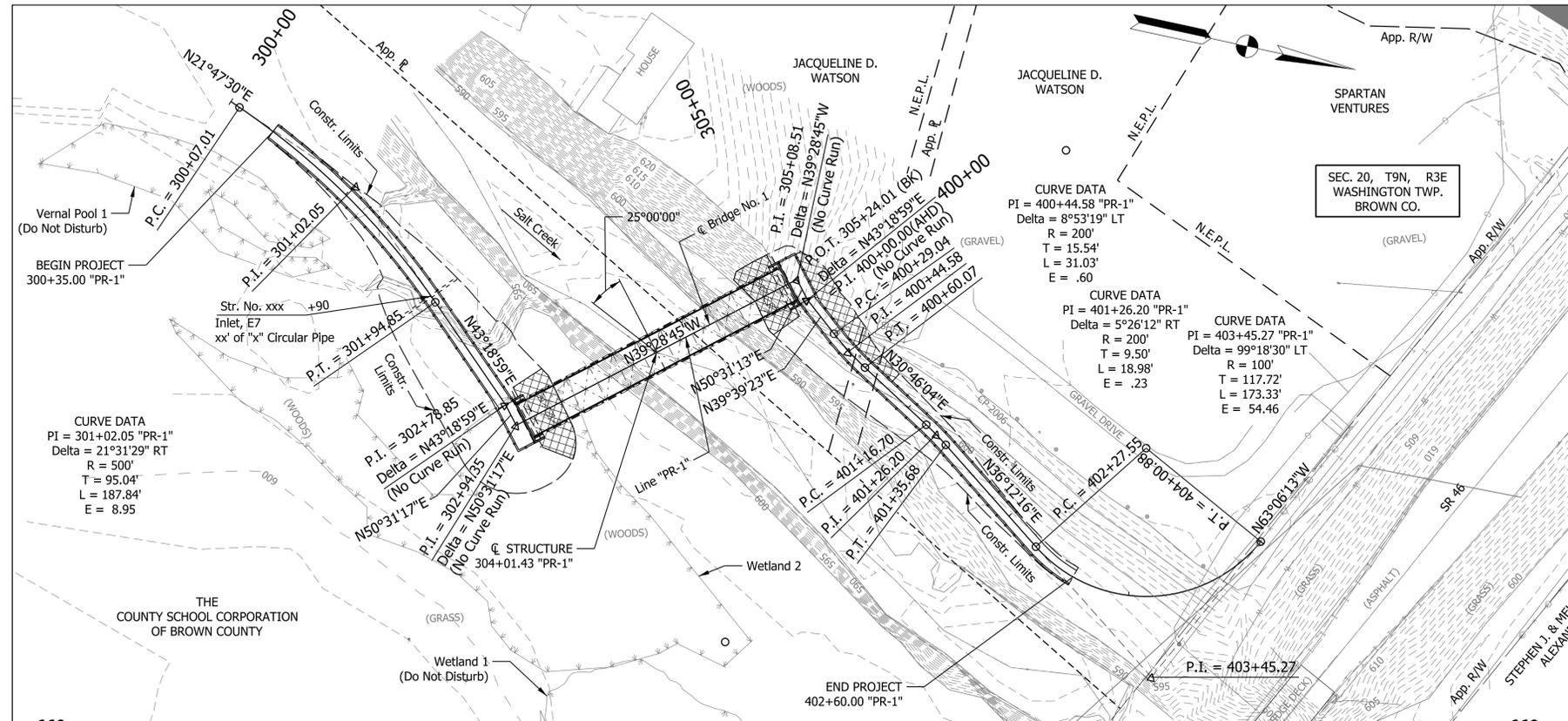
- A 140 lb/Syd HMA Surface, Type A, on 220 lb/Syd HMA Intermediate, Type A, on 6" Compacted Aggregate No.53, Base, on Subgrade Treatment, Type III, 6" of Soil Compacted to the Density and Moisture Requirement
- T Asphalt For Tack Coat
- 27 Mulched Seeding, R
- SR Safety Railing, 42" Min. Height

RECOMMENDED FOR APPROVAL _____	DESIGN ENGINEER _____	DATE _____
DESIGNED: KCD	DRAWN: ALF	
CHECKED: CAC	CHECKED: KRM	

INDIANA
 DEPARTMENT OF TRANSPORTATION

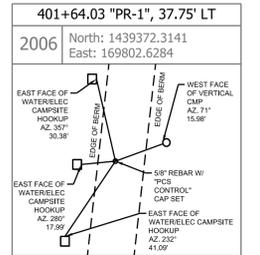
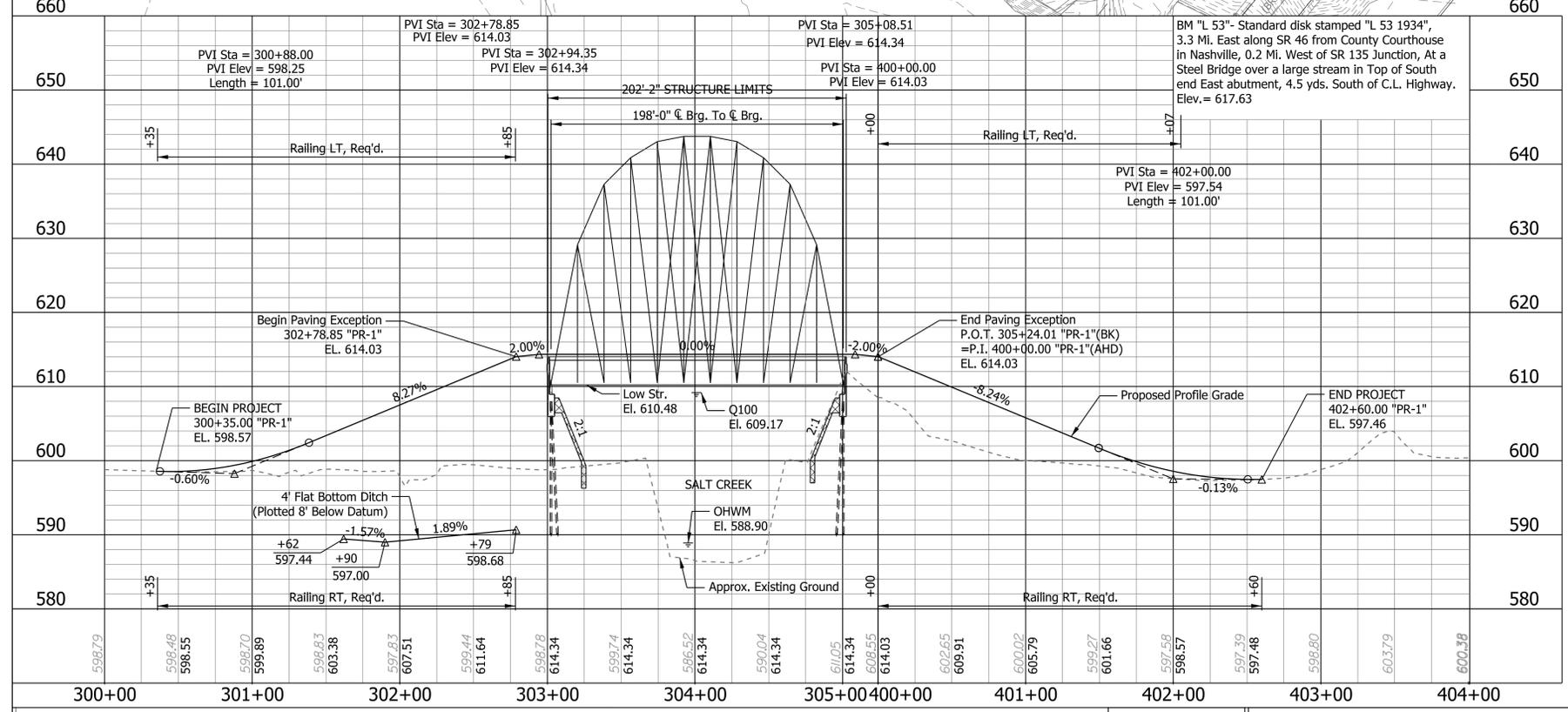
TYPICAL SECTIONS

HORIZONTAL SCALE	BRIDGE FILE
1/4" = 1'-0"	-
VERTICAL SCALE	DESIGNATION
1/4" = 1'-0"	1400311 & 1400365
SURVEY BOOK	SHEETS
ELECTRONIC	3 of 24
CONTRACT	PROJECT
B-36390	0800910



HYDRAULIC DATA

Drainage Area	= 64.30 Sq. Mi.
Discharge (Q100)	= 16000 Cfs.
Q100 High Water Elev. (Natural Channel)	= 609.17 Ft. (NAVD 88)
Q100 Headwater Elev. (@ Proposed Structure)	= 609.23 Ft.
Back Water @ Q100	= 0.02 Ft.
Velocity @ Q100	= 4.34 Ft./Sec.
Waterway Opening Required (Bridge)	= 1844 Sft.
Min. Low Structure Elev.	= 610.14 Ft.

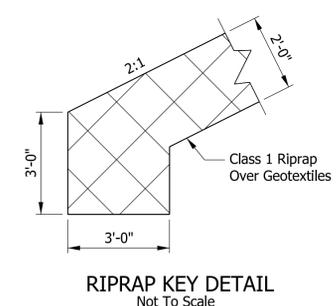
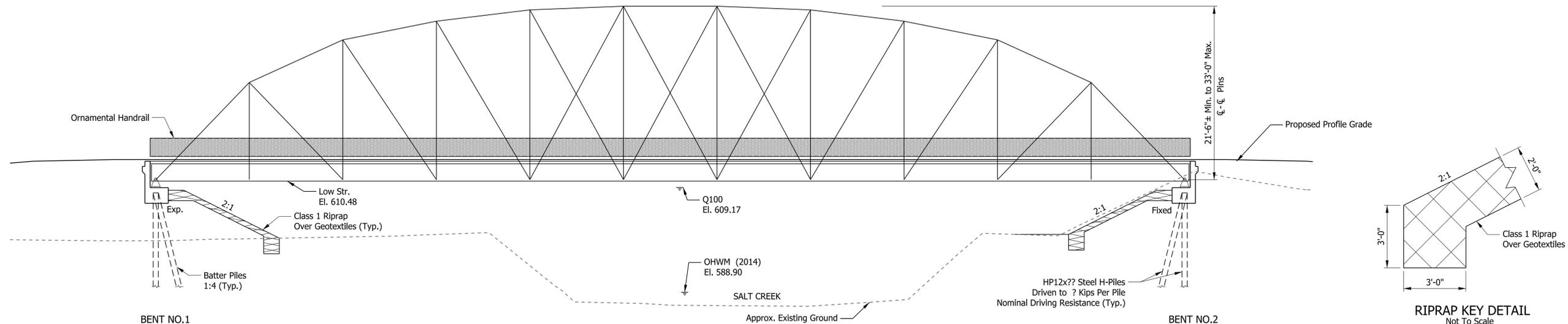


BRIDGE NO. 1 OVER SALT CREEK
STEEL THROUGH TRUSS BRIDGE
 1 SPAN: 198'-0"
 SKEW: 25°00'00" LT
 24'-0" CLEAR TRAIL

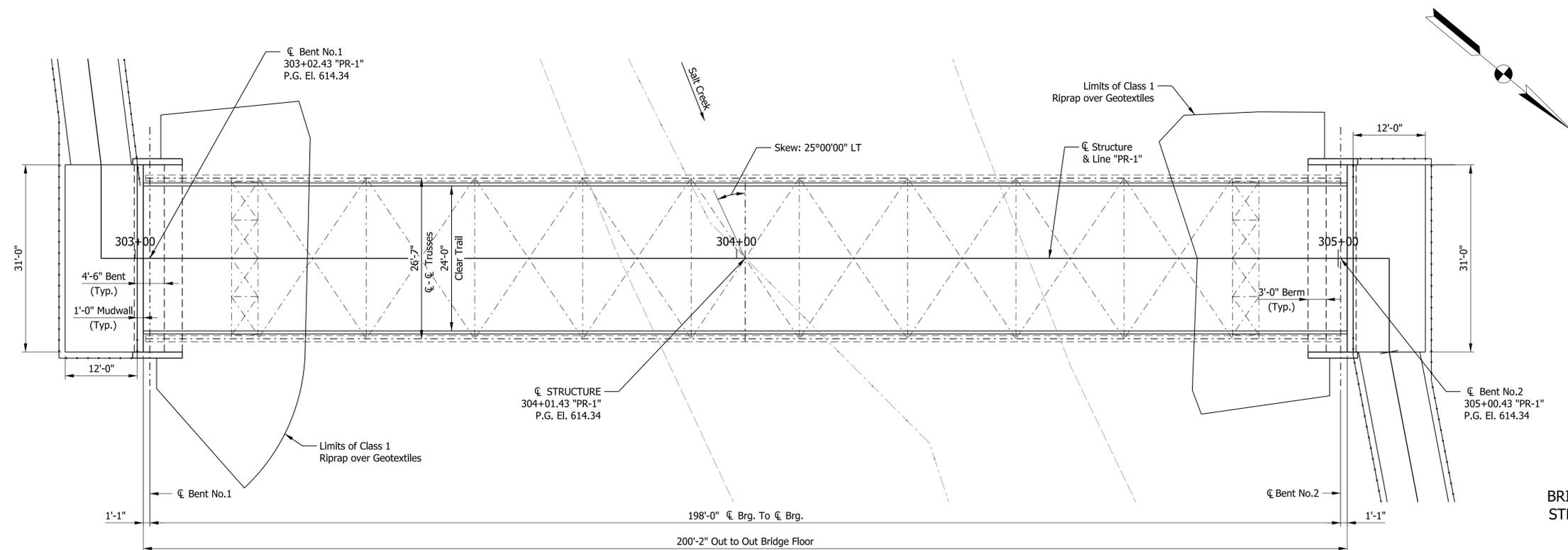
RECOMMENDED FOR APPROVAL _____ DESIGN ENGINEER _____ DATE _____ DESIGNED: KCD DRAWN: ALF CHECKED: CAC CHECKED: KRM	INDIANA DEPARTMENT OF TRANSPORTATION		HORIZONTAL SCALE 1" = 50'	BRIDGE FILE -
	LAYOUT: PLAN AND PROFILE BRIDGE NO. 1		VERTICAL SCALE 1" = 10'	DESIGNATION 1400365
	SURVEY BOOK ELECTRONIC		SHEETS 4 of 24	
		CONTRACT B-36390		PROJECT 0800910

IP_PWP:dms07496\Trail_BR_1_Layout.01.dgn
 23-JUN-2015

STRUCTURE TO BE BUILT ON A 0.00% GRADE



BRIDGE NO.1 ELEVATION



BRIDGE NO. 1 PLAN

BRIDGE NO. 1 OVER SALT CREEK
STEEL THROUGH TRUSS BRIDGE
1 SPAN: 198'-0"
SKEW: 25°00'00" LT
24'-0" CLEAR TRAIL

RECOMMENDED FOR APPROVAL _____ DESIGN ENGINEER _____ DATE _____	INDIANA DEPARTMENT OF TRANSPORTATION		HORIZONTAL SCALE	BRIDGE FILE
			1" = 10'	-
DESIGNED: KRM	DRAWN: ALF	GENERAL PLAN BRIDGE NO.1	VERTICAL SCALE	DESIGNATION
CHECKED: KCD	CHECKED: KRM		1" = 10'	1400365
			SURVEY BOOK	SHEETS
			ELECTRONIC	5 of 24
			CONTRACT	PROJECT
			B-36390	0800910

IP_PWP:dms07496\Trail_BR.1_General Plan.01.dgn
23-JUN-2015

GENERAL NOTES

Reinforcing steel covering shall be 2½" in Top and 1" min. In bottom of floor slabs, 3" in footing except bottom steel which shall be 4", and 2" in all other parts, unless noted.

DESIGN DATA

Superstructure & Substructure Designed for H-10 Loading in accordance with AASHTO LFD Bridge Design Standard Specifications for the Design of Highway Bridges, 17th Edition, 2002, and subsequent interims. Designed for actual dead load plus 35 psf of future wearing surface and 15 psf for SIP Metal deck forms. Slab designed with a 5½" structural depth, and a ½" integral wearing surface.

SEISMIC DESIGN DATA

Seismic Performance Zone = Zone x
Acceleration Coefficient (S_{D1}) = 0.0xx
Seismic Soil Profile Type = Site Class x

DESIGN STRENGTHS

Class "A" Concrete f_c = 3,500 p.s.i.
Class "C" Concrete f_c = 4,000 p.s.i.
Reinforcing Steel (Grade 60) f_y = 60,000 p.s.i.

CONSTRUCTION LOADING

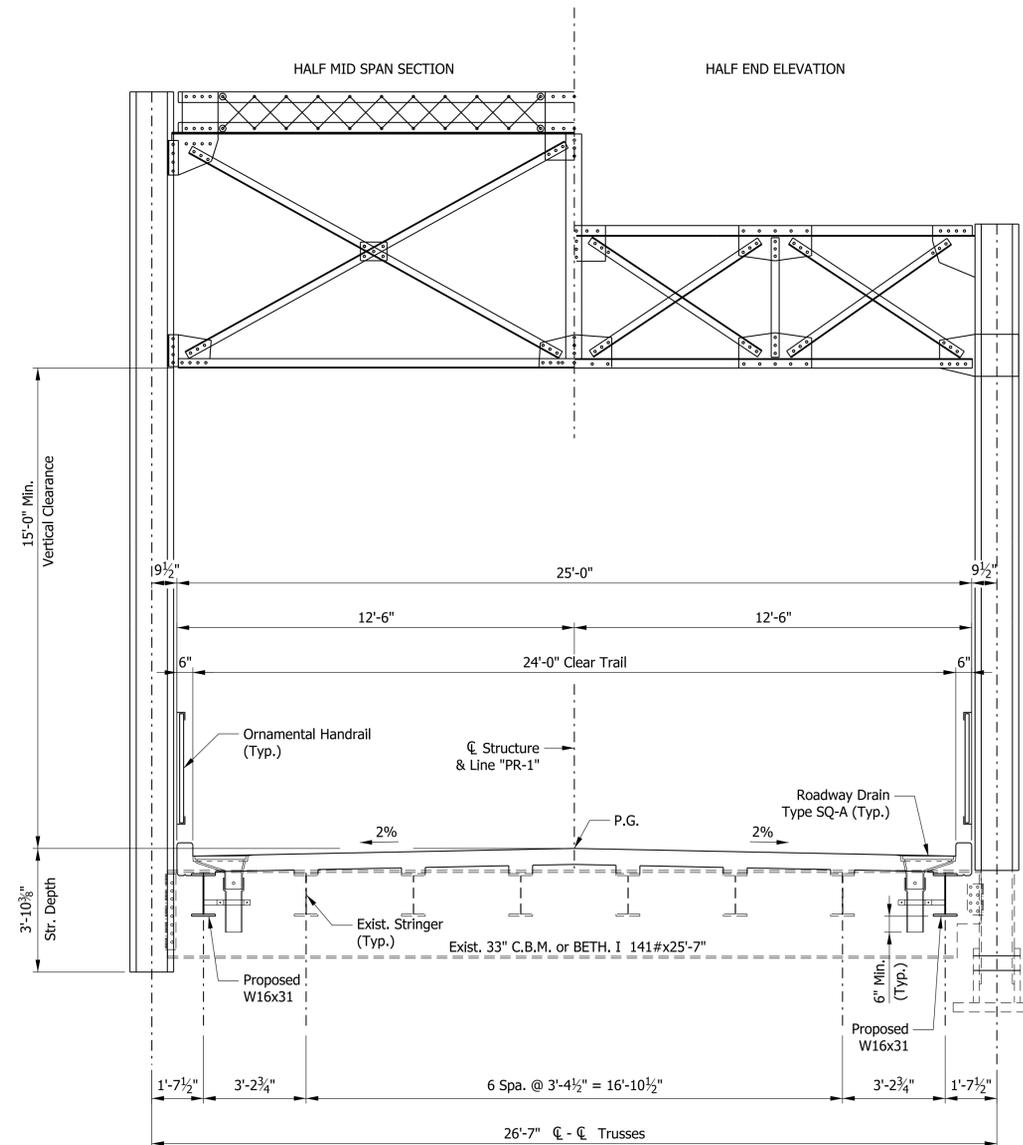
The Truss has been checked for strength, deflection, and overturning using the construction loads shown below. Cantilever overhang brackets were assumed for support of the deck overhang past the edge of the exterior girder. The finishing machine was assumed to be supported 6" outside the vertical coping form. The top overhang brackets were assumed to be located 6" past the edge of the vertical coping form. The bottom overhang brackets were assumed to be braced against the intersection of the girder bottom flange and web.

Deck Falsework Loads: Designed for 15 lb/Sft for permanent metal stay-in-place deck forms, removable deck forms, and 2-ft exterior walkway.

Construction Live Load: Designed for 20 lb/Sft extending 2-ft past the edge of coping and 75 lb/ft vertical force applied at a distance of 6 in. outside the face of coping over a 30-ft length of the deck centered with the finishing machine.

Finishing-Machine Load: 4500 lb distributed over 10-ft along the coping.

Wind Load: Structure Designed for 70 mph horizontal wind loading in accordance with LRFD 3.8.1.



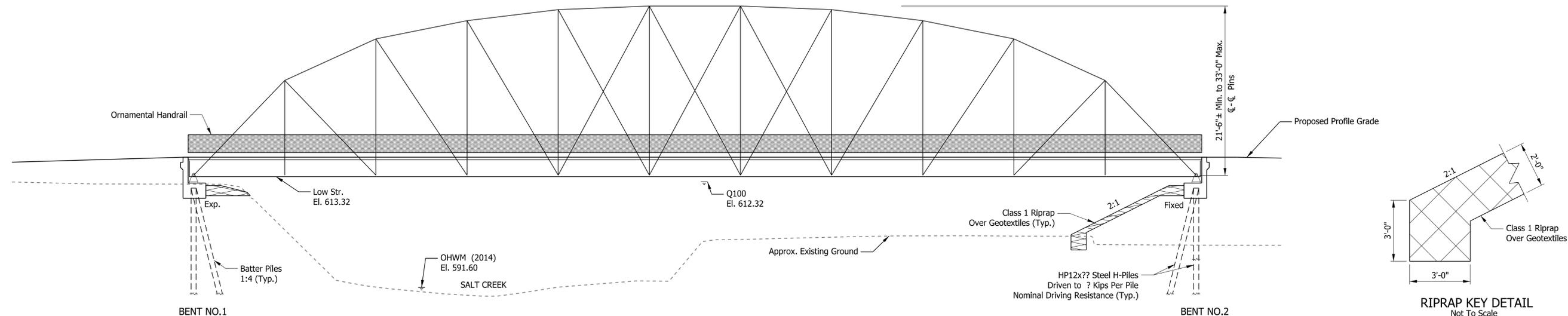
BRIDGE NO. 1 TYPICAL SECTION

**BRIDGE NO. 1 OVER SALT CREEK
STEEL THROUGH TRUSS BRIDGE
1 SPAN: 198'-0"
SKEW: 25°00'00" LT
24'-0" CLEAR TRAIL**

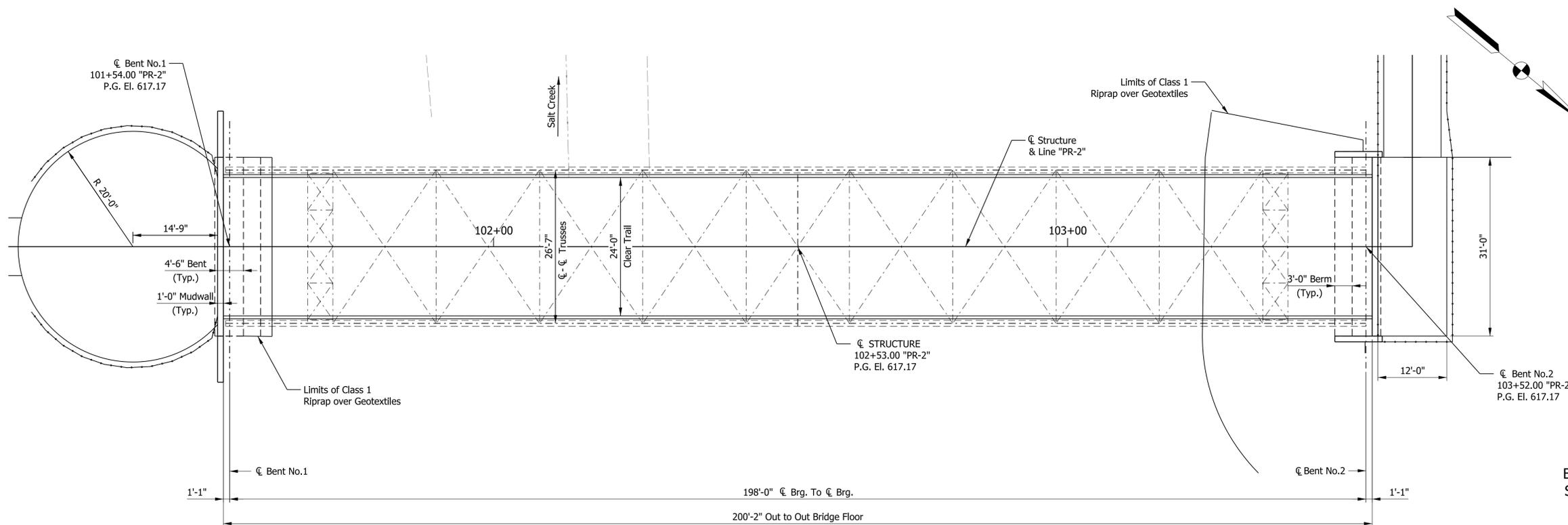
RECOMMENDED FOR APPROVAL _____ DESIGN ENGINEER _____ DATE _____	INDIANA DEPARTMENT OF TRANSPORTATION		HORIZONTAL SCALE	BRIDGE FILE
			3/8" = 1'-0"	-
			VERTICAL SCALE	DESIGNATION
DESIGNED: <u>KRM</u> DRAWN: <u>ALF</u>	GENERAL PLAN BRIDGE NO.1		3/8" = 1'-0"	1400365
CHECKED: <u>KCD</u> CHECKED: <u>KRM</u>			SURVEY BOOK	SHEETS
			ELECTRONIC	6 of 24
		CONTRACT	PROJECT	
		B-36390	0800910	

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23-JUN-2015

STRUCTURE TO BE BUILT ON A 0.00% GRADE



BRIDGE NO.2 ELEVATION



BRIDGE NO. 2 PLAN

BRIDGE NO. 2 OVER SALT CREEK
 STEEL THROUGH TRUSS BRIDGE
 1 SPAN: 198'-0"
 SKEW: SQUARE
 24'-0" CLEAR TRAIL

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: KRM	DRAWN: ALF	
CHECKED: KCD	CHECKED: KRM	

INDIANA
 DEPARTMENT OF TRANSPORTATION

GENERAL PLAN BRIDGE NO.2

HORIZONTAL SCALE	BRIDGE FILE
VERTICAL SCALE	DESIGNATION
	1400311
SURVEY BOOK	SHEETS
ELECTRONIC	8 of 24
CONTRACT	PROJECT
B-36390	0800910

IP_PWP:dms07496\Trail_BR_2_General Plan.01.dgn
 23-JUN-2015

GENERAL NOTES

Reinforcing steel covering shall be 2½" in Top and 1" min. In bottom of floor slabs, 3" in footing except bottom steel which shall be 4", and 2" in all other parts, unless noted.

DESIGN DATA

Superstructure & Substructure Designed for H-10 Loading in accordance with AASHTO LFD Bridge Design Standard Specifications for the Design of Highway Bridges, 17th Edition, 2002, and subsequent interims. Designed for actual dead load plus 35 psf of future wearing surface and 15 psf for SIP Metal deck forms. Slab designed with a 5½" structural depth, and a ½" integral wearing surface.

SEISMIC DESIGN DATA

Seismic Performance Zone = Zone x
Acceleration Coefficient (S_{D1}) = 0.0xx
Seismic Soil Profile Type = Site Class x

DESIGN STRENGTHS

Class "A" Concrete $f_c = 3,500$ p.s.i.
Class "C" Concrete $f_c = 4,000$ p.s.i.
Reinforcing Steel (Grade 60) $f_y = 60,000$ p.s.i.

CONSTRUCTION LOADING

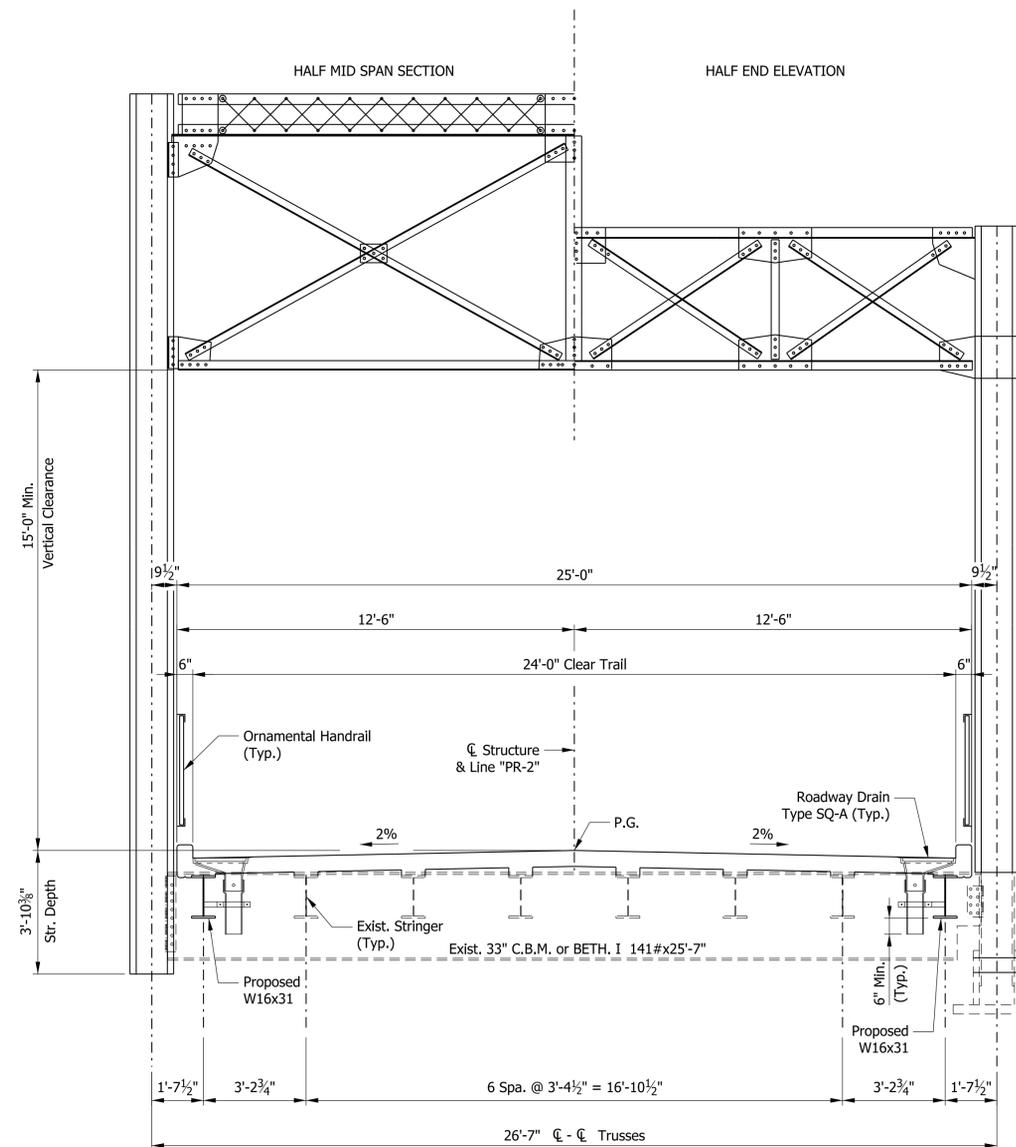
The Truss has been checked for strength, deflection, and overturning using the construction loads shown below. Cantilever overhang brackets were assumed for support of the deck overhang past the edge of the exterior girder. The finishing machine was assumed to be supported 6" outside the vertical coping form. The top overhang brackets were assumed to be located 6" past the edge of the vertical coping form. The bottom overhang brackets were assumed to be braced against the intersection of the girder bottom flange and web.

Deck Falsework Loads: Designed for 15 lb/Sft for permanent metal stay-in-place deck forms, removable deck forms, and 2-ft exterior walkway.

Construction Live Load: Designed for 20 lb/Sft extending 2-ft past the edge of coping and 75 lb/ft vertical force applied at a distance of 6 in. outside the face of coping over a 30-ft length of the deck centered with the finishing machine.

Finishing-Machine Load: 4500 lb distributed over 10-ft along the coping.

Wind Load: Structure Designed for 70 mph horizontal wind loading in accordance with LRFD 3.8.1.



BRIDGE NO. 2 TYPICAL SECTION

**BRIDGE NO. 2 OVER SALT CREEK
STEEL THROUGH TRUSS BRIDGE
1 SPAN: 198'-0"
SKEW: SQUARE
24'-0" CLEAR TRAIL**

RECOMMENDED FOR APPROVAL _____ DESIGNED: <u>KRM</u> DRAWN: <u>ALF</u> CHECKED: <u>KCD</u> CHECKED: <u>KRM</u>	DESIGN ENGINEER _____ DATE _____	INDIANA DEPARTMENT OF TRANSPORTATION		HORIZONTAL SCALE	BRIDGE FILE
		GENERAL PLAN BRIDGE NO.2		VERTICAL SCALE	DESIGNATION
				1400311	
		SURVEY BOOK SHEETS ELECTRONIC 9 of 24 CONTRACT PROJECT B-36390 0800910			

IP_PWP:dms07496\Trail_BR_2_General Plan.02.dgn
23-JUN-2015

APPENDIX C – EARLY COORDINATION

- Sample Early Coordination Letter
- Agency Responses

Ms. Michelle Allen
Federal Highway Administration
575 N. Pennsylvania St.
Room 254, Federal Office Building
Indianapolis, IN 46204

Re: Des. No. 0800910, Salt Creek Bridge Project
Nashville, Brown County, Indiana

Dear Ms. Allen:

The Indiana Department of Transportation (INDOT) intends to proceed with the above bridge project. This letter is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Please use the above Des. No. and description in your reply.

The proposed project is located along the North Fork of Salt Creek south of SR 46, east of Nashville in Brown County, Indiana. The purpose of the project is to provide a safe crossing over the North Fork of Salt Creek for a proposed multi-use trail, while utilizing historic bridge spans relocated from the SR 46 crossing over Eel River in Clay County.

This project will include the construction of two bridges utilizing spans relocated from the SR 46 over Eel River project in Clay County (Des No. 0800910), as well as trail approaches on either side of the bridge, bringing the approaches back to the existing grade. The bridges will each come from one span of a 2-span Parker pony steel-through-truss bridge, measuring 396 feet long (each span 198 feet in length) that was constructed in 1934. This bridge is currently classified as a "Select" bridge per the INDOT Historic Bridge Inventory. During the Historic Bridge Programmatic Agreement Project Development Process, the Indiana Department of Natural Resources came forward requesting the bridges be used for the aforementioned purpose, which necessitated the bridge relocation. These bridges will be part of a future trail, to be constructed as a separate project.

Per the terms of the "Programmatic Agreement Regarding Management and Preservation of Indiana's Historic Bridges" (Historic Bridge PA), FHWA - Indiana Division will "...satisfy its Section 106 responsibilities involving Select and Non-Select bridges..." through the Project Development Process of the Historic Bridge PA. Structure No.046-11-01316A; NBI No. 17050 has been classified as a "Select" bridge by the INDOT Historic Bridge Inventory. FHWA - Indiana Division will satisfy its Section 106 responsibilities for other resources located in the project area through coordination with consulting parties. An archaeological report is being prepared and will be submitted upon completion to the office of Indiana DHPA for review.

As noted above, we are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. Should we not receive your response **within thirty (30) calendar days** from the date of this letter, it will be assumed that your agency feels that there will be no adverse effects incurred as a result of the proposed project. However, should you find that an extension to the response time is necessary, a reasonable amount may be granted upon request. If you

Ms. Michelle Allen
August 11, 2014

have any questions regarding this matter, please feel free to contact me at (317) 616-1013. Thank you in advance for your time and cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Stephany Stamatis". The signature is written in black ink on a light-colored background.

Stephany Stamatis
Environmental Planner

Cc: Jane Hardisty, NRCS
Nancy Hasenmueller, IGS
Nicholas Chevance, NPS FHWA, Indiana Division
Robin McWilliams, USFWS
Christie Stanifer, DNR-F&W
US Department of Housing and Urban Development
Kevin Rector, INDOT-Aviation
James Sullivan, IDEM-Groundwater
US Army Corps of Engineers
Brown County Commissioners
Brown County Planning Commission
Brown County Parks and Recreation
Brown County Highway Department
Rickie Clark, INDOT – Public Involvement



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IDEM > Proposed Roadway Letter



Indiana Department of Environmental Management

We make Indiana a cleaner, healthier place to live.

Mike Pence
Governor

100 North Senate Avenue
Indianapolis , Indiana 46206

Thomas W. Easterly
Commissioner

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

INDOT
Tony Jones, project manager
100 N Senate Ave
N642
Indianapolis , IN 46204

Parsons
Alan Ball
101 West Ohio Street
Suite 2121
Indianapolis , IN 46204

Date

To Engineers and Consultants Proposing Roadway Construction Projects:

RE: INDOT Des. Nos. 1400311 and 1400365. Relocation of 2 historic bridge spans from SR 46 Bridge Project (Bridge Number: 046-11-01316C) over the Eel River in Clay County to 2 locations along the proposed Salt Creek Trail near Nashville, Brown County, Indiana.

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>.

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>. 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>.

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> 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> . 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>

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>), 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), 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/isdasoil/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>.

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>) 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>.)

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.) 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/idem/4145.htm>, or <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>.

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>.

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>.

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>).
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.) 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>, 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>.
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>.

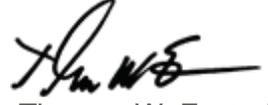
FINAL REMARKS

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>, is used.

Sincerely,



Thomas W. Easterly
Commissioner

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

INDOT Des. Nos. 1400311 and 1400365. Relocation of 2 historic bridge spans from SR 46 Bridge Project (Bridge Number: 046-11-01316C) over the Eel River in Clay County to 2 locations along the proposed Salt Creek Trail near Nashville, Brown County, Indiana.

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.

Date: 6/10/15

Signature of the INDOT
Project Engineer or Other Responsible Agent Tony Jones

Digitally signed by Tony Jones
DN: cn=Tony Jones, o, ou, email=twjones@indot.in.gov, c=US
Date: 2015.06.10 13:09:08 -04'00'

Tony Jones, project manager

Date: 6/10/15

Signature of the
For Hire Consultant Alan h Ball

Alan Ball

Text Reader	Help
(What's this?)	Newsroom
Mobile	Transparency

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

DNR #: ER-17761

Request Received: August 12, 2014

Requestor: Parsons
Stephany Stamatis
101 West Ohio Street, Suite 2121
Indianapolis, IN 46204

Project: Construction of 2 new Salt Creek Trail bridges over North Fork Salt Creek east of Nashville using spans relocated from the SR 46 bridge (# 046-11-01316A) over Eel River in Clay County; Des #0800910

County/Site info: Brown

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 will require the formal approval for construction in a floodway under the Flood Control Act, IC 14-28-1. Please submit a copy of this letter with the permit application.

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

Fish & Wildlife Comments: Avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts. The following are recommendations that address potential impacts identified in the proposed project area:

1) Bank Stabilization and Wildlife Passage:

The slope armoring used under the bridges could negatively affect wildlife passage underneath the bridges. The new, replacement, or rehabbed structure, and any bank stabilization under the structure, should not create conditions that are less favorable for wildlife passage under the structure compared to current conditions. A level area of natural ground under the structure is ideal for wildlife passage. If channel clearing will result in a flat bench area above the normal water level under the structure, this area should allow wildlife passage and should remain free of riprap and other similar materials that can impair wildlife passage. If hard armoring is needed, wildlife passage can be facilitated by using a smooth-surfaced armoring material instead of riprap, such as articulated concrete block mats, fabric-formed concrete mats, or other similar smooth-surfaced material.

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). From the ohwm to the top of the bank, we recommend using bioengineered bank stabilization methods instead of riprap. This can provide equal or better erosion control protection than riprap. This will allow a natural, vegetated stream bank to develop and will allow wildlife passage along the creek's banks and riparian corridor. Information about bioengineering techniques can be found at <http://www.in.gov/legislative/iac/20120404-IR-312120154NRA.xml.pdf>. Also, the

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

following is a USDA/NRCS document that outlines many different bioengineering techniques for streambank stabilization: <http://directives.sc.egov.usda.gov/17553.wba>.

2) Riparian Habitat:

We recommend a mitigation plan be developed (and submitted with the permit application) for any habitat impacts. The DNR's Floodway Habitat Mitigation guidelines (and plant lists) can be found online at:
<http://www.in.gov/legislative/iac/20140806-IR-312140295NRA.xml.pdf>.

Impacts to non-wetland forested habitat under one (1) acre should be mitigated at a 1:1 ratio. Impacts to non-wetland forest habitat over one (1) acre should be mitigated at a minimum 2:1 ratio. Impacts to wetland habitat should also be mitigated at the appropriate ratio according to the 1991 INDOT/IDNR/USFWS Memorandum of Understanding.

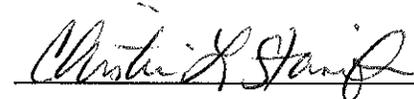
The mitigation site should be located in the floodway, downstream of the one (1) square mile drainage area of that stream (or another stream within the 8-digit HUC, preferably as close to the impact site as possible) and adjacent to existing forested riparian habitat.

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, wildflowers, and native shrub and hardwood tree species as soon as possible upon completion. Do not use any varieties of Tall Fescue or other non-native plants (e.g. crown-vetch).
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. Do not construct any temporary runarounds or causeways.
6. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids.
7. Plant native hardwood trees along the top of the bank and right-of-way to replace the vegetation destroyed during construction.
8. Post "Do Not Mow or Spray" signs along the right-of-way.
9. 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.
10. Seed and protect all disturbed slopes that are 3:1 or steeper with heavy duty biodegradable erosion control blankets (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: September 4, 2014

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



INDIANA GEOLOGICAL SURVEY

611 N. Walnut Grove Ave., Bloomington, IN 47405-2208 • (812) 855-7636

<http://igs.indiana.edu> • IGSinfo@indiana.edu

Project No. _____ DES No. 0800910

Project Description Salt Creek Bridge Project

Brown County County

Name of Organization requesting early coordination:

INDOT

QUESTIONNAIRE FOR THE INDIANA GEOLOGICAL SURVEY

1) Do unusual and/or problem () geographic, () geological, () geophysical, or () topographic features exist within the project limits? Describe:

NO

2) Have existing or potential mineral resources been identified in this area? Describe:

NO

3) Are there any active or abandoned mineral resources extraction sites located nearby? Describe:

NO

This information was furnished by:

M. Karaffa

Marni D. Karaffa , Research Geologist

611 N Walnut Grove, Bloomington, IN 47405

(812) 855-7428 / (812) 855-2862

karaffam@indiana.edu

Friday, September 19, 2014



INDIANA UNIVERSITY

May 15, 2015

Alan Ball
Senior Environmental Planner
Parsons
101 W. Ohio St.
Suite 2121
Indianapolis, IN 46204

Dear Mr. Ball:

The proposed project to construct two bridges for a multi-use trail in the Town of Nashville, Brown County, Indiana, as referred to in your letter received May 7, 2015, will not cause a conversion of prime farmland.

If you need additional information, please contact Rick Neilson at 317-295-5875.

Sincerely,

Ryza Balt **ACTING FOR**

JANE E. HARDISTY
State Conservationist

Helping People Help the Land

An Equal Opportunity Provider and Employer

Helping People Help the Land.



USDA is an equal opportunity provider and employer.

From: [McWilliams, Robin](#)
To: [Ball, Alan](#)
Subject: Re: FW: Des No 0800910 SR46 over Eel River & Salt Creek Bridge Projects - ECL"s
Date: Thursday, May 07, 2015 3:59:01 PM
Attachments: [image001.jpg](#)

Dear Alan,

Thank you for the additional information you provided recently regarding the above-mentioned projects. 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 information you provided our office, the proposed project will remove the existing historic bridge over the Eel River near Nashville, IN and replace it with a new structure approximately 20 feet south of the current alignment. Subsequently, the historic 2-span Parker pony steel truss bridge would be used for crossings over Salt Creek just south of Nashville, IN as part of a recreation trail system. New right-of-way and tree-clearing will be necessary for both projects.

RECOMMENDATIONS

Based on a review of the information you provided, we recommend the following mitigation measures be included in the final project plans 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 projects are 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 Brown 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.

The northern long-eared bat was recently listed as threatened under the Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*). At this time, no critical habitat has been proposed for the NLEB. The entire state of Indiana is within the known range of the NLEB. 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 **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 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 the Indiana bat or the northern long-eared bat.

In your recent email you indicated that the SR 46 bridge relocation would result in impacts of over 600 linear feet to a nearby ephemeral stream. The FWS is generally opposed to realignment of stream channels unless there is no other alternative and the purpose involves public safety or protection of the stream itself. Adverse impacts resulting from channel alterations include loss of aquatic habitat, destabilization of the channel hydraulics and accelerated bank erosion. In addition to our general recommendations, the following should be considered for stream relocation projects:

1. Limit the length of channel to be realigned to the minimum necessary for the bridge construction.
2. If the channel reach to be realigned contains good bottom substrates (i.e. gravel, cobbles and boulders), stockpile this material and use it for substrate in the new channel.
3. Minimize the use of riprap and other artificial bank protection. Use bioengineering techniques wherever possible.
4. If riprap is used, extend it below low-water to enhance aquatic habitat.
5. Construct the new channel with bank slopes and bottom elevations equivalent to those in the natural channel.
6. Use best methods to contain soil and sediment runoff during construction. Use silt curtains or other devices at the downstream end of the project to contain bottom sediment in the newly excavated channel and to prevent it from adding to the downstream sediment load. Maintain such devices by removal of accumulated sediment.
7. Plant native hardwood trees and shrubs in a zone at least 50 feet wide on both sides of the new channel.

OTHER CONSIDERATIONS

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.

If a permit under Section 404 of the Clean Water Act is needed for the proposed project, our recommendations to the U.S. Army Corps of engineers for permit conditions would be consistent with our comments here.

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 Fax: 812-334-4273

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

On Tue, May 5, 2015 at 1:38 PM, Ball, Alan <Alan.Ball@parsons.com> wrote:

In-stream work...

At Eel River, the new bridge will require piers right at the river's edge, but probably below the OHWM. This may require the use of a temporary coffer dam near both banks to allow installation of the piers under dry conditions. The impacts to the Eel River (approximately equal to the width of each pier) will total about 100 feet (50 feet for each pier, but because of the skew, this length is doubled because the two piers are not across from each other in relation to the bank of the river). In addition, the relocated SR 46 to the south will impact 699 feet of ephemeral stream, some of this ephemeral stream length will be re-created on-site, but some length will be lost and potentially require off-site mitigation.

At Salt Creek, we do not anticipate any in-stream work (Salt Creek) nor any impacts to jurisdictional streams.

Why the new alignment at Eel River...

The existing bridge is historic, and per the historic bridge programmatic agreement, we've looked at a range of options, including ones that would replace the bridge on existing alignment, or an alignment to the north. Replacing the bridge on the existing alignment is not desirable because it would cause a complete closure of SR 46 and require a lengthy detour, which would result in very high costs to the users of SR 46. The north alignment was also dismissed due to substandard roadway geometrics that would require the relocation of several homes to correct, or else a design exception from FHWA (which FHWA has said they would not approve). Realigning the road to the south will allow INDOT to maintain traffic on the existing bridge/road while the new one is built.

Good questions! Let me know what else I can provide.

Alan

From: McWilliams, Robin [mailto:robin_mcwilliams@fws.gov]
Sent: Tuesday, May 05, 2015 1:23 PM

To: Ball, Alan

Subject: Re: FW: Des No 0800910 SR46 over Eel River & Salt Creek Bridge Projects - ECL's

Thank you for the information. Will there be instream work at either project? Do you know the reason for a new alignment at the eel River?

Robin

Robin McWilliams Munson

U.S. Fish and Wildlife Service

620 South Walker Street

Bloomington, Indiana 46403

812-334-4261 Fax: 812-334-4273

Monday, Tuesday - 7:30a-3:00p

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

On Tue, May 5, 2015 at 12:49 PM, Ball, Alan <Alan.Ball@parsons.com> wrote:

It's good to hear from you, Robin. I was just about to e-mail again to ask you about the Salt Creek portion of the project as well (near Nashville), as we sent coordination letters around the same time for that project and didn't hear back. Just for your information, we are preparing two separate environmental documents (one for Eel River, and one for the combined Salt Creek sites). Federal Highway wants them to be approved together, so the two documents will be advanced for approvals under one cover page, but for clarity, will be written as two separate documents. I'll be happy to provide you with as much information as I currently have, and yes, I was assuming a seasonal tree-clearing restriction.

Eel River

The preferred alternative is to build a new bridge on a new alignment to the south. This will require almost .75 mile of SR 46 to be realigned to the south of the existing SR 46 alignment. Right now, the preliminary impact numbers are...

2.62 acres of tree cutting and/or clearing (0.54 acre of this are in a wooded wetland, and the majority of the remainder [2.08 ac] is within the floodplain but not wetland)

Salt Creek

The Salt Creek numbers are a little less firm at the moment, but the total tree clearing will be right around 1.0 acre, all of which is within the mapped floodplain of Salt Creek. A small bit of this acreage (0.09 ac) is a forested wetland. But in addition to the 1 acre of permanent impact to the forest at the Salt Creek locations, we will have some tree cutting in order to gain access to the two bridge locations. The plan is to make our construction access paths the eventual path of the Salt Creek Trail, but for now, construction access looks to add at least an additional 0.5 acre to the total tree cutting at the Salt Creek sites.

If you want any further information, please let me know. I'll be happy to provide maps or any other figures you need in order to respond to the coordination request.

Alan Ball
Senior Environmental Planner

101 West Ohio Street, Suite 2121

Indianapolis, IN 46204
317-616-1021 (office)
Alan.Ball@parsons.com

www.parsons.com

From: McWilliams, Robin [mailto:robin_mcwilliams@fws.gov]
Sent: Tuesday, May 05, 2015 12:14 PM
To: Ball, Alan
Subject: Re: FW: Des No 0800910 SR46 over Eel River & Salt Creek Bridge Projects - ECL's

Hi Alan,

Sorry about that. I did have an email from Stephany and apparently I did not respond. Do you know how many trees are planned to be cut, both for the bridge realignment near Bowling Green and the bridge installations in Nashville? Most likely will request seasonal tree-clearing restrictions.

Robin

Robin McWilliams Munson

U.S. Fish and Wildlife Service

620 South Walker Street

Bloomington, Indiana 46403

812-334-4261 Fax: 812-334-4273

Monday, Tuesday - 7:30a-3:00p

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

On Thu, Apr 30, 2015 at 10:24 AM, Ball, Alan <Alan.Ball@parsons.com> wrote:

Robin,

We sent you (I hope!) an early coordination letter for a bridge project in Clay County Indiana. It's State Road 46 over the Eel River, just west of Bowling Green. Neither Stephany (who sent the original letter last August) or I have any record of a USFWS response. Could you check and see if you got anything from us (Stephany's message below)? I'm putting together the NEPA document for the project now, and realized that I don't have anything from you. Let me know what you find, and I'll give you an update of the project's progress since August 2014.

Thank you,

Alan Ball
Senior Environmental Planner

101 West Ohio Street, Suite 2121

Indianapolis, IN 46204
317-616-1021 (office)
Alan.Ball@parsons.com
www.parsons.com

From: Stamatis, Stephany
Sent: Thursday, April 30, 2015 10:18 AM
To: Ball, Alan
Subject: FW: Des No 0800910 SR46 over Eel River & Salt Creek Bridge Projects - ECL's

Attachments removed from forwarded message.

From: Stamatis, Stephany
Sent: Monday, August 11, 2014 3:41 PM
To: 'robin_mcwilliams@fws.gov'
Subject: Des No 0800910 SR46 over Eel River & Salt Creek Bridge Projects - ECL's

Dear Ms. McWilliams,

For your review and comment, attached please find Early Coordination Letters for the above referenced projects. Please note that they share the same Des. No., as the Salt Creek Bridge Project will be utilizing the "Select" bridge that will be relocated from the SR46 over Eel River project.

Thank you,

Stephany Stamatis, LEED AP

Environmental Planner

PARSONS

101 West Ohio Street, Suite 2121

Indianapolis, IN 46204

Direct Line: (317) 616-1013

stephany.stamatis@parsons.com



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Illinois State Office, Region V
Ralph Metcalfe Federal Building
77 West Jackson Blvd
Chicago, IL 60604-3507

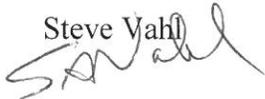
OFFICE OF COMMUNITY
PLANNING AND DEVELOPMENT
August 26, 2014

PARSONS
101 W Ohio St., Suite 2121
Indianapolis, IN 46204
Attn: Stephany Stamatis

Des. No. 0800910
SR 46 over Eel River Bridge
Near Bowling Green, Washington Twp., Clay Co.
Bridge Relocation/Salt Creek –Nashville, Brown Co.
Ms. Satamatis:

Given the information relating to historic preservation under an existing PA with DHPA this office has no comment or concern with these proposals.

Thank you for the opportunity to review this action.

Steve Vahl


Regional Environmental Officer

APPENDIX D – SECTION 106 OF THE NHPA

- Section 106 Finding Document
- Draft Interlocal Agreements
- Section 106 Finding Public Notice Affidavit

**FEDERAL HIGHWAY ADMINISTRATION'S
SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties) AND
SECTION 106 FINDINGS AND DETERMINATIONS
AREA OF POTENTIAL EFFECTS
ELIGIBILITY DETERMINATIONS
EFFECT FINDING**

**Relocation of Bridge No. 046-11-01316C to Two Locations over the North Fork of Salt Creek,
Washington Township, Brown County, Indiana
DES. NO.: 0800910**

AREA OF POTENTIAL EFFECTS

(Pursuant to 36 CFR Section 800.4(a)(1))

The Area of Potential Effects (APE) consists of an irregularly shaped area surrounding both the West and East project areas, with a maximum length of approximately 3,800 ft in length and 2,835 ft in width. Please refer to Appendix A of the attached 800.11(e) documentation for maps of the APE.

ELIGIBILITY DETERMINATIONS

(Pursuant to 36 CFR 800.4(c)(2))

Ramp Creek Covered Bridge has been determined eligible for inclusion in the National Register of Historic Places (NRHP) under Criterion A, for being significant within the historic context of transportation on the local level, and also Criterion C, for having a significant design, as it is the only extant covered bridge in Indiana designed to accommodate two lanes of traffic. It was originally built in 1838 by Henry Wolfe and once crossed Ramp Creek in Putnam County (hence its name), but was moved to Brown County State Park in 1932 by the Indiana State Conservation Department and now spans Salt Creek.

Brown County State Park-North Gate House is eligible for the NRHP under Criterion A, for being associated with the New Deal's Civilian Conservation Corps (CCC) program, and under Criterion C, for being a good example of rustic architecture. The property was originally built in 1935 by the CCC.

EFFECT FINDING

Ramp Creek Covered Bridge: No Adverse Effect

Brown County State Park-North Gate House: No Adverse Effect

Due to no adverse effects to the Ramp Creek Covered Bridge and the Brown County State Park-North Gate House, the overall finding for this undertaking is No Adverse Effect.

INDOT, acting on FHWA's behalf, has determined a No Adverse Effect finding is appropriate for this undertaking. INDOT respectfully requests the Indiana State Historic Preservation Officer provide written concurrence with the Section 106 determination of effect for each property and the project's overall effect finding.

SECTION 4(F) COMPLIANCE REQUIREMENTS (for historic properties)

Ramp Creek Covered Bridge: This undertaking will not convert property from the Ramp Creek Covered Bridge, a Section 4(f) historic property, to a transportation use; FHWA has determined the appropriate Section 106 finding is Adverse Effect; therefore, no Section 4(f) evaluation is required for the Ramp Creek Covered Bridge.

Brown County State Park-North Gate House: This undertaking will not convert property from the Forest Hills Historic District, a Section 4(f) historic property, to a transportation use; INDOT, acting on FHWA's behalf, has determined the appropriate Section 106 finding is No Adverse Effect; therefore, no Section 4(f) evaluation is required for the Brown County State Park- North Gate House.



Patrick Carpenter, for FHWA
Cultural Resources Manager
INDOT Cultural Resources Office

7-1-2015

Approved Date

**FEDERAL HIGHWAY ADMINISTRATION
DOCUMENTATION OF SECTION 106 FINDING OF
NO ADVERSE EFFECT
SUBMITTED TO THE STATE HISTORIC PRESERVATION OFFICER
PURSUANT TO 36 CFR Section 800.6(a)(3)
Relocation of Bridge No. 046-11-01316C to Two Locations over the North Fork of Salt Creek,
Washington Township, Brown County, Indiana
DES. NO.: 0800910
FEDERAL PROJECT NO.: N/A**

1. DESCRIPTION OF THE UNDERTAKING

The undertaking involves the relocation of a two-span steel truss bridge (Bridge No. 046-11-01316C/NBI No. 17050) from SR 46 over the Eel River west of Bowling Green in Clay County to two locations east of Nashville in Brown County (Appendix A). The existing two-span bridge will be rehabilitated and relocated for use on the Salt Creek Trail, a 2.5-mile multi-use trail connecting Nashville, Indiana to Brown County State Park. The Salt Creek Trail project includes two crossings of the North Fork of Salt Creek, approximately 0.7 mile apart from one another. The bridge will be divided into two sections. One section (West Bridge) will be located approximately 1.2 miles southeast of Nashville, south of SR 135/SR 46 and east of Parkview Road, and will connect a proposed trail from Nashville to Brown County State Park. Another section (East Bridge) will be located approximately 1.6 miles southeast of Nashville and will connect to a trailhead near the north entrance of Brown County State Park. The bridge to be relocated, a Parker through truss bridge, was built in 1934 and reconstructed in 1977. The bridge was listed in the National Register of Historic Places (NRHP) on March 15, 2000, under Criterion A, for its association with events in the settlement and economic development of Clay County, Indiana. Additionally, the NRHP nomination indicates that the bridge is an example of an important, revised, third-generation Indiana State Highway Commission bridge. It is also the work of a major Indiana bridge-builder, the Vincennes Bridge Company.

The Area of Potential Effects (APE) consists of an irregularly shaped area surrounding both the West and East project areas, with a maximum length of approximately 3,800 ft in length and 2,835 ft in width. The APE is set within a rural area east of Nashville and is partially located within Brown County State Park. Most of the architectural properties in and around the APE date to the middle to late twentieth century, with the exception of properties within Brown County State Park itself. Generally, the APE is set in a river valley surrounded by heavily wooded areas (Appendix B).

Per Federal Highway Administration-Indiana Division (FHWA-IN) Procedures, Federal-aid highway construction projects qualify as “undertakings” as defined in 36 CFR 800.16(y) and are subject to review under FHWA-IN/Indiana Department of Transportation (INDOT) Section 106 Procedures. Federal-aid funds would be used for planning and/or construction of the proposed improvements. Section 106 is thus applicable.

2. EFFORTS TO IDENTIFY HISTORIC PROPERTIES

Efforts to identify historic properties in the APE included a check of records available at the Indiana Department of Natural Resources-Division of Historic Preservation and Archaeology (DHPA), historical/architectural and archaeological fieldwork, and communication with consulting parties. DHPA serves as the staff of Indiana’s State Historic Preservation Officer (SHPO).

Sources of information examined at DHPA included National Register of Historic Places (NRHP) listings, Indiana Register of Historic Sites and Structures listings, the *Brown County Interim Report* of the Indiana Historic Sites and Structures Inventory (IHSSI), the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) listings, the Indiana Historic Bridge Inventory, Cultural Resource Management (CRM) reports in the project vicinity, and archaeological files and maps. There are two previously documented IHSSI properties that were identified in the APE as a result of the aboveground records check. They include the North Gate House at Brown County State Park (013-445-13002) and the Ramp Creek Covered Bridge (013-445-13001). The Indiana Historic Bridges Inventory lists the Ramp Creek Covered Bridge (Salt Creek Covered Bridge/NBI No. 60310), north of the north entrance to Brown County State Park, as a historic bridge. Another bridge within the APE, Bridge No. 046-07-04172A/NBI No. 017280, which carries SR 135/SR 46 over Salt Creek, is listed in the inventory as a non-historic bridge.

The results of the field surveys conducted by ASC Group were reported in a Historic Property Report (HPR) and a Phase Ia Archaeological Report and a Phase Ia Archaeological Report Addendum (Appendix C). The HPR identified five properties more than 50 years of age within the APE. One property within the APE, the Ramp Creek Covered Bridge, had been previously determined eligible for the NRHP by the Indiana Historic Bridges Inventory; another property, the North Gate House at Brown County State Park, was recommended eligible for the NHRP under Criteria A and C. No additional historic districts or individual properties are being recommended as eligible for the NRHP. According to the Phase Ia Archaeological Survey and its Addendum, it was determined that the project area does not have the potential to contain archaeological resources.

On November 19, 2014, the following other individuals and organizations were invited, in writing, to be consulting parties and were provided the HPR (Appendix D).

- SHPO
- Indiana Landmarks-Central Regional Office
- Indiana Landmarks-Western Regional Office
- Brown County Historian
- Brown County Historical Society
- Brown County Administrator
- James Cooper
- Paul Brandenburg, Historic Spans Task Force
- Preservation Association of Clay County
- Clay County Historian
- Clay County Historical Society
- Clay County Genealogical Society of Indiana
- Clay County Commissioners
- Poland Historical Chapel Society, Inc.
- West Central Indiana Economic Development District

The above-listed parties were provided an e-mail address with which to accept or decline the invitation to be a consulting party. Of the invited parties, the Indiana Landmarks-Western Regional Office and James L. Cooper agreed to be consulting parties via email. It should be noted that Paul Brandenburg, Brown County Administrator Michael Thompson, Bob Bronson from DNR Division of Outdoor Recreation, Bob Kirlin from the Salt Creek Trail group, Clay County Historian Jeff Koehler, and Mark Dollase and Raina Regan of Indiana Landmarks-Central Regional Office all attended the consulting parties meeting on December 4, 2014 mentioned below in Section 6.

In a letter dated December 15, 2014, SHPO concurred with the findings of the Phase Ia Archaeological Report. In a letter dated December 22, 2014 the Indiana SHPO concurred with the findings of the HPR (Appendix E). No other comments from other parties were received regarding the identification of historic properties.

After the proposed location of the East Bridge, in Brown County State Park, was moved eastward as the result of a hydraulic analysis, an addendum Phase Ia Archaeological survey that covered 0.38 ha (0.93 ac) was needed for the project that was not covered in the original Phase Ia survey. ASC Group, Inc. originally submitted an archaeological work plan in September 2014 for the archaeological survey in Brown County State Park. The Indiana Department of Natural Resources-Division of Historic Preservation and Archaeology (DHPA) approved the plan (#2015017) and this plan was modified to include the addendum Phase Ia archaeological survey. The addendum Phase Ia reconnaissance has located no archaeological resources in the project area, and it is recommended that the project be allowed to proceed as planned. INDOT, on behalf of FHWA, has reviewed and concurred with the addendum Phase Ia reconnaissance report. The addendum Phase Ia reconnaissance report is being submitted to the SHPO for their review concurrent with the finding/800.11 documentation.

3. DESCRIBE AFFECTED HISTORIC PROPERTIES

Ramp Creek Covered Bridge: The Ramp Creek Covered Bridge is listed in the Indiana Historic Bridges Inventory (2009) as previously determined eligible for inclusion in the NRHP. This wood-framed covered bridge that spans the North Fork of Salt Creek south of SR 46 is approximately 110 ft long, 22 ft wide, and has a single span. It has a 9-ft clearance for vehicular traffic. It has a gabled roof with asphalt shingles, sidewalls with wood clapboard siding, planked wood decking, and concrete and stone block abutments. The bridge is unique among covered bridges within Indiana as it is believed to be the only covered bridge in Indiana to accommodate two lanes of traffic. It also has the distinction of being the oldest surviving covered bridge in the state of Indiana. The bridge has been determined eligible for the NRHP under Criterion A, for being significant within the historic context of transportation on the local level, and also Criterion C, for having a significant design, as it is the only extant covered bridge in Indiana designed to accommodate two lanes of traffic. It was originally built in 1838 by Henry Wolfe and once crossed Ramp Creek in Putnam County (hence its name), but was moved to Brown County State Park in 1932 by the Indiana State Conservation Department.

Brown County State Park-North Gate House: Brown County State Park-North Gate House is a one-story rustic-style building with a stone-block foundation, hewn log and stone block walls, wood clapboard siding, and a wood shingle roof. Porches are located on the east and west elevations of the building. All of the windows and doors on the house are original to the building. A stone-block chimney is located on the building's south elevation. The property was originally built in 1935 by the Civilian Conservation Corps (CCC). Brown County State Park-North Gate House is eligible for the NRHP under Criterion A, for being associated with the historic context of politics/government, as it was built by the CCC, a New Deal program, and under Criterion C, for being a good example of rustic architecture.

4. DESCRIBE THE UNDERTAKING'S EFFECTS ON HISTORIC PROPERTIES

Ramp Creek Covered Bridge: No direct impacts to any contributing historic features of the property are anticipated at this location. Trees and existing buildings in the surrounding area will largely block the view from the project area to the Ramp Creek Covered Bridge. The East Bridge's Trail Approach is located more

than 600 ft away from the Ramp Creek Covered Bridge. The East Bridge itself will be located more than 800 ft from the Ramp Creek Covered Bridge.

Brown County State Park-North Gate House: No direct impacts to any contributing historic features of the property are anticipated at this location. Trees and existing buildings in the surrounding area will largely block the view from the project area to the Brown County State Park-North Gate House. The East Bridge's Trail Approach is located more than 500 ft away from the Brown County State Park-North Gate House. The East Bridge itself will be located more than 700 ft away from the Brown County State Park-North Gate House.

5. EXPLAIN APPLICATION OF CRITERIA OF ADVERSE EFFECT -- INCLUDE CONDITIONS OR FUTURE ACTIONS TO AVOID, MINIMIZE OR MITIGATE ADVERSE EFFECTS

As described in 36 CFR 800.5(1), the criteria of adverse effect has been applied to this undertaking. An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify that property for inclusion in the NRHP in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Upon considering the criteria of adverse effect, INDOT, on behalf of the FHWA and in consultation with DHPA, has concluded that this undertaking will result in No Adverse Effect.

The following specific examples of adverse effects as listed in 800.5(a)(2) have been applied to this undertaking:

- Physical destruction of or damage to all or part of the property;
- Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is not consistent with the Secretary's standards for the treatment of historic properties (36 CFR Part 68) and applicable guidelines;
- Removal of the property from its historic location;
- Change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;
- Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features;
- Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to a Native American tribe or Native Hawaiian organization; and
- Transfer, lease, or sale of a property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

When considering the aforementioned examples of adverse effects as stipulated in 800.5(2), this undertaking has been determined to have No Adverse Effect.

Ramp Creek Covered Bridge: The undertaking will not destroy or move the property. The undertaking will not damage and alter the historic property. The undertaking will not change the property's use and will not change physical features within its setting that contribute to its historic significance. The undertaking will introduce only slight visual, atmospheric, or audible elements into the property's setting through the construction of the new trail and placement of the rehabilitated bridge within viewshed. The undertaking will not cause the neglect of the property, and it is not under Federal ownership or control. The presence of the trail/bridge within viewshed of the covered bridge will not diminish any of the characteristics that qualify

it for inclusion in the NRHP. Therefore, the undertaking will result in No Adverse Effect to the Ramp Creek Covered Bridge.

Brown County State Park-North Gate House: The undertaking will not destroy or move the property. The undertaking will not damage and alter the contributing historic landscape of the property. The undertaking will not change the property's use. The undertaking will not change the character of the setting of the property, and the project will not diminish the integrity of the property's design. The undertaking will introduce only slight atmospheric or audible elements into the property's setting through the construction of the new trail and placement of the rehabilitated bridge within viewshed. The undertaking will not cause the neglect of the property, and it is not under Federal ownership or control. The presence of the trail/bridge within viewshed of the gate house will not diminish any of the characteristics that qualify it for inclusion in the NRHP. Therefore, the undertaking will result in No Adverse Effect to Brown County State Park-North Gate House.

6. SUMMARY OF CONSULTING PARTIES AND PUBLIC VIEWS

As mentioned in Section 2, on November 19, 2014, the HPR was included as part of an early coordination package sent to state and local agencies and organizations, including DHPA, requesting comments relative to the recommendations of the HPR. These parties were invited to be consulting parties and participate in the development of the project in accordance with the provisions of Section 106 of the National Historic Preservation Act.

A consulting parties meeting for the project was held at Parsons Transportation Group's office in Indianapolis on December 4, 2014. A meeting summary can be found in the environmental document that is being prepared as part of the National Environmental Policy Act (NEPA) process. Discussion primarily focused on whether Bridge No. 046-11-01316C/NBI No. 17050 should be relocated from Clay County to Brown County.

As mentioned above, in a letter dated December 15, 2014, SHPO concurred with the findings of the Phase Ia Archaeological Report. In a letter dated December 22, 2014 the Indiana SHPO concurred with the findings of the HPR (Appendix E). No other comments from other parties were received regarding the identification of historic properties.

Regarding the NRHP eligibility of Bridge No. 046-11-01316C/NBI No. 17050 should it be relocated as part of the preferred alternative, in a letter dated March 5, 2015, the INSHPO pointed out that the U.S. Department of the Interior has written in 36 CFR § 60.14 [b][4] that:

Properties listed in the National Register should be moved only when there is no feasible alternative for preservation. When a property is moved, every effort should be made to reestablish the historic orientation, immediate setting, and general environment.

In the March 5, 2015 letter, INSHPO also suggested that the bridge may be eligible under Criterion C for engineering significance and stated that "we think it would be essential for INDOT to make a case for Criterion C significance when it submits the Indiana SHPO the information necessary to attempt to keep the bridge listed in the National Register, if relocation is proven to be the only feasible alternative."

On May 29, 2015, INDOT CRO submitted to INSHPO two sets of documents that address the two aspects of NRHP listing discussed above. The information included NRHP continuation pages that make the case for Criterion C eligibility for the bridge as a multiple-span example of an important, revised, third-generation

Indiana State Highway Commission (ISHC) standard plan and as an excellent example of one of the few remaining works of a major Indiana bridge-building firm, the Vincennes Bridge Company. The second set of information included the request to retain NRHP listing of the bridge during and following the proposed relocation to Brown County. This information will be considered by the Indiana Historic Preservation Review Board for approval at their July 22, 2015 meeting to then be forwarded to the Keeper of the National Register in the National Park Service.

Per Stipulation III.A of the Historic Bridges PA, consultation is on-going regarding the proposed preferred alternative for the bridge. A summary of the consultation will be provided in the environmental document as part of the NEPA process.

This finding assumes relocation of Bridge No. 046-11-01316C/NBI No. 17050 would occur. If relocation of the bridge is not selected as the preferred alternative, other bridge options for the Salt Trail will have to be reviewed to determine if additional Section 106 studies are warranted for the trail project.

A public notice regarding the APE and No Adverse Effect finding will be issued for this project in a local newspaper concurrently with the issuance of these findings to the consulting parties. A 30-day comment period will be given. This document will be revised, if necessary, after the public notice to reflect any substantive comments received regarding the “no adverse effect” finding. Any comments received about the project in general will be addressed appropriately in the environmental document as part of the NEPA process. Per Stipulation III.A. of the Historic Bridges PA, INDOT will hold a public hearing for the Bridge No. 046-11-01316C/NBI No. 17050 project prior to completion of NEPA studies.

APPENDICES

A. MAPS

B. PHOTOGRAPHS

C. ABSTRACTS AND SUMMARIES FROM THE HISTORIC PROPERTY REPORT, PHASE I ARCHAEOLOGICAL SURVEY AND THE ADDENDUM TO PHASE IA ARCHAEOLOGICAL SURVEY

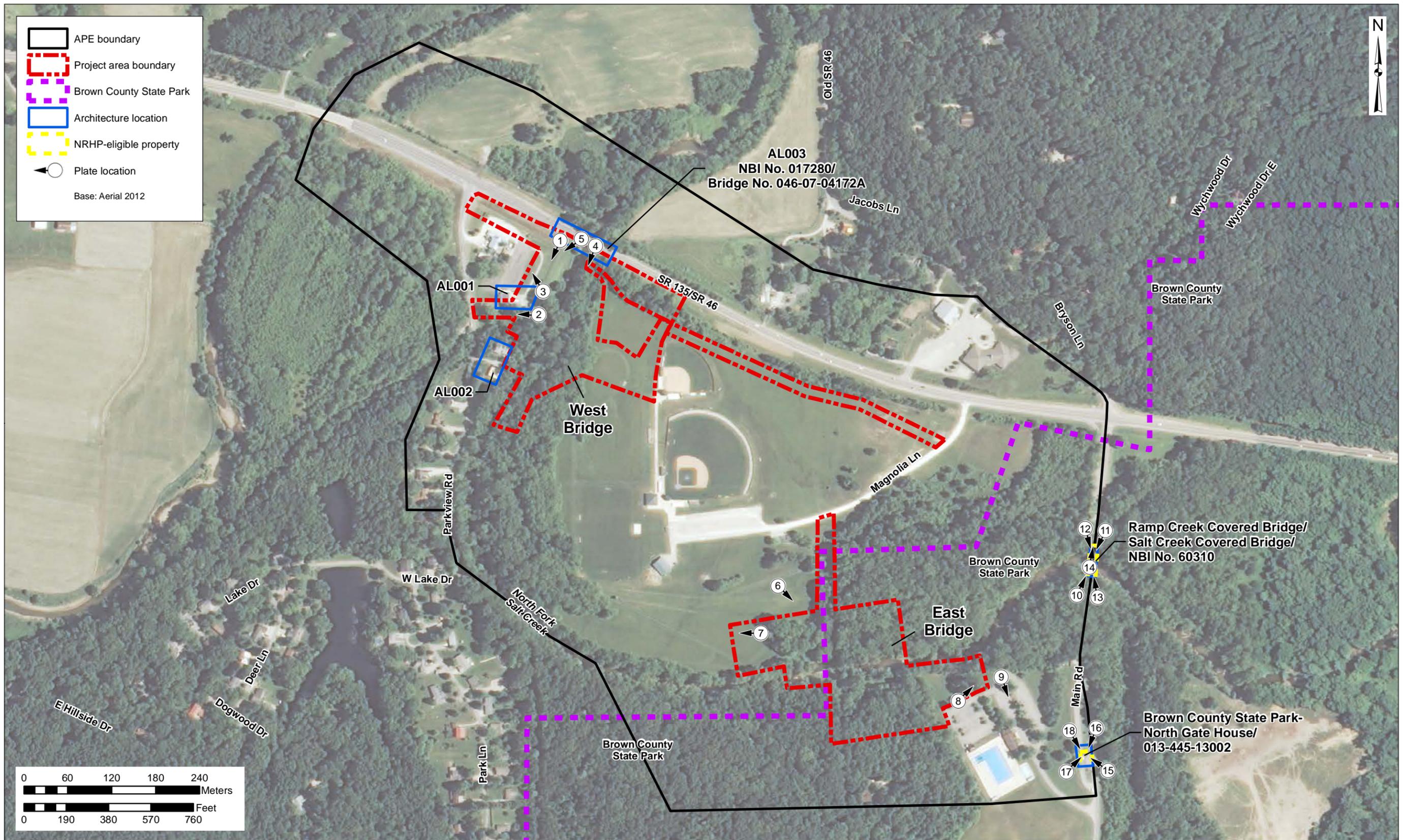
D. LIST OF CONSULTING PARTIES

E. CORRESPONDENCE OF CONSULTING PARTIES

APPENDIX A
MAPS



Appendix A, Map 1: Indiana map showing vicinity of APE.



Appendix A, Map 3: Aerial photograph (2012) showing the APE, project areas, plate locations, and boundaries of NRHP-eligible properties.

APPENDIX B
PHOTOGRAPHS



Plate 1. View of the West bridge relocation project area, south of SR 135/SR 46, looking southwest.



Plate 2. View of the West bridge relocation project area, south of SR 135/SR 46, looking west.



Plate 3. View of the West bridge relocation project area, south of SR 135/SR 46, looking northwest.



Plate 4. View of the West bridge relocation project area from the bridge over SR 135/SR 46, looking southwest.



Plate 5. View of the West bridge relocation project area from SR 135/SR 46, looking southwest.



Plate 6. View of the East bridge relocation project area, south of Magnolia Lane, looking southeast.



Plate 7. View of the East bridge relocation project area, south of Magnolia Lane, looking west.



Plate 8. View of the East bridge relocation project area, west of Main Road, looking northeast.



Plate 9. View of the East bridge relocation project area, west of Main Road, looking southeast.



Plate 10. Ramp Creek Covered Bridge (Salt Creek Covered Bridge), south elevation, looking northeast.



Plate 11. Ramp Creek Covered Bridge (Salt Creek Covered Bridge), north elevation, looking southwest.



Plate 12. Ramp Creek Covered Bridge (Salt Creek Covered Bridge), north elevation, looking southeast.



Plate 13. Ramp Creek Covered Bridge (Salt Creek Covered Bridge), south elevation, looking northwest.



Plate 14. Ramp Creek Covered Bridge (Salt Creek Covered Bridge), interior, looking north.



Plate 15. Brown County State Park, North Gate House, looking northwest.



Plate 16. Brown County State Park, North Gate House, looking southwest.



Plate 17. Brown County State Park, North Gate House, looking northeast.



Plate 18. Brown County State Park, North Gate House, looking southeast.

APPENDIX C

**ABSTRACTS AND SUMMARIES FROM THE HISTORIC PROPERTY REPORT,
PHASE I ARCHAEOLOGICAL SURVEY AND THE ADDENDUM TO PHASE IA
ARCHAEOLOGICAL SURVEY**

**Historic Properties Report for the Relocation of Clay County Bridge No. 046-11-01316
(Des. No. 0800910) to Two Locations over the North Fork of Salt Creek,
Washington Township, Brown County, Indiana**

By

Ross Nelson, MA, MS

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**Submitted To:
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Lead Agency: INDOT



Douglas S. Terpstra, MS, Principal Investigator

October 6, 2014

ABSTRACT

ASC Group, Inc., under contract with Parsons Transportation Group, has completed a Historic Properties Report for the proposed relocation of Clay County Bridge No. 046-11-01316 (Des. No. 0800910) to two locations over the North Fork of Salt Creek in Washington Township, Brown County, Indiana. The project involves the relocation of a two-span steel truss bridge (Clay County Bridge No. 046-11-01316A/NBI No. 17050) from SR 46 over the Eel River west of Bowling Green to two locations east of Nashville in Brown County. The existing two-span bridge over the Eel River in Clay County west of Bowling Green would be rehabilitated and relocated for use on the Salt Creek Trail, a 2.5-mile multi-use trail connecting Nashville, Indiana to Brown County State Park. The Salt Creek Trail project includes two crossings of the North Fork of Salt Creek, approximately 0.7 mile apart from one another. The bridge will be divided into two sections. One section (West Bridge) will be located approximately 1.2 miles southeast of Nashville, south of SR 135/SR 46 and east of Parkview Road. Another section (East Bridge) will be located approximately 1.6 miles southeast of Nashville and will connect to a trailhead near the north entrance of Brown County State Park. The bridge to be relocated, a Parker through truss bridge, was built in 1934 and reconstructed in 1977. The bridge was listed in the National Register of Historic Places on March 15, 2000, under Criterion A, for its importance in the history of transportation on the local level. The Area of Potential Effects consists of an irregularly shaped area surrounding both the West and East project areas, with a maximum length of approximately 3,800 ft in length and 2,835 ft in width.

The Area of Potential Effects is set within a rural area east of Nashville and is partially located within Brown County State Park. Most of the architectural properties in and around the Area of Potential Effects date to the middle to late twentieth century, with the exception of properties within Brown County State Park itself. Generally, the Area of Potential Effects is set in a river valley surrounded by heavily wooded areas.

The survey examined all buildings and structures within the Area of Potential Effects. All buildings and structures due to be 50 years of age or older after a two-year buffer period from the submission of the Historic Properties Report were photographed, recorded on mapping, and evaluated for National Register of Historic Places eligibility. Five such properties were identified within the Area of Potential Effects. Two properties, the Ramp Creek Covered Bridge

(013-445-13001) and the Brown County State Park North Gate House (013-445-13002), are recommended eligible for the National Register of Historic Places, both under Criteria A and C.

CONCLUSIONS

Five properties more than 50 years of age were evaluated as part of this study. None of the properties within the APE are currently listed on the NRHP. One property, the Ramp Creek Covered Bridge, was previously determined eligible for the NRHP under Criteria A and C, for its importance in transportation and for its architectural significance, respectively. Brown County State Park North Gate House is recommended eligible for the NRHP under Criterion A (for being associated with the New Deal programs of the 1930s) and also under Criterion C, for being architecturally significant. No portion of the APE is recommended as a NRHP-listed historic district, as properties are generally less than 50 years of age, have low integrity, or both.

**Phase Ia Archaeological Survey of the Relocation of Clay County
Bridge No. 046-11-01316A (Des. No. 0800910) to Two Locations over Salt Creek,
Washington Township, Brown County, Indiana**

By

Michael Keith Lautzenheiser, MA, and Catharine A. Carson

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Lead Agency: INDOT

November 26, 2014



Kevin Schwarz, PhD, RPA, Principal Investigator

ABSTRACT

Between August 21 and September 9, 2014, under contract with Parsons Transportation Group, Inc., ASC Group, Inc. completed a Phase Ia archaeological survey for the proposed relocation of Clay County Bridge No. 046-11-01316A to Salt Creek in Washington Township, Brown County, Indiana. The project involves the relocation of a two-span bridge (Clay County Bridge Number 046-11-01316A and NBI Inventory Number 017050) from State Road 46 over the Eel River immediately west of Bowling Green in Washington Township, Clay County, Indiana to two locations near Nashville in Washington Township, Brown County, Indiana. The bridge will be separated into its two component spans and moved from Clay County to two locations along the proposed Salt Creek Trail in Brown County.

One span of the bridge will be located approximately 1.9-km (1.2-miles) east-southeast of Nashville and the other span of the bridge will be located approximately 2.6-km (1.6-miles) east-southeast of Nashville within Sections 20 and 29, Township 9N, Range 3E on the 1998 Nashville quadrangle (USGS 7.5' topographic maps). Portions of the project are within Brown County State Park.

The fieldwork involved visual inspection and shovel probing. The project was within portions of the Brown County School Corporation's athletic complex (Eagle Park), commercial and residential properties, and Brown County State Park. Mown grass fields and medium to densely wooded areas were examined. A total of 8.5 ha (20.9 ac) was investigated. Three newly identified archaeological sites (12Br345–12Br347) were recorded. These sites consist of the remnants of historic structures not likely to produce significant information. Further archaeological investigation is not recommended. The project is on the floodplain of the North Fork of Salt Creek. For reasons discussed in the report, Phase Ic deep testing is not recommended for the project.

In the unlikely event that archaeological deposits or human remains are encountered during the construction phase of the project, all work must cease and archaeologists from the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology (IDNR, DHPA) and the Indiana Department of Transportation-Cultural Resources Office (INDOT-CRO) must be notified.

SUMMARY AND INTERPRETATION OF FINDINGS

Between August 21 and September 9, 2014, under contract with Parsons Transportation Group, Inc., ASC Group, Inc. completed a Phase Ia archaeological survey for the proposed relocation of Clay County Bridge No. 046-11-01316A to Salt Creek in Washington Township, Brown County, Indiana. The project involves the relocation of a two-span bridge (Clay County Bridge Number 046-11-01316A and NBI Inventory Number 017050) from SR 46 over the Eel River located immediately west of Bowling Green in Washington Township, Clay County, Indiana to two locations along the proposed Salt Creek Trail near Nashville in Washington Township, Brown County, Indiana. The bridge will be divided into its two component spans and moved from Clay County to Brown County. One span of the bridge will be located approximately 1.9 km (1.2-miles) east-southeast of Nashville and the other span of the bridge will be located approximately 2.6 km (1.6-miles) east-southeast of Nashville within Sections 20 and 29, Township 9N, Range 3E on the 1998 Nashville quadrangle (USGS 7.5' topographic maps). Portions of the project are within Brown County State Park.

The fieldwork involved visual inspection, shovel probing, and soil cores. The project was within portions of the Brown County School Corporation's athletic complex (Eagle Park), commercial and residential properties, and Brown County State Park. Mown grass fields and medium to densely wooded areas were examined. A total of 8.5 ha (20.9 ac) was investigated. Three newly identified archaeological sites (12Br345–12Br347) were recorded. These sites consist of the remnants of historic structures not likely to produce significant information. Disturbance was evident around the well, 12Br345, and it is doubted the well or cistern itself or any infilled deposits, if present, would have archaeological information potential. Also, the well or cistern contained standing water and could not be investigated. Site 12Br346 is a concrete foundation and no artifacts were found near there. Due to its apparent twentieth-century origin and lack of artifacts, the site is unlikely to have information potential. Site 12Br347 consists of the remnants of an old dam and is not likely to produce significant information because portions have been deconstructed, other elements are deteriorated, and overall the site lacks integrity and lacks significant information potential. There is nothing notable about the dam remnants. Further archaeological investigation is not recommended.

Shovel testing did not encounter any large areas of deep alluvium so it is unlikely that deeply buried sites could be present in the project area. Due to the slight likelihood of

encountering substantial archaeological deposits at depth, no Phase Ic deep testing is recommended.

In the unlikely event that archaeological deposits or human remains are encountered during the construction phase of the project, all work must cease and archaeologists from the Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology (IDNR, DHPA) and the Indiana Department of Transportation-Cultural Resources Office (INDOT-CRO) must be notified.

**Addendum to Phase Ia Archaeological Survey for the Proposed Relocation of Clay County
Bridge No. 046-11-01316A to Salt Creek in Washington Township, Brown County, Indiana**

By

Kevin R. Schwarz, PhD, RPA

**Submitted By:
Andrew Campbell
Project Manager
ASC Group, Inc.
9376 Castlegate Drive
Indianapolis, Indiana 46256
317.915.9300
acampbell@ascgroup.net**

**Submitted To:
Parsons Transportation Group
101 West Ohio Street, Suite 2121
Indianapolis, Indiana 46204
317.616.1021**

Lead Agency: INDOT

June 16, 2015



Kevin Schwarz, PhD, RPA, Principal Investigator

Project Description

The project involves the relocation of a two-span bridge (Clay County Bridge Number 046-11-01316A and NBI Inventory Number 017050) from State Road 46 over the Eel River immediately west of Bowling Green in Washington Township, Clay County, Indiana to two locations near Nashville in Washington Township, Brown County, Indiana. The bridge will be separated into its two component spans and moved from Clay County to two locations along the proposed Salt Creek Trail, approximately 2.4 km (1.5 mi) east-southeast of Nashville. A 20.9 ac (8.45 ha) project area was surveyed by Lautzenheiser and Carson (2014) but the proposed location of one the two bridge spans, in Brown County State Park, was moved eastward as the result of a hydraulic analysis. The current addendum survey covers 0.38 ha (0.93 ac) needed for the project that was not covered in the original Phase Ia survey.

Results

The Phase Ia reconnaissance has located no archaeological resources in the project area. The Phase Ia archaeological reconnaissance has located no archaeological sites within the project area and it is recommended that the project be allowed to proceed as planned.

APPENDIX D
LIST OF CONSULTING PARTIES

**Consulting Parties for Relocation of Clay County Bridge No. 046-11-01316 to Two Locations over the North Fork of Salt Creek,
Washington Township, Brown County, Indiana
(Des. No. 0800910)**

First Name	Last Name	Agency/Organization	Address	City	State	Zip Code	Accepted/Declined Consulting party status
Mitch	Zoll	Indiana Department of Natural Resources- Division of Historic Preservation and Archaeology	402 W. Washington St., Room W274	Indianapolis	IN	46204-2739	Accepted
James	Cooper		629 East Seminary Street	Greencastle	IN	46135	Accepted
Paul	Brandenburg	Historic Spans Task Force	5868 Croton Circle	Indianapolis	IN	46254	Accepted
Mark	Dollase	Director, Indiana Landmarks Central Regional Office	1201 North Central Avenue	Indianapolis	IN	46202	Accepted
Diana	Biddle	Brown County Historian	160 McDonald Drive	Morgantown	IN	46160	No Response
Julia	Pearson	Brown County Historical Society	46 East Gould Street	Nashville	IN	47448-0668	No Response
Dr. Michael	Thompson	Brown County Administrator	201 Locust Lane, 2 nd Floor	Nashville	IN	47448	Accepted

APPENDIX E
CORRESPONDENCE OF CONSULTING PARTIES

Ross Nelson

From: Carol Croto
Sent: Thursday, June 11, 2015 11:23 AM
To: Ross Nelson
Subject: FW: Addendum Information and Consulting Party Meeting for Clay County Bridge No. 046-11-01316A/NBI No. 17050, Des. No. 0800910, DHPA # 10596, [IN-549-04]
Attachments: ClayCoBridge046-11-01316A_Des0800910_RevDHPA Addendum Ltr_2014-11-19.pdf

From: Carol Croto
Sent: Monday, November 24, 2014 3:15 PM
To: mkennedy@indot.in.gov; pacarpenter@indot.in.gov
Cc: acampbell@ascgroup.net; kschwarz@ascgroup.net; Ross Nelson (ross-nelson@sbcglobal.net); dterpstra@ascgroup.net
Subject: FW: Addendum Information and Consulting Party Meeting for Clay County Bridge No. 046-11-01316A/NBI No. 17050, Des. No. 0800910, DHPA # 10596, [IN-549-04]

Ms. Kennedy,

We received the below email from Tom Kleckner with Indiana Landmarks who expressed concern regarding the location of the CP Meeting. I noted you were not included in the email addresses so I am forwarding this on to you for your reference.

Thank you!

Carol Croto
Administrative Assistant



ASC Group, Inc.
9376 Castlegate Drive
Indianapolis, IN 46256
Phone: (317) 915-9300 ext. 104
Fax: (317) 915-9301

From: Tommy Kleckner [<mailto:TKleckner@indianalandmarks.org>]
Sent: Monday, November 24, 2014 3:09 PM
To: Carol Croto; Jim Cooper; Paul Brandenburg; koehlerjm@frontier.com; Western Regional Office; vmace72@gmail.com; bryan.allender@fronteir.com; Raina Regan; dlynbid@gmail.com; julia@browncountyhistorycenter.org; thomsonme@browncounty-in.us; mzoll@dnr.gov; Mark Dollase
Cc: ccarson@ascgroup.net; acampbell@ascgroup.net; alan.ball@parson.com; rnelson@ascgroup.net; daniel.prevost@parsons.com; dterpestra@ascgroup.net; Mary Kennedy; pacarpenter@indot.in.gov; sean.porter@parsons.com; lheil@dot.gov
Subject: FW: Addendum Information and Consulting Party Meeting for Clay County Bridge No. 046-11-01316A/NBI No. 17050, Des. No. 0800910, DHPA # 10596, [IN-549-04]

Carol, et. al:

While I plan to attend the December 4 consulting parties meeting, I find it unacceptable that the meeting is not taking place in Clay County where the subject bridge is located. The location selected appears much more convenient to consultants and state agency staff who are able to attend as a function of their job than to local interested parties who, if they wish to attend, must take time away from their places of employment to participate. I realize the option of conferencing in via phone or WebEx has been offered but these methods of participation are not nearly as constructive or effective as being physically present particularly considering the proposed replacement of this National Register-listed Select bridge.

Tommy

.....
Tommy Kleckner
Director

.....
Indiana Landmarks
Western Regional Office
669 Ohio Street
Terre Haute, IN 47807
Ph. 812-232-4534
Fax: 812-234-0156
www.indianalandmarks.org

Indiana Landmarks revitalizes communities, reconnects us to our heritage, and saves meaningful places.

[Become a member](#) | [Subscribe to our e-letter](#) | [Find us on Facebook](#)

From: Carol Croto [<mailto:ccroto@ascgroup.comcastbiz.net>]
Sent: Wednesday, November 19, 2014 4:32 PM
To: Jim Cooper; Paul Brandenburg; koehlerjm@frontier.com; Western Regional Office; Vmace72@gmail.com; bryan.allender@frontier.com; Raina Regan; dlynbid@gmail.com; julia@browncountyhistorycenter.org; thompsonme@browncounty-in.us; mzoll@dnr.in.gov
Cc: ccarson@ascgroup.net; acampbell@ascgroup.net; 'Ball, Alan'; 'Ross Nelson'; Prevost, Daniel; dterpstra@ascgroup.net; mkenedy@indot.in.gov; pacarpenter@indot.in.gov; sean.porter@parsons.com; lheil@dot.gov
Subject: RE: Addendum Information and Consulting Party Meeting for Clay County Bridge No. 046-11-01316A/NBI No. 17050, Des. No. 0800910, DHPA # 10596, [IN-549-04]

Dear Consulting Parties:

ASC Group, Inc., under contract with Parsons Transportation Group, is submitting for your review and comment updated information relating to the project involving Clay County Bridge No. 046-11-01316A/NBI No. 17050 (Des. No. 0800910/DHPA No. 10596) in Clay County, Bowling Green, Washington Township. As outlined in the Section 4(f) alternatives analysis document, it is now proposed to relocate this bridge to two locations on a trail over the North Fork of Salt Creek, Washington Township in Brown County, Indiana. The attached letter summarizes the updated information along with additional material which can be viewed electronically by accessing INDOT's Section 106 document posting website IN SCOPE at <http://netservices.indot.in.gov/Section106Documents/Default.aspx>.

Please use the project identification detail provided in the subject heading to search for the documents. ASC Group, Inc., will provide a hard copy or CD of the materials to any invited consulting party who makes such a request within seven (7) days of receipt of this notification.

This email and attached letter also serve as an invitation to a consulting parties meeting that will be held on Thursday, December 4, 2014, at 1:30 PM at the Parsons Office, which is located at 101 W. Ohio Street (Old National Bank building) at the corner of Illinois Street in downtown Indianapolis. Parking information is provided in the attached letter. A conference call/WebEx option will also be available for this meeting and information on how to join the meeting remotely will be provided at a later date.

If you have any questions regarding this email, contact information is provided in the attached letter.

Thank you for your attention to this matter.

Carol Croto
Administrative Assistant



ASC Group, Inc.
9376 Castlegate Drive
Indianapolis, IN 46256
Phone: (317) 915-9300 ext. 104
Fax: (317) 915-9301

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2014.0.4765 / Virus Database: 4189/8596 - Release Date: 11/19/14

Ross Nelson

From: Carol Croto
Sent: Thursday, June 11, 2015 11:24 AM
To: Ross Nelson
Subject: FW: Addendum Information and Consulting Party Meeting for Clay County Bridge No. 046-11-01316A/NBI No. 17050, Des. No. 0800910, DHPA # 10596, [IN-549-04]

From: Carol Croto
Sent: Tuesday, November 25, 2014 2:37 PM
To: James L. Cooper
Cc: Ross Nelson (ross-nelson@sbcglobal.net); dterpstra@ascgroup.net; acampbell@ascgroup.net
Subject: RE: Addendum Information and Consulting Party Meeting for Clay County Bridge No. 046-11-01316A/NBI No. 17050, Des. No. 0800910, DHPA # 10596, [IN-549-04]

Mr. Cooper,

We will get a CD out to you today with the materials you requested. If there is anything else you need, please let us know.

Thank you,

Carol Croto
Administrative Assistant



ASC Group, Inc.
9376 Castlegate Drive
Indianapolis, IN 46256
Phone: (317) 915-9300 ext. 104
Fax: (317) 915-9301

From: James L. Cooper [<mailto:jlcooper@certc.com>]
Sent: Tuesday, November 25, 2014 1:44 PM
To: Carol Croto
Subject: Re: Addendum Information and Consulting Party Meeting for Clay County Bridge No. 046-11-01316A/NBI No. 17050, Des. No. 0800910, DHPA # 10596, [IN-549-04]

Carol -

Please send me a cd of materials.

Jim

----- Original Message -----

From: Carol Croto

To: jlcooper@crtc.com ; IndianaBridges@sbcglobal.net ; koehlerjm@frontier.com ;
west@indianalandmarks.org ; Vmace72@gmail.com ; bryan.allender@frontier.com ; central@indianalandmarks.org
; dlynbid@gmail.com ; julia@browncountyhistorycenter.org ; thompsonme@browncounty-in.us ; mzoll@dnr.in.gov
Cc: ccarson@ascgroup.net ; acampbell@ascgroup.net ; 'Ball, Alan' ; 'Ross Nelson' ; Prevost, Daniel ;
dterpstra@ascgroup.net ; mkennedy@indot.in.gov ; pacarpenter@indot.in.gov ; sean.porter@parsons.com ;
lheil@dot.gov

Sent: Wednesday, November 19, 2014 4:31 PM

Subject: RE: Addendum Information and Consulting Party Meeting for Clay County Bridge No. 046-11-01316A/NBI No. 17050, Des. No. 0800910, DHPA # 10596, [IN-549-04]

Dear Consulting Parties:

ASC Group, Inc., under contract with Parsons Transportation Group, is submitting for your review and comment updated information relating to the project involving Clay County Bridge No. 046-11-01316A/NBI No. 17050 (Des. No. 0800910/DHPA No. 10596) in Clay County, Bowling Green, Washington Township. As outlined in the Section 4(f) alternatives analysis document, it is now proposed to relocate this bridge to two locations on a trail over the North Fork of Salt Creek, Washington Township in Brown County, Indiana. The attached letter summarizes the updated information along with additional material which can be viewed electronically by accessing INDOT's Section 106 document posting website IN SCOPE at <http://netservices.indot.in.gov/Section106Documents/Default.aspx>.

Please use the project identification detail provided in the subject heading to search for the documents. ASC Group, Inc., will provide a hard copy or CD of the materials to any invited consulting party who makes such a request within seven (7) days of receipt of this notification.

This email and attached letter also serve as an invitation to a consulting parties meeting that will be held on Thursday, December 4, 2014, at 1:30 PM at the Parsons Office, which is located at 101 W. Ohio Street (Old National Bank building) at the corner of Illinois Street in downtown Indianapolis. Parking information is provided in the attached letter. A conference call/WebEx option will also be available for this meeting and information on how to join the meeting remotely will be provided at a later date.

If you have any questions regarding this email, contact information is provided in the attached letter.

Thank you for your attention to this matter.

Carol Croto
Administrative Assistant



ASC Group, Inc.
9376 Castlegate Drive
Indianapolis, IN 46256
Phone: (317) 915-9300 ext. 104
Fax: (317) 915-9301

MEETING SUMMARY

Meeting Subject: CONSULTING PARTIES MEETING: State Road 46 over Eel River Project

Meeting Location: Parsons Transportation Group,
101 W. Ohio St. Indianapolis, IN 46204

Meeting Time: Thursday, December 4, 2014, 1:30 pm

Attendees:

Name	Representing	Email address	Telephone
Tony Jones	INDOT	TWJones@indot.IN.gov	317-233-5282
Mary Kennedy	INDOT	mkenedy@indot.in.gov	317-232-5215
Susan Branigin	INDOT	sbranigin@indot.in.gov	317-234-0142
Larry Heil	FHWA	Larry.heil@fhwa.dot.gov	317-226-7480
Ross Nelson	ASC Group	rnelson@ascgroup.net	317-915-9300 ext 103
Bob Bronson	DNR	bbronson@dnr.in.gov	317-232-4075
Bob Kirlin	Salt Creek Trail	Bob.kirlin@sbcglobal.net	812-988-2227
Mark Dollase	Indiana Landmarks	mdollase@indianalandmarks.org	317-639-4534
Raina Regan	Indiana Landmarks	rregan@indianalandmarks.org	317-639-4534
John Carr	DNR-DHPA	Jcarr@dnr.in.gov	317-233-1949
Jeff Koehler	Clay County Historian	koehlerjm@frontier.com	812-249-3724
Paul Brandenburg	Indiana Historic Spans Task Force	Indianabridges@sbcglobal.net	317-347-1004
Tommy Kleckner	Indiana Landmarks	tkleckner@indianalandmarks.org	812-232-4534
Doug Terpstra	ASC Group	dterpstra@ascgroup.net	614-643-3206
Brock Ervin	INDOT C'ville Dist.	bervin@indot.in.gov	765-361-5259
Mike Thompson	Brown Co. Admin	thompsonme@browncounty-in.us	812-988-4901
Dan Prevost	Parsons	daniel.prevost@parsons.com	317-616-1017
Sean Porter	Parsons	sean.porter@parsons.com	317-616-1001
Alan Ball	Parsons	alan.ball@parsons.com	317-616-1021
Kyle Muellner	Parsons	kyle.muellner@parsons.com	317-616-4672

Pursuant to the Section 106 process, a *Consulting Parties Meeting* was held to discuss the nature of this project and obtain those parties' input. Clarifications are underlined. **Action Items are shown in bold:**

Project Information

1. The primary scope of this project is to address the deteriorated structural condition of Bridge 46-11-01316C. This bridge has been stabilized with a temporary localized repair; however, it was not intended to be a permanent solution.
2. Dan Prevost discussed the project overview using a PowerPoint presentation, of which certain points were discussed by the group in greater depth.
3. The condition rating system was discussed. It was noted that the superstructure was rated a "3," which translates to Poor/Serious condition. It was discussed that gusset plates were rated a "1", which indicates imminent failure of a component. Subsequently, the newly released 2014 State Inspection report was obtained. This report, which maintains the "1" rating, notes these gussets have been bypassed with temporary retrofits.
4. The original design was for a 20-Ton truck (2-axle "H-20"), while today's Federal standards for a State Arterial mandate a 36-Ton truck (Multi-axle "HS-20" or "HL-93"). This structure currently carries 13.85% commercial trucks (445 per day). It also exhibits vertical and horizontal clearance issues, as well as the imminent need for closure and repair within roughly 3 years.
5. Based on the alternatives analysis provided, INDOT identified Alternative 5C-S (constructing State Road 46 "off alignment" to the south of the existing bridge) as the preliminary preferred alternative. Traffic will be maintained on the old bridge until the new section of roadway is opened.
6. The Existing Truss Bridge is on the National Register of Historic Places, and considered "Select" in the *INDOT/FHWA Historic Bridge Inventory*.
7. In 2013, it was identified that the historic trusses could be moved to a trail in Brown County, connecting the City of Nashville with Brown County State Park. The idea was discussed by INDOT, the staff of the State Historic Preservation Officer (SHPO) and Parsons upon selection of the site. At the time, all indicated concurrence that it was a potentially viable solution.
8. Mary Kennedy of INDOT discussed the requirements of the "Historic Bridges Programmatic Agreement (PA)," which states that the FHWA will not participate in the demolition of a Select bridge. The PA also mandates that INDOT hold a Public

- Hearing for the Project and may require Photo-documentation. She also indicated the “INDOT Historic Bridges” website is typically a mitigation method required for a *Non-Select* Bridge. A Select Bridge would not require that avenue, as the final home of the structure must be identified prior to the Section 106 completion. A potential home has been identified on this project.
9. It was suggested that local agencies in Clay County should have had an opportunity to claim ownership and responsibility of this bridge. During the meeting Dan Prevost indicated that they were not contacted. Following the meeting, the team learned that the Clay County Commissioners were indeed contacted in 2009 by the previous INDOT project manager (who retired in 2014). Their response at that time indicated that they had no interest in maintaining the bridge for park use (see attached email from Ellie Dieckmeyer). Based on the length of time that has elapsed, INDOT will re-initiate coordination with them to determine their interest. **Parsons/INDOT will notify the Consulting Parties if a meeting is held or other response is received.**
 10. Bowling Green is unincorporated.
 11. Paul Brandenburg indicated that the relocation of the bridge and splitting of the trusses may result in the removal of the bridge from the National Register (NRHP). Raina Regan also noted that, because the bridge was listed due to its role in the development of Clay County, moving the bridge outside of Clay County may also cause it to be removed from the NRHP.
 12. Mary indicated that based upon experience from another project, that the Department of the Interior *did not* want to be contacted regarding the potential de-listing of a bridge. They felt it was a matter to be handled with the SHPO.
 13. Larry Heil explained that FHWA desires to place the structure in a location where it would get used, and more importantly, maintained. Without an inter-local agreement to assure maintenance, the State would only be required to maintain the bridge for 25 years.
 14. Larry Heil felt that the following changes should be made to the Alternatives Analysis matrix:
 - Alternative 2 (Rehabilitation) and Alternative 3 (One-Way Pair) should be identified as *not* meeting the project’s Purpose and Need since they would require a design exception for load capacity.
 - Alternative 4 should be identified as “not prudent” pending a commitment from Clay County to accept long-term responsibility for the bridge.
 15. Agreements regarding the commitment to maintain the structures must be signed prior to FHWA approval of the CE document. According to Bob Bronson, the IDNR will take responsibility for the span to be placed on Brown County State Park

- property. The Brown County Commissioners have not formally made a decision on ownership. The County Trails Board, which would be the recipient of the trusses at Salt Creek, is a part of the County under the Commissioners. It was determined that **the Inter-Local Agreement, in its draft form, will be shared with Brown County.**
16. It was suggested that a non-standard one-way pair could be an option. This could feature a narrower deck instead of re-purposing the 2 existing lanes.
17. It was inquired as to why this project changed scope from Rehabilitation to Replacement. Mark Dollase would like a letter indicating the project history between 2008 and 2012. Larry Heil indicated project history is part of the Environmental Document. As this is an unusual request, INDOT did not have a timeline to provide such a document.
18. Tommy Kleckner would like to see an “open” style rail at the new crossing, for continued visibility of the stream from the bridge. After the meeting he indicated a good example project had used a short-parapet and steel tube rail system (“PF”-Type).
19. Tommy asked ASC Group whether they surveyed the “Bowling Green” sign as part of the expanded A.P.E. He wondered whether it is over 50 yrs old and holds any National Register eligibility significance. Ross Nelson said they were not able to determine the age of the sign. **ASC Group will look into the sign further.**
20. It was noted there were no (other) properties eligible for inclusion in the NRHP found in the APE.

Prepared by: Kyle Muellner
December 17, 2014

Muellner, Kyle

Subject: FW: Des# 0800910 SR 46 Bridge Replacement

FYI

From: Dieckmeyer, Ellie

Sent: Tuesday, September 08, 2009 8:32 AM

To: Kennedy, Mary; Miller, Daniel

Cc: Eubank, Michael L; Vollmer, Mike; Branigin, Susan; Miller, Shaun; Peterson, Staffan (INDOT)

Subject: RE: Des# 0800910 SR 46 Bridge Replacement

After a conversation with Clay County, I don't feel they want to take over a new park. They cannot afford the parks they currently have and are going to close many of them.
Question – If the county does not want a park, how will that effect the bridge moving? How can INDOT move a bridge and not maintain?

Ellie

DNR Indiana Department of Natural Resources

Michael R. Pence, Governor
Cameron F. Clark, Director

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.IN.gov



December 15, 2014

Patrick Carpenter
Cultural Resources Manager
Environmental Services
Indiana Department of Transportation
100 North Senate Avenue, Room N642
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration

Re: Dual Review: Phase Ia Archaeological Survey Report for the Relocation of Clay County Bridge No. 046-11-01316A to Two Locations over Salt Creek in Washington Township, Brown County, Indiana. (Designation #0800910; DHPA #10596)

Dear Mr. Carpenter:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation, the Indiana State Historic Preservation Officer regarding the implementation of the Federal Aid Highway Program in the State of Indiana," the staff of the Indiana State Historic Preservation Officer has conducted an analysis of the materials dated December 1, 2014 and received on December 3, 2014, for the above indicated project in Brown County, Indiana.

In regard to archaeological survey report, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur that archaeological sites 12-Br-345, 346 and 347 do not appear to be eligible for inclusion in the National or State Registers of Historic Places. Therefore, we concur with the recommendation that further archaeological investigation is not necessary as presented in the above mentioned report.

We will comment on above ground resources once we have received the additional information requested by consulting parties. The above comments are strictly in regards to archaeological resources.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving 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.

A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004 may be found on the Internet at www.achp.gov for your reference. If you have questions about archaeological issues please contact Mitch Zoll at (317) 232-3492 or mzoll@dnr.IN.gov. If you have questions about buildings or structures please contact John Carr at (317) 233-1945 or jcarr@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #16711.

Very truly yours,



Mitchell K. Zoll
Deputy State Historic Preservation Officer

MKZ:

cc: Patrick Carpenter, Manager, Cultural Resources Office, Indiana Department of Transportation
emc: Patrick A. Carpenter, INDOT - pacarpenter@indot.in.gov
Mary Kennedy, INDOT - mkennedy@indot.in.gov
Shaun Miller, INDOT - smiller@indot.in.gov
Shirley Clark, INDOT - sclark@indot.in.gov
Andrew Campbell, ASC Group
Cathy Carson, ASC Group

DNR Indiana Department of Natural Resources

Michael R. Pence, Governor
Cameron F. Clark, Director

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dhpa@dnr.IN.gov



December 22, 2014

Ross Nelson
Architectural Historian
ASC Group, Inc.
9376 Castlegate Drive
Indianapolis, Indiana 46256

Federal Agency: Federal Highway Administration

State Agency: Indiana Department of Transportation ("INDOT")

Re: Historic properties report (Nelson, 10/27/2014), historic bridge alternatives analysis (Prevost, 11/17/2014), and December 4, 2014, consulting parties meeting for the Dual Review of the INDOT Bridge No. 046-11-01316C/NBI No. 17050 Project near the community of Bowling Green, in Washington Township, Clay County, Indiana (Des. No. 0800910; DHPA No. 10596)

Dear Mr. Nelson:

The Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology ("DHPA"), which also serves as the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO"), has considered your letter, with enclosures, dated November 19, 2014, and received on November 21, for the aforementioned project on SR 46 over the Eel River in Clay County, Indiana.

Because this is a Dual Review, the DHPA/Indiana SHPO staff is reviewing the information submitted under both Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470f), implementing regulations at 36 C.F.R. Part 800, and pertinent Section 106 programmatic agreements, as well as under Indiana Code 14-21-1-18 and 312 Indiana Administrative Code 20-4.

A great deal of information has been provided, a great many questions were raised at the December 4 consulting parties meeting, and a fair amount of additional investigation and discussion no doubt will be necessary in order to work through this consultation, especially those aspects governed by the 2006 "Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Indiana Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Management and Preservation of Indiana's Historic Bridges" ("Indiana Historic Bridges PA"). Not knowing how the historic bridge alternatives analysis might be revised, and having limited ability under Federal and Indiana law to influence the outcome of this decision-making process, we do not believe that detailed comments from our office on the alternatives analysis are warranted at this time. However, we will offer some observations on the project and the process as we await further developments.

Because, as the bridge number indicates, the bridge in question is an INDOT bridge, we recommend, for the sake of clarity, that it not be referred to in the future as "*Clay County* Bridge No. 046-11-01316A." Furthermore, as we indicated in our December 9, 2014, letter, your November 19 letter indicates the bridge number is 046-11-01316A, whereas the historic bridge alternatives analysis prepared by Parsons Transportation Group refers to it as Bridge No. 046-11-01316C. Based on our experience with other bridge projects, we believe that the change in the letter at the end of the bridge number is simply a reflection of the modifications that have been made to this bridge between 2010 and 2014. Even so, consistency in stating the bridge number might help to avoid confusion.

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We agree with your October 27, 2014, historic properties report (“HPR”) regarding the proposed area of potential effects (“APE”) for the two proposed relocation sites for the spans of INDOT Bridge No. 046-11-01316C over Salt Creek in Brown County. We also agree with the HPR, for the purposes of the review of this project, that the only two above-ground historic properties within the Brown County APE are the Ramp Creek Covered Bridge and the Brown County State Park North Gate House, both of which are thought to be eligible for the National Register of Historic Places under criteria A and C.

In our September 28, 2010, letter to INDOT, we agreed with the earlier HPR (Branigin, 8/2010) regarding the APE for the project area around the current location of INDOT Bridge No. 046-11-01316A (now 046-11-01316C) in Clay County and regarding the proposed determination that the only above-ground property within that APE was the two-span bridge, itself. We now agree, also, with the expansions of the APE for the current bridge location that are discussed in your November 19 letter, and for the purposes of this Section 106 review, we agree with your conclusion that there are no additional, historic above-ground properties within the APE expansion areas.

At the December 4 consulting parties meeting, FHWA expressed uncertainty about whether it would agree with the historic bridge alternatives analysis regarding the satisfaction of the purpose and need and the feasibility and prudence of some of the alternatives studied and asked Parsons Transportation Group for clarification. We do not recall, however, that FHWA questioned the satisfaction of the purpose and need or the feasibility and prudence of the *preliminary preferred* alternative identified in the historic bridge alternatives analysis, Alternative 5C-S (Bridge Replacement on New Alignment to South).

There seemed to be interest among some of the other consulting parties at the meeting in Alternative 3 (Rehabilitation for Continued Vehicular Use/One-Way Pair). Although the Indiana Historic Bridges PA requires consideration of that alternative in this situation, our recollection is that it has been rare in other bridge project reviews for the pairing of a historic metal truss bridge with a modern bridge to be found to be both feasible and prudent. The project involving Marion County Bridge No. 0501F carrying 86th/82nd Street over the White River in Indianapolis—which was mentioned at the meeting—might be the only recent case where the continued vehicular use of a historic truss bridge alongside a new bridge has been deemed acceptable. Indiana Landmarks suggested that it might commission a new engineering study of the feasibility and prudence of rehabilitating Bridge No. 046-11-01316C for continued vehicular use in its current location. We appreciate Indiana Landmark’s willingness to fund such a study. Not being engineers, we cannot predict what the study would find. In our experience, however, it has been uncommon for outside studies to persuade the decision-making agencies to select a different preferred alternative. Another factor that comes into play where an INDOT bridge is involved is that INDOT appears not to want to own a bridge that it no longer considers useful.

We do think it would be worthwhile, as FHWA has suggested, to hold a meeting in Clay County that would be open to county officials and the public for the purpose of gauging local interest in taking ownership of the bridge, if it were to be bypassed.

We appreciate INDOT’s and the Department of Natural Resources Division of Outdoor Recreation’s joint efforts to contact—if we recall the number correctly—about 300 trail organizations around the state to see if there is interest in taking this bridge and relocating it to another community.

Furthermore, we can imagine what INDOT’s providing the two spans of Bridge No. 046-11-01316C to the Salt Creek Trail could mean to local trail and economic development efforts. We also understand how expensive it could be to a trail project’s sponsor to acquire bridges and rehabilitate and move them to the crossings where they are needed. Even so, we would prefer that splitting the spans of a two-span historic bridge be reserved as a last-resort solution to preserving historic truss spans. We would prefer, as well, to be consulted before even tentative offers of historic bridges are being made, where the future use of the trusses of a bridge would occur at different locations. We were caught by surprise by a similar situation a number of years ago involving historic Fountain County Bridge No. 63.

The historic bridge alternatives analysis at page 21 says that after the bridge is relocated, INDOT will seek the Department of the Interior to keep the bridge listed in the National Register. However, 36 C.F.R. § 60.14(b) provides a procedure for obtaining that approval, but only *before* the listed property is relocated. If the bridge were to be moved before that procedure is completed, it automatically would be deleted from the National Register. Before the Keeper of the National Register receives the specified information about the listed property, the reasons for the move, and the new

location, the state review board must first approve the continued listing. DHPA serves as the staff of the Indiana Historic Preservation Review Board and would receive the required information and transmit it to the Review Board.

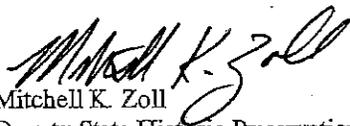
We agree with the sentiment expressed by FHWA that it is important to obtain the assurance of the prospective owner of one of the trusses of the bridge that it is willing to maintain its span. We would recommend that both prospective owners be asked for such an assurance.

On December 3, 2014, we received a Phase Ia archaeological survey report (Lautzenheiser and Carson, 11/26/2014) for the relocation of the spans of this bridge to the two locations over the Salt Creek Trail being developed in Brown County. As you may know, we commented on that report in our December 15, 2014, letter to INDOT.

If you have any questions regarding our Dual Review of the INDOT Bridge No. 046-11-01316A/NBI No. 17050 Project near the community of bowling green in Washington Township, Clay County, please contact the DHPA. Questions about archaeological issues should be directed to Mitch Zoll at (317) 232-3492 or mzoll@dnr.IN.gov. Questions about historic buildings or structures pertaining to this review should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov.

In all future correspondence regarding this project, please continue to refer to DHPA No. 10596.

Very truly yours,


Mitchell K. Zoll
Deputy State Historic Preservation Officer
Director, Division of Historic Preservation & Archaeology

MKZ:JLC:jlc

cc: Preservation Association of Clay County

enc: Daniel Prevost, Parsons Transportation Group
Allan Ball, Parsons Transportation Group
Sean Porter, Parsons Transportation Group
Andrew Campbell, ASC Group, Inc.
Ross Nelson, ASC Group, Inc.
Kevin Schwarz, Ph.D., RPA, ASC Group, Inc.
Lawrence Heil, P.E., Federal Highway Administration, Indiana Division
Patrick Carpenter, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Susan Branigin, Indiana Department of Transportation
David Moffatt, Indiana Department of Transportation
Shirley Clark, Indiana Department of Transportation
Bryan Allender, Clay County Commissioner
Board of Commissioners of Clay County, c/o Mary Jo Alumbaugh, County Recorder
Jeffrey Koehler, Clay County Historian
Vickie Mace, Clay County Historical Society
Bob Kirlin, Salt Creek Trail
Board of Commissioners of Brown County, c/o Dr. Michael Thompson, Administrator
Town Council, Town of Nashville, c/o Brenda Young, Clerk-Treasurer
Brown County Schools
Julia Pearson, Brown County Historical Society
Bob Bronson, Indiana Department of Natural Resources, Division of Outdoor Recreation
Dan Bortner, Indiana Department of Natural Resources, Division of State Parks & Reservoirs
Benjamin Clark, Indiana Department of Natural Resources, Division of State Parks & Reservoirs
Mark Dollase, Indiana Landmarks, Central Regional Office
Tommy Kleckner, Indiana Landmarks, Western Regional Office
Paul Brandenburg, Indiana Historic Spans Task Force
Dr. James L. Cooper, Professor Emeritus of History, DePauw University
Joshua Palmer, Indiana Historic Preservation Review Board
Daniel Kloc, Indiana Historic Preservation Review Board
Jim Corridan, Indiana Historic Preservation Review Board
Richard Butler, Indiana Historic Preservation Review Board

Kevin Orme, Indiana Historic Preservation Review Board
Beth McCord, Indiana Historic Preservation Review Board
Cameron Clark, Director, Indiana Department of Natural Resources and Indiana State Historic Preservation Officer
Christopher Smith, Deputy Director, Indiana Department of Natural Resources
Mitchell Zoll, Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology
Chad Slider, Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology
John Carr, Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology

Ross Nelson

From: Prevost, Daniel <Daniel.Prevost@parsons.com>
Sent: Friday, January 9, 2015 4:49 PM
To: bbronson@dnr.in.gov; mzoll@dnr.in.gov; Jcarr@dnr.in.gov; mdollase@indianalandmarks.org; tkleckner@indianalandmarks.org; rregan@indianalandmarks.org; koehlerjm@frontier.com; Vmace72@gmail.com; Indianabridges@sbcglobal.net; jlcooper@ccrtc.com; psinders@gmail.com; bryan.allender@frontier.com; fenwick56@frontier.com; Bob.kirlin@sbcglobal.net; thompsonme@browncounty-in.us; dlynbid@gmail.com; julia@browncountyhistorycenter.org; thompsonme@browncounty-in.us
Cc: TWJones@indot.IN.gov; mkennedy@indot.in.gov; sbranigin@indot.in.gov; pacarpenter@indot.in.gov; bervin@indot.in.gov; Larry.heil@fhwa.dot.gov; Porter, Sean; Matt.kohut@parsons.com; Muellner, Kyle; Prevost, Daniel; Ball, Alan; Ross Nelson; Doug Terpstra
Subject: FW: Public Meeting regarding the S.R. 46 Bridge over the Eel River, 2.8 miles east of S.R. 59 in Clay County

All –

Based on the discussion at our December 4th Consulting Party meeting and subsequent discussions with Clay County, INDOT will be hosting a public meeting to gather input regarding the alternatives under consideration, including the final location of the rehabilitated structure. Details are below.

- Dan

From: State of Indiana [mailto:indiana@subscriptions.in.gov]
Sent: Friday, January 09, 2015 3:13 PM
To: Prevost, Daniel
Subject: Public Meeting regarding the S.R. 46 Bridge over the Eel River, 2.8 miles east of S.R. 59 in Clay County

The Indiana Department of Transportation (INDOT) will hold a public meeting on Thursday, January 29, 2015, at 6:00 pm at the Bowling Green Community Building, 5230 East Washington Street, Bowling Green, Indiana 47833.

The purpose of the public meeting is to offer all interested persons an opportunity to comment on alternatives under consideration for the SR 46 Bridge over the Eel River, 2.8 miles east of SR 59, located in Clay County. Improvements to the bridge are required to address the advanced deterioration affecting critical load-bearing components of the bridge. Bridge No. 046-11-01316C, a steel Parker through truss bridge with concrete abutments, a steel superstructure, and a concrete deck, is listed in the National Register of Historic Places (National Register) under Criterion A for its role in the development of Clay County. As part of the Indiana Historic Bridge Inventory project, the bridge was determined to be Select for Non-Vehicular Use. Select bridges are those that are most suitable for preservation and are excellent examples of a given type of historic bridge. The designation as Select for Non-Vehicular Use indicates that the Historic Bridge Inventory recognized that the load capacity and roadway width of this bridge does not make this bridge suitable for continued use.

INDOT has evaluated a range of alternatives for this bridge including: (1) a do-nothing or ‘No Build’ alternative, (2) rehabilitation for continued vehicular use, (3) rehabilitating the bridge for use a part of a one-way pair of bridges, (4) bypassing the existing bridge with a new, adjacent bridge, retaining the existing one for non-vehicular use, or (5) constructing a new bridge and relocating the existing bridge to an alternate location for

non-vehicular use. INDOT has determined that alternatives 1, 2, and 3 are not prudent, due to the load capacity of the existing bridge. Alternative 4 may be prudent depending on local support for maintaining the bridge and identifying a public use. Alternative 5 is a prudent alternative and could involve relocating the bridge to another location in Clay County or elsewhere in the state. **The goal of this meeting is to determine the public's interest in retaining the bridge in its existing location (Alternative 4) or relocating it to another location (Alternative 5).**

The presentation will begin at 6:00 pm, followed by a public comment session. The presentation and comment session will extend until 7:30 p.m. During the public comment session, interested persons will be afforded an opportunity to express comments, concerns and provide input regarding the project. Following the presentation and comment session, INDOT representatives will be available to address questions and concerns. Comments may also be submitted to: SR 46-Eel River Project, c/o Parsons, 101 West Ohio Street, Suite 2121, Indianapolis, Indiana 46204. You may also elect to fax comments to (fax) 317-616-1033. Comments may be e-mailed to daniel.prevost@parsons.com.

This meeting is not the last opportunity for agencies or the public to comment on the project. INDOT is in the process of developing conceptual plans and the required environmental documentation under the National Environmental Policy Act and Section 106 of the National Historic Preservation Act. When that documentation is complete, a formal public hearing will be held to provide an opportunity to comment on the preferred alternative and anticipated impacts prior to INDOT and the Federal Highway Administration making a final decision.

WINTER WEATHER NOTE: In the event of hazardous winter weather causing hazardous driving conditions, this meeting would be rescheduled (if necessary) on Saturday, January 31, 2015 at the same location as listed above, but with a starting time of 1:00 p.m. In the event of inclement weather, please call the INDOT Office of Public Involvement at (317) 232-6601 to find out if the meeting will be held or rescheduled.

In accordance with the "Americans with Disabilities Act", if you have a disability for which the Indiana Department of Transportation would need to provide accommodation for, in terms attendance and participation during the meeting, please contact the Office of Public Involvement by Thursday, January 22, 2015.

INDOT looks forward to meeting with the community on Thursday, January 29, 2015 at 6:00 p.m.

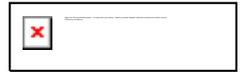
Rickie Clark, Indiana Department of Transportation, Office of Public Involvement / Central Office Communications Division, 100 North Senate Avenue, Room N642, Indianapolis, Indiana 46204; **Phone:** (317) 232-6601 **Email:** rclark@indot.in.gov

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This email was sent to daniel.prevost@parsons.com using GovDelivery, on behalf of: State of Indiana · 402 Washington Street · Indianapolis, IN · 46204 · 800.457.8283



Ross Nelson

From: Tommy Kleckner <TKleckner@indianalandmarks.org>
Sent: Tuesday, January 20, 2015 9:53 AM
To: Kennedy, Mary; Prevost, Daniel; Bronson, Bob; Mitchell Zoll; John Carr; Mark Dollase; Raina Regan; koehlerjm@frontier.com; Vmace72@gmail.com; Paul Brandenburg; Jim Cooper; psinders@gmail.com; bryan.allender@frontier.com; fenwick56@frontier.com; Bob.kirlin@sbcglobal.net; thompsonme@browncounty-in.us; dlynbid@gmail.com; julia@browncountyhistorycenter.org; thompsonme@browncounty-in.us
Cc: Jones, Tony W; Branigin, Susan; Carpenter, Patrick A; Ervin, Brock; Larry Heil; Porter, Sean; Matt.kohut@parsons.com; Muellner, Kyle; Ball, Alan; Ross Nelson; Doug Terpstra; Janice.Osadczyk@dot.gov
Subject: RE: Public Meeting regarding the S.R. 46 Bridge over the Eel River, 2.8 miles east of S.R. 59 in Clay County

Mary –

I take exception to the third parameter under [Prudence of the Bypass Alternative \(Alt 4\)](#). Unbeknownst to consulting and other interested parties, INDOT made the decision in 2012 to change the scope of work on Clay County Bridge #46 from rehab for continued use to replacement. Your agency has been negotiating and developing for two years the preliminary preferred alternative that would see this historic Clay County transportation resource split and relocated to another county. The local Clay County preservation community with the assistance of Indiana Landmarks has had less than two months to build support for the alternative that would see the bridge preserved in place. I can't help but see INDOT's expectation of securing within 60 days a firm commitment by an organization to accept ownership of the bridge as skewed towards the preliminary preferred alternative. Is this 60-day period mandated by the Indiana Historic Bridge PA or some other state or federal legal provisions? Or is this an arbitrary period that's been agreed after internal agency discussions?

As has been stated numerous times, INDOT and FHWA must move forward promptly and prudently with the intended project. I can assure you that my request for a public meeting in Clay County was not an attempt to delay this project. It was an attempt to ensure appropriate public input that was denied Clay County citizens and interested parties due to a premature judgment call made by your consulting engineering firm that has been handling the process.

I look forward to the January 29th public meeting in Bowling Green where, given the local advocacy effort and local media attention, I hope to see a strong turnout from the Clay County community.

Regards,

Tommy

.....
Tommy Kleckner
Director

.....
Indiana Landmarks
Western Regional Office
669 Ohio Street
Terre Haute, IN 47807
Ph. 812-232-4534
Fax: 812-234-0156
www.indianalandmarks.org

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Brown County Board of Commissioners
P.O. Box 37
Nashville, Indiana 47448

RE: SR 46 Bridge over Eel River (Clay County)

February 18, 2015

LETTER OF INTENT

To Whom It May Concern:

The purpose of this letter is to communicate our interest in the relocation of the EEL RIVER BRIDGE to Brown County, for use in our SALT CREEK TRAIL PROJECT. Phase I of this project is complete, and we are proceeding with the design and engineering of the next two phases.

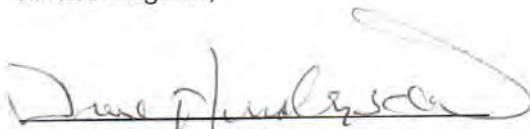
The EEL RIVER BRIDGE would be used to cross Salt Creek in two separate locations within this project. One Section will be located in the Brown County State Park area, and it is my understanding you should be receiving a separate commitment from DNR for this section.

This letter serves as our commitment (for the second section of the EEL RIVER Bridge) on behalf of the Brown County Commissioners to "take responsibility for the bridge for a minimum of 25 years, with the expectation that it will be maintained beyond that period".

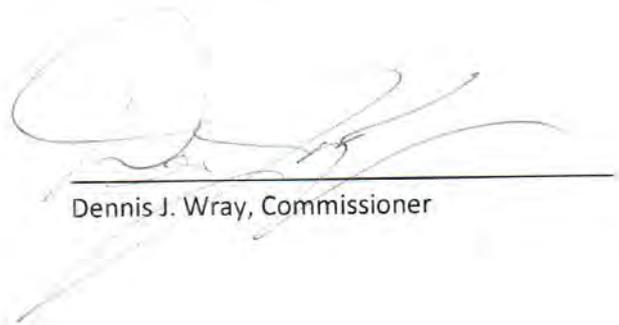
The Brown County Commissioners have been working closely with the Salt Creek Trail Committee, Friends of the Salt Creek Trail, as well as the Brown County Community Foundation, to see this project completed. The EEL RIVER Bridge and its designation as listed in the National Register of Historic Places, are welcome additions to the project.

Brown County takes great pride in our local historic heritage, and as such will make a concerted effort to prominently display information about the origin of the EEL RIVER Bridge and its history.

Kindest Regards,



Dave Anderson, President
Brown County Board of Commissioners



Dennis J. Wray, Commissioner



Diana Biddle, Commissioner

February 24, 2015

via e-mail

Mary E. Kennedy
Architectural Historian/History Team Lead
Cultural Resources Office
Indiana Department of Transportation
100 N. Senate Avenue, Room N642
Indianapolis, Indiana 46201

Re: Letter of Intent-Indiana Department of Natural Resources
Bridge Number 046-11-01316C

Dear Ms. Kennedy:

It is my understanding that the historic bridge referred to as Bridge Number 046-11-01316C, which carries traffic on SR 46 over the Eel River in Clay County, Indiana, is scheduled to be replaced by INDOT under INDOT Project Des. No.0800910. The Department of Natural Resources' ("DNR") and the Board of Commissioners of Brown County ("Commissioners"), collectively "the Parties", have a keen interest and desire to utilize this two-span, historic bridge as part of the Salt Creek Trail Project ("Project").

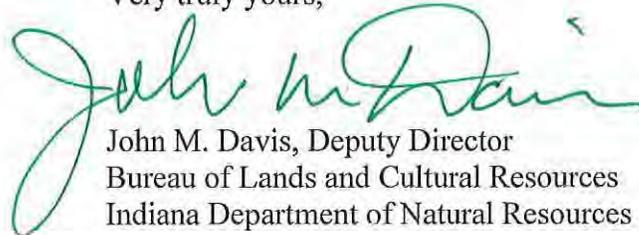
Specifically, the Commissioners received a trail grant for the Project from the DNR's Division of Outdoor Recreation in accordance with the *Hoosiers on the Move: Indiana State Trails, Greenways, and Bikeways Plan*. Further, the DNR's Division of State Parks is working with the Commissioners and a non-profit, Brown County, trail group to develop the Project. The trail will be 0.65 miles in length from Nashville, Indiana to Brown County State Park ("Park") with approximately 0.25 miles on Park property. There are two points where the trail will cross Salt Creek. It is the goal of the Parties to place one bridge span across the creek on Park property ("Bridge Span A") and the other bridge span across the creek on County property ("Bridge Span B"). Both spans will be utilized as pedestrian bridges and open to the public, which complies with the requirements of INDOT and the Federal Highway Administration ("FHWA"). Also like INDOT and FHWA, one of the obligations under the grant is that the trail be retained and utilized for a minimum of twenty-five (25) years. This letter confirms the DNR's interest in taking ownership of Bridge Span A as part of the Project and the DNR's

pledge to maintain Bridge Span A for a minimum of twenty-five (25) years, subject to appropriated funding.

If the Parties' requests are approved, we understand that INDOT will relocate and rehabilitate the spans to make them operational. DNR also understands that it will be necessary to enter into an agreement with INDOT outlining the specific details of use, including but not limited to adherence to all applicable requirements of the *Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Indiana State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Management and Preservation of Indiana's Historic Bridges*. Please know that DNR is more than willing to enter into such an agreement.

It is the DNR's understanding that the Commissioners have sent a similar letter of commitment to INDOT. The DNR hopes that the Parties' requests will be evaluated favorably so that Bridge Number 046-11-01316C can become part of the Project and, therefore, be retained and maintained for public use for many years to come.

Very truly yours,



John M. Davis, Deputy Director
Bureau of Lands and Cultural Resources
Indiana Department of Natural Resources

e-copy: Dan Bortner, Terry Coleman, Ginger Murphy, Mike List, Bob Bronson, Ben Clark

DNR Indiana Department of Natural Resources

Michael R. Pence, Governor
Cameron F. Clark, Director

Division of Historic Preservation & Archaeology • 402 W. Washington Street, W274 • Indianapolis, IN 46204-2739
Phone 317-232-1646 • Fax 317-232-0693 • dpha@dnr.in.gov



March 5, 2015

SR 46-Eel River Project
c/o Parsons Transportation Group
101 West Ohio Street, Suite 2121
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration (“FHWA”)

State Agency: Indiana Department of Transportation (“INDOT”)

Re: DUAL REVIEW: January 29, 2015, public meeting about the SR 46 bridge over the Eel River (INDOT Bridge No. 046-11-01316C/NBI No. 17050) near the community of Bowling Green, in Washington Township, Clay County, Indiana (Des. No. 0800910; DHPA No. 10596)

Dear Sir or Madam:

The Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology (“DHPA”), which also serves as the staff of the Indiana State Historic Preservation Officer (“Indiana SHPO”), wishes to comment on the January 29 public meeting in Bowling Green, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (recently recodified at 54 U.S.C. § 306108), implementing regulations at 36 C.F.R. Part 800, and pertinent Section 106 programmatic agreements, as well as under Indiana Code 14-21-1-18 and 312 Indiana Administrative Code 20-4.

We thank FHWA, INDOT, and Parsons Transportation Group for having held the January 29 public meeting. Giving the residents of Clay County and others from that part of the state an opportunity to learn about and to comment on the project and how it might affect this Select Bridge is important.

Similarly, we welcome INDOT’s extension of the timeframe in which another party could propose taking ownership of the SR 46 bridge over the Eel River from only 60 days after the January 29 meeting until approximately the first week of August 2015, when the public hearing on the project is anticipated to be held.

While accurately depicting the condition of some of the rusted connections and braces on the current bridge, the slides used in the presentation on January 29 might have given some in the audience the impression that such deterioration is not just widespread but typical of the connection plates, interior gusset plates, lateral bracing, truss vertical members, and chords. Some commented that all trucks (not just those over 14 tons, as the posted signs indicate) should be prohibited from using that crossing until the replacement bridge is open to traffic, and some in the audience expressed the opinion that the bridge should be closed to all traffic. A misimpression about the bridge’s condition could cause the public to believe that the bridge would be unsafe for all uses, even pedestrian. Our understanding is that, while the condition of the bridge is poor, it is not yet such a safety risk that it would need to be closed until at least 2017. However, if the condition deteriorates more rapidly than expected, we would ask that all Section 106 consulting parties be notified of that discovery immediately.

During the explanation on January 29 of how the bridge could be moved, it was stated that the two trusses act independently and can be used separately. That is true from a purely engineering perspective, but it overlooks the reality that the bridge is listed in the National Register of Historic Places as a two-span structure. Emphasizing that the trusses can be used separately could cause the public to infer that using the trusses in two different locations also would result in

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two historic bridges being saved. That seems unlikely. In our experience, two halves of a National Register-eligible and -listed structure do not equate to either one listed or eligible structure or two listed or eligible structures.

Furthermore, as the U.S. Department of the Interior has written:

Properties listed in the National Register should be moved only when there is no feasible alternative for preservation. When a property is moved, every effort should be made to reestablish its historic orientation, immediate setting, and general environment. [36 C.F.R. § 60.14(b)(1)]

The National Register nomination, which refers to the bridge as Indiana State Highway Bridge 46-11-1316 or the Bowling Bridge, indicates that the bridge is listed under Criterion A for its transportation significance in the settlement and development of Clay County. If the bridge must be moved, then we would want it to remain listed during and after the move if at all possible (see 36 C.F.R. § 60.14[b][2]). If the bridge were to be moved before that procedure involving the Keeper of the Register is completed, it automatically would be deleted from the National Register (36 C.F.R. § 60.14[b][4]).

We think it is possible that the bridge, as it exists currently, also might be eligible under Criterion C for engineering significance, and we think it would be essential for INDOT to make a case for Criterion C significance when it submits to the Indiana SHPO the information necessary to attempt to keep the bridge listed in the National Register, if relocation is proven to be the only feasible alternative. Recent experience with moved properties has informed us that the U.S. Department of the Interior, National Park Service, considers them eligible under Criterion C, only, if at all. Although integrity of location and setting are not irrelevant to a property's being eligible under Criterion C, those kinds of integrity might not be as important as they would be to a property that is eligible only under Criterion A. Even though many Parker through trusses once stood on state and Federal highways in Indiana, they are becoming increasingly rare, as INDOT has been actively replacing them in recent years. The historical value of a once-plentiful type of bridge rises as the numbers of examples of that type decrease. Thus, the reference during the presentation to this bridge's having been built from a standard design may understate its current engineering significance.

The various requirements for keeping a property that will be moved listed in the National Register are spelled out in 36 C.F.R. § 60.14(b), and we will not discuss them all in this letter. We would look to INDOT to provide the necessary documentation in support of the move and of retention on the National Register. However, we should mention that since the SR 46 bridge was nominated to the National Register as a State nomination (i.e., the nomination originated in Indiana, rather than in the Federal government), the Indiana Historic Preservation Review Board, in addition to the Indiana SHPO, also would need to review the proposed move. Then the Indiana SHPO would submit the documentation to the Keeper of the National Register in the National Park Service, and await the Keeper's response. If that response is favorable, then documentation of the bridge after the move also would need to be prepared by INDOT and submitted to the Keeper by the Indiana SHPO. Given the short timeframe that INDOT has laid out for constructing a new bridge at this crossing of the Eel River, we would encourage INDOT not to wait until time to move the bridge has almost expired before beginning this National Register retention approval process, as it could take several months.

My staff recalls hearing during the January 29 presentation that 25 years after the bridge spans are moved, the two spans would need about \$500,000 worth of cleaning and painting, although we are unable to find that in the slides of the presentation. We assume that figure takes into account anticipated inflation of the dollar over 25 years, or, in other words, that the present value of that cost figure would be considerably less. In any event, it is not a figure that we recall having heard or read before. We wonder whether that figure also includes desirable, but not necessarily essential, maintenance measures that even a vehicular bridge would be unlikely to receive just 25 years after a thorough rehabilitation. Are INDOT's metal truss bridges typically cleaned and painted every 25 years? Our concern is that if the \$500,000 figure is what the cleaning and painting would cost in 2040 or includes work that might not be essential, then stating that in another 25 years \$500,000 would have to be spent could present such a bleak picture of what it would take to preserve the bridge for the long term that it would diminish the chances that anyone would want to take responsibility for this bridge—or any other metal truss bridge that is, or will become, available for new ownership or relocation.

It is apparent that INDOT does not want to retain ownership of this Select bridge after it is bypassed to the south by the new bridge, but we ask that FHWA and INDOT give that option serious consideration. That option would be a second variation on a combination of Alternative 4 (leaving the current bridge in place and restricting it to non-vehicular use) and

Alternative 5C-S (bypassing the current bridge's location to the south with a new vehicular bridge—the preliminary preferred alternative). The first variation, which was discussed on January 29, was for another entity, such as Clay County, to take responsibility for the current bridge. Under the second variation, INDOT could maintain the current bridge as a roadside park. We sense that INDOT is reluctant to do so. However, if a bridge owner wants to replace a Select bridge that it owns using FHWA funds, it appears to us that, according to the 2006 Indiana Historic Bridges Programmatic Agreement, the bridge owner must preserve that bridge if no outside party comes forward to take ownership of and responsibility for the bridge. If moving pieces of a National Register-listed Select bridge to different locations would destroy the bridge's listing and eligibility for listing (for probably 50 years), is that a prudent alternative as long as the bridge owner's preserving the bridge in place as a unit is feasible and prudent?

A member of the audience commented that if the SR 46 bridge were left in place after being bypassed, children could play on it and possibly get hurt. We acknowledge that possibility. It would be true for a bridge on a trail, as well. Injury of that kind is usually a possibility to some degree, even on bridges that are still in vehicular use. We think that the possibility here might be somewhat less than usual, given that the new bypass bridge would be immediately adjacent to the current bridge, rather than in a remote location that, for the most part, is out of the public view.

The January 29 presentation also brought up hydraulics issues that leaving the current SR 46 bridge in place while bypassing it with a new bridge are thought by the engineers to create. One of those was the anticipated need to align the new bridge's west abutment so as to be parallel with the west abutment of the current bridge. As a result, scouring of the new abutment is anticipated, which would require placement of rip-rap for protection. In our experience, rip-rap placement, for either new or rehabilitated bridges, is not unusual. Furthermore, the historic bridge alternatives analysis (Prevost, 11/17/2014) acknowledged that a detailed hydraulic analysis had not been done at that time. The January 29 presenters seemed to be more certain of the need to properly align the two bridges' west abutments than did the November alternatives analysis. Has that detailed hydraulic analysis been completed since November?

We would like to be informed of any formal decision that the Board of Commissioners of Clay County might have made or yet make and reported to you regarding the possibility of the County's taking ownership of the SR 46 bridge. Similarly, if any other party has requested to take ownership and responsibility for the bridge (in addition to Salt Creek Trail/Board of Commissioners of Brown County and Brown County State Park), we would appreciate being advised of that request.

If you have any questions regarding our Dual Review of the SR 46-Eel River Project near the community of Bowling Green in Washington Township, Clay County, please contact DHPA. Questions about historic buildings or structures pertaining to this review should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov. Questions about archaeological issues should be directed to Mitch Zoll at (317) 232-3492 or mzoll@dnr.IN.gov.

In all future correspondence regarding this SR 46-Eel River Project (Des. No. 0800910), please refer to DHPA No. 10596.

Very truly yours,



Mitchell K. Zoll
Deputy State Historic Preservation Officer
Director, Division of Historic Preservation & Archaeology

MKZ:JLC:PCD:jlc

cc: Preservation Association of Clay County

emc: Daniel Prevost, Parsons Transportation Group
Allan Ball, Parsons Transportation Group
Sean Porter, Parsons Transportation Group
Andrew Campbell, ASC Group, Inc.
Ross Nelson, ASC Group, Inc.
Kevin Schwarz, Ph.D., RPA, ASC Group, Inc.

Lawrence Heil, P.E., Federal Highway Administration, Indiana Division
Rickie Clark, Indiana Department of Transportation
Tony Jones, Indiana Department of Transportation
Jessica Miller, Indiana Department of Transportation
Brock Ervin, Indiana Department of Transportation
Patrick Carpenter, Indiana Department of Transportation
Shaun Miller, Indiana Department of Transportation
Mary Kennedy, Indiana Department of Transportation
Susan Branigin, Indiana Department of Transportation
David Moffatt, Indiana Department of Transportation
Shirley Clark, Indiana Department of Transportation
Bryan Allender, Clay County Commissioner
Tony Fenwick, Clay County Commissioner
Paul Sinders, Clay County Commissioner
Board of Commissioners of Clay County, c/o Mary Jo Alumbaugh, County Recorder
Jeffrey Koehler, Clay County Historian
Vickie Mace, Clay County Historical Society
Bob Kirfin, Salt Creek Trail
Board of Commissioners of Brown County, c/o Dr. Michael Thompson, Administrator
Town Council, Town of Nashville, c/o Brenda Young, Clerk-Treasurer
Brown County Schools
Julia Pearson, Brown County Historical Society
Boh Bronson, Indiana Department of Natural Resources, Division of Outdoor Recreation
Dan Bortner, Indiana Department of Natural Resources, Division of State Parks & Reservoirs
Benjamin Clark, Indiana Department of Natural Resources, Division of State Parks & Reservoirs
Mark Dollase, Indiana Landmarks, Central Regional Office
Tommy Kleckner, Indiana Landmarks, Western Regional Office
Paul Brandenburg, Indiana Historic Spans Task Force
Dr. James L. Cooper, Professor Emeritus of History, DePauw University
Joshua Palmer, Indiana Historic Preservation Review Board
Daniel Kloc, Indiana Historic Preservation Review Board
Jim Corridan, Indiana Historic Preservation Review Board
Richard Butler, Indiana Historic Preservation Review Board
Kevin Orme, Indiana Historic Preservation Review Board
Beth McCord, Indiana Historic Preservation Review Board
Cameron Clark, Director, Indiana Department of Natural Resources and Indiana State Historic Preservation Officer
Christopher Smith, Deputy Director, Indiana Department of Natural Resources
Mitchell Zoll, Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology
Chad Slider, Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology
Paul Diehold, Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology
John Carr, Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology

COOPERATIVE AGREEMENT
Between
THE INDIANA DEPARTMENT OF TRANSPORTATION,
THE INDIANA DEPARTMENT OF NATURAL RESOURCES,
And
BROWN COUNTY
Concerning
RELOCATION AND TRANSFER OF OWNERSHIP
OF SELECT BRIDGE 046-11-01316C

EDS:_____

This Agreement is made and entered into this _____ day of _____ 2015 by and between: the Indiana Department of Transportation (hereinafter referred to as “INDOT”); the Indiana Department of Natural Resources (hereinafter referred to as “IDNR”), acting by and through the Indiana State Historic Preservation Officer (hereinafter referred to as the “INSHPO”); and Brown County and jointly referred to as the “PARTIES”.

RECITALS

WHEREAS, pursuant to 36 C.F.R. 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act of 1966 (Section 106) (16 U.S.C. 470f), INDOT, the SHPO, the Federal Highway Administration (“FHWA”) and the Advisory Council on Historic Preservation (“Council”) have entered into a Programmatic Agreement applicable to Federal-aid projects that result in the rehabilitation or replacement of historic bridges in Indiana (hereinafter referred to as the Historic Bridges PA, attached as Exhibit A and herein incorporated by reference); and

WHEREAS, historic bridges may be rehabilitated through several Federal-aid programs, such as the Transportation Enhancement Program, the Surface Transportation Program, and the Highway Bridge Replacement and Rehabilitation Program provided the appropriate eligibility criteria are satisfied; and

WHEREAS, the Historic Bridges PA Section III.A.8 provides that “If the preferred alternative includes transferring ownership of the historic bridge, then INDOT will initiate an agreement between INDOT, the bridge owner if the bridge does not belong to INDOT, the Indiana SHPO, and the proposed new bridge owner”; and

WHEREAS, the historic bridge known as Bridge Number 046-11-01316C (hereinafter “the Bridge”), which carries traffic on SR 46 over the Eel River (NBI No. 017050), is scheduled to be replaced by INDOT under INDOT Project Des. No. 0800910; and

WHEREAS, IDNR wishes to obtain ownership of one span of the Bridge Number 046-11-01316C historic bridge (hereinafter “Span A”) and to relocate Span A for use in the Salt Creek Trail project (as shown and described in the attached Exhibit B, herein incorporated by reference), which will be outlined in a separate agreement; and

WHEREAS, Brown County wishes to obtain ownership of the second span of the Bridge Number 046-11-01316C historic bridge (hereinafter “Span B”) and to relocate Span B for use in the Salt Creek Trail project (as shown and described in the attached Exhibit B); and

WHEREAS, in obtaining Span B, Brown County agrees to adhere to all requirements of the Historic Bridges PA, including Attachment B to the Historic Bridge PA (outlining standards for treatment of historic bridges); and

WHEREAS, in the interest of preserving Spans A and B while providing for replacement of the Bridge in Clay County, the Parties desire to transfer Span A to IDNR (through separate agreement) and Span B to Brown County for use on the Salt Creek Trail Project;

NOW THEREFORE, in consideration of the promises and the mutually dependent covenants contained herein and other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, and intending to be legally bound, the Parties hereto agree as follows:

1.1. Brown County’s Responsibilities.

- A. Brown County agrees to take on ownership of Span B (as described in Exhibits A and B to this Agreement and in accordance with all requirements of the Historic Bridges PA).
- B. Once installation of Span B at the Salt Creek Trail site is complete, subject to Section 1.2 below, Brown County agrees to accept all costs associated with maintenance of the bridge according to the standards established in the Historic Bridges PA and for the duration of this agreement identified in Section 1.4.

1.2. INDOT’s Responsibilities.

A. INDOT hereby agrees to be responsible for all costs associated with disassembly, relocation and rehabilitation of the Span B. These costs include right-of-way engineering, appraising, buying and all associated land acquisition activities for permanent right-of-way, temporary right-of-way and easements required for construction of Span A and Span B over Salt Creek. The costs also include preparation of engineering and hydraulics analysis documents, environmental documents, and plan sheets for the Span A and Span B crossing sites in Brown County. The costs additionally include disassembly, transportation to the relocation site, construction of the required substructure and approach elements, and rehabilitation and reassembly of the bridge at the new location. INDOT will be responsible for building ADA compliant shared-use trail approaches to the bridges that connect to the existing ground elevation. INDOT further agrees to execute any additional documents it believes necessary to effectuate the transfer of ownership of the Bridge to Brown County

1.3. Standard Treatment of Historic Bridges. The Parties shall follow the requirements of the Historic Bridges PA (including the “Standard Treatment Approach for Historic Bridges” outlined in Attachment B to the PA) in relocating the Span B.

1.4. Duration and Renewal of Agreement. The term of this Agreement shall begin on the date of last signature to this Agreement and continue through December 31, 2043 or until the end of the useful life of the Span B, whichever occurs last. This Agreement may be renewed under the same terms and conditions subject to the approval of all signing Parties.

II. GENERAL PROVISIONS

2.1. Access to Records. INDOT (individually and collectively referred to as the “SPONSORING PARTY”) shall maintain all books, documents, papers, correspondence, accounting records and other evidence pertaining to the cost incurred under this Agreement, and shall make such materials available at their respective offices at all reasonable times during the period of this Agreement and for five (5) years from the date of final payment under the terms of this Agreement, for inspection or audit by INDOT, or its authorized representative, and copies thereof shall be furnished free of charge, if requested by INDOT. The SPONSORING PARTY agrees that, upon request by any agency participating in federally-assisted programs with whom the SPONSORING PARTY has Agreed to or seeks to agree to, INDOT may release or make available to the agency any working papers from an audit performed by INDOT of the SPONSORING PARTY in connection with this Agreement, including any books, documents, papers, accounting records and other documentation which support or form the basis for the audit conclusions and judgments.

2.2. Audit. The SPONSORING PARTY acknowledges that it may be required to submit to an audit of funds paid through this Agreement. Any such audit shall be conducted in accordance with IC 5-11-1, et. seq. and audit guidelines specified by the State and/or in accordance with audit requirements specified elsewhere in this Agreement.

The State considers the SPONSORING PARTY to be a “vendor” for purposes of this Agreement. However, if required by applicable provisions of the Office of Management and Budget Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations), following the expiration of this Agreement the SPONSORING PARTY shall arrange for a financial and compliance audit of funds provided by the State pursuant to this Agreement. Such audit is to be conducted by an independent public or certified public accountant (or as applicable, the Indiana State Board of Accounts), and performed in accordance with Indiana State Board of Accounts publication entitled “Uniform Compliance Guidelines for Examination of Entities Receiving Financial Assistance from Governmental Sources,” and applicable provisions of the Office of Management and Budget Circulars A-133 (Audits of States, Local Governments, and Non-Profit Organizations). The SPONSORING PARTY is responsible for ensuring that the audit and any management letters are completed and forwarded to the State in accordance with the terms of this Agreement. Audits conducted pursuant to this paragraph must be submitted no later than nine (9) months following the close of the SPONSORING PARTY’s fiscal year. The SPONSORING PARTY agrees to provide the Indiana State Board of Accounts and the State an original of all financial and compliance audits. The audit shall be an audit of the actual entity, or distinct portion thereof that is the SPONSORING PARTY, and not of a parent, member, or subsidiary corporation of the SPONSORING PARTY, except to the extent such an expanded audit may be determined by the Indiana State Board of Accounts or the State to be in the best interests of the State. The audit shall include a statement from the Auditor that the Auditor has reviewed this Agreement and that the SPONSORING PARTY is not out of compliance with the financial aspects of this Agreement.

2.3. Authority to Bind SPONSORING PARTY. The signatory for the SPONSORING PARTY warrants that he/she has the necessary authority to enter into this Agreement. The signatory for the SPONSORING PARTY represents that he/she has been duly authorized to execute this Agreement on behalf of the SPONSORING PARTY, and has obtained all necessary or applicable approval to make this Agreement fully binding upon the SPONSORING PARTY when his/her signature is affixed to this Agreement.

2.4. Certification for Federal-Aid Contracts Lobbying Activities. The SPONSORING PARTY certifies, by signing and submitting this Agreement, to the best of its knowledge and belief that the SPONSORING PARTY has complied with Section 1352, Title 31, U.S. Code, and specifically, that:

A. No federal appropriated funds have been paid or will be paid, by or on behalf of the SPONSORING PARTY, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal Agreements, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal Agreement, grant, loan, or cooperative agreement.

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal Agreement, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

C. The SPONSORING PARTY also agrees by signing this Agreement that it shall require that the language of this certification be included in all contractor agreements including lower tier subcontracts, which exceed \$100,000, and that all such sub recipients shall certify and disclose accordingly. Any person who fails to sign or file this required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

2.5. Compliance with Laws.

A. The SPONSORING PARTY shall comply with all applicable federal, state and local laws, rules, regulations and ordinances, and all provisions required thereby to be included herein are hereby incorporated by reference. The enactment of any state or federal statute, or the promulgation of regulations thereunder, after execution of this Agreement, shall be reviewed by INDOT to determine whether formal modifications are required to the provisions of this Agreement.

B. The SPONSORING PARTY and its agents shall abide by all ethical requirements that apply to persons who have a business relationship with the State, as set forth in Indiana Code § 4-2-6, et seq., Indiana Code § 4-2-7, et. seq., the regulations promulgated thereunder, and Executive Order 05-12, dated January 12, 2005. If the SPONSORING PARTY is not familiar with these ethical requirements, the SPONSORING PARTY should refer any questions to the Indiana State Ethics Commission, or visit the Indiana State Ethics Commission website at <<<http://www.in.gov/ethics/>>>. If the SPONSORING PARTY or its agents violate any applicable ethical standards, the State may, at its sole discretion, terminate this Agreement immediately upon notice to the SPONSORING PARTY. In addition, the SPONSORING PARTY may be subject to penalties under Indiana Code §§ 4-2-6 and 4-2-7, and under any other applicable state or federal laws.

C. The SPONSORING PARTY certifies by entering into this Agreement, that neither it nor its principal(s) are presently in arrears in payment of its taxes, permit fees or other statutory, regulatory or judicially required payments to the State of Indiana. Further, the SPONSORING PARTY agrees

that any payments in arrears and currently due to the State of Indiana may be withheld from payments due to the SPONSORING PARTY. Additionally, further work or payments may be withheld, delayed, or denied and/or this Agreement suspended until the SPONSORING PARTY becomes current in its payments and has submitted proof of such payment to INDOT.

D. The SPONSORING PARTY warrants that it has no current or outstanding criminal, civil, or enforcement actions initiated by the State of Indiana pending, and agrees that it will immediately notify INDOT of any such actions. During the term of such actions, the SPONSORING PARTY agrees that INDOT may delay, withhold, or deny work under any supplement, amendment, change order, contract or the like.

E. If a valid dispute exists as to the SPONSORING PARTY'S liability or guilt in any action initiated by the State of Indiana or its agencies, and INDOT decides to delay, withhold, or deny work to the SPONSORING PARTY, the SPONSORING PARTY may request that it be allowed to continue, or receive work, without delay. The SPONSORING PARTY must submit, in writing, a request for review to INDOT. A determination by the INDOT shall be final and binding on the Parties and not subject to administrative review. Any payments that the INDOT may delay, withhold, deny, or apply under this section shall not be subject to penalty or interest under IC 5-17-5.

F. The SPONSORING PARTY represents and warrants that the SPONSORING PARTY shall obtain and maintain all required permits, licenses, registrations and approvals, as well as comply with all health, safety, and environmental statutes, rules, or regulations in the performance of work activities for INDOT. Failure to do so may be deemed a material breach of this Agreement and grounds for termination and denial of further work with the State.

G. The SPONSORING PARTY hereby represents and warrants that, if it is an entity described in IC Title 23, it is properly registered and owes no outstanding reports with the Indiana Secretary of State.

H. As required by IC 5-22-3-7: (1) the SPONSORING PARTY and any principals of the SPONSORING PARTY certify that (A) the SPONSORING PARTY, except for de minimis and nonsystematic violations, has not violated the terms of (i) IC 24-4.7 [Telephone Solicitation Of Consumers], (ii) IC 24-5-12 [Telephone Solicitations] , or (iii) IC 24-5-14 [Regulation of Automatic Dialing Machines] in the previous three hundred sixty-five (365) days, even if IC 24-4.7 is preempted by federal law; and (B) the SPONSORING PARTY will not violate the terms of IC 24-4.7 for the duration of the Agreement, even if IC 24-4.7 is preempted by federal law. (2) The SPONSORING PARTY and any principals of the SPONSORING PARTY certify that an affiliate or principal of the SPONSORING PARTY and any agent acting on behalf of the SPONSORING PARTY or on behalf of an affiliate or principal of the SPONSORING PARTY (A) except for de minimis and nonsystematic violations, has not violated the terms of IC 24-4.7 in the previous three hundred sixty-five (365) days, even if IC 24-4.7 is preempted by federal law; and (B) will not violate the terms of IC 24-4.7 for the duration of the Agreement, even if IC 24-4.7 is preempted by federal law.

2.6. Conflict of Interest.

- A. As used in this section:
"Immediate family" means the spouse and the un-emancipated children of an individual.
"Interested Party," means:

1. The individual executing the Agreement;
2. An individual who has an interest of three percent (3%) or more of SPONSORING PARTY, if SPONSORING PARTY is not an individual; or
3. Any member of the immediate family of an individual specified under subdivision 1 or 2.

"Commission" means the State Ethics Commission.

- B. INDOT may cancel this Agreement without recourse by the SPONSORING PARTY if any interested Party is an employee of the State of Indiana.
- C. INDOT will not exercise its right of cancellation under Section B, above, if the SPONSORING PARTY gives INDOT an opinion by the Commission indicating that the existence of this Agreement and the employment by the State of the interested Party does not violate any statute or code relating to ethical conduct of state employees. INDOT may take action, including cancellation of this Agreement, consistent with an opinion of the Commission obtained under this section.
- D. The SPONSORING PARTY has an affirmative obligation under this Agreement to disclose to INDOT when an interested Party is or becomes an employee of INDOT. The obligation under this section extends only to those facts that the SPONSORING PARTY knows or reasonably could know.

2.7. Disadvantaged Business Enterprise Program. Notice is hereby given to the SPONSORING PARTY that failure to carry out the requirements set forth in 49 CFR Sec. 26.13(b) shall constitute a breach of this Agreement and, after notification, may result in termination of this Agreement or such remedy as INDOT deems appropriate.

The referenced section requires the following policy and disadvantaged business enterprise ("DBE") assurance to be included in all subsequent Agreements between the SPONSORING PARTY and any contractors.

The SPONSORING PARTY shall not discriminate on the basis of race, color, national origin, or sex in the performance of this Agreement. The SPONSORING PARTY shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted Agreements. Failure by the SPONSORING PARTY to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy, as INDOT, as the recipient, deems appropriate.

As part of the SPONSORING PARTY'S equal opportunity affirmative action program, SPONSORING PARTY, it is required that the SPONSORING PARTY shall take positive affirmative actions and put forth good faith efforts to solicit proposals or bids from and to utilize disadvantaged business enterprise, vendors or suppliers.

2.8. Drug-Free Workplace Certification. The SPONSORING PARTY hereby covenants and agrees to make a good faith effort to provide and maintain a drug-free workplace, and that it will give written notice to the Indiana Department of Transportation and the Indiana Department of Administration within ten (10) days after receiving actual notice that an employee of the SPONSORING PARTY in the State of Indiana has been convicted of a criminal drug violation occurring in the SPONSORING PARTY'S workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of Agreement payments,

termination of the Agreement and/or debarment of contracting opportunities with the State of Indiana for up to three (3) years.

In addition to the provisions of the above paragraphs, if the total Agreement amount set forth in this Agreement is in excess of \$25,000.00, the SPONSORING PARTY hereby further agrees that this Agreement is expressly subject to the terms, conditions and representations of the following certification:

This certification is required by Executive Order No. 90-5, April 12, 1990, issued by the Governor of Indiana. Pursuant to its delegated authority, the Indiana Department of Administration is requiring the inclusion of this certification in all Agreements with and grants from the State of Indiana in excess of \$25,000.00. No award of an Agreement shall be made, and no Agreement, purchase order or agreement, the total amount of which exceeds \$25,000.00, shall be valid, unless and until this certification has been fully executed by the SPONSORING PARTY and made a part of the Agreement as part of the Agreement documents.

The SPONSORING PARTY certifies and agrees that it will provide a drug-free workplace by:

- a. Publishing and providing to all of its employees a statement notifying their employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the SPONSORING PARTY'S workplace and specifying the actions that will be taken against employees for violations of such prohibition;
- b. Establishing a drug-free awareness program to inform its employees of (1) the dangers of drug abuse in the workplace; (2) the SPONSORING PARTY'S policy of maintaining a drug-free workplace; (3) any available drug counseling, rehabilitation, and employee assistance programs; and (4) the penalties that may be imposed upon an employee for drug abuse violations occurring in the workplace;
- c. Notifying all employees in the statement required by subparagraph (a) above that as a condition of continued employment the employee will (1) abide by the terms of the statement; and (2) notify the SPONSORING PARTY of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction;
- d. Notifying in writing the State within ten (10) days after receiving notice from an employee under subdivision (c)(2) above, or otherwise receiving actual notice of such conviction;
- e. Within thirty (30) days after receiving notice under subdivision (c)(2) above of a conviction, imposing the following sanctions or remedial measures on any employee who is convicted of drug abuse violations occurring in the workplace: (1) take appropriate personnel action against the employee, up to and including termination; or (2) require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency; and
- f. Making a good faith effort to maintain a drug-free workplace through the implementation of subparagraphs (a) through (e) above.

2.9. Force Majeure. In the event that either Party is unable to perform any of its obligations under this Agreement or to enjoy any of its benefits because of natural disaster or decrees of

governmental bodies not the fault of the affected Party (hereinafter referred to as a Force Majeure Event), the Party who has been so affected shall immediately give notice to the other Party and shall do everything possible to resume performance. Upon receipt of such notice, all obligations under this Agreement shall be immediately suspended. If the period of nonperformance exceeds thirty (30) days from the receipt of notice of the Force Majeure Event, the Party whose ability to perform has not been so affected may, by giving written notice, terminate this Agreement.

2.10. Funding Cancellation Clause. When the Director of the Office of Management and Budget makes a written determination that funds are not appropriated or otherwise available to support continuation of the performance of this Agreement, this Agreement shall be canceled. A determination by the Budget Director that funds are not appropriated or otherwise available to support continuation of performance shall be final and conclusive.

2.11. Governing Laws. This Agreement shall be construed in accordance with and governed by the laws of the State of Indiana and the suit, if any, must be brought in the State of Indiana.

2.12. Indemnification. The SPONSORING PARTY agrees to indemnify exculpate, and hold harmless the State of Indiana, INDOT, and their officials and employees from any liability due to loss, damage, injuries, or other casualties of whatever kind, or by whosoever caused, to the person or property of anyone on or off the Project arising out of, or resulting from the work covered by this AGREEMENT or the work connected therewith, or from the installation, existence, use, maintenance, condition, repairs, alteration or removal of any equipment or material, to the extent of negligence of the SPONSORING PARTY, including any claims arising out the Worker's Compensation Act or any other law, ordinance, order or decree. The SPONSORING PARTY agrees to pay all reasonable expenses and attorney's fees incurred by or imposed on the State and INDOT in connection herewith in the event that the SPONSORING PARTY shall default under the provisions of this Section.

2.13. Non-Discrimination.

A. Pursuant to I.C. 22-9-1-10 and the Civil Rights Act of 1964, the SPONSORING PARTY, shall not discriminate against any employee or applicant for employment, to be employed in the performance of work under this Agreement, with respect to hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of race, color, religion, sex, disability, national origin, ancestry or status as a veteran. Breach of this covenant may be regarded as a material breach of this Agreement. Acceptance of this Agreement also signifies compliance with applicable federal laws, regulations, and executive orders prohibiting discrimination in the provision of services based on race, color, national origin, age, sex, disability or status as a veteran.

B The SPONSORING PARTY understands that INDOT is a recipient of federal funds. Pursuant to that understanding, the SPONSORING PARTY agrees that if the SPONSORING PARTY employs fifty (50) or more employees and does at least \$50,000.00 worth of business with the State and is not exempt, the SPONSORING PARTY will comply with the affirmative action reporting requirements of 41 CFR 60-1.7. The SPONSORING PARTY shall comply with Section 202 of executive order 11246, as amended, 41 CFR 60-250, and 41 CFR 60-741, as amended, which are incorporated herein by specific reference. Breach of this covenant may be regarded as a material breach of Agreement.

It is the policy of INDOT to assure full compliance with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. Title VI and related statutes require that no person in the United States shall on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. (INDOT's Title VI enforcement shall include the following additional grounds: sex, ancestry, age, religion and disability.) The following are examples of where this policy shall be applied relative to the INDOT.

C. The SPONSORING PARTY shall not discriminate in its selection and retention of contractors, including without limitation, those services retained for, or incidental to, construction, planning, research, engineering, property management, and fee contracts and other commitments with persons for services and expenses incidental to the acquisitions of right-of-way.

D. The SPONSORING PARTY shall not modify the Project in such a manner as to require, on the basis of race, color or national origin, the relocation of any persons. (INDOT's Title VI enforcement will include the following additional grounds; sex, ancestry, age, religion and disability).

E. The SPONSORING PARTY shall not modify the Project in such a manner as to deny reasonable access to and use thereof to any persons on the basis of race, color or national origin. (INDOT's Title VI enforcement will include the following additional grounds; sex, ancestry, age, religion and disability.)

F. The SPONSORING PARTY shall neither allow discrimination by contractors in their selection and retention of subcontractors, lessors and/or material suppliers, nor allow discrimination by their subcontractors in their selection of subcontractors, lessors or material suppliers, who participate in construction, right-of-way clearance and related projects.

G. The SPONSORING PARTY shall take appropriate actions to correct any deficiency determined by INDOT and/or the Federal Highway Administration ("FHWA") within a reasonable time period, not to exceed ninety (90) days, in order to implement Title VI compliance in accordance with INDOT's assurances and guidelines.

2.14. Notice to Parties. Whenever any notice, statement or other communication is required under this Agreement, it shall be sent to the following contacts unless otherwise specifically advised.

For INDOT: Cultural Resources Manager
INDOT Environmental Services Division
100 N. Senate Avenue, Room N642
Indianapolis, IN 46204

For INSHPO: Division Director
Department of Historic Preservation & Archaeology
Indiana Department of Natural Resources
402 West Washington Street, W274
Indianapolis, Indiana 46204-2739

For IDNR: Division Director
Outdoor Recreation
Indiana Department of Natural Resources
402 West Washington Street, W271
Indianapolis, Indiana 46204

2.15. Payment. All payments shall be made according to the terms of this Agreement and in conformance with State fiscal policies and procedures and, as required by IC 4-13-2-14.8, by electronic funds transfer to the financial institution designated by the SPONSORING PARTY in writing unless a specific waiver has been obtained from the Indiana Auditor of State. No payments will be made in advance of receipt of the goods or services that are the subject of this Agreement except as permitted by IC 4-13-2-20.

If the SPONSORING PARTY has any outstanding balances on any Contract with INDOT, and such outstanding balances due to INDOT are at least sixty (60) calendar days past the due date, INDOT may proceed in accordance with I.C. 8-14-1-9 to invoke the powers of the Auditor of the State of Indiana to make a mandatory transfer of funds from the SPONSORING PARTY's allocation of the Motor Vehicle Highway Account to INDOT's account, or INDOT may withhold or garnish payments otherwise due to the SPONSORING PARTY from INDOT under this Agreement to partially or wholly satisfy such outstanding balances.

2.16. Penalties, Interest and Attorney's Fees. INDOT will in good faith perform its required obligations hereunder, and does not agree to pay any penalties, liquidated damages, interest, or attorney's fees, except as required by Indiana law in part, IC 5-17-5, I. C. 34-54-8, and I. C. 34-13-1.

2.17. Severability. The invalidity of any section, subsection, clause or provision of this Agreement shall not affect the validity of the remaining sections, subsections, clauses or provisions of this Agreement.

2.18. Status of Claims. The SPONSORING PARTY shall be responsible for keeping INDOT currently advised as to the status of any claims made for damages against the SPONSORING PARTY resulting from services performed under this Agreement.

2.19. Termination. Any party may terminate this Agreement upon thirty (30) days written notice to the others, provided the agency requesting the termination can show cause that there has been a failure on the part of the other to substantially fulfill its responsibilities pursuant to this Agreement or that the Agreement is otherwise not working to the satisfaction of either party, and after providing notice and sufficient opportunity for remedy. The terminating party shall be responsible for any and all costs associated with or resulting from termination of the Agreement.

2.20. Employment Eligibility Verification.

- A. The SPONSORING PARTY affirms under the penalties of perjury that it does not knowingly employ an unauthorized alien.
- B. The SPONSORING PARTY shall enroll in and verify the work eligibility status of all his/her/its newly hired employees through the E-Verify program as defined in IC 22-5-1.7-3. The SPONSORING PARTY is not required to participate should the E-Verify program cease to exist. Additionally, the SPONSORING PARTY is not required to participate if the SPONSORING PARTY is self-employed and does not employ any employees.

- C. The SPONSORING PARTY shall not knowingly employ or contract with an unauthorized alien. The SPONSORING PARTY shall not retain an employee or contract with a person that the SPONSORING PARTY subsequently learns is an unauthorized alien.
- D. The SPONSORING PARTY shall require his/her/its subcontractors, who perform work under this contract, to certify to the SPONSORING PARTY that the subcontractor does not knowingly employ or contract with an unauthorized alien and that the subcontractor has enrolled and is participating in the E-Verify program. The SPONSORING PARTY agrees to maintain this certification throughout the duration of the term of a contract with a subcontractor.
- E. The State may terminate for default if the SPONSORING PARTY fails to cure a breach of this provision no later than thirty (30) days after being notified by the State.

2.21. General. This Agreement represents the entire understanding between the Parties relating to the subject matter, and supersedes any and all prior oral and/or written communications, understandings or agreements relating to the subject matter. Any amendment or modification to this Agreement must be in writing, reference this Section 2.21 and be signed by duly authorized representatives of the Parties. Neither this Agreement nor any portions of it may be assigned, licensed or otherwise transferred by the SPONSORING PARTY without the prior written consent of INDOT. This Agreement will be binding upon the Parties and their permitted successors or assigns. Failure of either Party to enforce any provision of this Agreement will not constitute or be construed as a waiver of such provision or of the right to enforce such provision. The headings are inserted for convenience only and do not constitute part of this Agreement.

[Remainder of Page Intentionally Left Blank]

Non-Collusion

The undersigned attests, subject to the penalties for perjury, that he/she is the properly authorized representative, agent, member or officer of the Party, that he/she has not, nor has any other member, employee, representative, agent or officer of the Party, directly or indirectly, to the best of his/her knowledge, entered into or offered to enter into any combination, collusion or agreement to receive or pay, and that he/she has not received or paid, any sum of money or other consideration for the execution of this Agreement other than that which appears upon the face of this Agreement.

In Witness Whereof, the Parties have, through duly authorized representatives, entered into this Agreement. The Parties having read and understand the forgoing terms of this Agreement do by their respective signatures dated below hereby agree to the terms thereof.

STATE OF INDIANA
Department of Transportation

_____(for)
Brandy Hendrickson
Commissioner

Date: _____

STATE OF INDIANA
Department of Natural Resources
Division of Historic Preservation and Archaeology

Mitch Zoll
Director

Date: _____

Brown County
Board of Commissioners

Dave Anderson, President

Date: _____

Dennis J. Wray, Member

Date: _____

Diana Biddle, Member

Date: _____

DRAFT

APPROVALS

STATE OF INDIANA
State Budget Agency

STATE OF INDIANA
Department of Administration

Brian E. Bailey, Director

Jessica Robertson, Commissioner

Date: _____

Date: _____

Approved as to Form and Legality:

_____(for)
Gregory F. Zoeller
Attorney General of Indiana

Date Approved: _____

DRAFT

COOPERATIVE AGREEMENT
Between
THE INDIANA DEPARTMENT OF TRANSPORTATION,
And
THE INDIANA DEPARTMENT OF NATURAL RESOURCES,
Concerning
RELOCATION AND TRANSFER OF OWNERSHIP
OF SELECT BRIDGE 046-11-01316C

EDS: _____

This Agreement is made and entered into this _____ day of _____ 2015 by and between: the Indiana Department of Transportation (hereinafter referred to as “INDOT”); and the Indiana Department of Natural Resources (hereinafter referred to as either “IDNR” or the Indiana State Historic Preservation Officer [hereinafter referred to as the “INSHPO”], as appropriate) and jointly referred to as the “PARTIES”.

RECITALS

WHEREAS, pursuant to 36 C.F.R. 800.14(b) of the regulations implementing Section 106 of the National Historic Preservation Act of 1966 (Section 106) (16 U.S.C. 470f), INDOT, the SHPO, the Federal Highway Administration (“FHWA”) and the Advisory Council on Historic Preservation (“Council”) have entered into a Programmatic Agreement applicable to Federal-aid projects that result in the rehabilitation or replacement of historic bridges in Indiana (hereinafter referred to as the Historic Bridges PA, attached as Exhibit A and herein incorporated by reference); and

WHEREAS, historic bridges may be rehabilitated through several Federal-aid programs, such as the Transportation Enhancement Program, the Surface Transportation Program, and the Highway Bridge Replacement and Rehabilitation Program provided the appropriate eligibility criteria are satisfied; and

WHEREAS, the Historic Bridges PA Section III.A.8 provides that “If the preferred alternative includes transferring ownership of the historic bridge, then INDOT will initiate an agreement between INDOT, the bridge owner if the bridge does not belong to INDOT, the Indiana SHPO, and the proposed new bridge owner”; and

WHEREAS, the historic bridge known as Bridge Number 046-11-01316C (hereinafter “the Bridge”), which carries traffic on SR 46 over the Eel River (NBI No. 017050), is scheduled to be replaced by INDOT under INDOT Project Des. No. 0800910; and

WHEREAS, IDNR wishes to obtain ownership of one span of the Bridge Number 046-11-01316C historic bridge (hereinafter “Span A”) and to relocate Span A for use in the Salt Creek Trail project (as shown and described in the attached Exhibit B, herein incorporated by reference); and

WHEREAS, Brown County wishes to obtain ownership of the second span of the Bridge Number 046-11-01316C historic bridge (hereinafter “Span B”) and to relocate Span B for use in the Salt Creek Trail project (as shown and described in the attached Exhibit B), which will be outlined in a separate agreement; and

WHEREAS, in obtaining Span A, IDNR agrees to adhere to all requirements of the Historic Bridges PA, including Attachment B to the Historic Bridge PA (outlining standards for treatment of historic bridges); and

WHEREAS, in the interest of preserving Spans A and B while providing for replacement of the Bridge in Clay County, the Parties desire to transfer Span A to IDNR and Span B to Brown County (through separate agreement) for use on the Salt Creek Trail Project;

NOW THEREFORE, in consideration of the promises and the mutually dependent covenants contained herein and other good and valuable consideration, the adequacy and receipt of which are hereby acknowledged, and intending to be legally bound, the Parties hereto agree as follows:

1.1. IDNR’s Responsibilities.

- A. IDNR agrees to take on ownership of Span A (as described in Exhibits A and B to this Agreement and in accordance with all requirements of the Historic Bridges PA).
- B. Once installation of Span A at the Salt Creek Trail site is complete, subject to Section 1.2 below, IDNR agrees to accept all costs associated with maintenance of the bridge according to the standards established in the Historic Bridges PA and for the duration of this agreement identified in Section 1.4.

1.2. INDOT’s Responsibilities.

- A. INDOT hereby agrees to be responsible for all costs associated with disassembly, relocation and rehabilitation of the Span A. These costs include right-of-way engineering, appraising, buying and all associated land acquisition activities for permanent right-of-way, temporary right-of-way and easements required for construction of Span A and Span B over Salt Creek. The costs also include preparation of engineering and hydraulics analysis documents, environmental documents, and plan sheets for the Span A and Span B crossing sites in Brown County. The costs additionally include disassembly, transportation to the relocation site, construction of the required substructure and approach elements, and rehabilitation and reassembly of the bridge at the new location. INDOT will be responsible for building ADA compliant shared-use trail approaches to the bridges that connect to the existing ground elevation. INDOT further agrees to execute any additional documents it believes necessary to effectuate the transfer of ownership of the Bridge to IDNR.

1.3. Standard Treatment of Historic Bridges. The Parties shall follow the requirements of the Historic Bridges PA (including the “Standard Treatment Approach for Historic Bridges” outlined in Attachment B to the PA) in relocating the Span A.

1.4. Duration and Renewal of Agreement. The term of this Agreement shall begin on the date of last signature to this Agreement and continue through December 31, 2043 or until the end of the useful life of the Span A, whichever occurs last. This Agreement may be renewed under the same terms and conditions subject to the approval of all signing Parties.

II. GENERAL PROVISIONS

2.1. Access to Records. INDOT (individually and collectively referred to as the “SPONSORING PARTY”) shall maintain all books, documents, papers, correspondence, accounting records and other evidence pertaining to the cost incurred under this Agreement, and shall make such materials available at their respective offices at all reasonable times during the period of this Agreement and for five (5) years from the date of final payment under the terms of this Agreement, for inspection or audit by INDOT, or its authorized representative, and copies thereof shall be furnished free of charge, if requested by INDOT. The SPONSORING PARTY agrees that, upon request by any agency participating in federally-assisted programs with whom the SPONSORING PARTY has Agreed to or seeks to agree to, INDOT may release or make available to the agency any working papers from an audit performed by INDOT of the SPONSORING PARTY in connection with this Agreement, including any books, documents, papers, accounting records and other documentation which support or form the basis for the audit conclusions and judgments.

2.2. Audit. The SPONSORING PARTY acknowledges that it may be required to submit to an audit of funds paid through this Agreement. Any such audit shall be conducted in accordance with IC 5-11-1, et. seq. and audit guidelines specified by the State and/or in accordance with audit requirements specified elsewhere in this Agreement.

The State considers the SPONSORING PARTY to be a “vendor” for purposes of this Agreement. However, if required by applicable provisions of the Office of Management and Budget Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations), following the expiration of this Agreement the SPONSORING PARTY shall arrange for a financial and compliance audit of funds provided by the State pursuant to this Agreement. Such audit is to be conducted by an independent public or certified public accountant (or as applicable, the Indiana State Board of Accounts), and performed in accordance with Indiana State Board of Accounts publication entitled “Uniform Compliance Guidelines for Examination of Entities Receiving Financial Assistance from Governmental Sources,” and applicable provisions of the Office of Management and Budget Circulars A-133 (Audits of States, Local Governments, and Non-Profit Organizations). The SPONSORING PARTY is responsible for ensuring that the audit and any management letters are completed and forwarded to the State in accordance with the terms of this Agreement. Audits conducted pursuant to this paragraph must be submitted no later than nine (9) months following the close of the SPONSORING PARTY’s fiscal year. The SPONSORING PARTY agrees to provide the Indiana State Board of Accounts and the State an original of all financial and compliance audits. The audit shall be an audit of the actual entity, or distinct portion thereof that is the SPONSORING PARTY, and not of a parent, member, or subsidiary corporation of the SPONSORING PARTY, except to the extent such an expanded audit may be determined by the Indiana State Board of Accounts or the State to be in the best interests of the State. The audit shall include a statement from the Auditor that the Auditor has reviewed this Agreement and that the SPONSORING PARTY is not out of compliance with the financial aspects of this Agreement.

2.3. Authority to Bind SPONSORING PARTY. The signatory for the SPONSORING PARTY warrants that he/she has the necessary authority to enter into this Agreement. The signatory for the SPONSORING PARTY represents that he/she has been duly authorized to execute this Agreement on behalf of the SPONSORING PARTY, and has obtained all necessary or applicable approval to make this Agreement fully binding upon the SPONSORING PARTY when his/her signature is affixed to this Agreement.

2.4. Certification for Federal-Aid Contracts Lobbying Activities. The SPONSORING PARTY certifies, by signing and submitting this Agreement, to the best of its knowledge and belief that the SPONSORING PARTY has complied with Section 1352, Title 31, U.S. Code, and specifically, that:

A. No federal appropriated funds have been paid or will be paid, by or on behalf of the SPONSORING PARTY, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal Agreements, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal Agreement, grant, loan, or cooperative agreement.

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal Agreement, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

C. The SPONSORING PARTY also agrees by signing this Agreement that it shall require that the language of this certification be included in all contractor agreements including lower tier subcontracts, which exceed \$100,000, and that all such sub recipients shall certify and disclose accordingly. Any person who fails to sign or file this required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

2.5. Compliance with Laws.

A. The SPONSORING PARTY shall comply with all applicable federal, state and local laws, rules, regulations and ordinances, and all provisions required thereby to be included herein are hereby incorporated by reference. The enactment of any state or federal statute, or the promulgation of regulations thereunder, after execution of this Agreement, shall be reviewed by INDOT to determine whether formal modifications are required to the provisions of this Agreement.

B. The SPONSORING PARTY and its agents shall abide by all ethical requirements that apply to persons who have a business relationship with the State, as set forth in Indiana Code § 4-2-6, et seq., Indiana Code § 4-2-7, et. seq., the regulations promulgated thereunder, and Executive Order 05-12, dated January 12, 2005. If the SPONSORING PARTY is not familiar with these ethical requirements, the SPONSORING PARTY should refer any questions to the Indiana State Ethics Commission, or visit the Indiana State Ethics Commission website at <http://www.in.gov/ethics/>. If the SPONSORING PARTY or its agents violate any applicable ethical standards, the State may, at its sole discretion, terminate this Agreement immediately upon notice to the SPONSORING PARTY. In addition, the SPONSORING PARTY may be subject to penalties under Indiana Code §§ 4-2-6 and 4-2-7, and under any other applicable state or federal laws.

C. The SPONSORING PARTY certifies by entering into this Agreement, that neither it nor its principal(s) are presently in arrears in payment of its taxes, permit fees or other statutory, regulatory or judicially required payments to the State of Indiana. Further, the SPONSORING PARTY agrees that any payments in arrears and currently due to the State of Indiana may be withheld from

payments due to the SPONSORING PARTY. Additionally, further work or payments may be withheld, delayed, or denied and/or this Agreement suspended until the SPONSORING PARTY becomes current in its payments and has submitted proof of such payment to INDOT.

D. The SPONSORING PARTY warrants that it has no current or outstanding criminal, civil, or enforcement actions initiated by the State of Indiana pending, and agrees that it will immediately notify INDOT of any such actions. During the term of such actions, the SPONSORING PARTY agrees that INDOT may delay, withhold, or deny work under any supplement, amendment, change order, contract or the like.

E. If a valid dispute exists as to the SPONSORING PARTY'S liability or guilt in any action initiated by the State of Indiana or its agencies, and INDOT decides to delay, withhold, or deny work to the SPONSORING PARTY, the SPONSORING PARTY may request that it be allowed to continue, or receive work, without delay. The SPONSORING PARTY must submit, in writing, a request for review to INDOT. A determination by the INDOT shall be final and binding on the Parties and not subject to administrative review. Any payments that the INDOT may delay, withhold, deny, or apply under this section shall not be subject to penalty or interest under IC 5-17-5.

F. The SPONSORING PARTY represents and warrants that the SPONSORING PARTY shall obtain and maintain all required permits, licenses, registrations and approvals, as well as comply with all health, safety, and environmental statutes, rules, or regulations in the performance of work activities for INDOT. Failure to do so may be deemed a material breach of this Agreement and grounds for termination and denial of further work with the State.

G. The SPONSORING PARTY hereby represents and warrants that, if it is an entity described in IC Title 23, it is properly registered and owes no outstanding reports with the Indiana Secretary of State.

H. As required by IC 5-22-3-7: (1) the SPONSORING PARTY and any principals of the SPONSORING PARTY certify that (A) the SPONSORING PARTY, except for de minimis and nonsystematic violations, has not violated the terms of (i) IC 24-4.7 [Telephone Solicitation Of Consumers], (ii) IC 24-5-12 [Telephone Solicitations] , or (iii) IC 24-5-14 [Regulation of Automatic Dialing Machines] in the previous three hundred sixty-five (365) days, even if IC 24-4.7 is preempted by federal law; and (B) the SPONSORING PARTY will not violate the terms of IC 24-4.7 for the duration of the Agreement, even if IC 24-4.7 is preempted by federal law. (2) The SPONSORING PARTY and any principals of the SPONSORING PARTY certify that an affiliate or principal of the SPONSORING PARTY and any agent acting on behalf of the SPONSORING PARTY or on behalf of an affiliate or principal of the SPONSORING PARTY (A) except for de minimis and nonsystematic violations, has not violated the terms of IC 24-4.7 in the previous three hundred sixty-five (365) days, even if IC 24-4.7 is preempted by federal law; and (B) will not violate the terms of IC 24-4.7 for the duration of the Agreement, even if IC 24-4.7 is preempted by federal law.

2.6. Conflict of Interest.

A. As used in this section:

"Immediate family" means the spouse and the un-emancipated children of an individual.

"Interested Party," means:

1. The individual executing the Agreement;

2. An individual who has an interest of three percent (3%) or more of SPONSORING PARTY, if SPONSORING PARTY is not an individual; or
3. Any member of the immediate family of an individual specified under subdivision 1 or 2.

"Commission" means the State Ethics Commission.

- B. INDOT may cancel this Agreement without recourse by the SPONSORING PARTY if any interested Party is an employee of the State of Indiana.
- C. INDOT will not exercise its right of cancellation under Section B, above, if the SPONSORING PARTY gives INDOT an opinion by the Commission indicating that the existence of this Agreement and the employment by the State of the interested Party does not violate any statute or code relating to ethical conduct of state employees. INDOT may take action, including cancellation of this Agreement, consistent with an opinion of the Commission obtained under this section.
- D. The SPONSORING PARTY has an affirmative obligation under this Agreement to disclose to INDOT when an interested Party is or becomes an employee of INDOT. The obligation under this section extends only to those facts that the SPONSORING PARTY knows or reasonably could know.

2.7. Disadvantaged Business Enterprise Program. Notice is hereby given to the SPONSORING PARTY that failure to carry out the requirements set forth in 49 CFR Sec. 26.13(b) shall constitute a breach of this Agreement and, after notification, may result in termination of this Agreement or such remedy as INDOT deems appropriate.

The referenced section requires the following policy and disadvantaged business enterprise ("DBE") assurance to be included in all subsequent Agreements between the SPONSORING PARTY and any contractors.

The SPONSORING PARTY shall not discriminate on the basis of race, color, national origin, or sex in the performance of this Agreement. The SPONSORING PARTY shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted Agreements. Failure by the SPONSORING PARTY to carry out these requirements is a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy, as INDOT, as the recipient, deems appropriate.

As part of the SPONSORING PARTY'S equal opportunity affirmative action program, SPONSORING PARTY, it is required that the SPONSORING PARTY shall take positive affirmative actions and put forth good faith efforts to solicit proposals or bids from and to utilize disadvantaged business enterprise, vendors or suppliers.

2.8. Drug-Free Workplace Certification. The SPONSORING PARTY hereby covenants and agrees to make a good faith effort to provide and maintain a drug-free workplace, and that it will give written notice to the Indiana Department of Transportation and the Indiana Department of Administration within ten (10) days after receiving actual notice that an employee of the SPONSORING PARTY in the State of Indiana has been convicted of a criminal drug violation occurring in the SPONSORING PARTY'S workplace. False certification or violation of the certification may result in sanctions including, but not limited to, suspension of Agreement payments,

termination of the Agreement and/or debarment of contracting opportunities with the State of Indiana for up to three (3) years.

In addition to the provisions of the above paragraphs, if the total Agreement amount set forth in this Agreement is in excess of \$25,000.00, the SPONSORING PARTY hereby further agrees that this Agreement is expressly subject to the terms, conditions and representations of the following certification:

This certification is required by Executive Order No. 90-5, April 12, 1990, issued by the Governor of Indiana. Pursuant to its delegated authority, the Indiana Department of Administration is requiring the inclusion of this certification in all Agreements with and grants from the State of Indiana in excess of \$25,000.00. No award of an Agreement shall be made, and no Agreement, purchase order or agreement, the total amount of which exceeds \$25,000.00, shall be valid, unless and until this certification has been fully executed by the SPONSORING PARTY and made a part of the Agreement as part of the Agreement documents.

The SPONSORING PARTY certifies and agrees that it will provide a drug-free workplace by:

- a. Publishing and providing to all of its employees a statement notifying their employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the SPONSORING PARTY'S workplace and specifying the actions that will be taken against employees for violations of such prohibition;
- b. Establishing a drug-free awareness program to inform its employees of (1) the dangers of drug abuse in the workplace; (2) the SPONSORING PARTY'S policy of maintaining a drug-free workplace; (3) any available drug counseling, rehabilitation, and employee assistance programs; and (4) the penalties that may be imposed upon an employee for drug abuse violations occurring in the workplace;
- c. Notifying all employees in the statement required by subparagraph (a) above that as a condition of continued employment the employee will (1) abide by the terms of the statement; and (2) notify the SPONSORING PARTY of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction;
- d. Notifying in writing the State within ten (10) days after receiving notice from an employee under subdivision (c)(2) above, or otherwise receiving actual notice of such conviction;
- e. Within thirty (30) days after receiving notice under subdivision (c)(2) above of a conviction, imposing the following sanctions or remedial measures on any employee who is convicted of drug abuse violations occurring in the workplace: (1) take appropriate personnel action against the employee, up to and including termination; or (2) require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency; and
- f. Making a good faith effort to maintain a drug-free workplace through the implementation of subparagraphs (a) through (e) above.

2.9. Force Majeure. In the event that either Party is unable to perform any of its obligations under this Agreement or to enjoy any of its benefits because of natural disaster or decrees of

governmental bodies not the fault of the affected Party (hereinafter referred to as a Force Majeure Event), the Party who has been so affected shall immediately give notice to the other Party and shall do everything possible to resume performance. Upon receipt of such notice, all obligations under this Agreement shall be immediately suspended. If the period of nonperformance exceeds thirty (30) days from the receipt of notice of the Force Majeure Event, the Party whose ability to perform has not been so affected may, by giving written notice, terminate this Agreement.

2.10. Funding Cancellation Clause. When the Director of the Office of Management and Budget makes a written determination that funds are not appropriated or otherwise available to support continuation of the performance of this Agreement, this Agreement shall be canceled. A determination by the Budget Director that funds are not appropriated or otherwise available to support continuation of performance shall be final and conclusive.

2.11. Governing Laws. This Agreement shall be construed in accordance with and governed by the laws of the State of Indiana and the suit, if any, must be brought in the State of Indiana.

2.12. Indemnification. The SPONSORING PARTY agrees to indemnify exculpate, and hold harmless the State of Indiana, INDOT, and their officials and employees from any liability due to loss, damage, injuries, or other casualties of whatever kind, or by whosoever caused, to the person or property of anyone on or off the Project arising out of, or resulting from the work covered by this AGREEMENT or the work connected therewith, or from the installation, existence, use, maintenance, condition, repairs, alteration or removal of any equipment or material, to the extent of negligence of the SPONSORING PARTY, including any claims arising out the Worker's Compensation Act or any other law, ordinance, order or decree. The SPONSORING PARTY agrees to pay all reasonable expenses and attorney's fees incurred by or imposed on the State and INDOT in connection herewith in the event that the SPONSORING PARTY shall default under the provisions of this Section.

2.13. Non-Discrimination.

A. Pursuant to I.C. 22-9-1-10 and the Civil Rights Act of 1964, the SPONSORING PARTY, shall not discriminate against any employee or applicant for employment, to be employed in the performance of work under this Agreement, with respect to hire, tenure, terms, conditions or privileges of employment or any matter directly or indirectly related to employment, because of race, color, religion, sex, disability, national origin, ancestry or status as a veteran. Breach of this covenant may be regarded as a material breach of this Agreement. Acceptance of this Agreement also signifies compliance with applicable federal laws, regulations, and executive orders prohibiting discrimination in the provision of services based on race, color, national origin, age, sex, disability or status as a veteran.

B The SPONSORING PARTY understands that INDOT is a recipient of federal funds. Pursuant to that understanding, the SPONSORING PARTY agrees that if the SPONSORING PARTY employs fifty (50) or more employees and does at least \$50,000.00 worth of business with the State and is not exempt, the SPONSORING PARTY will comply with the affirmative action reporting requirements of 41 CFR 60-1.7. The SPONSORING PARTY shall comply with Section 202 of executive order 11246, as amended, 41 CFR 60-250, and 41 CFR 60-741, as amended, which are incorporated herein by specific reference. Breach of this covenant may be regarded as a material breach of Agreement.

It is the policy of INDOT to assure full compliance with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. Title VI and related statutes require that no person in the United States shall on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. (INDOT's Title VI enforcement shall include the following additional grounds: sex, ancestry, age, religion and disability.) The following are examples of where this policy shall be applied relative to the INDOT.

C. The SPONSORING PARTY shall not discriminate in its selection and retention of contractors, including without limitation, those services retained for, or incidental to, construction, planning, research, engineering, property management, and fee contracts and other commitments with persons for services and expenses incidental to the acquisitions of right-of-way.

D. The SPONSORING PARTY shall not modify the Project in such a manner as to require, on the basis of race, color or national origin, the relocation of any persons. (INDOT's Title VI enforcement will include the following additional grounds; sex, ancestry, age, religion and disability).

E. The SPONSORING PARTY shall not modify the Project in such a manner as to deny reasonable access to and use thereof to any persons on the basis of race, color or national origin. (INDOT's Title VI enforcement will include the following additional grounds; sex, ancestry, age, religion and disability.)

F. The SPONSORING PARTY shall neither allow discrimination by contractors in their selection and retention of subcontractors, lessors and/or material suppliers, nor allow discrimination by their subcontractors in their selection of subcontractors, lessors or material suppliers, who participate in construction, right-of-way clearance and related projects.

G. The SPONSORING PARTY shall take appropriate actions to correct any deficiency determined by INDOT and/or the Federal Highway Administration ("FHWA") within a reasonable time period, not to exceed ninety (90) days, in order to implement Title VI compliance in accordance with INDOT's assurances and guidelines.

2.14. Notice to Parties. Whenever any notice, statement or other communication is required under this Agreement, it shall be sent to the following contacts unless otherwise specifically advised.

For INDOT: Cultural Resources Manager
INDOT Environmental Services Division
100 N. Senate Avenue, Room N642
Indianapolis, IN 46204

For INSHPO: Division Director
Department of Historic Preservation & Archaeology
Indiana Department of Natural Resources
402 West Washington Street, W274
Indianapolis, Indiana 46204-2739

For IDNR: Division Director
Outdoor Recreation
Indiana Department of Natural Resources
402 West Washington Street, W271
Indianapolis, Indiana 46204

2.15. Payment. All payments shall be made according to the terms of this Agreement and in conformance with State fiscal policies and procedures and, as required by IC 4-13-2-14.8, by electronic funds transfer to the financial institution designated by the SPONSORING PARTY in writing unless a specific waiver has been obtained from the Indiana Auditor of State. No payments will be made in advance of receipt of the goods or services that are the subject of this Agreement except as permitted by IC 4-13-2-20.

If the SPONSORING PARTY has any outstanding balances on any Contract with INDOT, and such outstanding balances due to INDOT are at least sixty (60) calendar days past the due date, INDOT may proceed in accordance with I.C. 8-14-1-9 to invoke the powers of the Auditor of the State of Indiana to make a mandatory transfer of funds from the SPONSORING PARTY's allocation of the Motor Vehicle Highway Account to INDOT's account, or INDOT may withhold or garnish payments otherwise due to the SPONSORING PARTY from INDOT under this Agreement to partially or wholly satisfy such outstanding balances.

2.16. Penalties, Interest and Attorney's Fees. INDOT will in good faith perform its required obligations hereunder, and does not agree to pay any penalties, liquidated damages, interest, or attorney's fees, except as required by Indiana law in part, IC 5-17-5, I. C. 34-54-8, and I. C. 34-13-1.

2.17. Severability. The invalidity of any section, subsection, clause or provision of this Agreement shall not affect the validity of the remaining sections, subsections, clauses or provisions of this Agreement.

2.18. Status of Claims. The SPONSORING PARTY shall be responsible for keeping INDOT currently advised as to the status of any claims made for damages against the SPONSORING PARTY resulting from services performed under this Agreement.

2.19. Termination. Any party may terminate this Agreement upon thirty (30) days written notice to the others, provided the agency requesting the termination can show cause that there has been a failure on the part of the other to substantially fulfill its responsibilities pursuant to this Agreement or that the Agreement is otherwise not working to the satisfaction of either party, and after providing notice and sufficient opportunity for remedy. The terminating party shall be responsible for any and all costs associated with or resulting from termination of the Agreement.

2.20. Employment Eligibility Verification.

- A. The SPONSORING PARTY affirms under the penalties of perjury that it does not knowingly employ an unauthorized alien.
- B. The SPONSORING PARTY shall enroll in and verify the work eligibility status of all his/her/its newly hired employees through the E-Verify program as defined in IC 22-5-1.7-3. The SPONSORING PARTY is not required to participate should the E-Verify program cease to exist. Additionally, the SPONSORING PARTY is not required to participate if the SPONSORING PARTY is self-employed and does not employ any employees.

- C. The SPONSORING PARTY shall not knowingly employ or contract with an unauthorized alien. The SPONSORING PARTY shall not retain an employee or contract with a person that the SPONSORING PARTY subsequently learns is an unauthorized alien.
- D. The SPONSORING PARTY shall require his/her/its subcontractors, who perform work under this contract, to certify to the SPONSORING PARTY that the subcontractor does not knowingly employ or contract with an unauthorized alien and that the subcontractor has enrolled and is participating in the E-Verify program. The SPONSORING PARTY agrees to maintain this certification throughout the duration of the term of a contract with a subcontractor.
- E. The State may terminate for default if the SPONSORING PARTY fails to cure a breach of this provision no later than thirty (30) days after being notified by the State.

2.21. General. This Agreement represents the entire understanding between the Parties relating to the subject matter, and supersedes any and all prior oral and/or written communications, understandings or agreements relating to the subject matter. Any amendment or modification to this Agreement must be in writing, reference this Section 2.21 and be signed by duly authorized representatives of the Parties. Neither this Agreement nor any portions of it may be assigned, licensed or otherwise transferred by the SPONSORING PARTY without the prior written consent of INDOT. This Agreement will be binding upon the Parties and their permitted successors or assigns. Failure of either Party to enforce any provision of this Agreement will not constitute or be construed as a waiver of such provision or of the right to enforce such provision. The headings are inserted for convenience only and do not constitute part of this Agreement.

[Remainder of Page Intentionally Left Blank]

Non-Collusion

The undersigned attests, subject to the penalties for perjury, that he/she is the properly authorized representative, agent, member or officer of the Party, that he/she has not, nor has any other member, employee, representative, agent or officer of the Party, directly or indirectly, to the best of his/her knowledge, entered into or offered to enter into any combination, collusion or agreement to receive or pay, and that he/she has not received or paid, any sum of money or other consideration for the execution of this Agreement other than that which appears upon the face of this Agreement.

In Witness Whereof, the Parties have, through duly authorized representatives, entered into this Agreement. The Parties having read and understand the forgoing terms of this Agreement do by their respective signatures dated below hereby agree to the terms thereof.

STATE OF INDIANA
Department of Transportation

_____(for)
Brandy Hendrickson
Commissioner

Date: _____

STATE OF INDIANA
Department of Natural Resources

John Davis
Deputy Director

STATE OF INDIANA
Division of Historic Preservation and Archaeology

Mitch Zoll
Director

Date: _____

APPROVALS

STATE OF INDIANA
State Budget Agency

STATE OF INDIANA
Department of Administration

Brian E. Bailey, Director

Jessica Robertson, Commissioner

Date: _____

Date: _____

Approved as to Form and Legality:

_____(for)
Gregory F. Zoeller
Attorney General of Indiana

Date Approved: _____

DRAFT

BROWN COUNTY DEMOCRAT

PO BOX 277, NASHVILLE INDIANA 47448, FED I.D. #35-0917579

Prescribed by State Board of Accounts

General Form No 99P (Rev. 2009A)

ATTN: MARY
NAME: INDIANA DEPT OF TRANSPORTATION
ADDRESS: 100 N SENATE AV RM N642
CITY/STATE: INDIANAPOLIS IN 46204

(Government Unit) County: Brown Acct # B11138627 Ord. # 31817029

PUBLISHERS CLAIM

LINE COUNT Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set).

number of equivalent lines----- 66

Head -- number of lines -----

Body -- number of lines -----

Tail -- number of lines -----

Total number of lines in notice ----- 66

COMPUTATION OF CHARGES

66 lines, 1 columns wide equals 66 equivalent lines at 0.4572

Public Notice Des. No. 0800910 The Indiana Department of Transportation (INDOT) is planning to proceed with a bridge project involving Bridge No. 046-11-01316C/NBI No. 17050, which is currently located over SR 46 over the Eel River west of Bowling Green in Clay County, Indiana. The preferred alternative is to move the bridge to two locations east of Nashville in Brown County, Indiana. The existing two-span bridge would be rehabilitated and relocated for use on the Salt Creek Trail, a 2.5-mile multi-use trail connecting Nashville, Indiana to Brown County State Park. The Salt Creek Trail project includes two crossings of the North Fork of Salt Creek, approximately 0.7 mile apart from one another. The bridge would be divided into two sections. One section (West Bridge) would be located approximately 1.2 miles southeast of Nashville, south of SR 135/SR 46 and east of Parkview Road, and would connect a proposed trail from Nashville to Brown County State Park. Another section (East Bridge) would be located approximately 1.6 miles southeast of Nashville and would connect to a trailhead near the north entrance of Brown County State Park. The bridge to be relocated, a Parker through truss bridge, was built in 1934 and reconstructed in 1977. It is listed in the National Register of Historic Places (NRHP).

As a result of the fieldwork and documentary research undertaken for the trail location, the following resources within the project area in Brown County were identified as being eligible for listing in the National NRHP: Ramp Creek Covered Bridge and Brown County State Park-North Gate House. However, as the characteristics that qualify the above mentioned properties for inclusion in the National Register would not be diminished by the project, INDOT on behalf of the FHWA has issued a "No Adverse Effect" finding for the project. In accordance with the National Historic Preservation Act, the views of the public are being sought regarding the effect of the proposed project on the historic elements as per 36 CFR 800.2(d), 800.3(e) and 800.6(a)(4). Pursuant to 36 CFR 800.6(a)(4), the documentation specified in 36 CFR 800.11(d) is available for inspection at the INDOT Office of Environmental Services in Indianapolis. This documentation serves as the basis for the INDOT's "No Adverse Effect" finding. The views of the public on this

containing rule or tabular work

ve amount)-----

ication (\$1.00 for each proof in excess of two)-----

IF CLAIM ----- \$30.18

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t to the provisions and penalties of IC 5-11-10-1, I hereby certify that the g account is just and correct, that the amount claimed is legally due, after ; all just credits, and that no part of the same has been paid.

rtify that the printed matter attached hereto is a true copy, of the same

width and type size, which was duly published in said paper 1 times.

he dates of publication are as follows:

7/8/15

finding are being sought. Please reply to the following address no later than Thursday, August 6, 2015. Patrick Carpenter, Manager, INDOT Environmental Services, 100 N. Senate Avenue, IGCN Rm 642, Indianapolis, IN 46204-2218, Phone: (317) 233-2061, Email: pacarpenter@indot.in.gov 31817029 July/8, 2015 hspaxlp 15-139

ow is true and correct:

Web site.

nd this public notice was posted on the same e newspaper.

out due to technical problem or error,

___ Newspaper has a Web site, but refuses to post the public notice.

Name:

Vicki Fulda

Title:

Legal Advertising Clerk

7/8/2015

APPENDIX E – RED FLAG AND HAZARDOUS MATERIALS

- Red Flag Investigation



INDIANA DEPARTMENT OF TRANSPORTATION

Driving Indiana's Economic Growth

100 North Senate Avenue
Room N642
Indianapolis, Indiana 46204-2216 (317) 232-5348 FAX: (317) 233-4929

Michael R. Pence, Governor
Michael B. Cline, Commissioner

Date: March 14, 2014

To: Hazardous Materials Unit
Environmental Services
Indiana Department of Transportation
100 N Senate Avenue, Room N642
Indianapolis, IN 46204

From: Stephany Stamatis
Parsons
101 W Ohio Street, Suite 2121
Indianapolis, IN 46204
stephany.stamatis@parsons.com

Re: RED FLAG INVESTIGATION
DES # TBD
Salt Creek Bridge Relocation Project
Nashville, Brown County, Indiana

NARRATIVE

The proposed project is located along Salt Creek just south of SR 46 in Brown County, just east of Nashville Indiana. The purpose of the project is to provide a safe crossing over the North Fork of Salt Creek for a proposed multi-use trail while utilizing historic bridge spans relocated from the SR 46 over Eel River project in Clay County (Des No. 0800910). See attached Figures 1 and 2.

This project will include the construction of two bridges, utilizing spans relocated from SR 46 over Eel River in Clay County and trail approaches on either side of the bridge bringing the approaches back to the existing grade. Temporary and permanent Right-of-Way will be acquired for this project, however the acreage has not yet been determined. Additionally, there will be excavation work and the quantity of fill has not yet been determined. The bridges will each come from one span of a 2-span Parker pony steel-through-truss bridge, measuring 396 feet long (each span 198 feet in length) that was constructed in 1934. This bridge is currently classified as a "Select" bridge per the INDOT Historic Bridge Inventory. During the Historic Bridge Programmatic Agreement Project Development Process the Indiana Department on Natural Resources came forward requesting that the bridges be used for the aforementioned purpose, which necessitated the bridge relocation. These bridges will be part of a future trail, to be constructed as a separate project.

www.in.gov/dot/
An Equal Opportunity Employer

SUMMARY

Infrastructure			
Indicate the number of items of concern found within ½ mile, including an explanation why each item within the ½ mile radius will/will not impact the project. If there are no items, please indicate N/A:			
Religious Facilities	2	Recreational Facilities	4
Airports	N/A	Pipelines	4
Cemeteries	N/A	Railroads	N/A
Hospitals	N/A	Trails	7
Schools	N/A	Managed Lands	1

Explanation: See attached Figure 3.

Religious Facilities

- Rising Hope Baptist Church (named Fellowship Baptist Church in GIS layer, but Google search showed Rising Hope as its current name), located at 1267 Old SR 46 in Nashville, is within the half mile radius, but is outside the project limits and will not be impacted.
- Parkview Church of the Nazarene, located at 1750 Old SR 46 in Nashville, is within the half mile radius, but is outside the project limits and will not be impacted.

Recreational Facilities

- Brown County State Park, managed by DNR State Parks and Reservoirs, is within the project limits and is considered a Section 4(f) resource. More specifically, the swimming pool area for the park is also located within the project limits. A search of the National Park Service Land & Water Conservation Fund (LWCF) database shows the park has received LWCF grants, thus this park would qualify as a Section 6(f) resource. Early coordination with INDOT Cultural Resources, National Park Service, and DNR are required to assess potential impacts and mitigation measures.
- RedBarn Jamboree & RV Park, located at 71 Parkview Road in Nashville, is a privately owned full hook-up RV park and family recreation site that is within the project limits and may be impacted. Input from the owners of this facility will be sought during early coordination.
- Eagle Park is an athletic facility owned by Brown County School Corporation that is within the project limits and may be impacted. Note that this facility did not show up in the recreational facilities GIS layer provided by the IDNR or the schools layer, but was identified during a site visit. This resource was added to Figure 3. Early coordination with INDOT Cultural Resources and Brown County School Corporation will be required to determine potential Section 4(f) impacts and any necessary mitigation.
- Salt Creek Golf Retreat, located at 2359 SR 46 East in Nashville, is within the half mile radius, but is outside the project limits and will not be impacted.

Pipelines

- There are four natural gas pipelines owned by Indiana Natural Gas Corporation within the half mile radius. Two pipelines are located approximately 1,500 feet northwest of the project limits and the other two are approximately 700 feet east of the project limits. These facilities will not be impacted by this project.

Trails

- There are seven trails identified in the INDR Trails GIS Layer within the half mile radius. Two of the trails are planned for construction, YMCA to Eagle Park and Brown County State Park to Eagle Park. These planned asphalt trails will utilize the bridge spans being relocated as part of this project to cross the North Fork of Salt Creek. The remaining trails include two mountain bike trails and three hiking trails, all located within Brown County State Park. These trails are outside the project limits and will not be impacted.

Managed Lands

- Brown County State Park, managed by DNR State Parks and Reservoirs, is within the project limits and is considered a Section 4(f) and Section 6(f) resource. See explanation above for Recreational Facilities.

Water Resources			
Indicate the number of items of concern found within ½ mile, including an explanation why each item within the ½ mile radius will/will not impact the project. If there are no items, please indicate N/A:			
NWI - Points	N/A	NWI - Wetlands	13
Karst Springs	N/A	IDEM 303d Listed Lakes	N/A
Canal Structures – Historic	N/A	Lakes	5
NWI - Lines	4	Floodplain - DFIRM	9
IDEM 303d Listed Rivers and Streams (Impaired)	N/A	Cave Entrance Density	N/A
Rivers and Streams	10	Sinkhole Areas	N/A
Canal Routes - Historic	N/A	Sinking-Stream Basins	N/A

Explanation: See attached Figure 4.

NWI - Lines

- One PEMA NWI line is within the half mile radius, but is outside the project limits and will not be impacted.
- One R3UBH NWI line is within the half mile radius, but is outside the project limits and will not be impacted.
- One R2UBH NWI line, representing the North Fork of Salt Creek, is within the project limits and may be impacted.
- One PUBFh NWI line is within the half mile radius, but is not within the project limits and will not be impacted.

Rivers and Streams

- The North Fork of Salt Creek (HUC14 – 05120208050040) is within the project limits, and would flow under the proposed bridges for the project. There will likely be temporary impacts to the North Fork of Salt Creek during construction. Any disturbance or fill below the ordinary high water mark may require authorization or permits from the USACE and IDEM.
- Six unnamed tributaries of the North Fork of Salt Creek are within the half mile radius, but are outside the project limits and would not be impacted.
- Clay Lick Creek is within the half mile radius, but is outside the project limits and would not be impacted.
- Two unnamed tributaries of Clay Lick Creek are within the half mile radius, but are outside the project limits and would not be impacted.
- Any disturbance or fill below the ordinary high water mark may require authorization or permits from the USACE and IDEM.

NWI – Wetlands

- Five PUBGh NWI wetlands are within the half mile radius, but are not within the project limits and will not be impacted.
- Five PFO1A NWI wetlands are within the half mile radius, but are outside the project limits and will not be impacted.
- Two PFO1A NWI wetlands are within the project limits and may be impacted.
- One PEMA NWI wetland is within the project limits and may be impacted.
- NWI wetlands may be impacted by construction activities and this work will likely require authorization or permits from USACE and IDEM.

Lakes

- Five lakes are within the half mile radius, but are outside project limits and will not be impacted.

Floodplain – DFIRM

- Eight separate flood zone AE fields, representing the North Fork of Salt Creek floodplain, have been designated on the IDNR floodplain GIS layer within the half mile radius. This project would impact the floodplain and flood way of the North Fork of Salt Creek. One flood zone A field, representing the Clay Lick Creek floodplain, has been designated on the IDNR floodplains GIS layer within the half mile radius. The floodplain of Clay Lick Creek is outside the project limits and would not be impacted by the project.

- A Construction in a Floodway (CIF) Permit will be required from the IDNR prior to any construction within a floodplain.

Mining/Mineral Exploration			
Indicate the number of items of concern found within ½ mile, including an explanation why each item within the ½ mile radius will/will not impact the project. If there are no items, please indicate N/A:			
Petroleum Wells	N/A	Petroleum Fields	N/A
Mines – Surface	N/A	Mines – Underground	N/A

Explanation: No mining/mineral exploration concerns have been identified within the half mile radius of the project. No petroleum wells or fields were identified using the Petroleum Database Management System (PDMS). See attached Figure 5.

Hazmat Concerns			
Indicate the number of items of concern found within ½ mile, including an explanation why each item within the ½ mile radius will/will not impact the project. If there are no items, please indicate N/A:			
Brownfield Sites	N/A	Restricted Waste Sites	N/A
Corrective Action Sites (RCRA)	N/A	Septage Waste Sites	N/A
Confined Feeding Operations	N/A	Solid Waste Landfills	N/A
Construction Demolition Waste	N/A	State Cleanup Sites	N/A
Industrial Waste Sites (RCRA Generators)	N/A	Tire Waste Sites	N/A
Infectious/Medical Waste Sites	N/A	Waste Transfer Stations	N/A
Lagoon/Surface Impoundments	N/A	RCRA Waste Treatment, Storage, and Disposal Sites (TSDs)	N/A
Leaking Underground Storage Tanks (LUSTs)	N/A	Underground Storage Tanks	N/A
Manufactured Gas Plant Sites	N/A	Voluntary Remediation Program	N/A
NPDES Facilities	N/A	Superfund	N/A
NPDES Pipe Locations	N/A	Institutional Control Sites	N/A
Open Dump Sites	N/A		

Explanation: No hazardous materials concerns have been identified by secondary source data as existing within the half mile radius of the project. See attached Figure 6.

Ecological Information

The Brown County listing of the Indiana Natural Heritage Data Center information on endangered, threatened, or rare (ETR) species and high quality natural communities is attached with ETR species highlighted. An early coordination letter will be sent to IDNR and USFWS. Any required commitments will be included in the project documents.

Cultural Resources

Per the “Programmatic Agreement Regarding Management and Preservation of Indiana’s Historic Bridges” (Historic Bridge PA), INDOT, on behalf of the Federal Highway Administration (FHWA), will “satisfy its Section 106 responsibilities involving Select and Non-Select bridge” through the Project Development Process (PDP) of the Historic Bridge PA. INDOT, on behalf of FHWA, will comply with all Section 106 requirements and coordinate with consulting parties. All comments will be included in the environmental document. Phase 1 historic architecture and archaeological surveys will

be performed in coordination with INDOT-ES Cultural Resources Section. Any potential impacts to section 106 resources will be identified and evaluated in coordination with INDOT Cultural Resources and SHPO.

RECOMMENDATIONS

INFRASTRUCTURE: DNR State Parks and Reservoirs, is within the project limits and is considered a Section 4(f) resource. More specifically, the swimming pool area for the park is also located within the project limits. A search of the National Park Service Land & Water Conservation Fund (LWCF) database shows the park has received LWCF grants, thus this park would qualify as a Section 6(f) resource. Early coordination with INDOT Cultural Resources, National Park Service, and DNR are required to assess potential impacts and mitigation measures.

- Red Barn Jamboree & RV Park, located at 71 Parkview Road in Nashville, is a privately owned full hook-up RV park and family recreation site that is within the project limits and may be impacted. Input from the owners of this facility will be sought during early coordination.

- Eagle Park is an athletic facility owned by Brown County School Corporation that is within the project limits and may be impacted. Note that this facility did not show up in the recreational facilities GIS layer provided by the IDNR or the schools layer, but was identified during a site visit. This resource was added to Figure 3. Early coordination with INDOT Cultural Resources and Brown County School Corporation will be required to determine potential Section 4(f) impacts and any necessary mitigation.

Two trails are planned for construction, YMCA to Eagle Park and Brown County State Park to Eagle Park. These planned asphalt trails will utilize the bridge spans being relocated as part of this project to cross the North Fork of Salt Creek. Coordination will occur with Brown County Park and Recreation Department.

WATER RESOURCES:

- One R2UBH NWI line, representing the North Fork of Salt Creek, is within the project limits and may be impacted.
- The North Fork of Salt Creek (HUC14 – 05120208050040) is within the project limits, and would flow under the proposed bridges for the project. There will likely be temporary impacts to the North Fork of Salt Creek during construction.
- Two PFO1A NWI wetlands are within the project limits and may be impacted.
- One PEMA NWI wetland is within the project limits and may be impacted.
- Eight separate flood zone AE fields, representing the North Fork of Salt Creek floodplain, have been designated on the IDNR floodplain GIS layer within the half mile radius. This project would impact the floodplain and flood way of the North Fork of Salt Creek.

A full wetland delineation and Waters of the U.S. Report will be completed for the project to identify any jurisdictional resources in the area. Environmental permits including an IDEM Section 401 permit, USACE Section 404 Permit, an IDNR CIF permit, and an IDEM Rule 5 Permit shall be obtained for any impacts to these resources. Resource agencies responsible for issuance of these permits will be contacted to gather additional information regarding sensitive resources and permit or mitigation requirements.

MINING/MINERAL EXPLORATION: N/A

HAZMAT CONCERNS: N/A

ECOLOGICAL INFORMATION: An early coordination letter will be sent to IDNR and USFWS. Any required commitments will be included in the project documents.

CULTURAL RESOURCES: Phase 1 historic architecture and archaeological surveys will be performed in coordination with the INDOT Cultural Resources. Any potential impacts to Section 106 resources will be identified and evaluated in coordination with the Historic Bridge PA PDP.

Marlene Mathas Digitally signed by Marlene Mathas
DN: cn=Marlene Mathas, o=INDOT
Environmental Services, ou=Hazardous
Materials, email=mmathas@indot.in.gov, c=US
Date: 2014.04.10 15:45:21 -04'00' (Signature)

INDOT Environmental Services concurrence:

Prepared by:
Stephany Stamatis
Environmental Planner
Parsons

Graphics:

A map for each report section with a ½ mile radius buffer around all project area(s) showing all items identified as possible items of concern is attached. If there is not a section map included, please change the YES to N/A:

- GENERAL SITE MAP SHOWING PROJECT AREA: YES
- INFRASTRUCTURE: YES
- WATER RESOURCES: YES
- MINING/MINERAL EXPLORATION: YES
- HAZMAT CONCERNS: YES

Indiana County Endangered, Threatened and Rare Species List

County: **Brown**

Species Name	Common Name	FED	STATE	GRANK	SRANK
Mollusk: Bivalvia (Mussels)					
Villosa lienosa	Little Spectaclecase		SSC	G5	S3
Insect: Coleoptera (Beetles)					
Cicindela patruela	A Tiger Beetle		SR	G3	S3
Insect: Lepidoptera (Butterflies & Moths)					
Amblyscirtes hegon	Salt-and-pepper Skipper		SR	G5	S2
Autochton cellus	Gold-banded Skipper		SR	G4	S2
Euphydryas phaeton	Baltimore		SR	G4	S2
Fixsenia favonius	Northern Hairstreak		SR	G4	S1S2
Hyperaeschra georgica	A Prominent Moth			G5	S2
Amphibian					
Rana pipiens	Northern Leopard Frog		SSC	G5	S2
Reptile					
Clonophis kirtlandii	Kirtland's Snake		SE	G2	S2
Crotalus horridus	Timber Rattlesnake		SE	G4	S2
Liochlorophis vernalis	Smooth Green Snake		SE	G5	S2
Opheodrys aestivus	Rough Green Snake		SSC	G5	S3
Terrapene carolina carolina	Eastern Box Turtle		SSC	G5T5	S3
Bird					
Accipiter striatus	Sharp-shinned Hawk	No Status	SSC	G5	S2B
Aimophila aestivalis	Bachman's Sparrow			G3	SXB
Ammodramus henslowii	Henslow's Sparrow		SE	G4	S3B
Ardea herodias	Great Blue Heron			G5	S4B
Buteo lineatus	Red-shouldered Hawk		SSC	G5	S3
Buteo platypterus	Broad-winged Hawk	No Status	SSC	G5	S3B
Dendroica cerulea	Cerulean Warbler		SE	G4	S3B
Dendroica virens	Black-throated Green Warbler			G5	S2B
Haliaeetus leucocephalus	Bald Eagle	LT,PDL	SSC	G5	S2
Helmitheros vermivorus	Worm-eating Warbler		SSC	G5	S3B
Mniotilta varia	Black-and-white Warbler		SSC	G5	S1S2B
Wilsonia citrina	Hooded Warbler		SSC	G5	S3B
Mammal					
Lasiurus borealis	Eastern Red Bat		SSC	G5	S4
Lasiurus cinereus	Hoary Bat	No Status	SSC	G5	S4
Mustela nivalis	Least Weasel		SSC	G5	S2?
Myotis septentrionalis	Northern Myotis		SSC	G4	S3
Myotis sodalis	Indiana Bat or Social Myotis	LE	SE	G2	S1
Pipistrellus subflavus	Eastern Pipistrelle		SSC	G5	S4
Taxidea taxus	American Badger		SSC	G5	S2

Indiana Natural Heritage Data Center
Division of Nature Preserves
Indiana Department of Natural Resources
This data is not the result of comprehensive county surveys.

Fed: LE = Endangered; LT = Threatened; C = candidate; PDL = proposed for delisting
State: SE = state endangered; ST = state threatened; SR = state rare; SSC = state species of special concern; SX = state extirpated; SG = state significant; WL = watch list
GRANK: Global Heritage Rank: G1 = critically imperiled globally; G2 = imperiled globally; G3 = rare or uncommon globally; G4 = widespread and abundant globally but with long term concerns; G5 = widespread and abundant globally; G? = unranked; GX = extinct; Q = uncertain rank; T = taxonomic subunit rank
SRANK: State Heritage Rank: S1 = critically imperiled in state; S2 = imperiled in state; S3 = rare or uncommon in state; G4 = widespread and abundant in state but with long term concern; SG = state significant; SH = historical in state; SX = state extirpated; B = breeding status; S? = unranked; SNR = unranked; SNA = nonbreeding status unranked

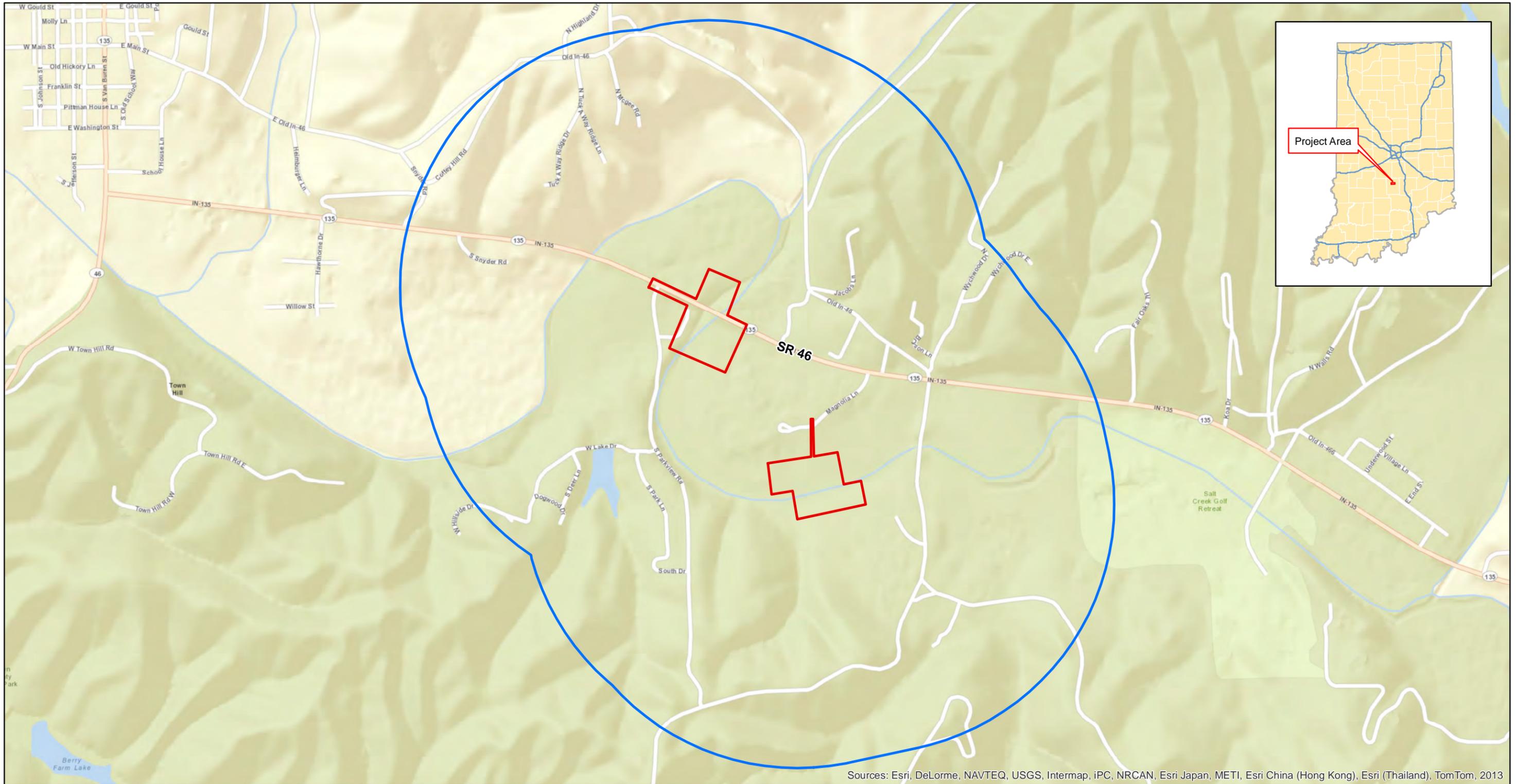
Indiana County Endangered, Threatened and Rare Species List

County: Brown

Species Name	Common Name	FED	STATE	GRANK	SRANK
Vascular Plant					
Cladristis lutea	Yellowwood		ST	G4	S2
Epigaea repens	Trailing Arbutus		WL	G5	S3
Hydrastis canadensis	Golden Seal		WL	G4	S3
Hypericum pyramidatum	Great St. John's-wort		ST	G4	S1
Juglans cinerea	Butternut		WL	G4	S3
Linum striatum	Ridged Yellow Flax		WL	G5	S3
Oenothera perennis	Small Sundrops		SR	G5	S2
Panax quinquefolius	American Ginseng		WL	G3G4	S3
Panicum bicknellii	A Panic-grass		SE	G4?Q	S1
Panicum mattamuskeetense	A Panic-grass		SX	G4?	SX
Rubus centralis	Illinois Blackberry		SE	G2?Q	S1
Rubus deamii	Deam Dewberry		SX	G4?	SX
Rubus odoratus	Purple Flowering Raspberry		ST	G5	S2
Spiranthes ochroleuca	Yellow Nodding Ladies'-tresses		ST	G4	S2
Stachys clingmanii	Clingman Hedge-nettle		SE	G2	S1
High Quality Natural Community					
Forest - upland dry	Dry Upland Forest		SG	G4	S4
Forest - upland dry-mesic	Dry-mesic Upland Forest		SG	G4	S4
Forest - upland mesic	Mesic Upland Forest		SG	G3?	S3

Indiana Natural Heritage Data Center
Division of Nature Preserves
Indiana Department of Natural Resources
This data is not the result of comprehensive county surveys.

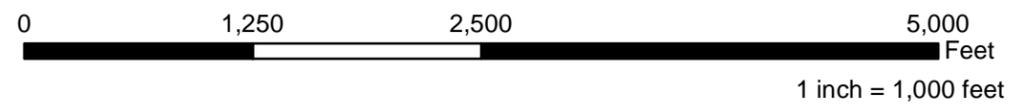
Fed: LE = Endangered; LT = Threatened; C = candidate; PDL = proposed for delisting
State: SE = state endangered; ST = state threatened; SR = state rare; SSC = state species of special concern; SX = state extirpated; SG = state significant; WL = watch list
GRANK: Global Heritage Rank: G1 = critically imperiled globally; G2 = imperiled globally; G3 = rare or uncommon globally; G4 = widespread and abundant globally but with long term concerns; G5 = widespread and abundant globally; G? = unranked; GX = extinct; Q = uncertain rank; T = taxonomic subunit rank
SRANK: State Heritage Rank: S1 = critically imperiled in state; S2 = imperiled in state; S3 = rare or uncommon in state; G4 = widespread and abundant in state but with long term concern; SG = state significant; SH = historical in state; SX = state extirpated; B = breeding status; S? = unranked; SNR = unranked; SNA = nonbreeding status unranked



Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, IPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

Legend

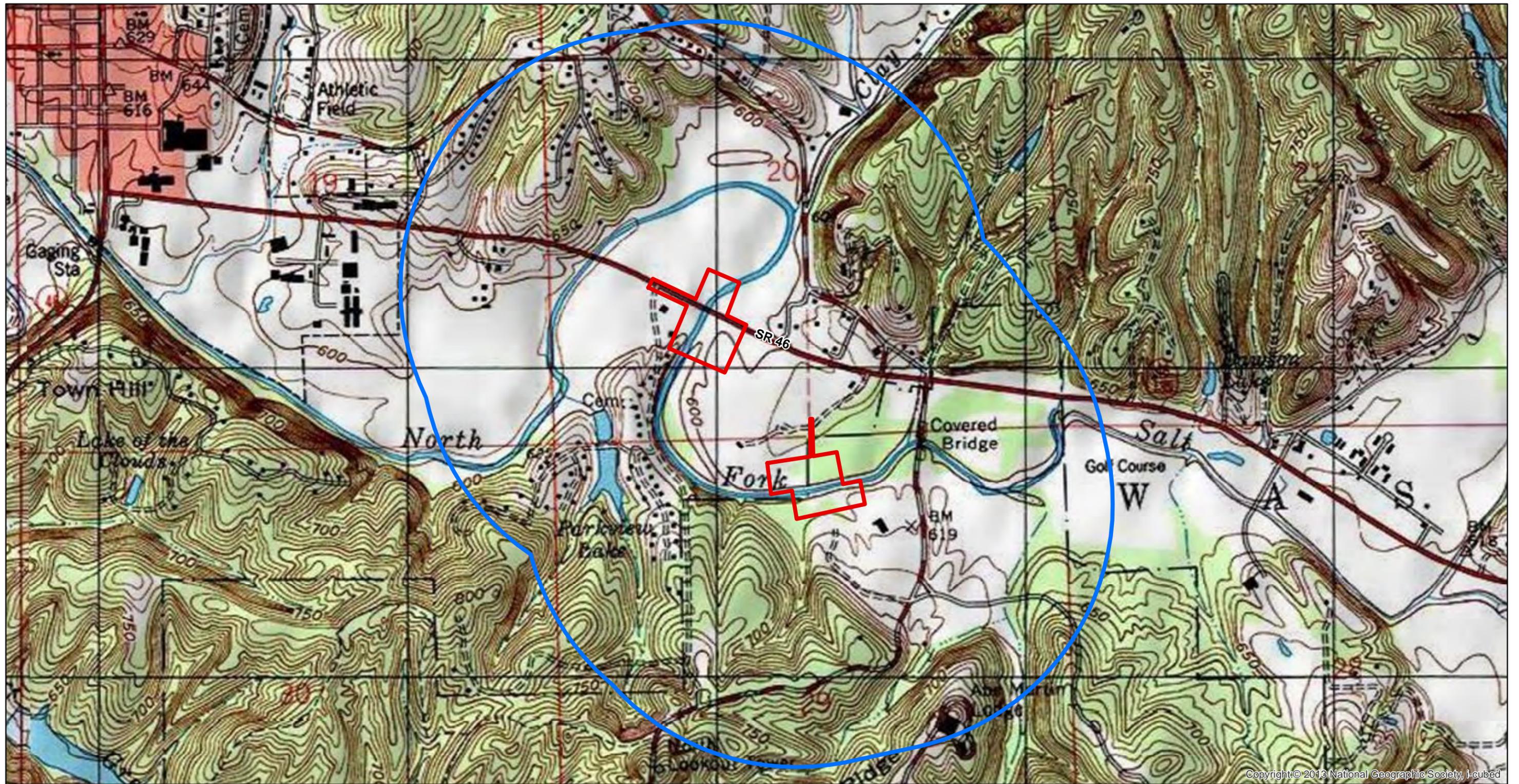
- Preliminary Construction Limits
- Half Mile Buffer



Salt Creek Bridge Relocation Project
Figure 1 - Project Location
Red Flag Investigation

Des No. TBD
Date: 2/12/14
Created By: SES

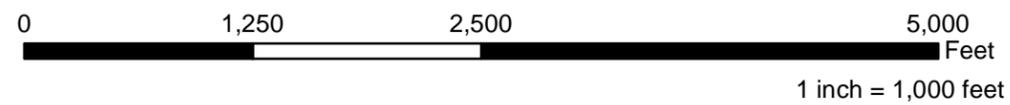




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Legend

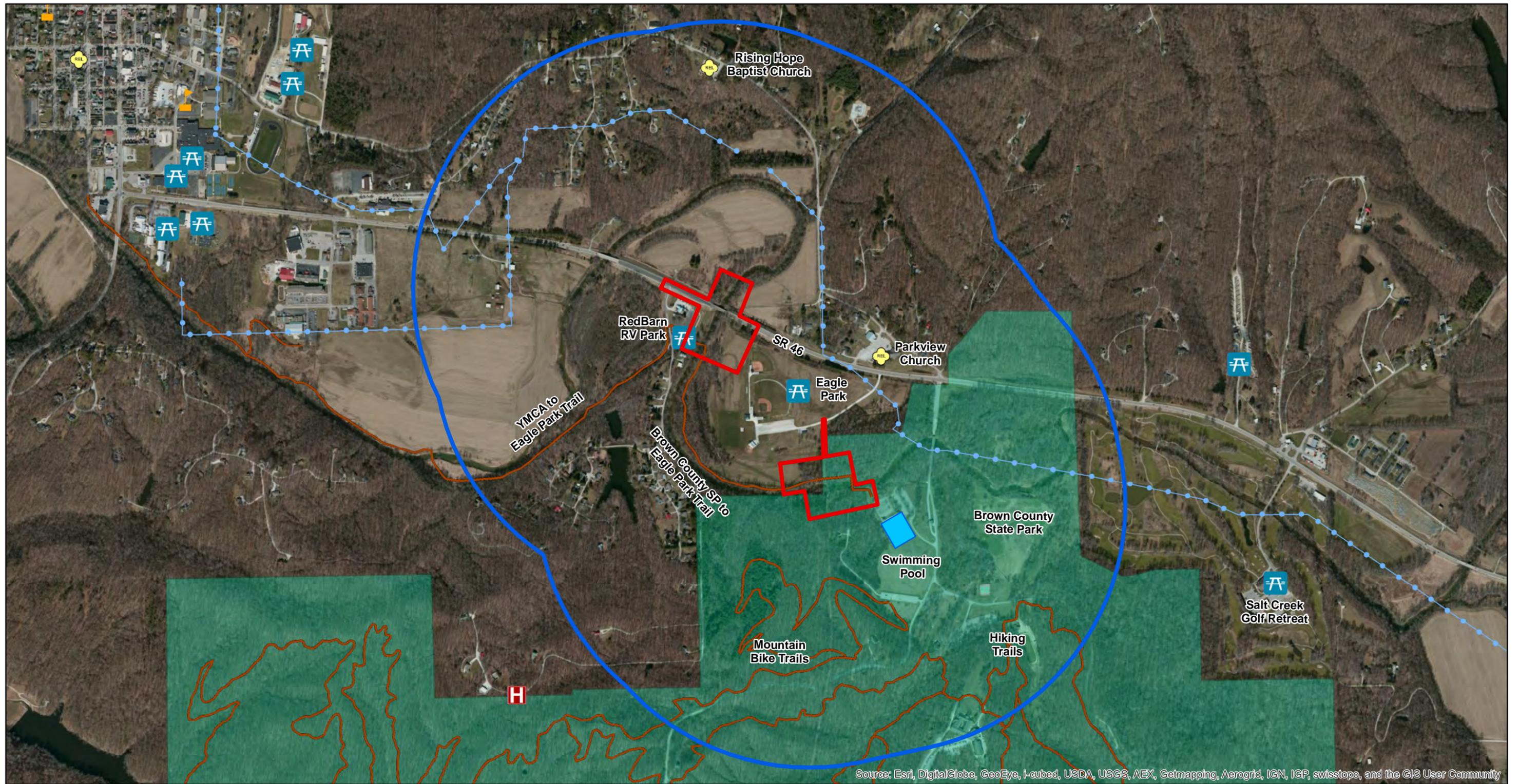
- Preliminary Construction Limits
- Half Mile Buffer



Salt Creek Bridge Relocation Project
Figure 2 - USGS Topographic
Red Flag Investigation

Des No. TBD
 Date: 2/12/14
 Created By: SES

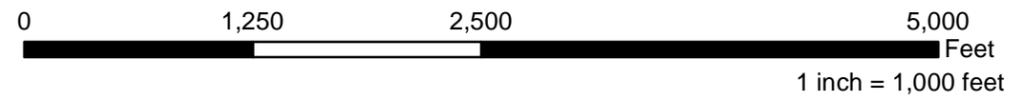




Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Legend

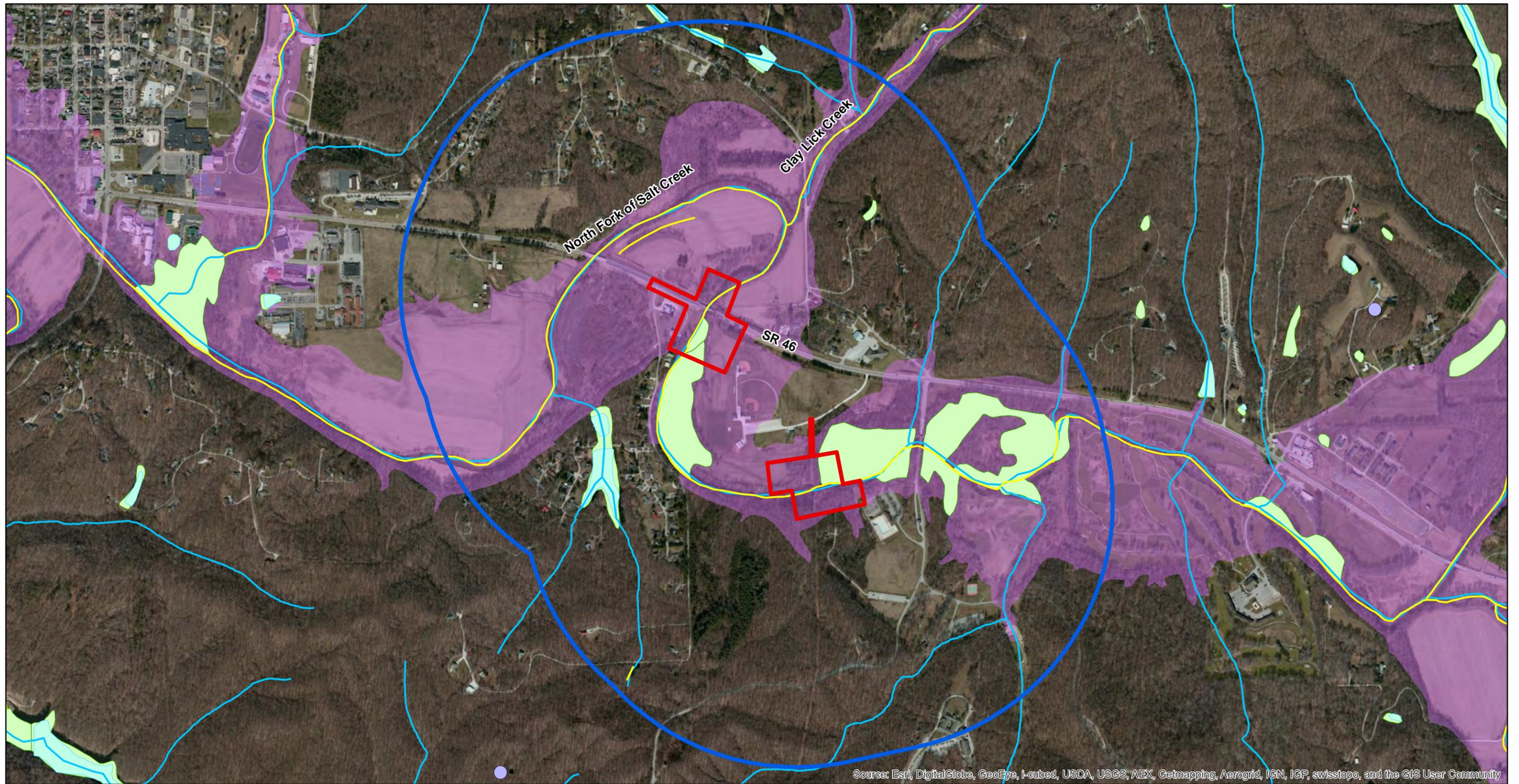
- Preliminary Construction Limits
- Half Mile Buffer
- Religious Facilities
- H Hospitals
- Schools
- A Recreational Facilities
- Pipelines
- Trails
- Managed Lands



Salt Creek Bridge Relocation Project
Figure 3 - Infrastructure
Red Flag Investigation

Des No. TBD
Date: 2/12/14
Created By: SES





Legend

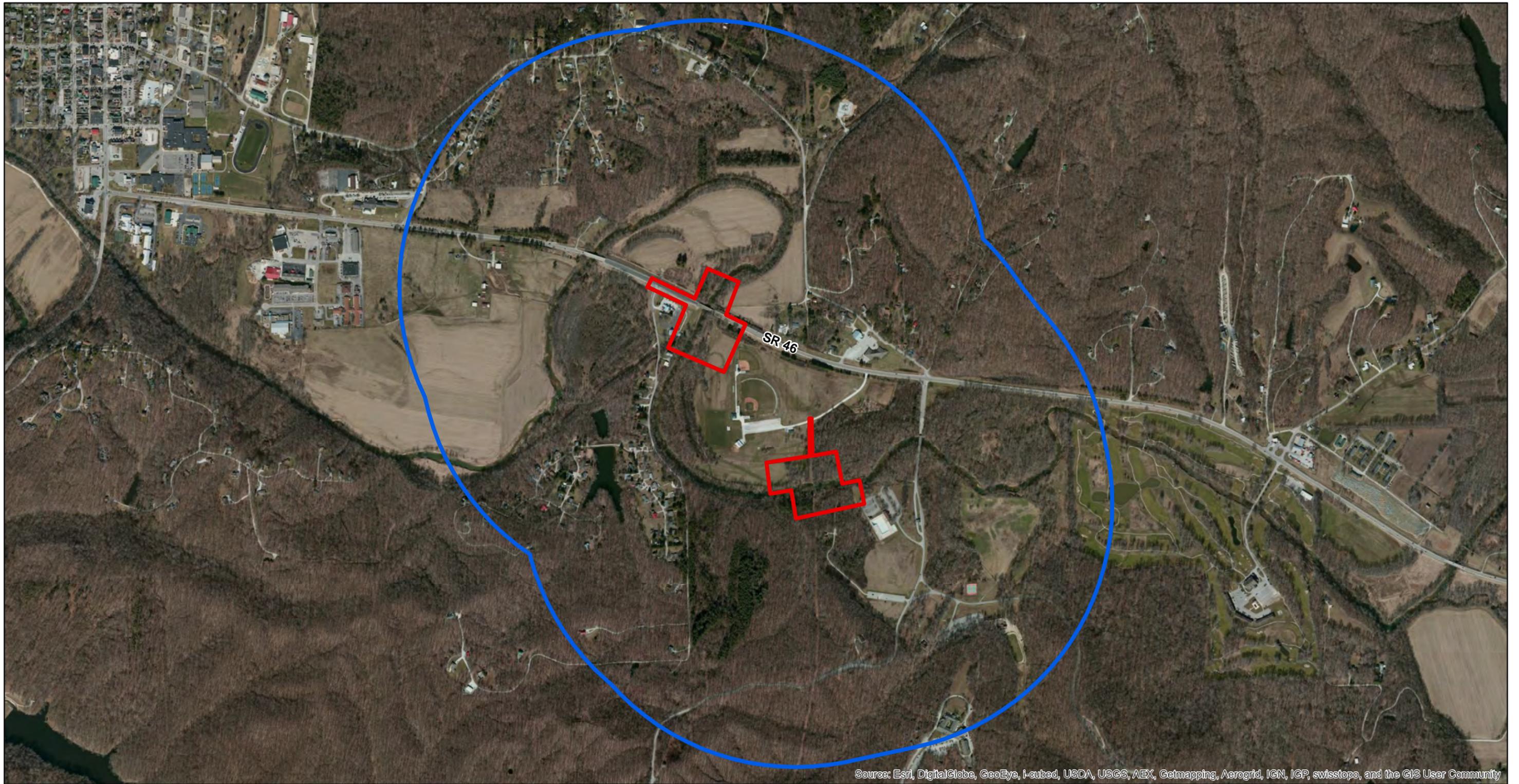
- Preliminary Construction Limits
- Half Mile Buffer
- NWI - Points
- NWI - Line
- Rivers and Streams
- Lakes
- NWI - Wetland
- Floodplain - DFIRM



Salt Creek Bridge Relocation Project
Figure 4 - Water Resources
Red Flag Investigation

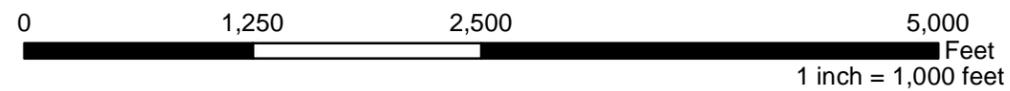
Des No. TBD
Date: 3/14/14
Created By: SES





Legend

- Preliminary Construction Limits
- Half Mile Buffer



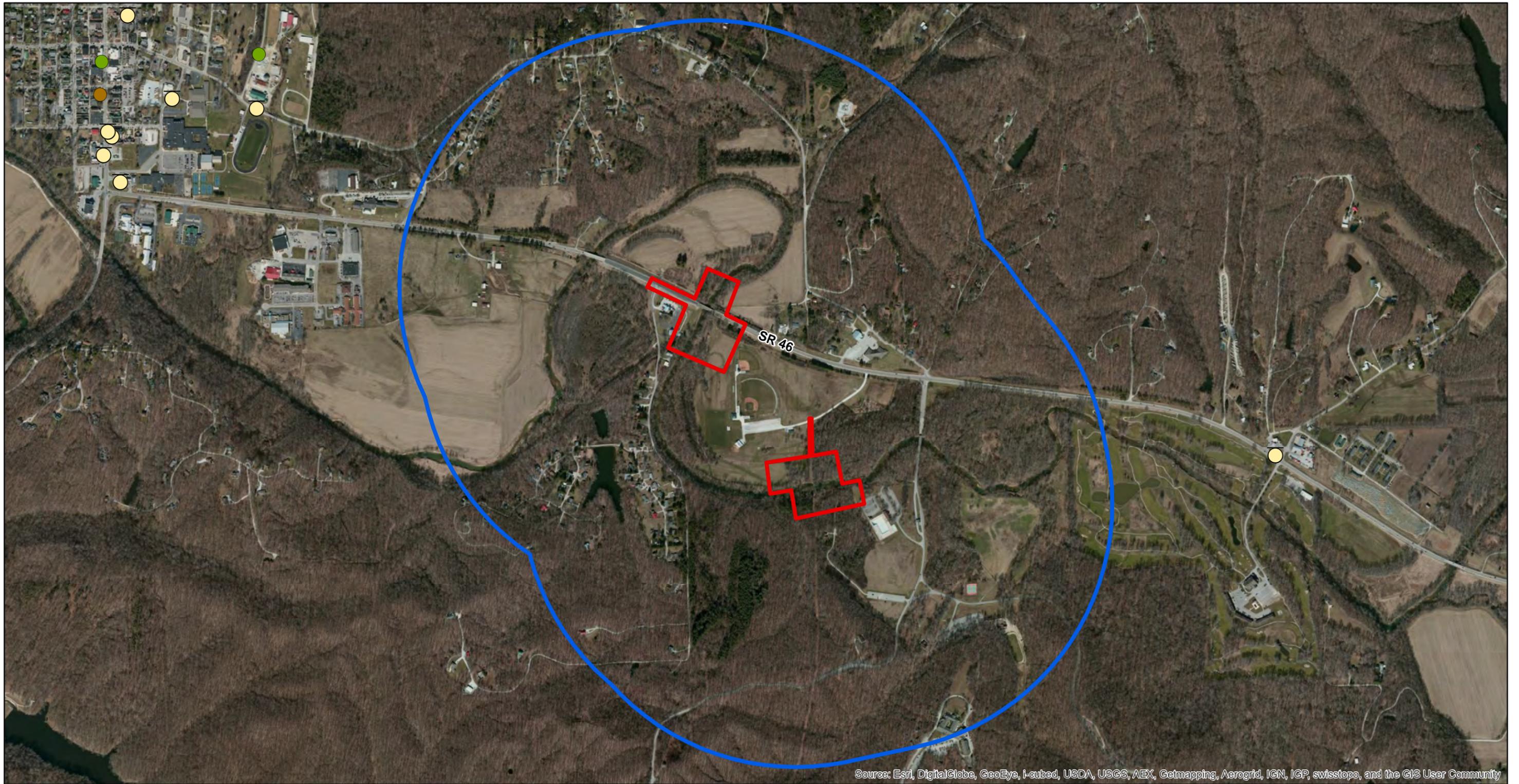
Salt Creek Bridge Relocation Project
Figure 5 - Mining/Mineral Exploration
Red Flag Investigation

Des No. TBD

Date: 2/12/14

Created By: SES





Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Legend

- Preliminary Construction Limits
- Half Mile Buffer
- Brownfields
- UST/LUST
- State Cleanup Sites



Salt Creek Bridge Relocation Project
Figure 6 - Hazardous Materials
Red Flag Investigation

Des No. TBD
 Date: 2/12/14
 Created By: SES



APPENDIX F – WATER RESOURCES

- Waters of the U.S. Delineation Report (draft)

Waters of the U.S. Delineation Report

Historic Bridge Relocation to Salt Creek Trail Brown County, Indiana INDOT Des. Nos. 1400311 and 1400365



June 12, 2015

Prepared by:
PARSONS
101 West Ohio Street, Suite 2121
Indianapolis, IN 46204

Prepared for:
Indiana Department of Transportation
Environmental Services Division
100 North Senate Avenue, Room N642
Indianapolis, IN 46204

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DRAFT

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WETLAND AND OTHER WATERS DELINEATION REPORT

Historic Bridge Relocation to Salt Creek Trail

Brown County, Indiana

INDOT Designation Numbers 1400311 and 1400365

Prepared By: Alan K. Ball, Senior Environmental Planner

June 12, 2015

I: Project Information

Fieldwork Dates:

Fieldwork was conducted on September 3 and November 11, 2014.

Principal Investigator:

Alan Ball, Senior Environmental Planner

Contributors:

Thomas J. Warrner, Environmental Planner

Wade Kimmon, GIS Specialist

Project Location:

Nashville Quadrangle:

Sections 20 and 29 of Township 9N, Range 3E

Washington Township, Brown County, Indiana

Project Description:

The Indiana Department of Transportation (INDOT) is planning a bridge project on SR 46 over the Eel River in Clay County, Indiana (Des. No. 0800910). The preliminary preferred alternative of that project is to build a new bridge over the Eel River to the south of the existing two-span Parker through truss bridge. INDOT, which is obligated under the Historic Bridge PA to ensure that the 2-span historic bridge over the Eel River in Clay County is preserved, will pay to relocate and rehabilitate the spans. Once the new bridge over the Eel River is open to traffic, the old steel bridge would be disassembled, rehabilitated, and relocated to two locations along the proposed Salt Creek Trail (Des. Nos. 1400311 and 1400365).

This project would take place at two locations over Salt Creek in Brown County, Indiana. The “West” span (Des. No. 1400365) would be located about 300 feet south of the SR 46 bridge over Salt Creek, just east of Parkview Road east of Nashville, IN. The “East” span (Des. No. 1400311) will be located just north of the Brown County State Park (BCSP) pool parking lot, about 600 feet west of the North entrance road to BCSP (see Appendix A for location maps). The West span is located in Section 20 of Township 9 North, Range 3 East, and the East span is located in Section 29 of Township 9 North, Range 3 East. Both locations are contained on the USGS Nashville quadrangle map (see Appendix B, Figure 3).

The preferred alternative includes the construction of a new abutment for each end of the two bridges (4 abutments total) plus placing fill to construct the approaches from the existing ground up to the level of the new bridges. It is anticipated that the West span would be owned and maintained by Brown County, and the East span (which would be within BCSP) would be owned and maintained by the Indiana Department of Natural Resources. Each agency has signed an agreement committing to maintain their respective structure for a minimum of 25 years.

This report describes the wetlands, streams and open water features that have been identified within or adjacent to the study area. The study area is the preliminary construction limits shown on the included figures. Water features were located during two field visits – on September 3 and November 11, 2014. The proposed project may result in impacts to these features. Therefore, INDOT anticipates the need to obtain verification from the US Army Corps of Engineers (USACE) and the Indiana Department of Environmental

Management (IDEM) regarding the jurisdictional status of wetlands, streams and open waters located within the study area, and that authorization from USACE and IDEM to discharge fill in these features is necessary.

II: Office Evaluation

Methodology

A desktop review of the project limits was conducted to identify potential waters or waters of the U.S. (streams, wetlands, ponds, etc.). This included review of historic and recent aerial photography for any areas with a water signature or a sharp change in vegetation. Any such areas were flagged for field follow-up. USGS topographic mapping, National Wetlands Inventory (NWI) mapping, mapped soil units, and historic drainage were also reviewed.

FEMA Floodplain Mapping

Figure 2 in Appendix A shows a recent aerial image with the FEMA floodplain (FIRM) mapping. The entire construction limits of the west bridge are within the mapped floodplain. At the eastern bridge, a portion of the southern approach from the Brown County State Park pool parking lot is outside of the floodplain, but the majority of the construction limits is within the floodplain also.

USGS Mapping:

The USGS 7.5 minutes series topographic map of the Nashville quadrangle shows only one water feature, Salt Creek, as being within the project limits. No other water resources are shown or indicated by contours within the project area. The USGS map is provided for reference in Appendix A, Figure 3.

NWI Mapping:

During NWI review, multiple potential wetland polygons were identified within the project limits. All of the NWI polygons are associated with Salt Creek, or its immediate riparian corridor. NWI maps are provided for reference in Appendix A, Figure 4.

Mapped Soil Units:

According to the Soil Survey Geographic (SSURGO) Database for Brown County, Indiana, the project area contains six mapped soil units. The Natural Resources Conservation Service (NRCS) classifies soil types as follows: hydric (100%), predominantly hydric (66-99%), partially hydric (33-65%), predominantly non-hydric (1-32%), and non-hydric (0%). None of the six mapped soils are hydric. All of the mapped soil units are listed as non-hydric (0%). Table 1 below details the soil units mapped within the project limits. Maps showing the location of soil types are provided in Appendix A, Figure 5.

Table 1: Soils in the Study Area

Symbol	Description	Hydric rating
Ba	Bartle silt loam, 0 to 3 percent slopes	Non-hydric (0%)
Be	Beanblossom channery silt loam, occasionally flooded	Non-hydric (0%)
BgF	Berks-Trevlac-Wellston complex, 20 to 70 percent slopes	Non-hydric (0%)
Hc	Haymond silt loam, frequently flooded	Non-hydric (0%)
PeB	Pekin silt loam, 2 to 6 percent slopes	Non-hydric (0%)
Sf	Steff silt loam, frequently flooded	Non-hydric (0%)

Historic Drainage:

A copy of the 1982 soil survey for Brown County was reviewed to identify areas with historic drainage. One historic drainage feature was identified within or near the project limits. This feature is on the south side of Salt Creek, near the proposed location of the east bridge. This area was investigated, and an ephemeral stream was identified and delineated (Stream 2). A map of the historic drainage features is located in Appendix A, Figures 6a and 6b (pages A6-A7).

III: Field Reconnaissance

Methodology

Parsons conducted fieldwork on September 3 and November 11, 2014 to determine the presence of streams, wetlands, and other water resources within the project limits. While specific areas identified via desktop review were targeted for review, the entire project was surveyed for water resources. When observed, features located adjacent to, but outside of the project limits were also noted. Resource maps showing all identified features are attached for reference in Appendix A, Figures 7a and 7b (pages A8-A9)

Photographs were taken throughout the project area, and specifically for each feature identified. Selected photographs are included within this report for reference (Appendix B).

Wetlands were delineated using the guidance provided in the *1987 Corps Manual* (Environmental Laboratory, 1987). Vegetation, soil, and hydrology data were collected using the methods described in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region, Version 2.0* (USACE 2012). Wetland indicator statuses for plants were obtained from the 2014 National Wetland Plant List. Each wetland polygon was classified utilizing the Cowardin Classification System (Cowardin et.al., 1979). Wetland data forms are provided in Appendix C for reference. A hand-held GPS unit (Geoexplorer XH 6000 Series) was used to collect the boundary of each identified wetland, as well as its data points. No wetlands were identified in or around the construction limits for the eastern bridge, but the NWI mapping shows a wetland polygon along Salt Creek. An additional data point (Upland Data Point A) was taken to document the conditions within the construction limits of the east bridge. This upland data point is also included in Appendix C, and is discussed below in the “Non-Wetland Data Point” section below.

Stream and open water boundaries were delineated in the field at the ordinary high water mark (OHWM), which was obtained using a measuring tape. Streams with an OHWM are identified as perennial, intermittent or ephemeral. Two different function and value assessment methodologies were used, depending on the size of the stream’s immediate watershed (drainage area). These methodologies include the Qualitative Habitat Evaluation Index (QHEI, Ohio EPA 2006) for larger streams and the Headwater Habitat Evaluation Index (HHEI, Ohio EPA 2012) for smaller streams. The results of these evaluations are provided in Appendix D. A hand-held GPS unit (Geoexplorer XH 6000 Series) was used to collect the location of each identified stream.

Wetlands

Three wetlands were delineated within or adjacent to the study area, which, for the purpose of waters investigations, is considered to be the preliminary construction limits shown on the included figures. The largest two wetlands (Wetland 1 and 2) are classified as a palustrine forested wetlands (PFO), while the third is a palustrine emergent (PEM) wetland. The total area of the wetlands delineated is 2.38 acres. All three wetlands appear to have the hydrologic connectivity that would place them under the jurisdiction of the US Army Corps of Engineers. Table 2 summarizes the wetlands located within and adjacent to the study area. Figures 7a and 7b in Appendix A show the wetland boundaries and the locations of the data points. Appendix B contains photo location keys, and photographs of each wetland. Wetland determination forms are located in Appendix C as are photos of the soil profiles.

Table 2: Wetlands within the Study Area

Wetland ID	Photo Numbers	Lat. / Long.	Type	Delineated Area (acres)	Acres within Study Area ⁽¹⁾	Waters of the US?
1	4-6	39.198400 N 86.223900 W	PFO	1.5	0.00	Yes
2	7-9	39.198100 N 86.224700 W	PFO	0.72	0.09	Yes
3	13-15	39.195400 N 86.220700 W	PEM	0.16	0.00	Yes
Total Acres				2.38	0.09	

⁽¹⁾The Study Area is defined as the preliminary construction limits shown on the included figures.

Wetland 1

This forested wetland (PFO) is actually a wetland mitigation site. The mitigation was constructed in the fall of 2013 to compensate for impacts to wetlands as a result of Phase 1 of the Salt Creek Trail. The wetland, which is 1.5 acres in size, was built by excavating 3-5 feet of soil to create a flat, shallow depression and then planting balled-and-burlapped trees. Because Wetland 1 is a mitigation site, it is protected by a perpetual conservation easement and must not be impacted in any way by the proposed project. No data points were located within the mitigation site because it must be avoided, regardless if it meets wetland criteria or not. The northwest tip of the mitigation site contains a small spillway lined with rip-rap that outlets into Salt Creek. The spillway appears to have been constructed to keep Wetland 1 from holding more than a couple inches of water. The boundary of Wetland 1 was surveyed and mapped for avoidance purposes (See Figure 7a in Appendix A). Photographs of Wetland 1 are included in Appendix B (photos 4-6).

Wetland 2

This forested wetland (PFO) is contained within the patchy, wooded riparian corridor on the east side of Salt Creek at the west bridge location. It occupies a very shallow depression between the east bank of Salt Creek and the lawn areas around Brown County School Corporation's sports complex (Eagle Park). Wetland 2 (data point Wetland 2 point 1) lies within the Steff silt loam (Sf) soil unit, which is not hydric and has no hydric inclusions. Watercress (*Nasturtium officinale*, OBL) is the dominant herbaceous species, ash-leaf maple (*Acer negundo*, FAC) is the dominant sapling and river birch (*Betula nigra*, FACW) is the dominant tree. Wetland 2 has a soil profile with low chroma colors that meet field indicator F3, depleted matrix. Wetland hydrology was indicated by the presence of two secondary indicators (geomorphic position and FAC-neutral test).

Wetland 2 may have a surface connection with Wetland 1, but no evidence of water flowing between the two wetlands was observed. Because Wetland 1 (a mitigation site) has a designed outlet to Salt Creek, Wetland 2 would likely be considered jurisdictional. The eastern abutment of the proposed west bridge would impact about 0.09 acre of Wetland 1. The location chosen for the new bridge, as well as the skew of the bridge relative to the Salt Creek channel have been designed to impact Wetland 2 as little as possible.

Wetland 3

Wetland 3 is about 400 feet northwest of the east bridge location. It lies in a shallow depression and is bisected by an overhead utility easement that runs down the border between Eagle Park and Brown County State Park (see photos 13-15 in Appendix B). Wetland 3 is an emergent wetland (PEM), though there are a couple of trees and shrubs scattered within its boundary. At the wetland data point (Wet 3 pt 1), American sycamore (*Platanus occidentalis*, FACW) and buttonbush (*Cephalanthus occidentalis*, OBL) were the dominant, though sparse, woody dominants, and sweet-scented joe pye weed (*Eutrochium purpureum*, FAC), spotted touch-me-not (*Impatiens capensis*, FACW) and late goldenrod (*Solidago gigantea*, FACW) were the dominant herbaceous species. The wetland is within Steff silt loam (Sf) soils, which are not hydric and do not contain any hydric inclusions, but the soil profile meets field indicator F3, depleted matrix. Wetland hydrology was indicated within Wetland 3 by the presence of two secondary indicators, geomorphic position and FAC-neutral test.

Wetland 3 is well outside the construction limits for the bridges, but because it is already cleared, the utility corridor might be used for construction access. The over head electric utility was buried in directionally-bored conduit in the fall of 2014. As part of this work, the utility easement was cleared of all vegetation and partially graded. This work may have permanently altered a portion of Wetland 3, and this resource should be re-evaluated if temporary construction access is needed across its delineated boundary. Wetland 3 is drained by Stream 1 (see Streams section below) which connects to Salt Creek. Therefore, it should be considered a Water of the U.S.

Streams

Three streams were identified near the study areas. Two of these streams are classified as ephemeral, and are well outside of the proposed construction limits. The third stream, the North Fork of Salt Creek (Salt Creek), is classified as a perennial stream and will be crossed twice by this project. Some tree clearing may occur along the banks of Salt Creek to allow for the placement of the two bridges, but no work is anticipated below the OHWM of Salt Creek. The stream features are summarized below in Table 3.

Table 3: Streams within the Study Area

Stream ID	Photo Nos.	Waterbody Name	Stream Type	Rapanos Type	Avg. Width at OHW (ft.)	Avg. Depth at OHW (ft.)	Linear feet within Study Area ⁽¹⁾	Acres within Study Area	QHEI/HHEI	Waters of the US?
Salt Creek	1-3, 25-28	North Fork of Salt Creek	PER	RPW	75	4	120 ⁽²⁾	0.20	50.5	Yes
Stream 1	20-21	Unnamed Tributary to Salt Creek	EPH	Non-RPW	2	0.33	0	0.0	13	Yes
Stream 2	22-23	Unnamed Tributary to Salt Creek	EPH	Non-RPW	5	1.0	0	0.0	67	Yes
Total							120	0.20		

⁽¹⁾ The Study Area is defined as the preliminary construction limits shown on the included figures.

⁽²⁾ Approximately 60 feet of Salt Creek is within each of the 2 areas that will be used for reassembly and placing the relocated spans, but no work below the OHWM will take place.

Salt Creek

The Eel River is a perennial stream that generally flows to the west through the surrounding areas, as it does at the east bridge location. At the west bridge location, Salt Creek flows in a northerly direction. A Qualitative Habitat Evaluation Index (QHEI) rating sheet was prepared for Salt Creek (see Appendix D). The overall score was 50.5, which is at the low end of the “fair” rating range. Salt Creek scored well in the “bank erosion and riparian zone” metric (7.5 out of 10), but the scores for the other metrics were only moderate at best. This reach of the North Fork of Salt Creek is listed on the Roster of Indiana Waters Declared Navigable as a navigable stream and it is a jurisdictional Water of the US. The preferred alternative would not impact Salt Creek below the OHWM and no scour protection or bank stabilization below the OHWM is planned at this time.

Stream 1

Stream 1 is an ephemeral stream that begins at Wetland 3 and runs south to Salt Creek (Appendix A, Figure 7b). It appears to carry minimal, if any flows, and due to its uniform dimensions and straightness, it is

likely that Stream 1 was excavated through the upland areas between Wetland 3 and Salt Creek for the sole purpose of draining Wetland 3. At the time of field investigations (November 11, 2014) the stream bed was covered in dead leaves and there was no evidence of recent flows. Stream 1 scored very low on all three metrics (substrate, pool depth and bankfull width) on the HHEI evaluation and had a total score of 13. Stream 1 is an average of 4 inches deep at the OHWM and is 2 feet wide. This feature should be considered a Water of the U.S., but it will not be impacted by the proposed project.

Stream2

Stream 2 is a short stretch of ephemeral stream that flows northward to Salt Creek west of the proposed location of the east bridge (Appendix B, Figure 7b). On the HHEI rating, Stream 2 scored 67 with moderate scores on all three metrics. Near Salt Creek, Stream 2 is in a deeply-incised channel (5-6’ deep) and is running at close to a 10 percent gradient. Because of its connection to Salt Creek, Stream 2 should be considered a Water of the U.S. Stream 2 is outside of the construction limits, and should not be impacted by this project.

Open Water

Three open water features were delineated within the study area, and all three of them can be considered vernal pools. There is a clear ordinary high water mark around the rim of these features, and this was delineated as the jurisdictional boundary. At the time of field investigations (September 3 and November 11, 2014) the water in these pools had mostly or completely dried up (see photos 10-12 and 16-19 in Appendix B). This allowed a sparse covering of emergent vegetation to take hold and made subsurface soil examination possible. All three vernal pools met hydric soil criteria and wetland hydrology was indicated. Vernal pools 1 and 2 contained sparse amounts of hydrophytic vegetation, while Vernal Pool 3 was completely devoid of vegetation. These features are likely isolated, or Waters of the State, as they do not have any surface connection to other jurisdictional water resources. All three vernal pools are outside of the proposed construction limits for this project and will not be impacted. Table 4 provides a summary of the open water features.

Table 4: Open water features within the Study Area

Feature ID	Photos	Lat. / Long.	Total Area of Open Water (acres)	Acres within Study Area ⁽¹⁾	Waters of the US?
Vernal Pool 1	10-12	39.197300 N 86.225300 W	0.83	0.00	Yes
Vernal Pool 2	16-17	39.194800 N 86.220300 W	0.06	0.00	Yes
Vernal Pool 3	18-19	39.194860 N 86.219100 W	0.07	0.00	Yes
Total			0.96	0.00	

⁽¹⁾The Study Area is defined as the preliminary construction limits shown on the included figures.

Non-Wetland Data Point

Upland Data Point A

This data point was taken near the proposed north abutment of the east bridge in an area mapped as a forested wetland (PFO) on the NWI mapping (see Figure 4 in Appendix A). The dominant tree species were silver maple (*Acer saccharinum*, FACW) and ash-leaf maple, both of which count as hydrophytic. However, the shrub and herbaceous strata were dominated by facultative upland (FACU) species: multiflora rose (*Rosa multiflora*), garlic mustard (*Alliaria petiolata*), and clustered black snakeroot (*Sanicula odorata*). The vegetation did not meet the hydrophytic vegetation criterion, and hydric soils and wetland hydrology were also lacking. This data point is representative of the upland forested areas that are within the areas mapped as NWI forested wetlands.

IV: Conclusions

Based on the field review, this project has features that are likely waters of the U.S. and within the project limits.

A total of three streams were identified near the project limits. All drainage features within the project limits were examined and only those that exhibited an OHWM or met wetland criteria are detailed in this report. A total of three wetlands totaling 2.38 acres were identified within or near the project area. All three are likely to be jurisdictional. Wetland 2 (forested) may be impacted by about 0.09 acres of permanent fill during construction of this project. None of the three vernal pools will be impacted by this project.

Every effort should be taken to avoid impacts to the resources outlined in this report. If impacts will occur, waterway permits will be required and mitigation may be required. Impacts must be minimized before mitigation can be considered. INDOT's Ecology and Waterway Permitting Office (EWPO) staff should be contacted immediately if impacts will occur.

The conclusions in this report are the best judgment of Parsons and based on the guidelines set forth by the USACE. ***The final determination of jurisdictional waters, however, is ultimately made by the USACE.***

A preliminary jurisdictional determination (pre-JD) form is provided in Appendix E.

V. References

Cowardin, L.M, V. Carter, F.C. Golet, and E.T. LaRoe. *Classification of Wetlands and Deepwater Habitats of the United States*. U.S. Department of the Interior, Fish and Wildlife Service, Washington D.C. 1979

Environmental Laboratory. *U.S. Army Corps of Engineers' Wetland Delineation Manual, Technical Report Y-87-1("1987 Corps Manual")*, U.S. Waterways Experiment Station, Vicksburg, MS. 1987.

Ohio EPA. *Field Evaluation Manual for Ohio's Primary Headwater Habitat Streams*. State of Ohio Environmental Protection Agency, Division of Surface Water. 2012.

Ohio EPA. *Methods for Assessing Habitat in Flowing Waters: Using the Qualitative Habitat Evaluation Index (QHEI)*. State of Ohio Environmental Protection Agency, Division of Surface Water. 2006.

United States Army Corps of Engineers. *Midwest 2014 Regional Plant List*. Cold Regions Research and Engineering Laboratory. 2014.

United States Army Corps of Engineers. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont Region (Version 2.0)*. U.S. Army Engineer Research and Development Center, Vicksburg, MS 2012.

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Appendix A

Figure 1: Project Location Map

Figure 2: Aerial Imagery and Floodplain Map

Figure 3: USGS Topographic Map

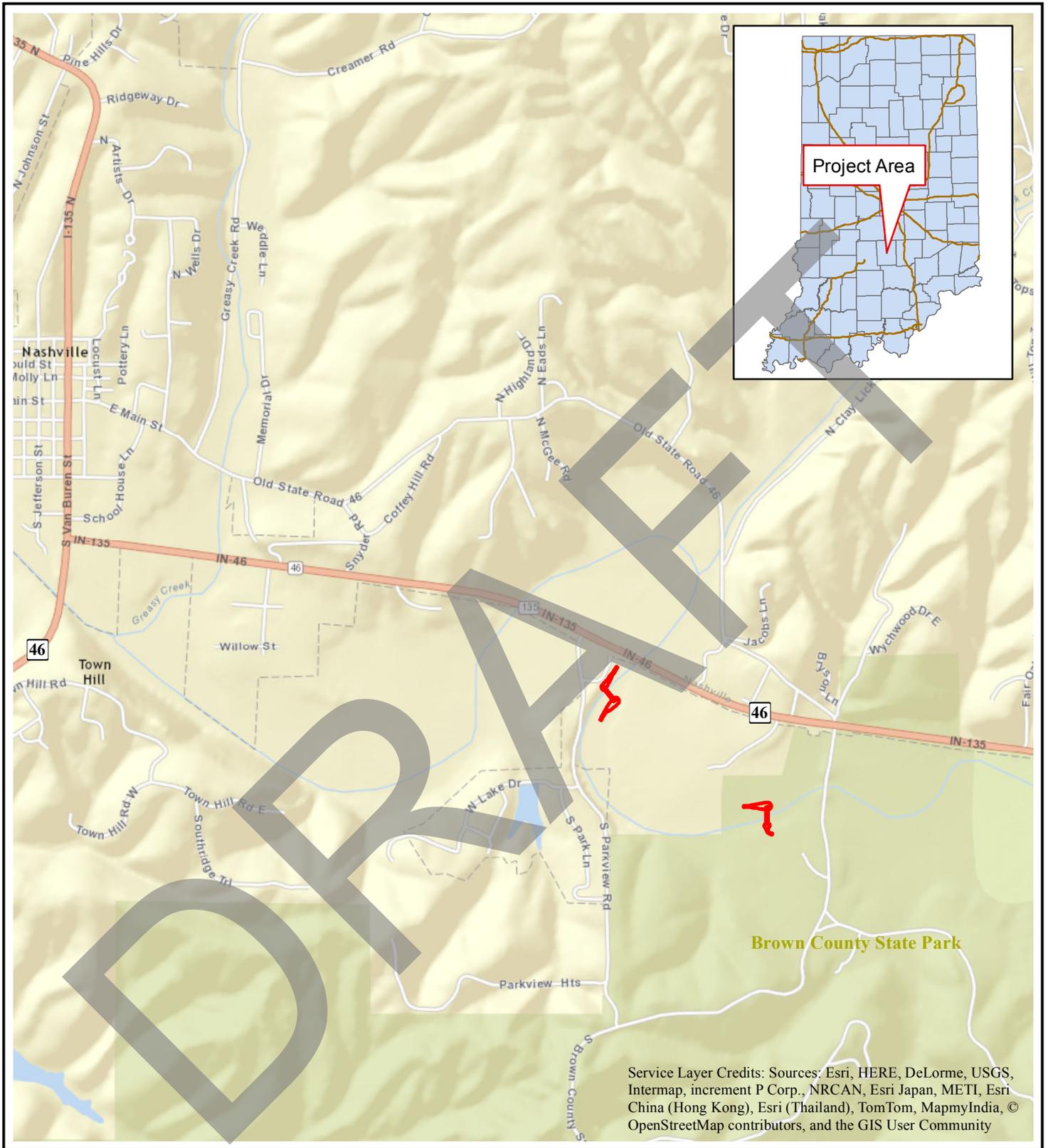
Figure 4: NWI Map

Figure 5: NRCS Soils Map

Figure 6: Historic Drainage Maps

Figure 7: Water Resources Maps

DRAFT



Legend

 Preliminary Construction Limits

0 750 1,500 3,000 Feet

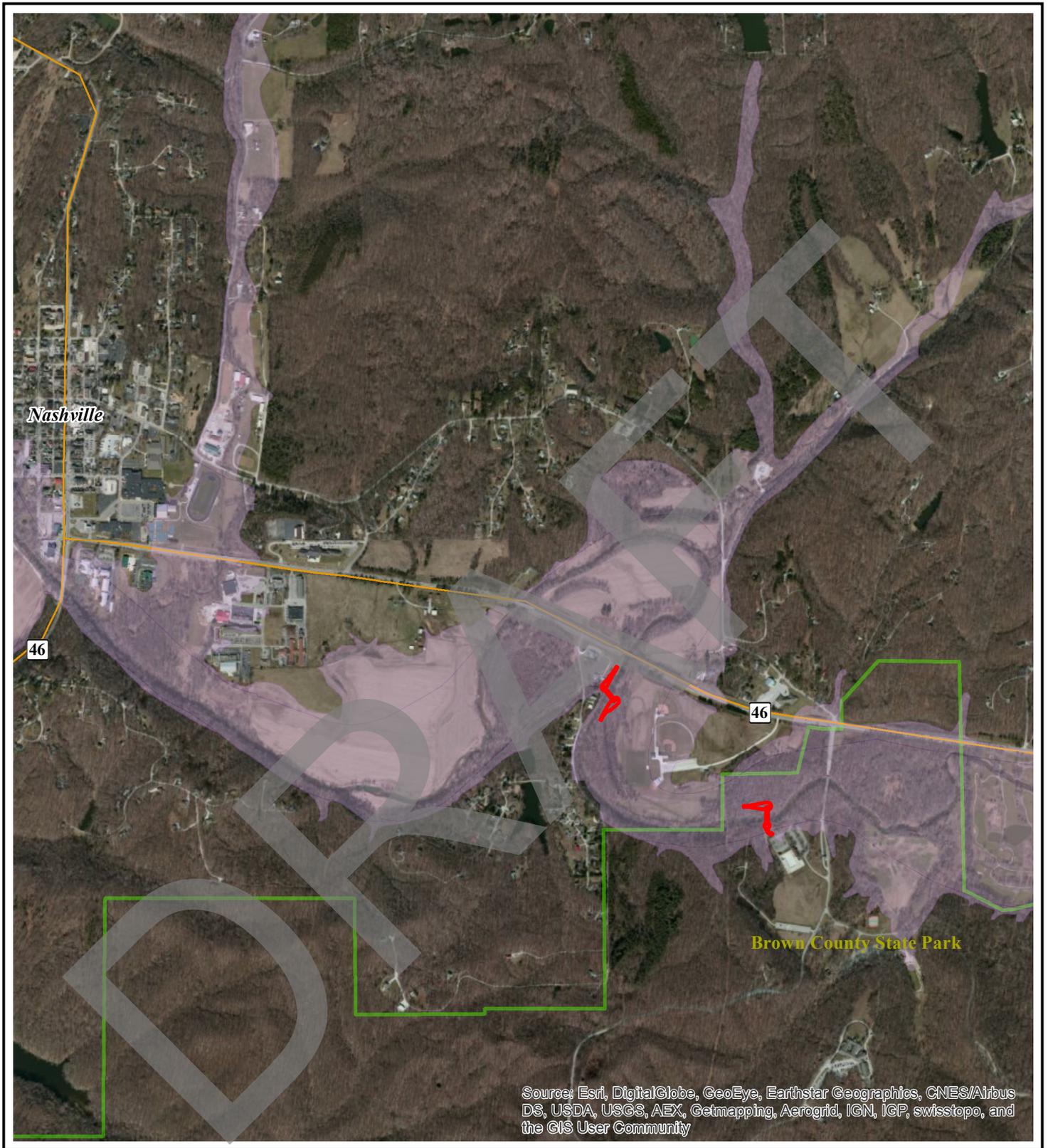


Historic Bridge Relocation to Salt Creek Trail

Des. Nos. 1400311 and 1400365

Figure 1 - Project Location





Legend

- Preliminary Construction Limits
- Floodplain

0 750 1,500 3,000
 Feet

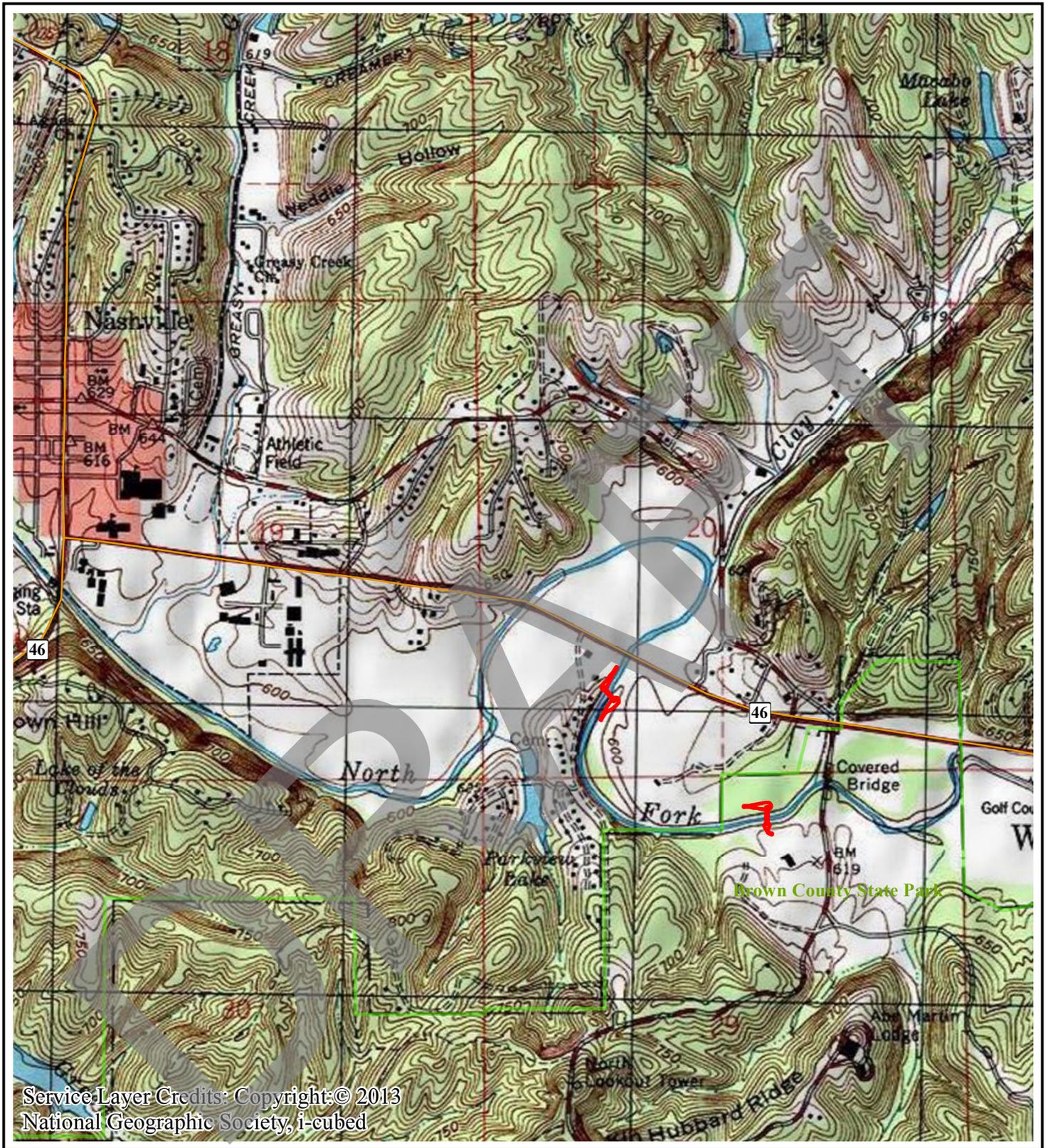


Historic Bridge Relocation to Salt Creek Trail

Des. Nos. 1400311 and 1400365

Figure 2 - Aerial Imagery and Floodplain Map





Service Layer Credits: Copyright © 2013
National Geographic Society, i-cubed

Legend

 Preliminary Construction Limits



0 750 1,500 3,000
Feet

Historic Bridge Relocation to Salt Creek Trail

Des. Nos. 1400311 and 1400365

Figure 3 - USGS Topographic Map





Legend

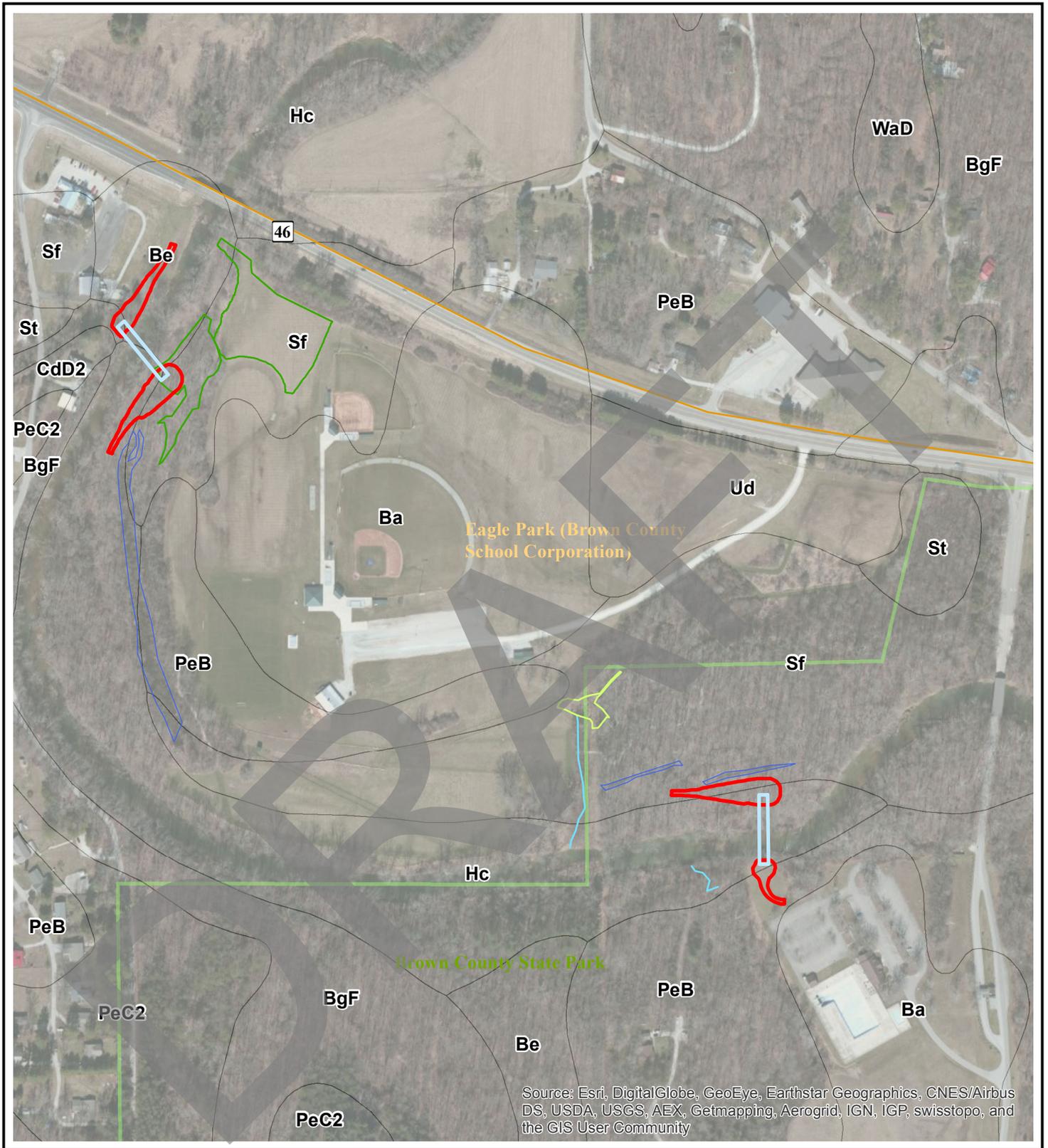
- Preliminary Construction Limits
- NWI Polygons
- Salt Creek Bridge locations

0 200 400 800
 Feet

N

Historic Bridge Relocation to Salt Creek Trail
Des. Nos. 1400311 and 1400365
Figure 4 - NWI Polygons

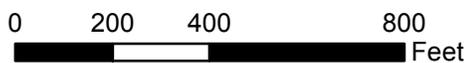
PARSONS



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Legend

- Preliminary Construction Limits
- Salt Creek Bridge locations

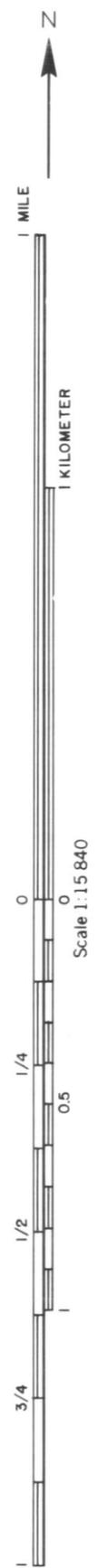


Historic Bridge Relocation to Salt Creek Trail

Des. Nos. 1400311 and 1400365

Figure 5 - NRCS Soils Map



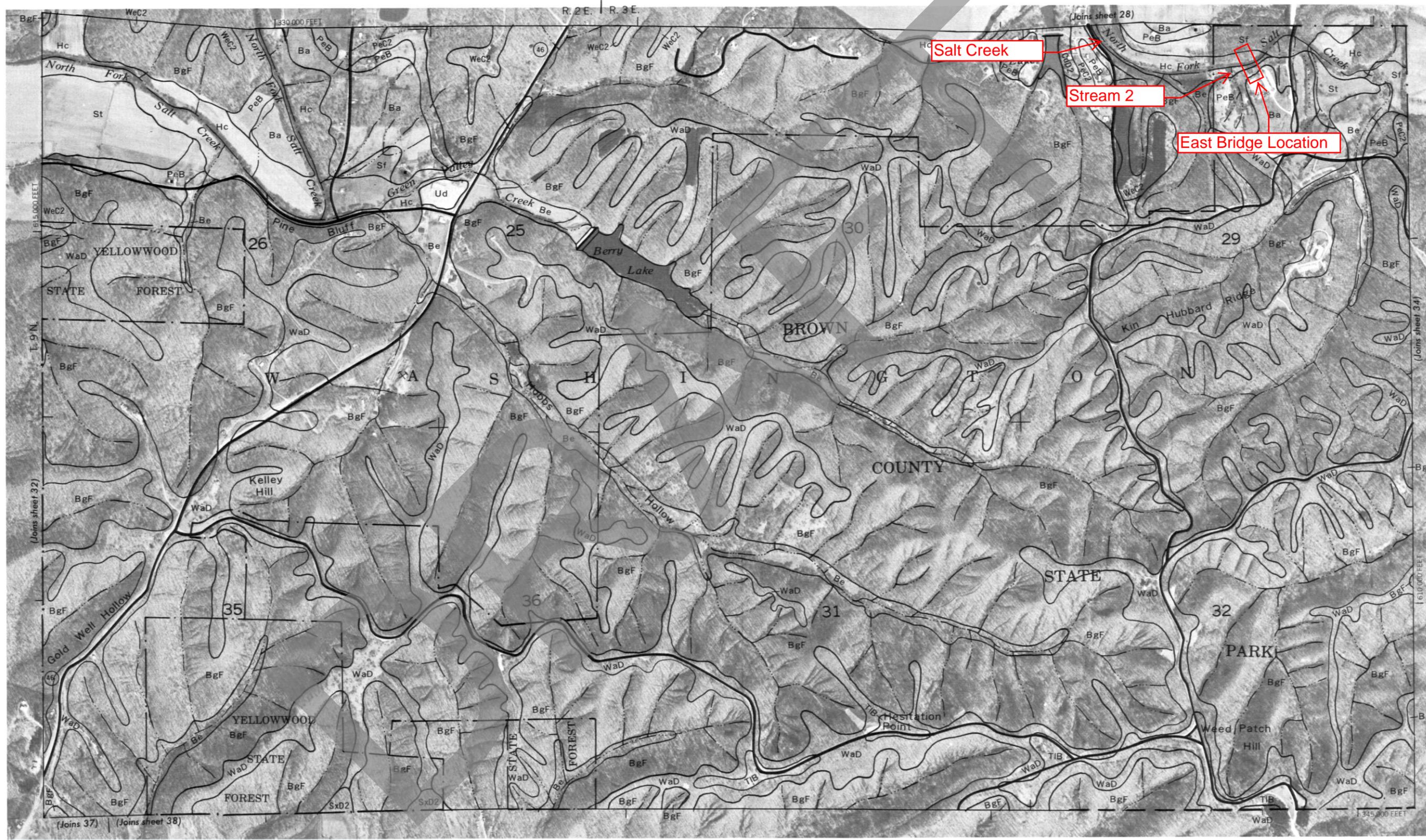


Soil Survey of Clay County, Indiana. United States Department of Agriculture, Soil Conservation Service. 1982.

Historic Bridge Relocation to Salt Creek Trail
INDOT Des. No. 1400365
Figure 6a - Historic Drainage Map, West Bridge

This soil survey map is compiled on 1972 and 1976 aerial photography by the U.S. Department of Agriculture, Soil Conservation Service and cooperating agencies. Coordinate grid ticks and land division corners, if shown, are approximately positioned.

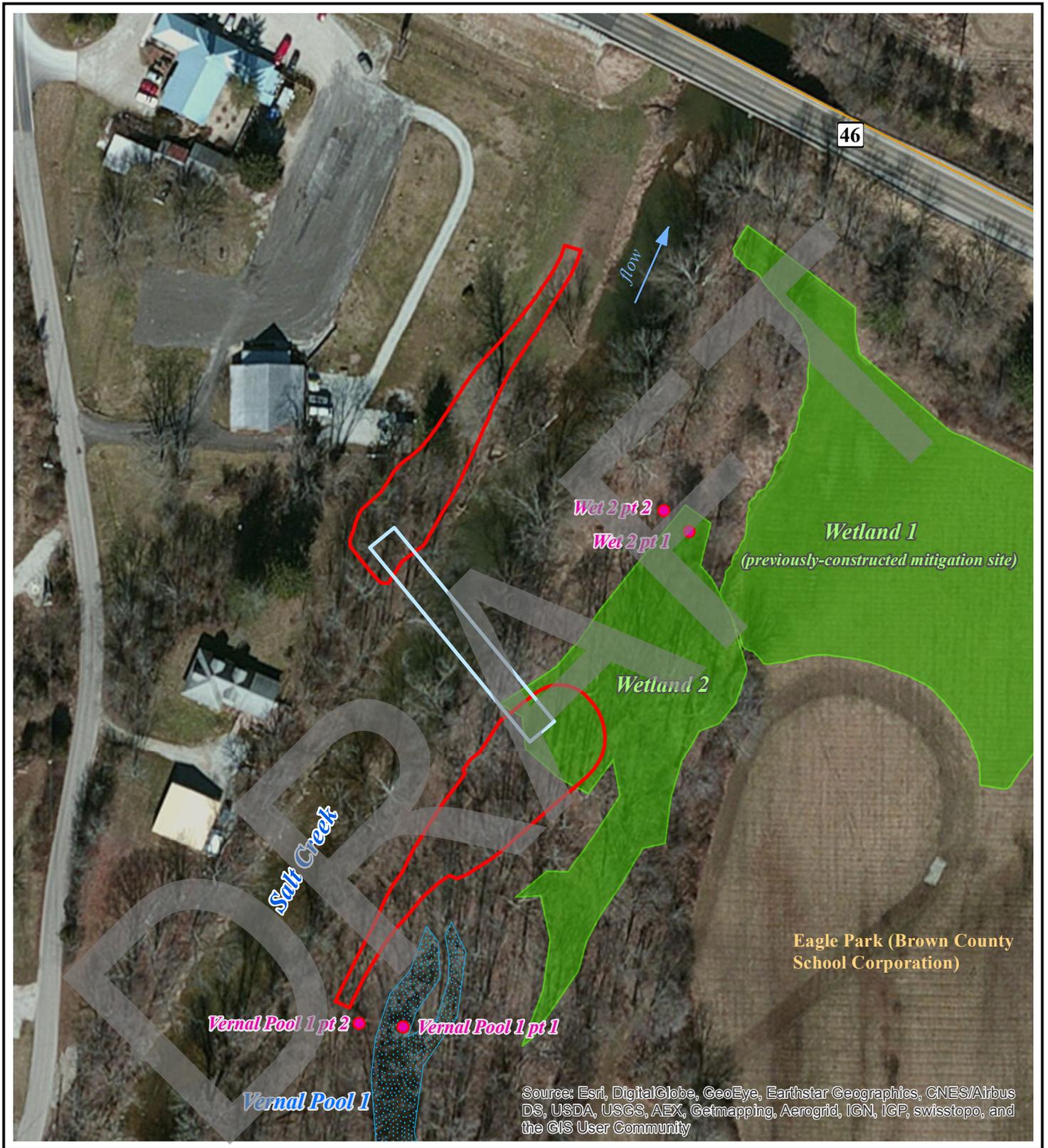
BROWN COUNTY, AND PART OF BARTHOLOMEW COUNTY, INDIANA NO. 28



Soil Survey of Clay County, Indiana. United States Department of Agriculture, Soil Conservation Service. 1982.

Historic Bridge Relocation to Salt Creek Trail
 INDOT Des. No. 1400311
 Figure 6b - Historic Drainage Map, East Bridge

BROWN COUNTY, AND PART OF BARTHOLOMEW COUNTY, INDIANA NO. 33
 This soil survey map is compiled on 1972 and 1976 aerial photography by the U.S. Department of Agriculture, Soil Conservation Service and cooperating agencies.
 Coordinate grid ticks and land division corners, if shown, are approximately positioned.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Legend

- Preliminary Construction Limits
- Salt Creek Bridge locations
- vernal pool
- forested wetland
- Wetland Data Points

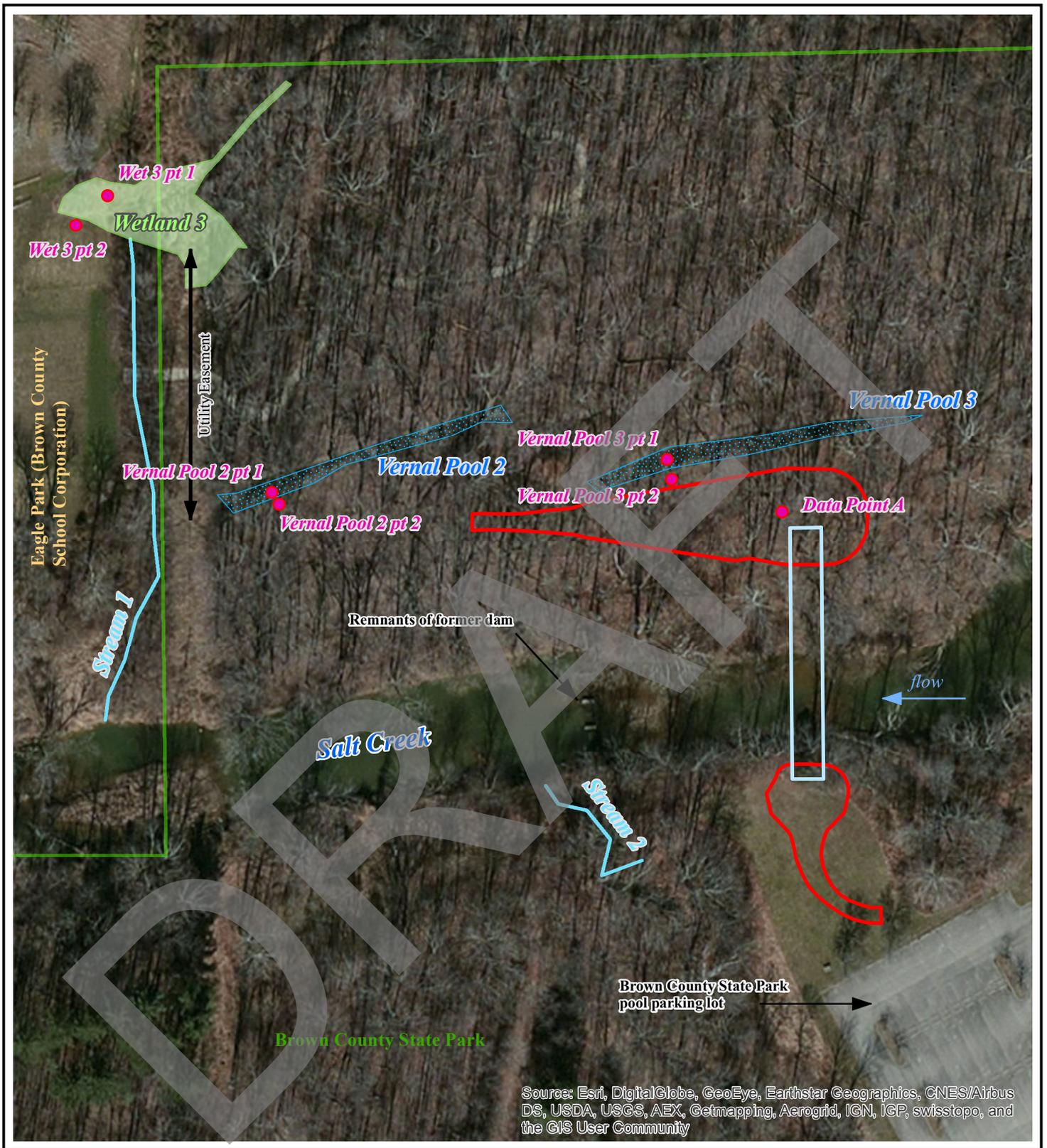
Historic Bridge Relocation to Salt Creek Trail

Des. No. 1400365

Figure 7a - Water Resources, West Bridge

0 50 100 200
 Feet

N



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Legend

- Preliminary Construction Limits
- Salt Creek Bridge locations
- ephemeral channel
- vernal pool
- emergent wetland
- Wetland Data Points

Historic Bridge Relocation to Salt Creek Trail

Des. No. 1400311

Figure 7b - Water Resources, East Bridge

0 50 100 200
Feet

N

Appendix B

Photo Location Maps

Photo Log

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Legend

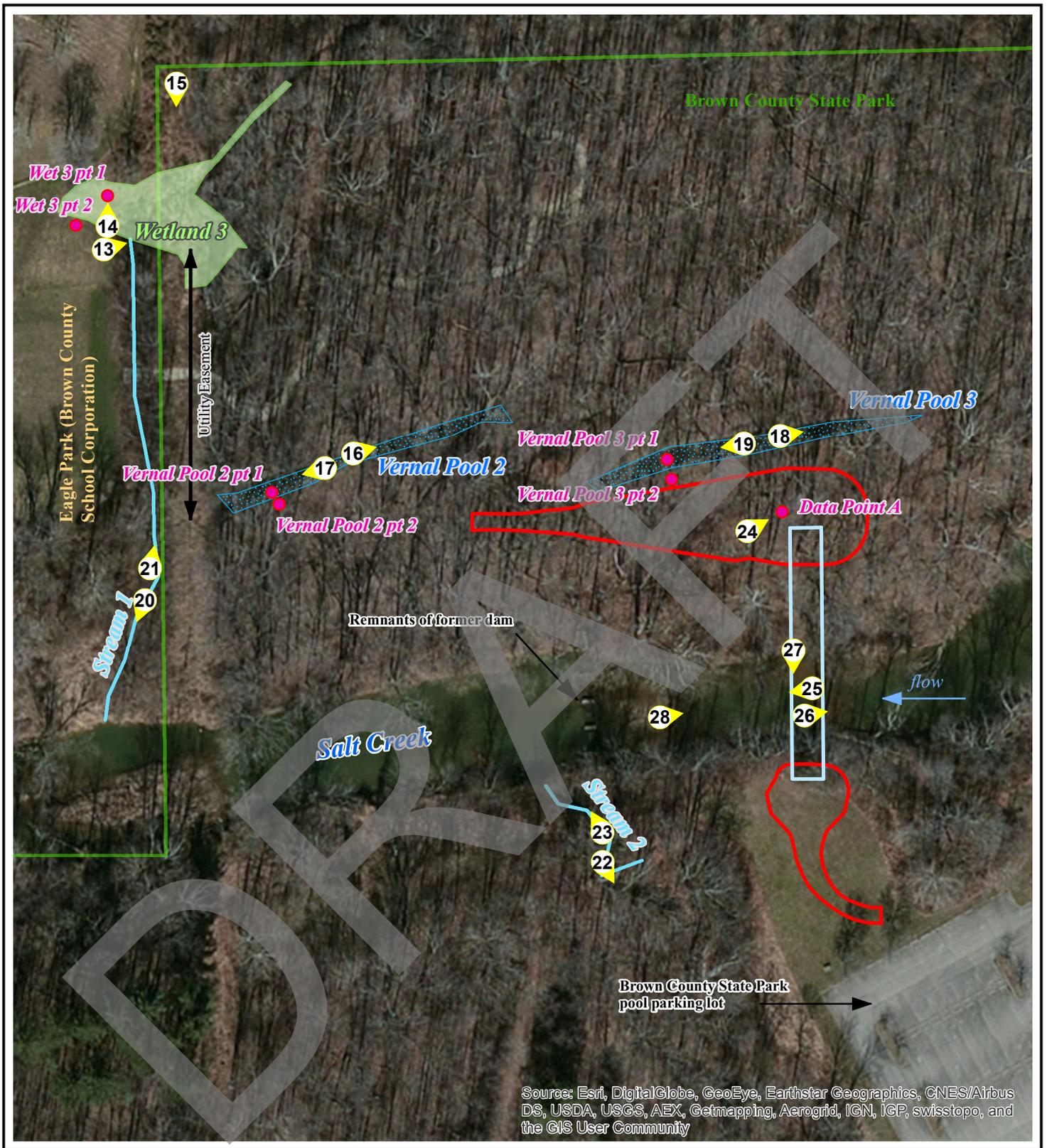
Preliminary Construction Limits	forested wetland
ephemeral channel	Wetland Data Points
vernal pool	Wetland photo locations

0 75 150 300 Feet

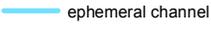
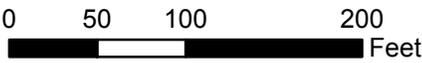
N

Historic Bridge Relocation to Salt Creek Trail
Des. No. 1400365
Photo Key Map, West Bridge

PARSONS



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Legend		<h3>Historic Bridge Relocation to Salt Creek Trail</h3> <p>Des. No. 1400311</p> <p>Photo Key Map, East Bridge</p> 	
 Preliminary Construction Limits	 emergent wetland		
 ephemeral channel	 Wetland Data Points		
 vernal pool	 Wetland photo locations		
			

*Historic Bridge Relocation to Salt Creek Trail, Brown County, Indiana
Des. Nos. 1400311 and 1400365*

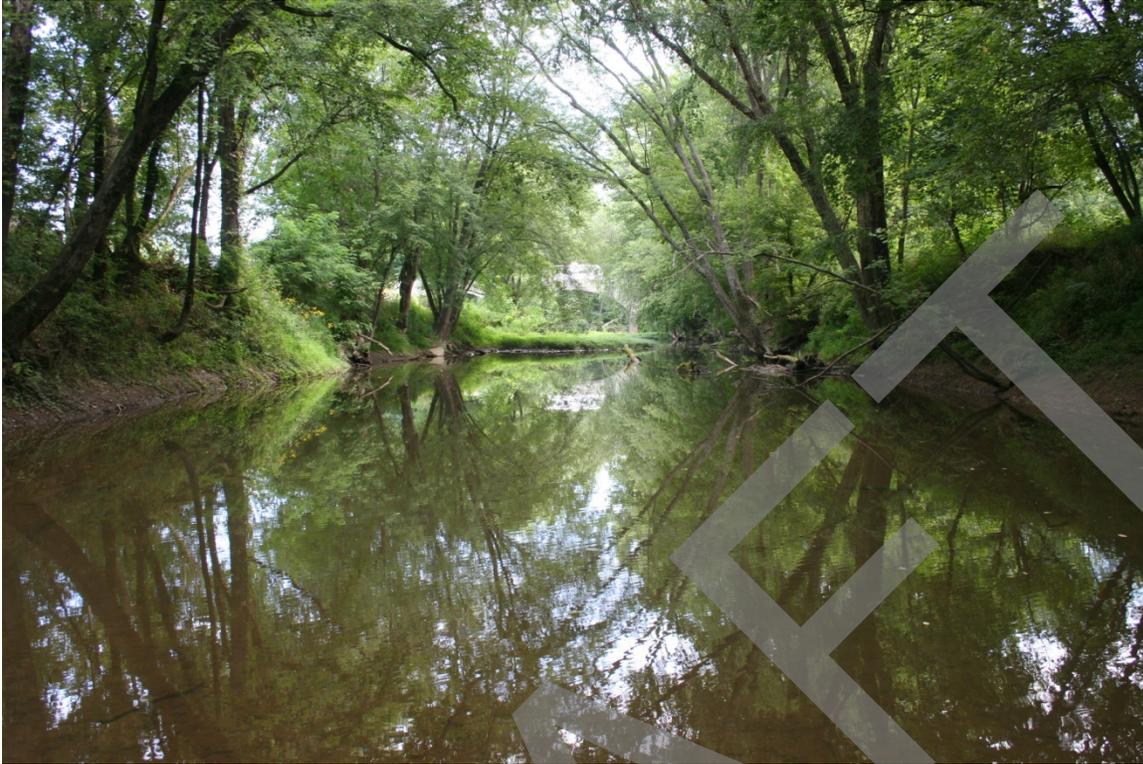


Photo 1: Looking downstream (north) at Salt Creek from center of channel (August 12, 2013)



Photo 2: Looking upstream (south) at Salt Creek from center of channel (August 12, 2013)

*Historic Bridge Relocation to Salt Creek Trail, Brown County, Indiana
Des. Nos. 1400311 and 1400365*



Photo 3: Looking west across Salt Creek from east bank at the proposed location of the west bridge (November 11, 2014)



Photo 4: Looking southwest at Wetland 1 just north of the Eagle Park softball diamond (November 11, 2014)

*Historic Bridge Relocation to Salt Creek Trail, Brown County, Indiana
Des. Nos. 1400311 and 1400365*



Photo 5: Looking west from the southeast corner of the wetland mitigation site (Wetland 1) (November 11, 2014)



Photo 6: Looking northeast at Wetland 1 from near the southwest corner of the mitigation site (November 11, 2014)

*Historic Bridge Relocation to Salt Creek Trail, Brown County, Indiana
Des. Nos. 1400311 and 1400365*



Photo 7: Looking northeast at Wetland 2 (and Wetland 1 in the background) (November 11, 2014)



Photo 8: Looking north at a section of Wetland 2 (September 3, 2014)

*Historic Bridge Relocation to Salt Creek Trail, Brown County, Indiana
Des. Nos. 1400311 and 1400365*



Photo 9: Looking south at emergent wetland vegetation in Wetland 2 (September 3, 2014)



Photo 10: Looking south at Vernal Pool 1 and data point "vernal pool 1 point 1" during a low-water period (September 3, 2014)

*Historic Bridge Relocation to Salt Creek Trail, Brown County, Indiana
Des. Nos. 1400311 and 1400365*



Photo 11: Looking north at Vernal Pool 1 from 300 feet south of “vernal pool 1 point 1” (November 11, 2014)



Photo 12: Looking north at Vernal Pool 1 from 150 feet south of “vernal pool 1 point 1” (September 3, 2014)

*Historic Bridge Relocation to Salt Creek Trail, Brown County, Indiana
Des. Nos. 1400311 and 1400365*



Photo 13: Looking east at Wetland 3 and the overhead utility lines (September 3, 2014)



Photo 14: Looking north at Wetland 3 and "Wetland 3 point 1" (September 3, 2014)

*Historic Bridge Relocation to Salt Creek Trail, Brown County, Indiana
Des. Nos. 1400311 and 1400365*



Photo 15: Looking south down utility easement and portions of Wetland 3 (November 11, 2014)



Photo 16: Looking east at Vernal Pool 2 from near the middle of this feature (September 3, 2014)

*Historic Bridge Relocation to Salt Creek Trail, Brown County, Indiana
Des. Nos. 1400311 and 1400365*



Photo 17: Looking west at Vernal Pool 2 from near the middle of this feature (September 3, 2014)



Photo 18: Looking east at Vernal Pool 3 from near the middle of this feature (November 11, 2014)

*Historic Bridge Relocation to Salt Creek Trail, Brown County, Indiana
Des. Nos. 1400311 and 1400365*



Photo 19: Looking west at Vernal Pool 3 from near the middle of this feature (November 11, 2014)



Photo 20: Looking south towards Salt Creek (downstream) along Stream 1 (November 11, 2014)

*Historic Bridge Relocation to Salt Creek Trail, Brown County, Indiana
Des. Nos. 1400311 and 1400365*



Photo 21: Looking north away from Salt Creek (upstream) along Stream 1 (November 11, 2014)



Photo 22: Looking south (upstream) at Stream 2 (November 11, 2014)

*Historic Bridge Relocation to Salt Creek Trail, Brown County, Indiana
Des. Nos. 1400311 and 1400365*



Photo 23: Looking north (downstream) at Stream 2 (November 11, 2014)



Photo 24: Looking northeast at Upland Data Point A (November 11, 2014)

*Historic Bridge Relocation to Salt Creek Trail, Brown County, Indiana
Des. Nos. 1400311 and 1400365*



Photo 25: Looking downstream (west) at Salt Creek from 150 feet upstream of the former dam (November 11, 2014)



Photo 26: Looking upstream (east) at Salt Creek from 150 feet upstream of the former dam (November 11, 2014)

*Historic Bridge Relocation to Salt Creek Trail, Brown County, Indiana
Des. Nos. 1400311 and 1400365*



Photo 27: Looking north-to-south across Salt Creek at the proposed bridge location (November 11, 2014)



Photo 28: Looking upstream (east) at Salt Creek from just upstream of the former dam (November 11, 2014)

Appendix C

Omitted from CE document.
Available upon request.

Wetland Data Sheets

Soil Profile Photos

DRAFT

Appendix D

Omitted from CE document.
Available upon request.

Stream Evaluation Forms

DRAFT

Appendix E

Preliminary JD Form and Table

DRAFT

PRELIMINARY JURISDICTIONAL DETERMINATION FORM

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PRELIMINARY JURISDICTIONAL DETERMINATION (JD): June 2015

B. NAME AND ADDRESS OF PERSON REQUESTING PRELIMINARY JD: Parsons Transportation Group (Contact: Alan Ball), 101 West Ohio Street, Suite 2121, Indianapolis, IN 46204

C. DISTRICT OFFICE, FILE NAME, AND NUMBER: Louisville District

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION: INDOT plans to relocate an historic 2-span steel truss bridge from its current location on SR 46 over the Eel River in Clay County, Indiana (INDOT Des. No. 0800910) to two locations on the proposed Salt Creek Trail project between Nashville, IN and Brown County State Park (INDOT Des. Nos. 1400311 and 1400365).

(USE THE ATTACHED TABLE TO DOCUMENT MULTIPLE WATERBODIES AT DIFFERENT SITES)

State: IN County/parish/borough: Brown County City: Nashville

Center coordinates of site (lat/long in degree decimal format):

Lat. 39.194300°N, Long. -86.218900° W

Universal Transverse Mercator: Northing 4338629.19, Easting 567451.85 (Zone 16S)

Name of nearest waterbody: North Fork of Salt Creek

Identify (estimate) amount of waters in the review area:

Non-wetland waters: None

Wetlands: 0.09 acre

Cowardin Class: See attached table

Name of any water bodies on the site that have been identified as Section 10 waters:

Tidal: None

Non-Tidal: None

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date:

Field Determination. Dates: September 3, 2014, November 11, 2014 (by Consultant)

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

This preliminary JD finds that there “*may be*” waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for preliminary JD (check all that apply

- checked items should be included in case file and, where checked and requested, appropriately reference sources below):

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: [Various maps \(See attached report\)](#).
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - Office concurs with data sheets/delineation report.
 - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps:
- Corps navigable waters’ study:
- U.S. Geological Survey Hydrologic Atlas:
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: [24k, Nashville quad \(see Figure 3\)](#)
- USDA Natural Resources Conservation Service Soil Survey. Citation: [NRCS SSURGO \(see Figure 5\)](#)
- National wetlands inventory map(s). Cite name: [See Figure 4](#)
- State/Local wetland inventory map(s):
- FEMA/FIRM maps: [See Figure 2](#)
- 100-year Floodplain Elevation is: _____ (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): [2005, IN Geographic Information Council](#).
- Previous determination(s). File no. and date of response letter:
- Other information (please specify):

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

Signature and date of
Regulatory Project Manager
(REQUIRED)


June 2015

Signature and date of
person requesting preliminary JD
(REQUIRED, unless obtaining
the signature is impracticable)

PJD Form Table: SR 46 over the Eel River, Clay County, IN – Des. Nos. 1400311 and 1400365

Site Number	Latitude	Longitude	Cowardin Class	Estimated amount of aquatic resource impacted by construction	Class of aquatic resource
Wetland 1	39.198400	-86.223900	PFO (mitigation site)	0.00 acre	non-section 10 – wetland
Wetland 2	39.198100	-86.224700	PEM1	0.09 acre	non-section 10 – wetland
Wetland 3	39.195400	-86.220700	PEM1	0.00 acre	non-section 10 – wetland
Salt Creek	39.198200	-86.225300	Riverine, perennial	0.0 linear feet	non-section 10 – non-wetland
Stream 1	39.194360	-86.220800	Riverine, ephemeral	0.0 linear feet	non-section 10 – non-wetland
Stream 2	39.194090	-86.219550	Riverine, ephemeral	0.0 linear feet	non-section 10 – non-wetland
Vernal Pool 1	39.197300	-86.225300	PUS3C	0.00 acre	non-section 10 – non-wetland
Vernal Pool 2	39.194800	-86.220300	PUS3C	0.00 acre	non-section 10 – non-wetland
Vernal Pool 3	39.194860	-86.219100	PUS3C	0.00 acre	non-section 10 – non-wetland

APPENDIX G – AIR QUALITY

- 2016-2019 STIP cover page and page with project listing

**Statewide Transportation Improvement
Program
FY2016-2019**

Indiana Department of Transportation (INDOT)
 State Preservation and Local Initiated Projects FY 2016 - 2019

SPONSOR	DES	STIP NAME	ROUTE	WORK TYPE	LOCATION	DISTRICT	MILES	FEDERAL CATEGORY	Estimated Cost left to Complete Project*	PROGRAM	PHASE	FEDERAL	MATCH	2016	2017	2018	2019
Brown County																	
Indiana Department of Transportation	0800146	Init.	SR 135	Bridge Deck Barrier Wall	1.71miles N SR 45, bridge over Little Bean Blossom Creek	Seymour	0	STP		Bridge ROW	RW	\$5,600.00	\$1,400.00	\$7,000.00			
										Bridge Construction	CN	\$612,608.80	\$153,152.20		\$765,761.00		
Indiana Department of Transportation	0800147	Init.	SR 135	Bridge Deck Barrier Wall	1.57 miles N SR 45, bridge over Moser Branch	Seymour	0	STP		Bridge ROW	RW	\$12,000.00	\$3,000.00	\$15,000.00			
										Bridge Construction	CN	\$419,012.80	\$104,753.20		\$523,766.00		
Brown County	0901654	Init.	IR 1001	Road Rehabilitation (3R/4R Standards)	Yellowwood Lake Rd from SR-45/Lanam Ridge Rd to Yellowwood State Forest	Seymour	3.5	STP		Access Roads - Consulting	PE	\$167,120.00	\$41,780.00	\$208,900.00			
										Access Roads - Construction	CN	\$1,785,600.00	\$446,400.00	\$2,232,000.00			
Brown County	1298693	Init.	IR 1006	New Bridge, Other Construction	Yellowwood Lake Road over Jackson Creek, 3.0 miles north of Yellowwood Road	Seymour	0	STP		Access Roads - Construction	CN	\$303,200.00	\$75,800.00		\$379,000.00		
Indiana Department of Transportation	1006398	Init.	SR 46	Small Structure Replacement	SR 46 EAST OF SR 446 AT RP 69+04.	Seymour	0	NHPP		Bridge Construction	CN	\$510,022.40	\$127,505.60		\$20,000.00	\$617,528.00	
										Bridge ROW	RW	\$20,000.00	\$5,000.00	\$25,000.00			
Indiana Department of Transportation	1296953	Init.	SR 135	HMA Overlay, Preventive Maintenance	From the west junction of SR 46 to Ridgeway Drive	Seymour	1.138	STP		Road Construction	CN	\$259,200.00	\$64,800.00	\$324,000.00			
Indiana Department of Transportation	1296567	Init.	SR 135	Small Structure Replacement	7.85 miles N of the N SR -135/SR-58 junction	Seymour	0	STP		Bridge Construction	CN	\$204,800.00	\$51,200.00	\$25,000.00	\$231,000.00		
										Bridge ROW	RW	\$10,400.00	\$2,600.00	\$13,000.00			
Indiana Department of Transportation	1296672	Init.	SR 135	Bridge Deck Overlay	9.45 miles N of SR-58 over Hamilton Creek on SR-135	Seymour	0	STP		Bridge ROW	RW	\$0.00	\$0.00	\$0.00			
										Bridge Construction	CN	\$181,600.00	\$45,400.00	\$0.00	\$227,000.00		
Indiana Department of Transportation	1298437	Init.	SR 45	Small Structure Replacement	1.30 miles West of SR 135	Seymour	0	STP		Bridge ROW	RW	\$24,000.00	\$6,000.00		\$30,000.00		
										Bridge Construction	CN	\$208,642.40	\$52,160.60		\$10,000.00	\$250,803.00	
Indiana Department of Transportation	1400311	Init.	MS 3	New Bridge, Steel Construction	Span 1 over Salt Creek (Brown County SP), 0.04 mi N of N Pool Parking Lot	Seymour	0	STP		Bridge Construction	CN	\$1,325,600.00	\$331,400.00		\$1,657,000.00		
Indiana Department of Transportation	1400365	Init.	MS 1	New Bridge, Steel Construction	Span 2 over Salt Creek(Brown County SP), 0.65 mi W of N Pool Parking Lot	Seymour	0	STP		Bridge Construction	CN	\$1,325,600.00	\$331,400.00		\$1,657,000.00		

*Estimated Costs left to Complete Project column is for costs that may extend beyond the four years of a STIP. This column is not fiscally constrained and is for information purposes.

APPENDIX H – ADDITIONAL INFORMATION

- Letter of Intent from Brown County
- Letter of Intent from Indiana DNR

Brown County Board of Commissioners
P.O. Box 37
Nashville, Indiana 47448

RE: SR 46 Bridge over Eel River (Clay County)

February 18, 2015

LETTER OF INTENT

To Whom It May Concern:

The purpose of this letter is to communicate our interest in the relocation of the EEL RIVER BRIDGE to Brown County, for use in our SALT CREEK TRAIL PROJECT. Phase I of this project is complete, and we are proceeding with the design and engineering of the next two phases.

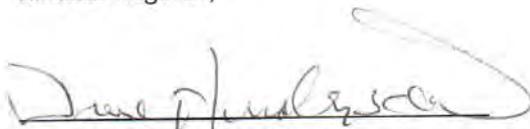
The EEL RIVER BRIDGE would be used to cross Salt Creek in two separate locations within this project. One Section will be located in the Brown County State Park area, and it is my understanding you should be receiving a separate commitment from DNR for this section.

This letter serves as our commitment (for the second section of the EEL RIVER Bridge) on behalf of the Brown County Commissioners to "take responsibility for the bridge for a minimum of 25 years, with the expectation that it will be maintained beyond that period".

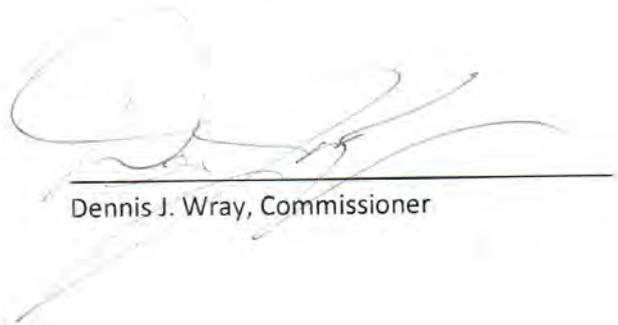
The Brown County Commissioners have been working closely with the Salt Creek Trail Committee, Friends of the Salt Creek Trail, as well as the Brown County Community Foundation, to see this project completed. The EEL RIVER Bridge and its designation as listed in the National Register of Historic Places, are welcome additions to the project.

Brown County takes great pride in our local historic heritage, and as such will make a concerted effort to prominently display information about the origin of the EEL RIVER Bridge and its history.

Kindest Regards,



Dave Anderson, President
Brown County Board of Commissioners



Dennis J. Wray, Commissioner



Diana Biddle, Commissioner

February 24, 2015

via e-mail

Mary E. Kennedy
Architectural Historian/History Team Lead
Cultural Resources Office
Indiana Department of Transportation
100 N. Senate Avenue, Room N642
Indianapolis, Indiana 46201

Re: Letter of Intent-Indiana Department of Natural Resources
Bridge Number 046-11-01316C

Dear Ms. Kennedy:

It is my understanding that the historic bridge referred to as Bridge Number 046-11-01316C, which carries traffic on SR 46 over the Eel River in Clay County, Indiana, is scheduled to be replaced by INDOT under INDOT Project Des. No.0800910. The Department of Natural Resources' ("DNR") and the Board of Commissioners of Brown County ("Commissioners"), collectively "the Parties", have a keen interest and desire to utilize this two-span, historic bridge as part of the Salt Creek Trail Project ("Project").

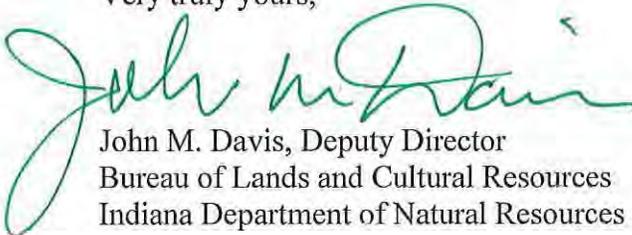
Specifically, the Commissioners received a trail grant for the Project from the DNR's Division of Outdoor Recreation in accordance with the *Hoosiers on the Move: Indiana State Trails, Greenways, and Bikeways Plan*. Further, the DNR's Division of State Parks is working with the Commissioners and a non-profit, Brown County, trail group to develop the Project. The trail will be 0.65 miles in length from Nashville, Indiana to Brown County State Park ("Park") with approximately 0.25 miles on Park property. There are two points where the trail will cross Salt Creek. It is the goal of the Parties to place one bridge span across the creek on Park property ("Bridge Span A") and the other bridge span across the creek on County property ("Bridge Span B"). Both spans will be utilized as pedestrian bridges and open to the public, which complies with the requirements of INDOT and the Federal Highway Administration ("FHWA"). Also like INDOT and FHWA, one of the obligations under the grant is that the trail be retained and utilized for a minimum of twenty-five (25) years. This letter confirms the DNR's interest in taking ownership of Bridge Span A as part of the Project and the DNR's

pledge to maintain Bridge Span A for a minimum of twenty-five (25) years, subject to appropriated funding.

If the Parties' requests are approved, we understand that INDOT will relocate and rehabilitate the spans to make them operational. DNR also understands that it will be necessary to enter into an agreement with INDOT outlining the specific details of use, including but not limited to adherence to all applicable requirements of the *Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Indiana State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding Management and Preservation of Indiana's Historic Bridges*. Please know that DNR is more than willing to enter into such an agreement.

It is the DNR's understanding that the Commissioners have sent a similar letter of commitment to INDOT. The DNR hopes that the Parties' requests will be evaluated favorably so that Bridge Number 046-11-01316C can become part of the Project and, therefore, be retained and maintained for public use for many years to come.

Very truly yours,



John M. Davis, Deputy Director
Bureau of Lands and Cultural Resources
Indiana Department of Natural Resources

e-copy: Dan Bortner, Terry Coleman, Ginger Murphy, Mike List, Bob Bronson, Ben Clark