FHWA-Indiana Environmental Document CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM GENERAL PROJECT INFORMATION

Road	No./County:	East 1st Stree	t to Waubee Lake Park, Kos	ciusko County		
Desig	nation Number(s):	2101778				
Projec Descr	ct iption/Termini:	Town of Milfor	rd Multi-Use Trail Project, fro	m East 1st Street to Waubee Lake P	ark	
	Categorical Exclusion	, Level 2 – Req	uired Signatories: INDOT DE	E and/or INDOT ESD		
X	Categorical Exclusion	, Level 3 – Req	uired Signatories: INDOT ES	SD .		
	Categorical Exclusion, Level 4 – Required Signatories: INDOT ESD and FHWA					
	Environmental Assess	sment (EA) – R	equired Signatories: INDOT l	ESD and FHWA		
				sign change from the original approve propriate environmental approval	ed	
Appro		「DE Signature ar	nd Date	INDOT ESD Signature and Date		
	FHV	VA Signature and	Date	25/4 (21/2)		
Releas	se for Public Involvem	nent	N/A INDOT DE Initials and Date	November 14 INDOT ESD Initials and Da		
Certifi	cation of Public Invol	vement	INDOT Consult	tant Services Signature and Date		
INDOT I	DE/ESD Reviewer Signature	e and Date:				

Note: Refer to the most current INDOT CE Manual, guidance language, and other ESD resources for further guidance regarding any section of this form.

Courtney Haverbusch, USI Consultants, Inc

Name and Organization of CE/EA Preparer:

				_	_			
County	Kosciusko	Rou	e <u>E1s</u>	t St, E CR 1150 N	, E Camp Mack	Rd	Des. No.	2101778
			<u>Par</u>	<u>t I – Public</u>	Involveme	<u>ent</u>		
				nvolvement, provi				
If N	es the project No, then: Opportunity fo			ocessed under the	Historic Bridges	PA*?	Yes No X	
	earing is requir PO, and the A		ric bridges	processed under t	he Historic Bridg	es Program	matic Agreemei	nt between INDOT,
Notice of about the the Notice The project Development	pecial purpose Entry letters to project and the of Entry lette ect will meet the ment Public Into and/or reques	meetings, newere mailed to nat individuals ris included in the minimum revolvement Proest a public he	wspaper and posterially responsible Appendix equirement cedures Maring. There	e for land surveyir G, page 1. s described in the anual which requir	occurred for this property owners near the grand field active current Indianales the project species will appear in a	oroject. The project and proje	rea on April 17, e seen in the are not of Transporta er the public an cation continger	2023, notifying the ea. A sample copy tion (INDOT) Projection to subject to s
	blic controvers			ntal Grounds and/or natural reso	ource impacts, in	cluding wha	at is being done	during the project t
	t II - General of the Project:	eral Proj	ect Ide Town of M	ntification,	<u>Descriptio</u>	on, and	Design In	
	ne of the Facilit	v· –		reet to Waubee La	ake Park		_ 111001 010416	<u>- 1 011 11 ay 11 o</u>
Fu	nding Source other is select	mark all that a	apply):	Federal X		Local X	Other*	
PURPOS	E AND NEE	 D:						
The need si the goal or or Need: The Waubee L within the incorporate Governme	hould describe objective of the e need for this ake Park. The Town of Milfo ed into the 20 ents Park Mast	the specific to e project. The sproject stemere are no ex ord outside of 023-2027 Kos er Plans progr	solution to s from the sting pede the projec ciusko Cou am.	the traffic problem lack of pedestria strian facilities with the limits. Initial pla unty Park Plan (A	n should NOT be n and non-vehic thin the project I ns for the trail o appendix I, Page	discussed in the discussed in the came from the came from the came are 22) as particular the came from the came fr	In this section. Is connecting the nere are existing the Town of Miart of the Michigan.	e Town of Milford pedestrian faciliti ford and have be ana Area Council
	page 2 of 24	Project nam		vn of Milford Multi- ubee Lake Park	use Trail, East 1	st Street to	Date: No	vember 13, 2024

		****	alana Departmen	it or Transportation	•			
County	Kosciusko	Route	E 1st St, E CR 1150	N, E Camp Mack Rd	Ī	Des. No.	2101778	
PROJEC	T DESCRIPTION	l (PREFERR	RED ALTERNATIVE)					
County:	Kosciusko		Municipality:	Town of Milford				
Limits of F	Proposed Work:	Creek to E (rfolk Southern Railroad a O N, east along E CR 115 ee Lake Park				
Total Wor	k Length:	1.09 N	Mile(s)	Total Work Area:	2.55	Acre(s)		
lf y	cceptability?	HWA provide red; a copy of	a Determination of Eng	ineering and Operational ocument must be submitte	d to the F	Yes¹ Date:	No X a request for	
current defi mpacts, ar	iciencies, roadway on and how the project we ar of Milford with fund	description, รเ vill meet the P	urrounding features, etc. Purpose and Need. Logic	roads, etc. Existing condit Preferred alternative shou cal termini and independer histration (FHWA) intend to	uld includ nt utility al	e the scope Iso need dis	of work, anticipa cussed.	ated
Sections	ct is located within 9 & 16, Township	34 North, Ra	nge 6 East, in Van Bu	reet to the Waubee Lake ren township, as depicted found in Appendix B, pag	on the I			
E 1st Stre			. The typical cross-secti sted speed limit is 30 m	on consists of two 11-foot iles per hour (mph).	travel lar	nes (one in	each direction) v	with
			d. The typical cross-sect	ion consists of two 11-foot iles per hour (mph).	travel la	nes (one in	each direction)	with
				cross-section consists of ed limit is 30 miles per hou		foot travel	lanes (one in e	ach
	land use within ar			cting the Town of Milford w residential, multi-use cor				
The prefer facilities to area with easement deep park 5-foot wid Street to parking spreceptacles.	o connect the Town a bench, and trash within The Papers ing spaces beginning e concrete sidewall the start of the mupaces. Between the swill be provided	n of Milford with receptacles, is Incorporated ing at East 1st k will extend a liti-use trail. Te Handicap part of the	th Waubee Lake Park. , will begin at the south disparking lot. The trailh Street, as well as two Happroximately 180 feet a he sidewalk will have tarking spaces and the	ompliant, 10-foot asphalt The trailhead and facilities side of E 1st Street east ead facilities will provide andicap parking spaces nealong the front of the designansition sidewalk location start of the multi-use trail. Vork for these trailhead fipaces.	, including tof the Natural twelve researest to gnated trans adjace, a resting	g a sidewall lorfolk Sout gular 10-foothe start of sail parking sent to the deg area with	k, parking, a res hern Railroad in ot wide and 19- the multi-use tra paces from Eas esignated Handi a bench and tr	eting n an foot il. A t 1 st icap
				1st Street and extend alo nue to and extend along t				
			Town of Milford Mul	ti-use Trail, East 1st Street	t to			

Date: November 13, 2024

Waubee Lake Park

This is page 3 of 24 Project name:

County Kosciusko Route E 1st St, E CR 1150 N, E Camp Mack Rd Des. No. 2101778

E CR 1150 N, where the trail will cross E CR 1150 N utilizing pavement markings and signage. The trail will continue east along the south side of E CR 1150 N to the intersection of E CR 1150 N and E Camp Mack Road. The trail will then extend south along the west side of E Camp Mack Road until it ends at Lake Waubee Park. Along the south side of E CR 1150 N and the west side of E Camp Mack Road, the multi-use trail will cross eight private driveways. Where the multi-use trail construction will impact the private driveways, new driveway aprons will be reconstructed as part of the project. Existing gravel and HMA driveway aprons will be reconstructed with HMA pavement, and existing concrete driveway aprons will be reconstructed with concrete. Driveway culverts/small pipes will be installed under the seven driveways along the south side of E CR 1150 N that do not have existing driveway culverts and will be crossed by the trail in order to maintain drainage along the roadside and off the trail.

Approximately 500 feet from the start of the multi-use trail, a pedestrian bridge is to be constructed to convey trail users over Turkey Creek. The pedestrian bridge will be a 56.5-foot long, single span prefabricated steel truss bridge. The pedestrian bridge is designed for 90 pounds per square foot (psf) and HS-10 loading, which equates to 16,000 pounds or 8 tons. The designed bridge provides for a trail width of 8 feet and 1.5 foot shoulders for a total truss width of 11 feet. Riprap for bank stabilization will be placed along the banks of Turkey Creek under the pedestrian bridge. Work on two existing small pipes within the project limits is also proposed. The first small pipe, Pipe #1, is a 24.5-foot long, 10" corrugated metal pipe (CMP) located under a private driveway along the west side of E Camp Mack Road. As the driveway apron is reconstructed for the trail construction, Pipe #1 will be replaced with a 25-foot long, 12" CMP. The second small pipe, Pipe #2, is a 37.7-foot long 12" CMP that directs drainage from the east side of E Camp Mack Road under the road to Hoopengarner Drain. Pipe #2 will be extended 16 feet with matching 12" diameter Type 1 pipe to convey the drainage from east of E Camp Mack Road to Hoopengarner Drain under the multi-use trail. An additional 12" pipe, referred to in the plans as Structure No. 10, will be placed under the multi-use trail north of Hoopengarner Drain to direct roadside drainage from the west side of E Camp Mack Road under the trail and into Hoopengarner Drain. Preliminary project plans are included in Appendix B, pages 11-25.

The project is anticipated to require approximately 5.77 acres of additional permanent right-of-way (ROW), approximately 0.001 acre of additional temporary ROW, and the creation of 0.21 acre of new easement. The project will not install any additional or replace existing permanent lighting, and temporary lighting may be used during construction. Construction is anticipated to begin January 2027 and end in December 2027.

The project meets the purpose and need of the project by providing pedestrian and non-vehicular facilities to connect the Town of Milford and Lake Waubee Park.

Avoidance and minimization of impacts have been taken to the greatest extent possible.

Maintenance of Traffic:

Flagging operations may be utilized during construction, but no full road closures with detours will be required. No sidewalk closures or detours are anticipated for the project. More MOT details are provided in the MOT Section below.

Logical Termini/Independent Utility:

The project begins at the south side of East 1st Street in the Town of Milford and ends at Lake Waubee Park. The project has independent utility as it does not rely on other future roadway, infrastructure, or trail projects in order to complete construction or be utilized. The termini of the project provides a logical beginning and end point to complete the necessary improvements as the multiuse trail will connect the Town of Milford, which has existing pedestrian facilities, with the existing pedestrian and recreational facilities within Lake Waubee Park. The northern termini of the multi-use trail project creates a designated starting point to the trail with trailhead facilities, including the connecting sidewalk and parking, and the southern termini of the multi-use trail project will directly tie into an existing non-vehicular path and existing pedestrian sidewalk facilities within Waubee Lake Park. The multi-use trail to be constructed by this project will meet the Town of Milford's goal to increase connectivity and encourage non-vehicular transportation between the Town and the nearby recreation resource, Waubee Lake Park.

OTHER ALTERNATIVES CONSIDERED:

Provide a header for each alternative. Describe all discarded alternatives, including the No Build Alternative. Explain why each discarded alternative was not selected. Make sure to state how each alternative meets or does not meet the Purpose and Need and why.

Three trail alignments for the proposed multi-use trail were considered in a Feasibility Study, included in Appendix I, Pages 2-21, provided to the Town of Milford for the project. The first alignment is the preferred alternative that was selected for the project and is discussed in the section above.

Alternative Alignment #2

The second alternative alignment would begin at the East 1st Street and Old State Road (SR) 15 intersection and then continue

Town of Milford Multi-use Trail, East 1st Street to
This is page 4 of 24 Project name: Waubee Lake Park Date: November 13, 2024

	indiana Department of Transportation							
County	Kosciusko	Route I	E 1st St, E C	R 1150 N,	E Camp Mack	Rd	Des. No.	2101778
south side Mack Roa	e of E CR 1150 N to	o E Camp Mack e Park was read	Road. At th	nat point, th Iternative a	ne trail alignme lignment was d	nt would turn ismissed from	south and con further consid	ow parallel along the atinue down E Camp eration primarily due
The third at the existir trail would the UNT to parallel Ulthen conticonsidera	ng NIPSCO utility ea I then turn west and o Turkey Creek (als NT to Turkey Creek inue south along E	sement across follow along the oreferred to as to Waubee Lake Camp Mack finitial utility controls.	Turkey Cree treeline to t the Enoch V se Park or w Road to Wa	ek. Once th the railroad V. Felkner rould split a ubee Lake	e trail reached line easement Regulated Drai nd go east to t Park. The alt	the edge of t and continue in). At this poi follow E CR 1 ternative align	the field south of south parallel int, the trail wou 150 N to E Ca nment was dis	continue south along of Turkey Creek, the to the railroad line to uld either continue to mp Mack Road, and missed from further ent, as well as larger
impacts.	This alternative does facility to connect t	s not meet the	purpose and	d need of t	he project bec	ause it does	not provide a	ninate environmental pedestrian and non- smissed from further
t	would not correct eximould not correct eximould not correct the would not correct eximould not correct eximould result in serior ther (Describe): Would not correct eximould result in serior ther (Describe): Would result in serior ther (Describe):	isting capacity d isting safety haz e existing roadw isting deteriorate us impacts to the	eficiencies; ards; ay geometric ed conditions e motoring po	c deficiencies and maint ublic and g	es; enance problei eneral welfare	ms; or		
ROADW	AY CHARACTER	•						
	sed action includes		vs. complete	e and duplic	cate for each ro	adway.		
6.000	oca action molaces			o arra dapire	ato for odon fo	aunay.		
Name of F	Roadway I Classification:	East 1 st Stree	et					
Current Al		301	VPD (202	(2) Des	sign Year ADT:	N/A	VPD (20-)
Design Ho	our Volume (DHV): Speed (mph):	N/A T	ruck Percen egal Speed	itage (%)	10.33		(=0	
		Existin	g		Proposed			
	umber of Lanes:		2			2		
	pe of Lanes:		HMA			HMA		
	avement Width:	11	ft.		11 ft.			
	noulder Width: edian Width:	N/A N/A	ft.		N/A ft.			
	dewalk Width:	N/A	ft.		N/A ft.			
	etting: opography:	X Urban X Level			Suburban Rolling		Rural Hilly	
This is	page 5 of 24 Pro	ject name:	Town of Milf Waubee Lal		se Trail, East 1	st Street to	Date: Nov	ember 13, 2024
	, , , , , , , , , , , , , , , , , , , ,	, <u>-</u>						-, - ·

County	Kosciusko	Route E 1	st St, E CR 1150 N,	E Camp Mac	k Rd	Des. No.	2101778
		E 0D 4450 N					
	f Roadway	E CR 1150 N					
Current .	nal Classification:	Local Road 869	/DD (2022) Do	oian Voor AD	T. N/A	VDD (20	
				sign Year AD	T: <u>N/A</u>	VPD (20-	<u>·) </u>
	Hour Volume (DHV):		k Percentage (%)	16.13	_		
Designe	d Speed (mph):	N/A Lega	al Speed (mph):	40	_		
		Existing		Proposed			
1	Number of Lanes:	Laisting	2	Порозси	2		
	Гуре of Lanes:		HMA		HMA		
	Pavement Width:	11	ft.	11	ft.		
	Shoulder Width:	N/A	ft.	N/A	ft.		
	Median Width:	N/A	ft.	N/A	ft.		
3	Sidewalk Width:	N/A	ft.	N/A	ft.		
	Setting:	Urban Level		ourban ling	X Rura Hilly	I	
1	Name of Roadway	E Camp Mad	ck Road				
	Functional Classificatio						
			Des	sign Year			
	Current ADT:	unknown	VPD (20) AD	T:	N/A	VPD (20)	
	Design Hour Volume		uck Percentage				
(DHV):	<u>N/A</u> (%		unknown			
Γ	Designed Speed (mph)		egal Speed nph): _	30			
		Existing		Proposed			
	Number of Lanes:	LAISTING	2	Порозец	2		
	Type of Lanes:		HMA		HMA		
	Pavement Width:	10	ft.	10	ft.		
- 5	Shoulder Width:	N/A	ft.	N/A	ft.		
	Median Width:	N/A	ft.		ft.		
3	Sidewalk Width:	N/A	ft.	N/A	ft.		
	_		<u></u>				
	Setting:	Urban		Suburban	X	Rural	
٦	Гороgraphy:	X Level	F	Rolling		Hilly	
BRIDG	ES AND/OR SMALL	STRUCTURE(S):				
	oosed action includes n nd proposed bridge(s)				bridge and/or s	small structure.	Include both
Ctm a.t	- (NIDI Ni uzah au(a)	N1/A		Cufficiono	or Datinas	N1/A	
Structure	e/NBI Number(s):	N/A		Sufficienc	y Raung.	N/A (Rating Source	e of Information)
						(rtating, cours	or imerination,
		Existing		Proposed			
	Bridge/Structure Type:		N/A	Steel	Truss Bridge		
	Number of Spans:		N/A		1		
	Neight Restrictions:	N/A	ton		on		
	Height Restrictions:	N/A	ft.	N/A ft			
	Curb to Curb Width:	N/A	ft.	8 ft			
	Outside to Outside Wid		ft.	11 ft			
[5	Shoulder Width:	N/A	ft.	1.5 ft			

Town of Milford Multi-use Trail, East 1st Street to
Waubee Lake Park

Town of Milford Multi-use Trail, East 1st Street to
Waubee Lake Park

Date: November 13, 2024

County	/ Kosciusko	Route	E 1st St, E CR 1150 N, E Camp Mack Rd	Des. No. 2101778
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Describe impacts and work involving bridge(s), culvert(s), pipe(s), and small structure(s). Provide details for small structure(s): structure number, type, size (length and dia.), location and impacts to water. Use a table if the number of small structures becomes large. If the table exceeds a complete page, put it in the appendix and summarize the information below with a citation to the table.

As seen in the maps and plans provided for the project in Appendix B, there is a bridge that carries the Norfolk Southern Railroad over Turkey Creek to the west of where the pedestrian bridge will be constructed to carry the multi-use trail over Turkey Creek. This structure carrying the Norfolk Southern Railroad over Turkey Creek lies entirely within the Norfolk Southern Railroad easement and is not located within the project limits. This structure will be entirely avoided by the multi-use trail project.

A 56.5-foot long, single span prefabricated steel truss pedestrian bridge will convey trail users over Turkey Creek. The pedestrian bridge is designed for 90 pounds per square foot (psf) and HS-10 loading, which equates to 16,000 pounds or 8 tons. The designed bridge provides for a trail width of 8 feet and 1.5 foot shoulders for a total truss width of 11 feet.

Two existing small pipes are located within the project area, described as Pipe #1 and Pipe #2 in the table below. Other than Pipe #1 corresponding to the driveway along the west side of E Camp Mack Road described below, no other driveways along E CR 1150 N or E Camp Mack Road within the project limits have existing small pipes or driveway culverts. Driveway culverts/small pipes will be installed under the seven remaining driveways along the south side of E CR 1150 N that will be crossed by the trail and requiring driveway apron reconstruction in order to maintain drainage along the roadside and off the trail. An additional 12" pipe, referred to in the plans as Structure No. 10 (Appendix B, Page 23), will be placed under the trail, north of Hoopengarner Drain to direct roadside drainage from the west side of E Camp Mack Road under the trail and into Hoopengarner Drain.

Existing Small Structures

Structure Number	Station/Location	Size and Type	Length (ft)	Proposed Work
Pipe #1	60+72.7 (Appendix B, Page 22) Under private drive, west of E Camp Mack Road south of E CR 1150 N	10 inch CMP	24.5 ft	Remove, replace with 25' of 12 inch pipe
Pipe #2	67+19.6 (Appendix B, Page 23) Under E Camp Mack Road north of Waubee Lake Park, directing drainage from east of E Camp Mack Road to Hoopengarner Drain west of E Camp Mack Road	12 inch CMP	37.7 ft	Extend, 16' of 12" Type 1 pipe (Structure No. 11)

The plans for the project can be found in Appendix B, pages 11-25.

MAINTENANCE OF TRAFFIC (MOT) DURING CONSTRUCTION:

Is a temporary bridge proposed? Is a temporary roadway proposed?

Will the project involve the use of a detour or require a ramp closure? (describe below)

Provisions will be made for access by local traffic and so posted.

Provisions will be made for through-traffic dependent businesses.

Provisions will be made to accommodate any local special events or festivals.

Will the proposed MOT substantially change the environmental consequences of the action?

Is there substantial controversy associated with the proposed method for MOT?

Will the project require a sidewalk, curb ramp, and/or bicycle lane closure? (describe below)

Provisions will be made for access by pedestrians and/or bicyclist and so posted (describe below).

Discuss closures, detours, and/or facilities (if any) that will be provided for maintenance of traffic. Any known impacts from these temporary measures should be quantified to the extent possible, particularly with respect to properties such as Section 4(f) resources and wetlands. Discuss any pedestrian/bicycle closures. Any local concerns about access and traffic flow should be detailed as well.

The MOT for the project will likely require short-term flagging operations to maintain traffic along E CR 1150 N and E Camp Mack Road when construction reaches where the multi-use trail will cross E CR 1150 N for pavement marking. Flagging operations may also be used periodically through construction of the multi-use trail where it is constructed along E CR 1150 N and E Camp Mack Road, but both E CR 1150 N and E Camp Mack Road will remain open to traffic throughout construction. As there are no existing sidewalks or non-vehicular facilities within the project area, no disruptions to pedestrian or other non-vehicular traffic are anticipated either.

		Town of Milford Multi-use Trail, East 1st Street to		
This is page 7 of 24	Project name:	Waubee Lake Park	Date:	November 13, 2024

County Kosciusko Route E 1st St, E CR 1150 N, E Camp Mack Rd Des. No. 2101778

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

ESTIMATED PROJECT COST AND SCHEDULE:

Engineering: \$ 265,000 (2024) Right-of-Way: \$ 275,000 (2026) Construction: \$ 1,223,000 (2027)

Anticipated Start Date of Construction: January 2027

RIGHT OF WAY:

	Amount (acres)							
Land Use Impacts	Permanent	Temporary	Easement					
Residential	1.13	0.001	0					
Commercial	0.38	0	0.21					
Agricultural	2.60	0	0					
Forest	1.64	0	0					
Wetlands	0.02	0	0					
Other: N/A	0	0	0					
TOT	AL 5.77	0.001	0.21					

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, reacquisition or easements, either known or suspected, and their impacts on the environmental analysis should be discussed.

The existing right of way (ROW) varies from 10-25 feet from the edge of the existing railroad. All work for the trail along the Norfolk Southern Railroad is located outside of the railroad's easement. The railroad has been made aware of the project but has not provided any response to the project coordination provided. The existing ROW varies from the edge of pavement to approximately 10 feet from edge of pavement along E CR 1150 N and E Camp Mack Road. Existing ROW along the railroad is comprised of maintained lawn, wooded fencerows, and agricultural field edges. Existing ROW along E CR 1150 N and E Camp Mack Road is comprised of maintained lawns and roadside as well as woodland edges.

The project requires approximately 5.77 acres of new permanent right-of-way (ROW), including 1.13 acres of residential, 0.38 acre of commercial, 2.60 acres of agricultural, 1.64 acres of forest, and 0.02 acre of wetland. The project also requires approximately 0.001 acre of temporary ROW at one residential drive along the south side of E CR 1150 N. In order to complete the work for the trailhead and facilities located within The Papers parking lot at the northern terminus of the project, a 0.21 acre parking and ingress/egress easement between the Town of Milford and The Papers will be established. This easement will allow the Town of Milford to do maintenance activities within the parking lot for the trailhead facilities.

The new permanent ROW will extend from 35-90 feet from the edge of the existing railroad. The new permanent ROW along the north bank of UNT to Turkey Creek will extend approximately 70-80 feet from the edge of bank. The new permanent ROW south of E CR 1150 N will extend approximately 20-33 feet south of the existing edge of pavement. The new permanent ROW west of E Camp Mack Road will extend approximately 30 feet west of the existing edge of pavement.

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

Town of Milford Multi-use Trail, East 1st Street to
Waubee Lake Park
Date: November 13, 2024

This is page 8 of 24 Project name:

County Kosciusko Route E 1st St, E CR 1150 N, E Camp Mack Rd Des. No. 2101778

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

SECTION A - EARLY COORDINATION:

This is page 9 of 24

Project name:

List the date(s) coordination was sent and all resource 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.

Early coordination letters were sent on September 20, 2023, and June 4, 5, & 7, 2024, Appendix C, pages 1-3.

Agency	Date Sent	Date Response Received	<u>Appendix</u>
Kosciusko County Area Plan Commission	September 20, 2023	September 20, 2023	C4
INDOT Office of Aviation	September 20, 2023	September 22, 2023	C5
U.S. Coast Guard (USCG)	September 20, 2023	September 22, 2023	C6
USDA Natural Resources Conservation	September 20, 2023	October 5, 2023	C7-C8
Service (NRCS)			
Indiana Department of Natural Resources,	September 20, 2023	October 20, 2023	C9-C13
Division of Fish and Wildlife (IDNR-DFW)			
U.S. Environmental Protection Agency (EPA),	September 20, 2023	December 12, 2023	C14-C16
Ground Water and Drinking Water Branch			
Indiana Geologic and Water Survey (IGWS)	June 4, 2024	June 4, 2024	C17
Indiana Department of Environmental	June 4, 2024	June 4, 2024	C18
Management (IDEM), Groundwater Section			
Town of Milford Floodplain Administrator	June 7, 2024	June 11, 2024	C19
Milford Water Department	June 5, 2024	N/A	N/A
Waubee Lake Mobile Home Park	June 5, 2024	N/A	N/A
Federal Highway Administration (FHWA)	September 20, 2023	N/A	N/A
National Parks Service (NPS)	September 20, 2023	N/A	N/A
U.S. Department of Housing and Urban	September 20, 2023	N/A	N/A
Development (HUD)			
U.S. Army Corps of Engineers (USACE)	September 20, 2023	N/A	N/A
INDOT Fort Wayne District Environmental	September 20, 2023	N/A	N/A
INDOT Environmental Services	September 20, 2023	N/A	N/A
INDOT Project Manager	September 20, 2023	N/A	N/A
IDEM Wetlands and Stormwater Program	September 20, 2023	N/A	N/A
Michiana Area Council of Governments	September 20, 2023	N/A	N/A
(MACOG) MPO			
Van Buren Township Trustee	September 20, 2023	N/A	N/A
Wawasee Community School Corporation	September 20, 2023	N/A	N/A
Town of Milford EMS	September 20, 2023	N/A	N/A
Town of Milford Police Department	September 20, 2023	N/A	N/A
Town of Milford Council	September 20, 2023	N/A	N/A

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

Town of Milford Multi-use Trail, East 1st Street to
Waubee Lake Park
Date: November 13, 2024

Version: December 2021

County Kosciusko Route E 1st St, E CR 1150 N, E Camp Mack Rd Des. No. 2101778

SECTION B - ECOLOGICAL RESOURCES:

Streams, Rivers, Watercourses & Other Jurisdictional Features
Federal Wild and Scenic Rivers
State Natural Seeming of Represtigated Rivers

State Natural, Scenic or Recreational Rivers Nationwide Rivers Inventory (NRI) listed Outstanding Rivers List for Indiana Navigable Waterways

<u>Presence</u>	<u>lmp</u> :	<u>Impacts</u>				
	Yes	No				

Total stream(s) in	project area:	2,085	Linear feet	Total impacted stream(s):	38	Linear feet
Stream Name	Classification	Total Size in	Impacted	`		, likely Water of the
		Project Area	linear feet	US, appendix reference)	
		(linear feet)				
Turkey Creek	Perennial	285	20	Flows west, perpendicul	lar to trail aligr	ment; Likely Water of
		200	38	the U.S.	_	•
UNT to Turkey	Intermittent	4.000	0	Flows north/northwest, u	under E CR 11	50 N, along the trail
Creek		1,800	0	alignment; Likely Water		

Describe all streams, rivers, watercourses and other jurisdictional features adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if the streams or rivers are listed on any federal or state lists for Indiana. Include if features are likely subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.

Based on the desktop review, the aerial maps of the project area (Appendix B, pages 2-3), and the RFI report (Appendix E, pages 1-10), there are seven streams, rivers, watercourses, or other jurisdictional features within the 0.5-mile search radius. There are two streams, rivers, watercourses, or other jurisdictional features within the project area. That number was confirmed by the site visit on September 13, 2023, by USI Consultants.

There are no Federal, Wild and Scenic Rivers; State Natural, Scenic and Recreation Rivers; Outstanding Rivers for Indiana; navigable waterways or Nationwide Rivers Inventory waterways present within or adjacent to the project area.

A Waters of the U.S. Determination / Wetland Delineation Report was completed for the project on February 15, 2024. Please refer to Appendix F, pages 1-39, for the Waters of the U.S. Determination / Wetland Delineation Report. It was determined that two jurisdictional streams are located within the project area. Turkey Creek and an unnamed tributary (UNT) to Turkey Creek are likely jurisdictional as both are relatively permanent waterways (RPWs) that act as tributaries to a downstream traditionally navigable waterway (TNW), the Saint Joseph River, downstream and outside of the project area. Hoopengarner Drain, located west of E Camp Mack Road at the northern edge of the Waubee Lake Park property, was investigated as part of the Waters of the U.S. investigation. It was determined that Hoopengarner Drain is not likely a jurisdictional waterway within the project limits, lacking relative permanence. A wetland data point was also collected within Hoopengarner Drain and it was determined that the conditions did not meet all three wetland criteria either. Hoopengarner Drain is shown on the project plans included in Appendix B. The U.S. Army Corps of Engineers (USACE) makes all final determinations regarding jurisdiction.

Turkey Creek is a good quality, perennial stream that flows west, perpendicular to the trail alignment within the project area. It exhibits an ordinary high water mark (OHWM) that is 35.5 feet wide and 0.5 feet deep. Turkey Creek is listed as impaired for *E. coli*. Workers who are working in or near water with *E. coli* should take care to wear appropriate PPE, observe proper hygiene procedures, including regular hand washing, and limiting personal exposure.

UNT to Turkey Creek is a poor quality, intermittent stream that flows north under E CR 1150 N and northwest, along the trail alignment within the project area. It exhibits an OHWM that is 3.5 feet wide and 0.5 feet deep.

Permanent impacts to Turkey Creek are anticipated to be approximately 38 linear feet (LFT) (0.006 acre) for the placement of riprap under the pedestrian bridge. No temporary impacts to Turkey Creek are anticipated. No permanent or temporary impacts are anticipated for UNT to Turkey Creek. Since cumulative stream impacts will be less than 300 linear feet, no stream mitigation is anticipated. A USACE Section 404 Regional General Permit (RGP) and IDEM Section 401 Water Quality Certification (WQC) will likely be required in accordance with the Clean Water Act due to the impacts below the OHWM of Turkey Creek. Avoidance and

Town of Milford Multi-use Trail, East 1st Street to
This is page 10 of 24 Project name: Waubee Lake Park Date: November 13, 2024

County	Koscii	usko F	Route E 1st	St, E CR 1150 N, E	Camp Mack Rd	Des. No. 210177	8
mitigation	measure	es will be taken t	o minimize impa	cts to Turkey Creek	while still meeting t	he purpose and need of the pro	ject.
The IDNR-DFW responded to the early coordination letter on October 20, 2023, with recommendations regarding work in the waterway, including avoiding work in the waterway between April 1 and June 30, installing riprap in the stream, recommendations for waterway crossings, erosion control recommendations (Appendix C, pages 9-13). All applicable recommendations are included in the <i>Environmental Commitments</i> section of this CE document.							
Describe alı	Reserve Lakes Farm Po Retention Storm V Other:	onds on/Detention Bas Vater Manageme ater feature(s) id	ent Facilities dentified adjacen			Impacts Yes No Sether or not impacts (both permand) or state jurisdiction. Discuss in	
		and mitigate if in			ny subject to redera	i or state jurisdiction. Discuss in	icasarcs
10), there	Based on the desktop review, the aerial maps of the project area (Appendix B, page 2-3), and the RFI report (Appendix E, pages 1-10), there are 11 open water features with the 0.5-mile search radius. There are no open water features within or adjacent to the project area, which was confirmed by the site visit on September 13, 2023, by USI Consultants. Therefore, no impacts are expected.						
to Append	lix F, pa	A Waters of the U.S. Determination / Wetland Delineation Report was completed for the project on February 15, 2024. Please refer to Appendix F, pages 1-39, for the Waters of the U.S. Determination / Wetland Delineation Report. It was determined that no open water features are located within the project area. The USACE makes all final determinations regarding jurisdiction.					
		located within the	ie project area.	THE USAUE HIAKES &	alı ilnai determinatio	ons regarding jurisdiction.	
		located within the	ie project area.	THE USACE Makes a	an imai determinatio	ons regarding jurisdiction.	
		located within the	е ргојест агеа.	THE USACE Makes a	Prese	nce Impacts	
We	etlands	located within the	е ргојест агеа.	THE USACE Makes a	_		
W e	etlands		0.02		Prese	nce Impacts Yes No X	re(s)
Total wetla	etlands and area	: _	0.02	_ Acre(s) Total v	Prese X wetland area impac	nce Impacts Yes No X	re(s)
Total wetla	etlands and area mination	: _	0.02 ade for non-isola Total Size	_ Acre(s) Total v	Prese X wetland area impacts, fill in the total we	nce Impacts Yes No X	,
Total wetla	etlands and area mination	: has not been m	0.02 ade for non-isola	_ Acre(s) Total valed/isolated wetland	Prese X wetland area impacts, fill in the total wetler. Comments (i.e. longerence) Located along a temperature.	nce Impacts Yes No X ted: 0.02 Actand area impacted above.)	ppendix eank of
Total wetla	etlands and area mination	: has not been ma Classification	0.02 ade for non-isola Total Size (Acres)	_ Acre(s) Total valued/isolated wetland Impacted Acres 0.02	Prese X wetland area impacts, fill in the total wetler Comments (i.e. logereference) Located along a total Turkey Creek with U.S.	nce Yes No X ted: 0.02 Action, likely Water of the US, a errace formed along the south being the project area; Likely Water	ppendix eank of
Total wetla (If a detern Wetland Wetland 1	etlands and area mination No.	: _ has not been ma Classification PEM	0.02 ade for non-isola Total Size (Acres) 0.02	_ Acre(s) Total valed/isolated wetland	Prese X wetland area impacts, fill in the total wetler Comments (i.e. logereference) Located along a total Turkey Creek with U.S.	nce Yes No X ted: 0.02 Action, likely Water of the US, a errace formed along the south be	ppendix eank of
Total wetla (If a detern Wetland Wetland 1	etlands and area mination No. etlands Wetlands	has not been made of the control of	0.02 ade for non-isola Total Size (Acres) 0.02	_ Acre(s) Total valued/isolated wetland Impacted Acres 0.02 Document	Prese X wetland area impacts, fill in the total wetler Comments (i.e. logereference) Located along a total Turkey Creek with U.S.	nce Yes No X ted: 0.02 Acceptance along the south because formed along the south because the project area; Likely Water	ppendix eank of
Total wetla (If a detern Wetland Wetland 1	etlands and area mination No. etlands Wetlands Wetland	:has not been material control cont	0.02 ade for non-isola Total Size (Acres) 0.02	_ Acre(s) Total valued/isolated wetland Impacted Acres 0.02	Prese X wetland area impacts, fill in the total wetler Comments (i.e. logereference) Located along a total Turkey Creek with U.S.	nce Yes No X ted: 0.02 Action, likely Water of the US, a errace formed along the south being the project area; Likely Water	ppendix eank of
Total wetla (If a detern Wetland Wetland 1	etlands and area mination No. etlands Wetlands Wetland	has not been made of the control of	0.02 ade for non-isola Total Size (Acres) 0.02	_ Acre(s) Total valued/isolated wetland Impacted Acres 0.02 Document	Prese X wetland area impacts, fill in the total wetler Comments (i.e. logereference) Located along a total Turkey Creek with U.S.	nce Yes No X ted: 0.02 Acceptance along the south because formed along the south because the project area; Likely Water	ppendix eank of
Total wetla (If a detern Wetland Wetland 1	etlands and area mination No. etlands Wetlands Wetland	has not been made of the control of	0.02 ade for non-isola Total Size (Acres) 0.02	_ Acre(s) Total valued/isolated wetland Impacted Acres 0.02 Document	Prese X wetland area impacts, fill in the total wetler Comments (i.e. logereference) Located along a total Turkey Creek with U.S.	nce Yes No X ted: 0.02 Acceptance along the south because formed along the south because the project area; Likely Water	ppendix eank of
Total wetla (If a detern Wetland Wetland 1	etlands and area mination No. etlands Wetlands Wetland	has not been made of the control of	0.02 ade for non-isola Total Size (Acres) 0.02	_ Acre(s) Total valued/isolated wetland Impacted Acres 0.02 Document	Prese X wetland area impacts, fill in the total wetler Comments (i.e. logereference) Located along a total Turkey Creek with U.S.	nce Yes No X ted: 0.02 Acceptance along the south because formed along the south because the project area; Likely Water	ppendix eank of

Waubee Lake Park Date: November 13, 2024

This is page 11 of 24 Project name:

Town of Milford Multi-use Trail, East 1st Street to

County	Kosciusko	Route	E 1st St, E CR 1	150 N, E Car	mp Mack Rd	Des. No.	2101778	
	provements that wi buld result in (Mark a Substantial adverse Substantially increa Unique engineering	all that apply e impacts to ased project	and explain): adjacent homes, b costs;	ousiness or o	-		dance	
	Substantial adverse			•	s, or			
	The project not me	eting the ide	ntified needs.				X	
vill occur to ninimize, a	Il wetlands identified a o the features identifie and mitigate if impacts	ed. Include it will occur.	features are likely	subject to fe	deral or state juri	sdiction. Discuss r	measures to avoid,	
10), there		hin the 0.5-	mile search radius	s. There are	six wetlands with	hin or adjacent to	(Appendix E, pages 1 the project area. Tha USI Consultants.	
to Append wetland, \	dix F, pages 1-39, fo	or the <i>Water</i> within the p	s of the U.S. Det	ermination /	Wetland Delinea	ntion Report. It was	15, 2024. Please refe s determined that one JSACE makes all fina	е
the project		ectly borders	s and is hydrologic	cally connect	ed to Turkey Cre	ek, so it is conside	of Turkey Creek within ered to be an adjacen iction of USACE.	
and the p wetland in WQC will	lacement of riprap u	nder the peo an 0.1 acre, accordance v	destrian bridge. No no wetland mitiga vith the Clean Wat	o temporary tion is anticip er Act due to	impacts are anti- pated. A USACE the likely impact	cipated for Wetlan Section 404 RGP as to Wetland 1. Av	e across Turkey Creel d 1. Since cumulative and IDEM Section 40° oidance and mitigation ct.	e 1
wetland, i letter on	ncluding avoiding we December 12, 2023 CC, pages 14-16). A	tland impac , with recor	ts if possible (App nmendations rega	oendix C, pa arding work	ges 9-13). The E in wetlands, incl	EPA responded to luding avoiding im	regarding work in the the early coordination pacts where possible nts section of this CE	n e
Te	errestrial Habitat				<u>Presence</u>	Impacts Yes NO	٦	
							_	
Total terre	estrial habitat in projec	ot area: <u>2.</u>	40	Acre(s)	Total tree clear	ring: <u>0.55</u>	Acre(s))
or not impa neasure to	cts will occur to habite avoid, minimize, and	at identified. ' mitigate if in	Include total terre npacts will occur.	strial habitat	impacted and total	al tree clearing that		
Based on there is m project. To acre of up approxima slippery e wetland in aristosa), rubra) and forested a	a desktop review, a paintained lawn and repetal terrestrial habitate pland forest, 0.02 acretely 0.88 acre of agolim (<i>Ulmus rubra</i>), bouncludes American el and rice cut grass (<i>L</i> Kentucky bluegrass	site visit on padside vege with the area re of emerge riculture. Do a elder (Ace m, green as eersia oryzo (Poa praten y Creek incl	September 13, 20 etation, agricultural a to be disturbed been twelland, approximinant vegetation or negundo), and besh (Fraxinus penroides). Dominant vesis). Individual tree ude black locust	I lands, fores by the project ximately 1.20 within the uplack walnut asylvanica), or egetation with	t, and emergent value is approximately acres of maintaupland forest including (Juglans nigra). It clearweed (Pilea hin the maintaine removed from ro	wetland in the area 2.40 acres, includ ained lawn and roa ludes American ello Dominant vegetation pumila), bearded lawn/turf include adside or along the	ppendix B, pages 2-3) to be disturbed by the ing approximately 0.30 adside vegetation, and (Ulmus americana) on within the emergen beggarsticks (Bidenses red fescue (Festucae railway outside of the echarinum), white pine	e 0 d), nt s a e
			Town of Milford	Multi-use Tr	ail Fast 1st Stree	et to		

Date: November 13, 2024

This is page 12 of 24 Project name: Waubee Lake Park

County	Kosciusko	Route	E 1st St, E CR 1150	N, E Camp Mack Rd	Des. No.	2101778
0.45 acre Creek. Ap	of tree removal is re proximately 0.10 ac	equired within re of tree rem	100 feet of the existing the state oval is required within	s well as impacts to 0.02 a g Norfolk Southern railroa 100-300 feet of the existin I minimizing impacts to en	ad in the wooded ar ng railroad in the wo	ea bordering Turkey oded area bordering
measures,				ber 20, 2023, with recomrecommendations are inclu		
	Section 7 informal of	ning and Con consultation co	sultation (IPaC) detern Impleted (IPaC cannot ogical Assessment (B		Yes	No X X
De	termination Receive	ed for Listed B	ats from USFWS:	NE NLA	4A LA/	X
Otl		pecies found i	n project area (based o	on IPaC species list) on consultation with IDNR)	Yes	No X X
Mi	gratory Birds Known usage or pre State bird species b		s (i.e. nests) ordination with IDNR		Yes	No X X
bat and non- occurred and Based on IDNR Kos early coord been check to occur in bat specie	thern long-eared bath the determination a desktop review are ciusko County Endadination response leked and to date, no the vicinity. An INDs in or within 0.5 mil	t impacts. Dis that was rece nd the RFI rep angered, Thre etter dated Oct plant or anima OOT 0.5-mile be e of the project	cuss if other federally lived. Discuss if migrate fort (Appendix E, page atened, and Rare (ET tober 20, 2023 (Appendal species listed as stated at review occurred on et area.	S Section 7 consultation and isted species were identified by birds have been observed as 1-10) completed by USI R) Species List has been dix C, pages 9-13), the Nate or federally threatened, March 31, 2023, and did resisted.	ed. If so, include co yed and any impacts Consultants on Sep checked. Accordinatural Heritage Progendangered, or rare not indicate the pres	nsultation that has betember 7, 2023, the g to the IDNR-DFW ram's Database has have been reported ence of endangered
species lis sodalis) ar	t was generated (A	ppendix C, pa ed bat (NLEB	iges 21-33). The proje) (Myotis septentrional	ation for Planning and Co ct is within range of the fe s). No additional species v	ederally endangered	Indiana bat (Myotis
(NLEB) du was comp affect (LA	le to tree clearing be leted on June 24, 2 A)" the Indiana bat a	etween 100 a 024, and base and/or the NL	nd 300 feet from the e ed on the responses p EB (Appendix C, page	tic Consultation for the Ir xisting railway that the trai rovided, the project was for s 34-49). Proposed impact way to avoid the forested	il will follow. An effe ound to "may affect ots have been minin	ct determination key – likely to adversely
letter with Measures and/or con	the "may affect – lik (AMMs) for the Indi nmitments are includ	ely to adverse iana Bat and ded as firm co	ely affect (LAA)" finding NLEB are required, inc mmitments in the <i>Envi</i>	ine 24, 2024. On August (Appendix C, pages 50-5 cluding AMMs for general commental Commitments so cre of suitable habitat is to	4). Multiple Avoidar work, lighting, and ection of this docum	ce and Minimization tree removal. AMMs ent.
. 14411011411	,, a 1 tonnadaon 140	io roquiic		I Salasis Hasiat IS to	22 oldalda, now line	
This is	page 13 of 24 Pr	oject name:	Town of Milford Mult Waubee Lake Park	i-use Trail, East 1st Street		ember 13, 2024

	In	diana Department of	Transportation		
County Koscius	ko Route	E 1st St, E CR 1150 N, E C	amp Mack Rd	Des. No.	2101778
habitat is listed that	the project may affect	dified in a manner that causes t. These requirements, and t m commitments for this project	ne Avoidance and Mi		
INDOT shall satisfy the compensatory mitigation requirements of the formal consultation with USFWS through one of the conservation options outlined on page 41 of the May 20, 2016 Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana bat and NLEB. The amount to be paid to the Range-wide In-lieu Fee Program, to be administered by The Conservation Fund, shall be \$2,202.90. This amount was determined by the Habitat Block Method. The area of suitable habitat to be cleared, multiplied by the mitigation ratio for inactive season tree clearing for Kosciusko County, and the compensatory price per acre; 0.10 acre X 1.75 X \$12,588 = \$2,202.90. This is included a firm commitment in the <i>Environmental Commitments</i> section of this document. Two additional species not identified as endangered were listed on the species list. These include: 1. Whooping Crane (<i>Grus americana</i>) – Experimental Population, Non-Essential 2. Monarch Butterfly (<i>Danaus Plexippus</i>) – Candidate No additional coordination is required for the Whooping Crane or Monarch Butterfly.					
	ormation on endanger	ultation on this project as requed species at the site become			
Project lo Karst feat Oil/gas or Date Karst E Discuss if project is lo Discuss response rec and if impacts will occ	exploration/abandone valuation reviewed by cated in the Indiana K eived from IGWS cook ur. Include discussion	a Karst Region or adjacent to the project area ed wells identified in the projec INDOT EWPO (if applicable): arst Region and if any karst fedination. Discuss if any mines or of karst study/report was com-	N/A atures have been idea is, oil/gas, or exploration inpleted and results. (on/abandoned wells Karst investigation	were identified must comply with
Based on a desktop outlined in the most of the project area (A adjacent to the project not indicate that kan potential and the pro- petroleum exploration	review and the Indian current <i>Protection of</i> Appendix B, page 4), a cet area. In the early cet features exist in the sence of the floodway on wells near the site	ing Planning and Construction a Karst Region map, the proje Karst Features during Project and the RFI report (Appendix E coordination response June 4, he project area (Appendix C, r, a high potential for sand and communicated with the designer	ct is located outside to Development and Co f., pages 1-10), there a 2024, the Indiana Ge pages 17-18). The IO gravel resources, ar ected because minir	the designated India construction. Accord are no karst feature eological and Water GWS did note a m nd the presence of a mal excavation is r	ana Karst Region as ing to the topo map ing to the topo map is identified within or Survey (IGWS) did oderate liquefaction active or abandoned equired for the trail
SECTION C - OT	HER RESOURCES				
Wellhead Source W Water We Urbanized	ater Resources Protection Area(s) Vater Protection Area(sell(s) Vater Boundary Vater System(s)	·)	X X X	Impacts Yes No X X X X	

Version: December 2021

This is page 14 of 24 Project name:

Town of Milford Multi-use Trail, East 1st Street to Waubee Lake Park

Date: November 13, 2024

County	Kosciusko	Route	E 1st St, E CR 1150 N, E Camp Mack Rd	Des	s. No	2101778
				Yes	No	
ls	the project located	in the St. Jose	eph Sole Source Aquifer (SSA):	X		
	If Yes, is the FHW	/A/FPA SSA M	AOU Applicable?	X		

Check the appropriate boxes and discuss each topic below. Provide details about impacts and summarize resource-specific coordination responses and any mitigation commitments. Reference responses in the Appendix.

Sole Source Aquifer

The Environmental Protection Agency's Sole Source Aquifer website (https://www.epa.gov/dwssa) was accessed on June 4, 2024, by USI Consultants. The project is located in Kosciusko County, which is located within the area of the St. Joseph Sole Source Aquifer, the only legally designated sole source aquifer in the state of Indiana. The FHWA/EPA/INDOT Sole Source Aquifer Memorandum of Understanding (MOU) is applicable to this project. The EPA responded to the early coordination letter on December 12, 2023, and stated that this project is not likely to contaminate the St. Joseph Sole Source Aquifer (Appendix C, pages 14-16). The features will not be affected because of the limited scope of work and precautions to be taken during excavation. In the early coordination response, the EPA included recommendations regarding excavation and fill, well inspections, stormwater management best management practices. All applicable recommendations are included in the Environmental Commitments section of this CE document.

Wellhead Protection Area and Source Water

If Yes, is a Groundwater Assessment Required?

Indiana Department of Environmental Management's Wellhead Proximity Determinator (http://www.in.gov/idem/cleanwater/pages/wellhead/) was accessed on June 4, 2024, by USI Consultants. This project is located within a Wellhead Protection Area. In an early coordination letter response dated June 4, 2024, IDEM stated the project is located within two Wellhead Protection Areas, including the Milford Water Department and the Waubee Lake Mobile Home Park (Appendix C, page 19). Early coordination letters were sent to both the Milford Water Department and the Waubee Lake Mobile Home Park on June 5, 2024, and neither responded within the 30-day time frame. The features will not be affected because the scope of the project is limited and is not anticipated to result in the release of any pollutants or contaminants. Best Management Practices (BMPs) regarding stormwater and project site runoff will be utilized throughout construction.

Water Wells

The Indiana Department of Natural Resources Water Well Record Database website (https://www.in.gov/dnr/water/3595.htm) was accessed on June 4, 2024, by USI Consultants, Two unconsolidated water wells are mapped along E CR 1150 N. The features will not be affected because the wells are not located within the project area. Therefore, no impacts are expected. Should it be determined during the right-of-way phase that these wells will be affected, a cost to cure will likely be included in the appraisal to restore the wells.

Urban Area Boundary

Based on a desktop review of urban areas mapped on the INDOT Functional Classification Viewer (INDOT MS4) by USI Consultants on June 5, 2024; this project is not located in an Urban Area Boundary. No impacts are expected.

Public Water System

Based on a desktop review, a site visit on September 13, 2023, by USI Consultants, and the aerial maps of the project area (Appendix B, pages 2-3), this project is located where there is a public water system. An early coordination letter was sent on June 5, 2024, to the Town of Milford Water Department. The Town of Milford Water Department did not reply within the 30-day coordination time frame. The public water system will not be affected because the known water system infrastructure, a water main under 1st Street near the north end of the project, will not be affected by the scope of work.

	rieselice	iiiipa	<u> </u>
Floodplains		Yes	No
Project located within a regulated floodplain	X	Х	
Longitudinal encroachment			
Transverse encroachment	X	Х	
Homes located in floodplain within 1000' up/downstream from project			

Town of Milford Multi-use Trail, East 1st Street to This is page 15 of 24 Project name: Waubee Lake Park Date: November 13, 2024

County	Kosciusko	Route	E 1st St, E CR 1150 N, E Camp Mack Rd Des. No. 2101778	_
lf a	applicable, indicate	the Floodplair	Level?	
Le	evel 1	Level 2	Level 3 X Level 4 Level 5	
according to during design	o the classification grant to insure consist	system. If end tency with the	help determine potential impacts. Include floodplain map in appendix. Discuss in roachment on a flood plain will occur, coordinate with the Local Flood Plain Adminiocal flood plain planning.	strator
(https://inc June 4, 2 maps (Ap floodplain Permit fro	dnr.maps.arcgis.com 2024, and the RFI in opendix F, page 11 administrator resp	n/apps/webap report, this pro). An early co onded on Jun county Area Pl	ana Department of Natural Resources Indiana Floodway Information Portal oviewer/index.html?id=05026dabc2e8461983e196d56a213c1e) by USI Consultated is located in a regulatory floodplain as determined from approved IDNR floordination letter was sent on June 7, 2024, to the local Floodplain Administrated 11, 2024, stating that any work within the floodplain will require a Flood Develor Commission and any work within the regulated floodway will require permits from Commission and any work within the regulated floodway will require permits from Commission and any work within the regulated floodway will require permits from Commission and any work within the regulated floodway will require permits from Commission and Commi	odplain or. The opment
included in increase in and beneficial	n this project will re n flood heights and ficial floodplain valu	sult in an insu I flood limits. Ies; they will n termination of	the current INDOT CE Manual, which states "The modifications to drainage strustantial change in their capacity to carry flood water. This change could cause a reflect minimal increases will not result in any substantial adverse impacts on the ot result in substantial change in flood risks or damage; and they do not have subtantial emergency service or emergency routes; therefore, it has been determined the	ninimal natural stantial
June 11, County Ai DNR Divis	2024, stating that rea Plan Commissi	any work loca on. The respo	tor received an early coordination letter on June 7, 2024, A response was received within the floodplain will require a Flood Development Permit from the Kosses also stated that any work within the regulated floodway will require permits fisko County Area Plan Commission permits. Relevant information is also provided	sciusko om the
			Presence Impacts	
Fa	armland		Yes No	
Fa	armland Agricultural Lands Prime Farmland (p			
	Agricultural Lands	er NRCS) Section VII of (PA-106/AD-1006*) Yes No X X X	
	Agricultural Lands Prime Farmland (p Total Points (from S *If 160 or greater, see isting farmland reso	oer NRCS) Section VII of C CE Manual for	PA-106/AD-1006*) Yes No X X X	asures
Discuss exiconsidered Based on (Appendix coordinatiresulted in impacts to significant	Agricultural Lands Prime Farmland (p Total Points (from S *If 160 or greater, see isting farmland reso a desktop review B, pages 2-3), the on letter was sent on a score of 77 or of farmland that reso t loss of prime, unic	Section VII of C CE Manual for ources in the p , a site visit of e project will con september in the NRCS-C sult in the con que, statewide	PA-106/AD-1006*) The second of the second o	ct area in early NRCS nificant old, no
Discuss exiconsidered Based on (Appendix coordinatiresulted in impacts to significant	Agricultural Lands Prime Farmland (p Total Points (from S *If 160 or greater, see isting farmland reso a desktop review B, pages 2-3), the on letter was sent on a score of 77 or of farmland that reso t loss of prime, unic	Section VII of C CE Manual for ources in the p , a site visit of e project will con september in the NRCS-C sult in the con que, statewide	PA-106/AD-1006*) To provert 0.002 acre of farmland as defined by the Farmland Protection Policy Act. A 20, 2023, to Natural Resources Conservation Service (NRCS). Coordination with PA-106/AD 1006 Form (Appendix C, page 8). NRCS's threshold score for significant of alternatives is 160. Since this project. No alternatives other that	ct area in early NRCS nificant old, no
Discuss exconsidered Based on (Appendix coordinati resulted in impacts to significant previously	Agricultural Lands Prime Farmland (p Total Points (from S *If 160 or greater, see isting farmland reso a desktop review B, pages 2-3), the on letter was sent on a score of 77 or of farmland that reso t loss of prime, unic	Section VII of C CE Manual for ources in the p , a site visit of e project will con on September in the NRCS-C cult in the con que, statewide locument will b	PA-106/AD-1006*) Toject area, impacts that will occur to farmland, and mitigation and minimization menor of the project area, impacts that will occur to farmland, and the aerial maps of the project or occur to farmland as defined by the Farmland Protection Policy Act. Accordination with PA-106/AD 1006 Form (Appendix C, page 8). NRCS's threshold score for significant of alternatives is 160. Since this project score is less than the threshor local important farmland will result from this project. No alternatives other that is investigated without reevaluating impacts to prime farmland.	ct area in early NRCS nificant old, no
Discuss exconsidered Based on (Appendix coordinati resulted in impacts to significant previously SECTIOI	Agricultural Lands Prime Farmland (p Total Points (from S *If 160 or greater, see isting farmland reso a desktop review B, pages 2-3), the on letter was sent on a score of 77 or of farmland that reso t loss of prime, unic of discussed in this description.	Section VII of (CE Manual for ources in the polymers of the project will connect with the connect will be project will be project will connect will be project with the configure, statewide the project will be project with the configure of the project will be project with the project will be project wi	PA-106/AD-1006*) Toject area, impacts that will occur to farmland, and mitigation and minimization menor of the project area, impacts that will occur to farmland, and the aerial maps of the project or occur to farmland as defined by the Farmland Protection Policy Act. Accordination with PA-106/AD 1006 Form (Appendix C, page 8). NRCS's threshold score for significant of alternatives is 160. Since this project score is less than the threshor local important farmland will result from this project. No alternatives other that is investigated without reevaluating impacts to prime farmland.	ct area in early NRCS nificant old, no

County	Kosciusko	Route	E 1st St, E	E CR 1150 N, E	Camp Mack	Rd	Des. No	o. <u>2101778</u>	_
ا	Full 106 Effect Finding No Historic Propertie			No Adverse E	ffect	Adverse	Effect [
l	Eligible and/or Listed NRHP Building/Site/l		Present	Archaeology		NRHP B	ridge(s)		
	Documentation Prepa APE, Eligibility and E 800.11 Documentati Historic Properties R Archaeological Reco Archaeological Phas Archaeological Phas Other:	Effect Determon on Report or Sho ords Check a se la Survey	nination ort Report nd Assessn Report		September		SHPO Ap	oproval Date(s)	
	Memorandum of Agr	reement (MC	OA)		MOA Sign	ature Dates (List all sign	atories)	
ull Section	iect falls under the MPF on 106, use the heading spapers. Please indica 06 work which must be	gs provided. te the publica	The comple ation date, r	tion of the Sect name of the pap	ion 106 proce per(s) and the	ess requires that comment peri	at a Legal N od deadline	Notice be publish e. Include any fui	ed in
Categor projects Due to Archaed previous were id	tember 5, 2024, the I y B, Type 8 under the involve the construction the portions of the pro- plogical Records Check sly recorded archaeolog entified within the su- ations were recommend	e Minor Projon of pedestriject occurrin and Assess gical site was rvey area b	jects Progra ian facilities g in previou ment and A s investigate out neither	ammatic Agrees including trails usly undisturbe transcribed but not iden was recomme	ement, (Appers, multi-use pa d soils, a Pha Phase la Surv tified within thended as elig	ndix D, pages aths, greenway ase la Archae vey was compl ne survey area	1-7). MPF s, and ass ological Su eted by Me , and two n	PA Category B, sociated minor aurvey was required Environmented archaeologic	Type 8 ctivities. ed. The tal. One cal sites
This cor	mpletes the Section 106	process and	d the respor	nsibilities of the	FHWA under	Section 106 h	ave been f	ulfilled.	
SECTION	ON F – SECTION 4/f) RESOUR	CES/ SEC	TION 6(f) RE	SOURCES				
Parks a Publi Publi Othe Wildlife Natio State State Historic	nd Other Recreational icly owned park icly owned recreation at r (school, state/national and Waterfowl Refuge onal Wildlife Refuge onal Natural Landmark wildlife Area e Nature Preserve repoperties eligible and/or listed on	I Land rea I forest, bikev es		Presence X	Yes	No X			
This	is page 17 of 24 Pro	oject name:		Milford Multi-us Lake Park	e Trail, East ´	1st Street to	Date: 1	November 13, 20)24

County	Kosciusko	Route	E 1st St, E CR 1150 N, E Car	np Mack Rd	Des. No.	2101778
			<u>Evaluations</u> <u>Prepared</u>			
"De mir Individu	mmatic Section 4(f) nimis" Impact ual Section 4(f) ception included in		3 X			
must be inc FHWA has	luded in the append identified various ex	dix and summa xceptions to th	ninimis" Section 4(f) impacts in arized below. Discuss proposed e requirement for Section 4(f) a	l alternatives that satis pproval. Refer to 23 Cl	fy the requirem FR§774.13 - E	ents of Section 4(f). Exceptions.
funded tra parks, rec	insportation facilitie	es unless there ife / waterfowl	nsportation Act of 1966 prohibite is no feasible and prudent a refuges, and NRHP eligible of (f) resources.	alternative. The law ap	oplies to signifi	cant publicly owned
10), there	are two potential 4 eptember 13, 2023,	(f) resources lo	s of the project area (Appendix ocated within the 0.5-mile searc ultants, there is one 4(f) resou	h radius. According to	additional rese	arch, and by the site
the Town consists of launch and will be coproperty at the acquisithe proposuse conditions qualifies for the town of the town o	of Milford Council raging a publicly owned a playground. The nstructed on a small mound convert a sition of ROW as the sed trail work. The costent with the existing outlined in 23 CFI or an exception as	nembers, and freshwater lake trail project wall portion of the pproximately 0 e park property construction of the procession of the proces	d by the Town of Milford and r is located at the south end of the with surrounding land that or ill connect the Town of Milford the property. The trail will extended acre of maintained grass to a vis owned and managed by the trail would also not constitue to the trail would also not constitue of the Waubee Lake Parl project is anticipated to provide CFR 774.13(g) and will not control to the following conditions:	the project along E Car ffers water related reci to Waubee Lake Park vend approximately 190 multi-use trail. The col e project sponsor (the ute a change in use as a property. Based on F e an enhancement to	np Mack Road reational activit with a pedestria of the nstruction of the Town of Milford the trail is intelled Waubee Lake	. Waubee Lake Park ies, including a boat an multi-use trail that Waubee Lake Park e trail will not required) which approves of nded for recreational documents and the Park, and therefore
qualif	ies the property for	Section 4(f) pr	is solely for the purpose of protection. grees in writing to the previous		an activity, fea	ture, or attribute that
(OWJ) for constructed providing requirement	 Waubee Lake Pa ed, the project will p a connection to the 	ark. In the let rovide an enha Town of Milfo ement Except	received from the Milford Town ter provided to USI Consultan ancement to Waubee Lake Par ord (Appendix I, Pages 32-33). ion. No other use of the prope	nts, the Milford Town k by expanding pedest Therefore, the use of	Council acknorman and non-venture the Section 4(f	owledged that, once ehicular facilities and) property meets the
Se	ection 6(f) Involven	nent		<u>Presence</u>	<u>Us</u>	<u>e</u>
	ection 6(f) Property				Yes	No
vill occur, c	liscuss the conversi	ion approval.	present. Discuss if any conver			
created to		and assure ad	nd Act of 1965 established the cessibility to outdoor recreation n-recreation use.			
This is	page 18 of 24 P	roject name:	Town of Milford Multi-use Tra Waubee Lake Park	ail, East 1st Street to	Date: Nov	rember 13, 2024
	r-90 10 01 2 1 1	joot namo.	aabaa Laka i aik			

			•	•		
County	Kosciusko	_ Route	E 1st St, E CR 1150 N, E Can	np Mack Rd	Des.	No. 2101778
			SD website revealed a total of roor adjacent to the project area.			
SECTION	F – Air Quali	ty				
Is the list of the	ne project in the ne project locate ne project in an es, then: Is the project in Is the project ex If No, then: Is the project	formity Status or most current STI ed in an MPO Are air quality non-att the most current empt from confor in the Transporta analysis required	IP/TIP? a? tainment or maintenance area? MPO TIP? mity? ation Plan (TP)?	Yes No X X X X	div II. Do	
		anliaghla):		STIP Letters (Appendiction Area Counciliana Area Councili		
	me of MPO (if a _l ation in TIP (if a	. ,		Page 54, MACOG F		•
	rel of MSAT Ana	,		1 age 34, MIACOG I	2024-20	020 111
Describe if th			Level 2 Level 3 dif it is in a TIP. Describe the a	ttainment status of the		
the TP and This project Organization Transportation The project	TIP. Describe if a strict is included in on Transportation in Tran	a hot spot analysi the Fiscal Year (I in Improvement F nt Plan (STIP) (A Kosciusko Cour	ot from a conformity determinate is is required and the MSAT Levery) 2024-2028 Michiana Area (Plan (MPO TIP) which has been ppendix H, Pages 1-5). The procedure of the conformity procedure is sometimes of the conformity procedure.	vel. Council of Governmen n incorporated by refe nment for all criteria	ts (MACC rence into	OG) Metropolitan Planning to the FY 2024-2028 State according to the IDEM
			gorical exclusion (Group 1) und is such, a Mobile Source Air To			npt under the Clean Air Act
SECTION	G - NOISE					
	noise analysis	•	dance with FHWA regulations a echnically sufficient by INDOT I		e policy?	Yes No
were identifie This projec	ed. If noise impa t is a Type III pr	acts were identifie oject. In accorda	project. If it is a Type I project, ded, describe if abatement is feasure with 23 CFR 772 and the conjuire a formal noise analysis.	ible and reasonable ar	nd include	e a statement of likelihood.
	page 19 of 24	Project name:	Town of Milford Multi-use Tra Waubee Lake Park	ill, East 1st Street to	Date:	November 13, 2024
	-	•			-	

County	Kosciusko	Route	E 1st St. E CR 1150 N. E Camp Mack Rd	Des. No. 2101778	
County	Nosciusito	Noute	L 13t Ot, L Ott 1 100 N, L Camp Mack No	Des. No. 2101770	

SECTION H - COMMUNITY IMPACTS

Regional, Community & Neighborhood Factors

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

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?

If No, are steps being made to advance the community's transition plan?

Does the project comply with the transition plan? (explain in the discussion below)

Yes	No
Χ	
	Х
	Х
	Х
Х	
X	

Discuss how the project complies with the area's local/regional development patterns; whether the project will impact community cohesion; and impact community events. Discuss how the project conforms with the ADA Transition Plan.

The project will provide a pedestrian and non-vehicular connection between the Town of Milford and Lake Waubee Park. The trail will benefit the community by enhancing livability, providing more opportunities for outdoor recreation and non-vehicular transportation, encouraging physical activity. The Town of Milford has an adopted and approved the ADA Transition Plan: Pedestrian Facilities in the Public Right-of-Way as of December 13, 2021 (https://www.macog.com/docs/transportation/active/ada/Milford.pdf). The trail is designed to be ADA compliant to comply with the transition plan.

Public Facilities and Services

Discuss what public facilities and services are present in the project area and impacts (such as MOT) that will occur to them. Include how the impacts have been minimized and what coordination has occurred. Some examples of public facilities and services include health facilities, educational facilities, public and private utilities, emergency services, religious institutions, airports, transportation or public pedestrian and bicycle facilities.

Based on a desktop review, the aerial maps of the project area (Appendix B, pages 2-3) and the RFI report (Appendix E, pages 1-10), there is one religious facility, one school, two recreational facilities, two pipelines, and one railroad located within the 0.5 mile of the project. There are three public facilities, including Waubee Lake Park, a Northern Indiana Public Services Co. (NIPSCO) pipeline, and the Norfolk Southern Railroad, located within or adjacent to the project area. That number was confirmed by the site visit on September 13, 2023, by USI Consultants. Access to Waubee Lake Park will be maintained throughout construction of the trail and impacts to the park are discussed in the Section 4(f) section of this document. Utility coordination with NIPSCO occurred, and the utility verification response on September 26, 2023, indicated that the facilities located within the project are not in conflict with the project. The trail will run parallel to the Norfolk Southern Railroad, outside of the railroad's easement in new ROW to be acquired, for approximately 1,800 feet but no impacts to the railroad will occur. Project information was sent to Norfolk Southern Railroad as part of utility coordination, but no response or comment from the railroad was received.

An early coordination letter was sent to the INDOT Office of Aviation on September 20, 2023, and a response was received on September 22, 2023, stating that no tall structure permit is required for the project if all equipment being used is under 200 feet in height.

It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access.

Environmental Justice	(EJ)	(Presidential EC) 12898)
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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 and disproportionate impacts to EJ populations?

	X
X	
	X
	Х

No

Indicate if EJ issues were identified during project development. If an EJ analysis was not required, discuss why. If an EJ analysis was required, describe how the EJ population was identified. Include if the project has a disproportionately high or adverse effect on EJ populations and explain your reasoning. If yes, describe actions to avoid, minimize and mitigate these effects.

		Town of Milford Multi-use Trail, East 1st Street to		
This is page 20 of 24	Project name:	Waubee Lake Park	Date:	November 13, 2024

County Kosciusko Route E 1st St, E CR 1150 N, E Camp Mack Rd Des. No. 2101778

Under FHWA Order 6640.23A, FHWA and the project sponsor, as a recipient of funding from FHWA, are responsible to ensure that their programs, policies, and activities do not have a disproportionately high and adverse effect on minority or low-income populations. Per the current INDOT Categorical Exclusion Manual, an Environmental Justice (EJ) Analysis is required for any project that has two or more relocations or 0.5 acre of additional permanent right-of-way. The project will require 5.77 acres of additional permanent ROW and 0.001 acre of additional temporary ROW, with no relocations. Therefore, an EJ Analysis is required.

Potential EJ impacts are detected by locating minority and low-income populations relative to a reference population to determine if populations of EJ concern exist and whether there could be disproportionately high and adverse impacts to them. The reference population may be a county, city or town and is called the community of comparison (COC). In this project, the COC is Kosciusko County. The community that overlaps the project area is called the affected community (AC). In this project, the AC is Census Tract 9611. An AC has a population of concern for EJ if the population is more than 50% minority or low-income or if the low-income or minority population is 125% of the COC. Data from the 2022 Census was obtained from the https://data.census.gov on August 5, 2024, by USI Consultants (Appendix I, Pages 23-30). The data collected for minority and low-income populations within the AC are summarized in the below table.

Table: Minority and Low-Income Data (2022 Census Data)				
COC – Kosciusko County AC – Census Tract 9611				
Percent Minority	13.5%	17.4%		
125% of COC	16.8%	AC > 125% COC		
EJ Population of Concern	-	Yes		
Percent Low-Income	8.9%	6.8%		
125% of COC	11.1%	AC < 125% COC		
EJ Population of Concern	-	No		

AC, Census Tract 9611 has a percent minority of 17.4% which is below 50% but is above the 125% COC threshold. Therefore, the AC does have a minority population of EJ concern.

AC, Census Tract 9611 has a percent low-income of 6.8% which is below 50% and is below the 125% COC threshold. Therefore, the AC does not contain a low-income population of EJ concern.

Conclusions

The proposed project is expected to require the acquisition of 5.77 acres of permanent ROW, 0.001 acre of temporary ROW, and the creation of 0.21 acre of new easement. Land use within the proposed ROW consists of primarily agricultural property, as well as minimal amounts of multi-use commercial and residential. No relocations are anticipated. ROW acquisition from the residential properties is primarily strip ROW along E CR 1150 N and E Camp Mack Road that will be used for the creation of the trail and driveway reconstruction. ROW acquisition from agricultural properties follows primarily along the agricultural field edges for the creation of the trail. The ROW required for the project from all property types has been reduced to the greatest extent possible and was specifically designed in order to minimize impacts.

The ROW to be acquired will not substantially diminish the existing use of the properties by the property owners. All agricultural properties will still be able to be in production as ROW required is along field edges and has been minimized to the greatest extent possible. ROW required from residences has been minimized to the greatest extent possible and does not alter the use of the remaining property. The only Maintenance of Traffic (MOT) required by the project will involve short-term flagging operations to maintain traffic along E CR 1150 N and E Camp Mack Road when construction reaches the location where the multi-use trail will cross E CR 1150 N for pavement marking. Flagging operations may also be used periodically through construction of the multi-use trail where it is constructed along E CR 1150 N and E Camp Mack Road, but both E CR 1150 N and E Camp Mack Road will remain open to traffic throughout construction. As there are no existing sidewalks or non-vehicular facilities within the project area, no disruptions to pedestrian or other non-vehicular traffic are anticipated either.

The proposed project is a trail project that aims to improve the pedestrian and non-vehicular connectivity of the Town of Milford with the nearby recreational Waubee Lake Park. Waubee Lake Park is the primary recreational resource in the area surrounding the Town of Milford. The creation of the multi-use trail will provide a public, designated pedestrian and non-vehicular route to Waubee Lake Park, which will increase public access to the recreational resource.

Impacts from the project to any EJ community in this area will be beneficial due to the improved connectivity between the Town of Milford and Lake Waubee Park and resulting increase in access to recreational facilities. It is expected that the project will not have a

Town of Milford Multi-use Trail, East 1st Street to
This is page 21 of 24 Project name: Waubee Lake Park Date: November 13, 2024

Count	y Kosciusko	Route	E 1st St, E C	R 1150 N, E Camp	Mack Rd	Des. No.	2101778
	portionately high and a	adverse enviro	nmental or heal	th impact on the mi	nority population of	EJ concern who	en compared to non-
	ESD reviewed and o	oncurred with t	he analysis and	d conclusions on Oc	tober 3, 2024 (Appe	endix I, Page 31	l).
	Relocation of Peop	le, Businesse:	s or Farms			Yes	s No
	Will the proposed ac Is a BIS or CSRS rea		e relocation of p	people, businesses	or farms?		X X
	Number of relocation	ns: Reside	ences:	Businesses: _	Farms:	Other:	
	any relocations that vocations of people, but					results in the d	iscussion below.
SECT	ION I – HAZARDO	US MATERIA	LS & REGUL	ATED SUBSTAN	ICES		
	Hamanda va Mataria	la 8 Daguilatas	I Cubatanasa (Name all that are less	Doc	cumentation	
	Hazardous Material Red Flag Investigation Phase I Environmen Phase II Environmer Design/Specification	on (RFI) tal Site Assess ntal Site Assess	ment (Phase I E ment (Phase II	ESA)		X	
	Date RFI concurrence	ce by INDOT S	AM (if applicabl	e): September 1	3, 2023		
adjacen provision Based INDOT are loc corresp Virtual located mappe researd Facility area. 1	SAM provided their rated within 0.5 mile conds to The Papers File Cabinet (VFC) of within 0.5 mile of the d adjacent to the proch utilizing the IDEM is actually located or	d impact the process will be needed and available project Incorporated addited November project area nea VFC, it was dutside of the 0.5 pped NPDES faject. Further investigation will be project area.	oject area. Refed, include in dispublic records, in September 13 area. The near t 206 S Main Ser 8, 1999, the The nearest NF r where UNT tetermined that 5-mile search radicility is located restigation for h	der to current INDOT scussion. Include a the RFI was comp as 2023 (Appendix I est UST site is locally street. According to UST on site was PDES facility identification of Turkey Creek floatius of the project and more than 0.40 m azardous material of the scussion.	SAM guidance. If pplicable commitmed letted on September E, Pages 1-10). Six ated adjacent to the UST System Clacked on August 2 and by the RFI, corresponding to the LC facility icon is in area at approximate ite north of the projections on the projection on the projection is not required.	additional docu- ents. er 7, 2023, by landerground some Report page of the pa	JSI Consultants and torage tanks (USTs) of the project, as it culled from the IDEM IPDES Facilities are son Trailer LLC, was ailroad. After further and that NPDES retheast of the project of the hazmat sites
		<u>Part</u>	: IV – Peri	mits and Co	<u>mmitments</u>		
PERM	ITS CHECKLIST						
	Permits (mark all the	at apply)		Likely Require	e <u>d</u>		
	Regional Ge Individual Pe Other IN Department of E (401/Rule 5)	Permit (NWP) neral Permit (R ermit (IP)	GP)	x			
Thi	s is page 22 of 24	Project name:	Town of Milt Waubee Lal	ford Multi-use Trail, ke Park	East 1st Street to	Date: Nov	ember 13, 2024

County	Kosciusko	Route	E 1st St, E CR	1150 N, E Camp Mack Rd	Des. No.	2101778
Pe	ermits (mark all the	at apply)		Likely Required		
	Regional Ge Individual Pe Isolated Wet Rule 5 Other	` '	GP)	X		
Mi		in a Floodway ′aterway Permi	t	X		
	hers (Please disc			X		

List the permits likely required for the project and summarize why the permits are needed, including permits designated as "Other."

The project will impact less than 300 linear feet of stream and less than 0.1 acre of wetland. Work within the wetland and below the OHWM of Turkey Creek will require a Section 404 from USACE and a Section 401 from IDEM.

The project will disturb an area greater than one acre. A Construction Stormwater General Permit (CSGP), also known as a Rule 5 permit, will be required from IDEM.

The project will involve construction in the floodway of Turkey Creek. A Construction in a Floodway (CIF) Permit will be required from the Indiana Department of Natural Resources – Division of Water. Due to construction in the floodplain, a Flood Development Permit will also be required from the Kosciusko County Area Plan Commission.

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

ENVIRONMENTAL COMMITMENTS

List all commitments and include the name of agency/organization requesting/requiring the commitment(s). Listed commitments should be numbered.

Firm:

- If the scope of work or permanent or temporary right-of-way amounts change, the INDOT Environmental Services Division (ESD) and the INDOT District Environmental Section will be contacted immediately. (INDOT ESD and INDOT Fort Wayne District)
- 2. It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access. (INDOT ESD)
- 3. Any work in a wetland area within right-of-way or in borrow/waste areas is prohibited unless specifically allowed in the U.S. Army Corps of Engineers permit. (INDOT ESD)
- Turkey Creek is listed as impaired for E. coli. Workers who are working in or near water with E. coli should take care to wear appropriate PPE, observe proper hygiene procedures, including regular hand washing, and limiting personal exposure. (INDOT SAM)
- 5. Tree Removal AMM 1: Modify all phases of the project (e.g., temporary work areas, alignments) to avoid tree removal. (USFWS)
- 6. Tree Removal AMM 3: Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install brightly colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits). (USFWS)
- Lighting AMM 1: Direct temporary lighting away from suitable habitat during the active season. (USFWS)
- General AMM 1: Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs. (USFWS)
- 9. INDOT shall satisfy the compensatory mitigation requirements of the formal consultation with USFWS through one of the conservation options outlined on page 41 of the May 20, 2016 Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana bat and NLEB. The amount to be paid to the Range-wide In-lieu Fee Program, to be administered by The Conservation Fund, shall be \$2,202.90. This amount was determined by the Habitat Block Method.

		Town of Milford Multi-use Trail, East 1st Street to		
This is page 23 of 24	Project name:	Waubee Lake Park	Date:	November 13, 2024

County Kosciusko Route E 1st St, E CR 1150 N, E Camp Mack Rd Des. No. 2101778

The area of suitable habitat to be cleared, multiplied by the mitigation ratio for inactive season tree clearing for Kosciusko County, and the compensatory price per acre; 0.10 acre X 1.75 X \$12,588. (USFWS)

10. A "Reinitiation Notice" is required if: more than 0.10 acre of suitable habitat is to be cleared; new information about listed species is encountered; the project is modified in a manner that causes an effect to the listed species; or a new species or critical habitat is listed that the project may affect. (USFWS)

For Further Consideration:

- 1. Do not excavate in the low flow area except for the placement of piers, foundations, and riprap, or removal of the old structure. (IDNR-DFW)
- Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds. (IDNR-DFW)
- 3. Use minimum average 6 inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids. (IDNR-DFW)
- 4. Do not cut any trees suitable for Indiana Bat or Northern Long-Eared Bat roosting (3 inches or greater diameter-at-breast height, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 to September 30. (IDNR-DFW)
- 5. Excavation requiring to be filled is to be done so with clean fill per all applicable local and state requirements. Any contaminated soil excavated should be removed from the site and filled back with clean material (including any grading). While excavation may not always be expected to encounter the water table, sometimes deeper excavation occurs unintentionally, or the water table is present at a higher level than previously expected. In either case, contingency plans should be in place so that the project engineer and all relevant officials are made aware that contact with groundwater was made and take the proper dewatering steps that may be needed (keeping in mind that the excavation is now a potential conduit for pollution to the aquifer). (US EPA)
- Inspect wells both inside of and near the project boundary (within 0.25 miles) before, during, and after construction or rehabilitation to be sure that no unintended disturbance was caused. (US EPA)
- Contractors working on excavation should be made aware of the location of such sites incase foul odors or oil sheens are encountered during construction. Contingency plans should be created to handle such situations should they be encountered. (US EPA)
- 8. Contractors and engineers should know the location of wetlands near the project area so that disturbances and contamination can be avoided. Wetlands can act as a conduit for pollutants to reach the water table. These areas should especially be avoided when staging for construction and should not be used for the temporary storage of any chemicals or fuels during the construction period. Again, there are nationally recognized wetlands within the construction area. There is also a potential for wetland conditions to be present across most of the area projected for construction (per EnviroAtlas (epa.gov)). Due to the presence of National Wetlands, contractors should be prepared to encounter the water table; this may include identifying emergency dewatering equipment and being sure that procedural plans are in place in the event that unexpected dewatering is needed. Precaution should be taken not to store construction materials near these areas and they should be protected from run off during the construction period. (US EPA)
- 9. Excavation /construction should be particularly mindful of sediment transport while constructing the portion of the trail which directly crosses over or follows alongside the creek. During the construction period it is important to incorporate the routine inspection of storm water management systems including: trenches, silt fence, riprap, stone (gravel), hardware wire, sod, concrete blocks, sediment logs, straw/hay bales, swales, ditch lines, yard inlets, wire mesh, catch basins, or other mechanisms. Contractors should be instructed to inspect that the components of the stormwater management system are functioning appropriately each day of work and especially before storm events weather. This includes damaged materials replacement, silt fence perimeter checks, silt fence drain cover cleaning, and debris removal as needed. (US EPA)
- 10. Demolition/Waste is to be removed from the site in compliance with relevant federal, state, and local law (i.e. legal disposal). (US EPA)
- 11. Note that chemicals, generators, and fuels should not be stored near conduits to the aquifer (such as near excavation, active or abandoned wells, or near wetlands and surface water bodies. Fuel should be contained in a double walled container and placed on top of a concrete or otherwise protective spill pad as a 3rd layer of spill prevention. Contingency Plans in the event of spill are recommended, especially if temporary generators and fuel are to be used and stored on the site. (US EPA)
- 12. During the course of the work, appropriate safeguards and BMPs are in place to ensure that local ground water supplies and neighboring drinking water wells are not endangered. Again, such precautions should include notifying general contractors that the site is sensitive, using green-infrastructure practices where possible to reduce potential impacts of stormwater run-off, securing adequate precautions for fueling/servicing large equipment, and developing contingency plans to handle the release of any hazardous materials. (US EPA)

Town of Milford Multi-use Trail, East 1st Street to

Waubee Lake Park

Date: November 13, 2024

DES NO 2101778 CE-3 APPENDICES

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APPENDIX A INDOT Supporting Documentation

Categorical Exclusion Level Thresholds

	PCE	Level 1	Level 2	Level 3	Level 4 ¹
Section 106	Falls within guidelines of MinorProjects PA	"No Historic Properties Affected"	"No Adverse Effect"	-	"Adverse Effect" Or Historic Bridge involvement ²
Stream Impacts ³	No construction in waterways or water bodies	< 300 linear feet of stream impacts	≥ 300 linear feet of stream impacts	1	USACE Individual 404 Permit ⁴
Wetland Impacts ³	No adverse impacts to wetlands	< 0.1 acre	-	< 1.0 acre	≥ 1.0 acre
Right-of-way ⁵	Property acquisition for preservation only or none	< 0.5 acre	≥ 0.5 acre	-	-
Relocations ⁶	None	-	-	< 5	≥ 5
Threatened/Endangered Species (Species Specific Programmatic for Indiana bat & northern long eared bat)*	select AMIMS')	"Not likely to Adversely Affect" (With any AMMs or commitments)	-	"Likely to Adversely Affect"	Project does not fall under Species Specific Programmatic ⁸
Threatened/Endangered Species (Any other species)*	Falls within guidelines of USFWS 2013 Interim Policy or "No Effect"	"Not likely to Adversely Affect"	-	-	"Likely to Adversely Affect"
Environmental Justice	No disproportionately high and adverse impacts	-	-	-	Potential ⁹
Sole Source Aquifer	No Detailed Groundwater Assessment	1	-	1	Detailed Groundwater Assessment
Floodplain	No Substantial Impacts	-	-	-	Substantial Impacts
Section 4(f) Impacts	None	-	-	-	Any ¹⁰
Section 6(f) Impacts	None	-	-	_	Any
Permanent Traffic Alteration	None	-	-	-	Any
Noise Analysis Required	No	-	-	-	Yes
Air Quality Analysis Required	No	-	-	-	Yes ¹¹
 Approval Level District Env. (DE) Env. Serv. Div. (ESD) FHWA 	Concurrence by DE or ESD	DE or ESD	DE or ESD	DE and/or ESD	DE and/or ESD; and FHWA

¹Coordinate with INDOT Environmental Services Division. INDOT will then coordinate with the appropriate FHWA Environmental Specialist.

Note: Substantial public or agency controversy may require a higher-level NEPA document.

² Any involvement with a bridge processed under the Historic Bridge Programmatic Agreement.

³Total permanent impacts to streams (linear feet) and wetlands (acres).

⁴US Army Corps of Engineers Individual 404 Permit

⁵ Total permanent and temporary right-of-way. This does not include reacquisition of existing apparent right-of-way.

⁶ If any relocations are within an area with a known or suspected Environmental Justice (EJ) or disadvantaged population, or has greater than 5 relocations, a conversation with FHWA, through INDOT ESD, is needed to confirm NEPA classification and outreach plan for the project.

⁷ Avoidance and Mitigation Measures (AMMs) determined by the IPAC determination key to be required that are not tree AMMs, bridge AMMs, or structure AMMs.

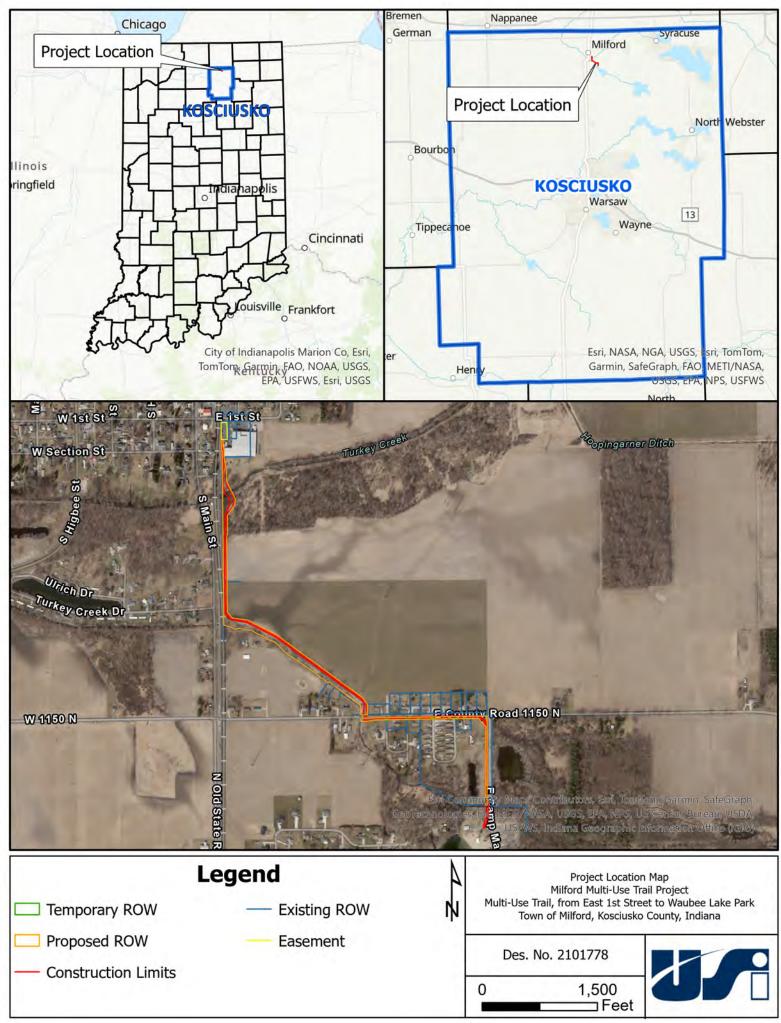
⁸ Projects that do not fall under a Species Specific Programmatic and results in a "Likely to Adversely Affect". Other findings can be processed as a lower level CE. ⁹Potential for causing a disproportionately high and adverse impact.

¹⁰ Section 4(f) use resulting in an Individual, Programmatic, or *de minimis* evaluation. The only exception is a *de minimis* evaluation for historic properties (Effective January 2, 2020). If a historic property *de minimis* and no other use, mark the *None* column.

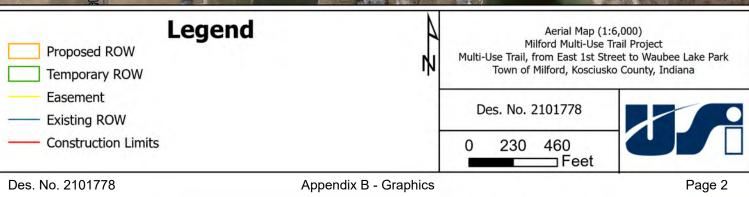
¹¹Hot Spot Analysis and/or MSAT Quantitative Emission Analysis.

^{*} Includes the threatened/endangered species critical habitat

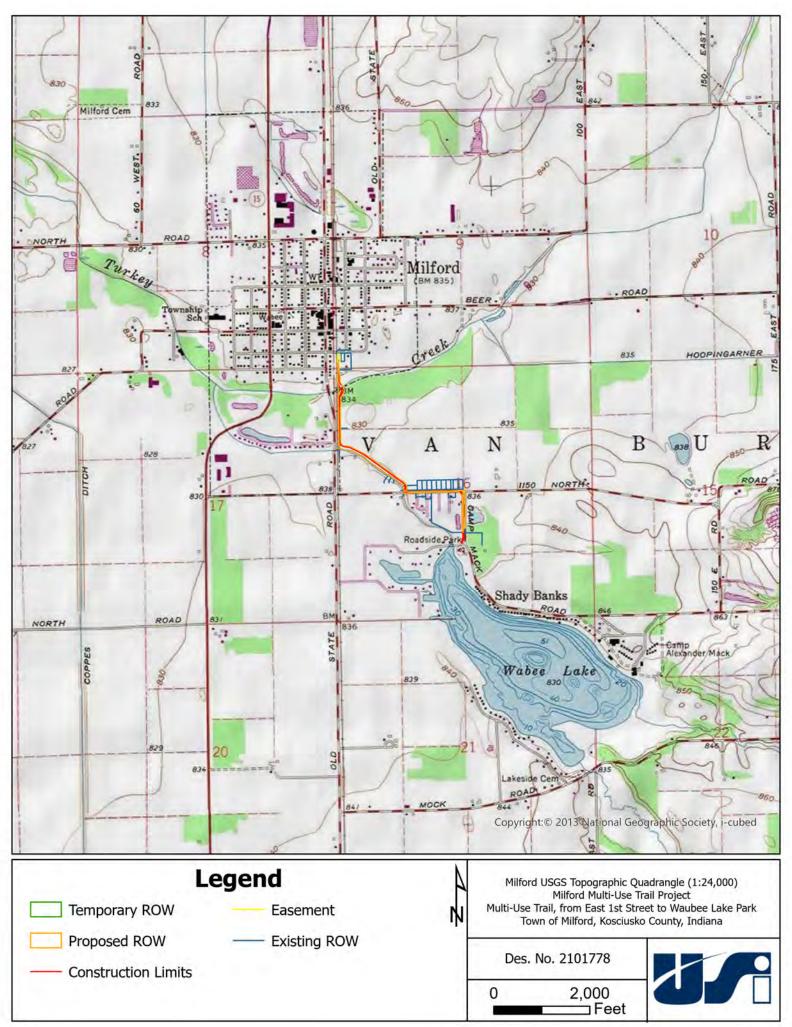
APPENDIX B
Graphics

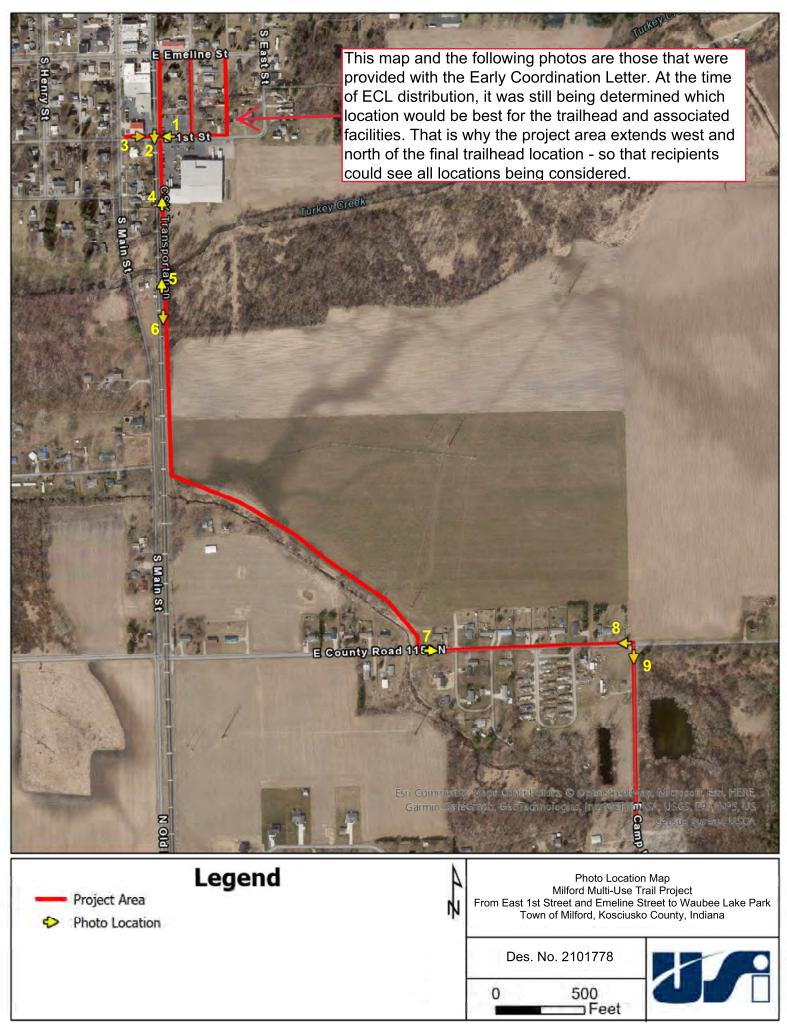














 $1. \ Looking \ west \ along \ East \ 1st \ Street \ at \ the \ Norfolk \ Southern \ Railroad \ crossing. \ Taken \ February 9, 2023.$



2. Looking south from East 1^{st} Street along Norfolk Southern Railroad. Taken August 11, 2020.



3. Looking east along East 1st Street. Taken February 9, 2023.



4. Looking north along Norfolk Southern Railroad. Taken February 9, 2023.



5. Looking north from the structure carrying South Main Street and Norfolk Southern Railroad over Turkey Creek. Taken February 11, 2023.



 $6. \ Looking \ south \ from \ the \ structure \ carrying \ South \ Main \ Street \ and \ Norfolk \ Southern \ Railroad \ over \ Turkey \ Creek. \ Taken \ February \ 11, \ 2023.$



7. Looking west along CR 1150 North. Taken June 18, 2023.



8. Looking east along CR 1150 North. Taken June 18, 2023.



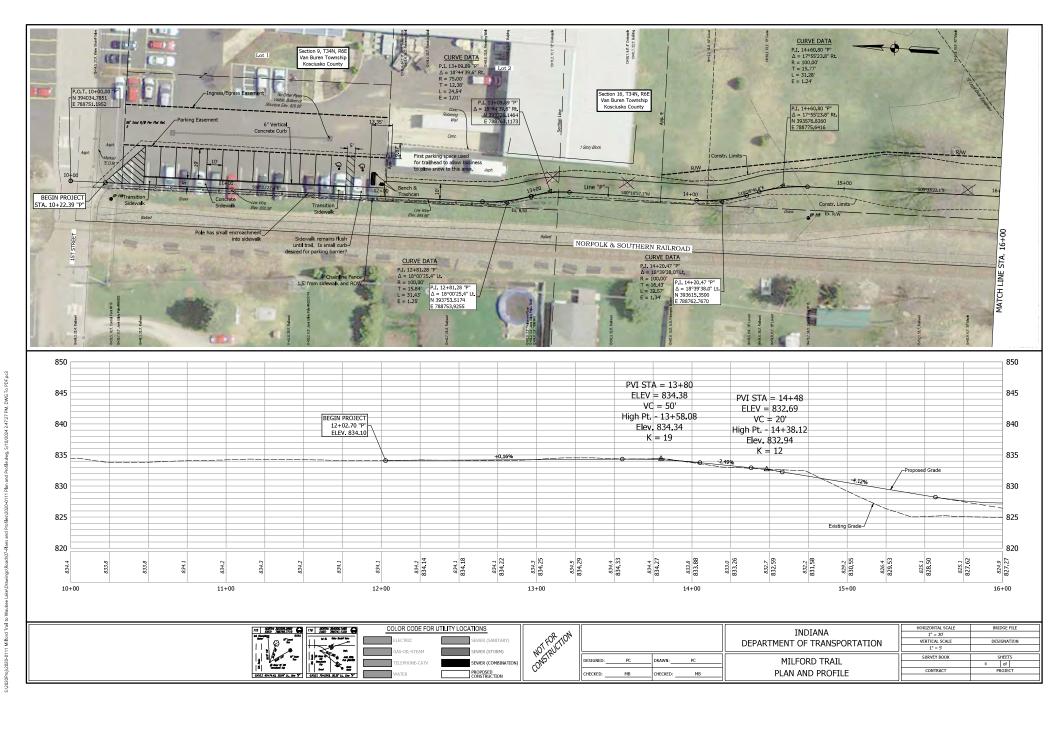
9. Looking south along Camp Mack Road. Taken June 18, 2023.

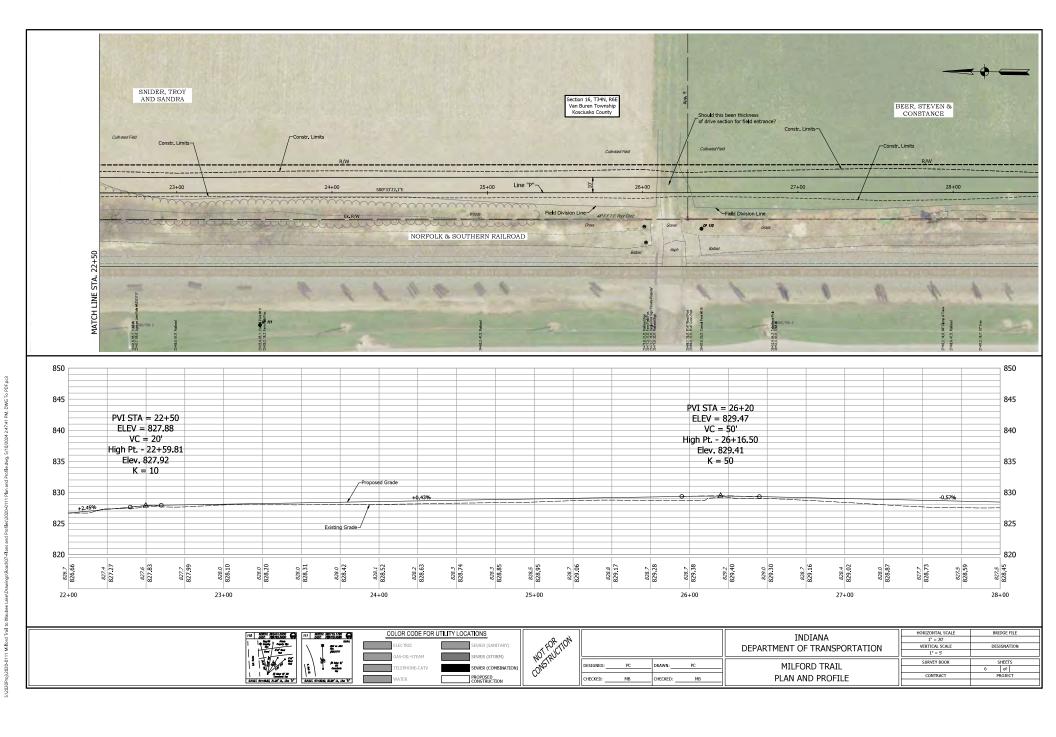
DESIGNATION NO. **TOWN OF MILFORD** CONTRACT **TOWN COUNCIL** PATH PLANS MILFORD TRAIL FROM E 1ST ST. TO WAUBEE LAKE PARK Section 9, T-34-N, R-6-E in Van Buren Township, Kosciusko County, IN Section 16, T-34-N, R-6-E in Van Buren Township, Kosciusko County, IN Section 17, T-34-N, R-6-E in Van Buren Township, Kosciusko County, IN T 34 N E 1250 N Milford E FOURTH ST E BEER RD E CATHERINE ST PROJECT LOCATION SHOWN BY -**BEGIN PROJECT** STA, 10+22,40 "P" LATITUDE 41° 24' 24.14" N LONGITUDE 85° 50' 42.25" W W FIRST ST Hoopingarner Ditcl W SECTION ST R 6 E GROSS LENGTH: 1.132 MILES NET LENGTH: 1.132 MILES MAX. GRADE: 4.85% HUC: 04050001200030 CULVERT ASSETS SCALE 1" = 1000' E NELSON DA END PROJECT STA. 69+80.94 "P" Shady Banks-PFC - 05/03/2024 Waubee Lake [INDIANA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS DATED 2022 LOCATION MAP TO BE USED WITH THESE PLANS] USI Consultants, Inc. 317-544-4996 DESIGNATION NO. SHEETS of PROJECT NO

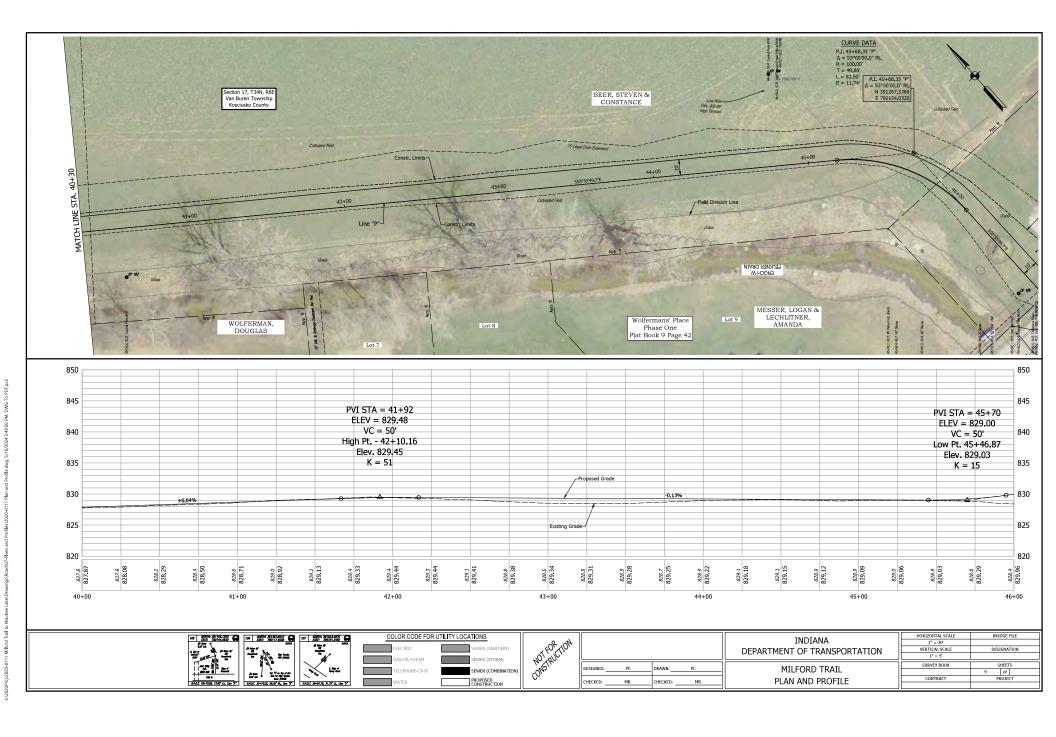
8415 East 56th Street Indianapolis, Indiana 46216

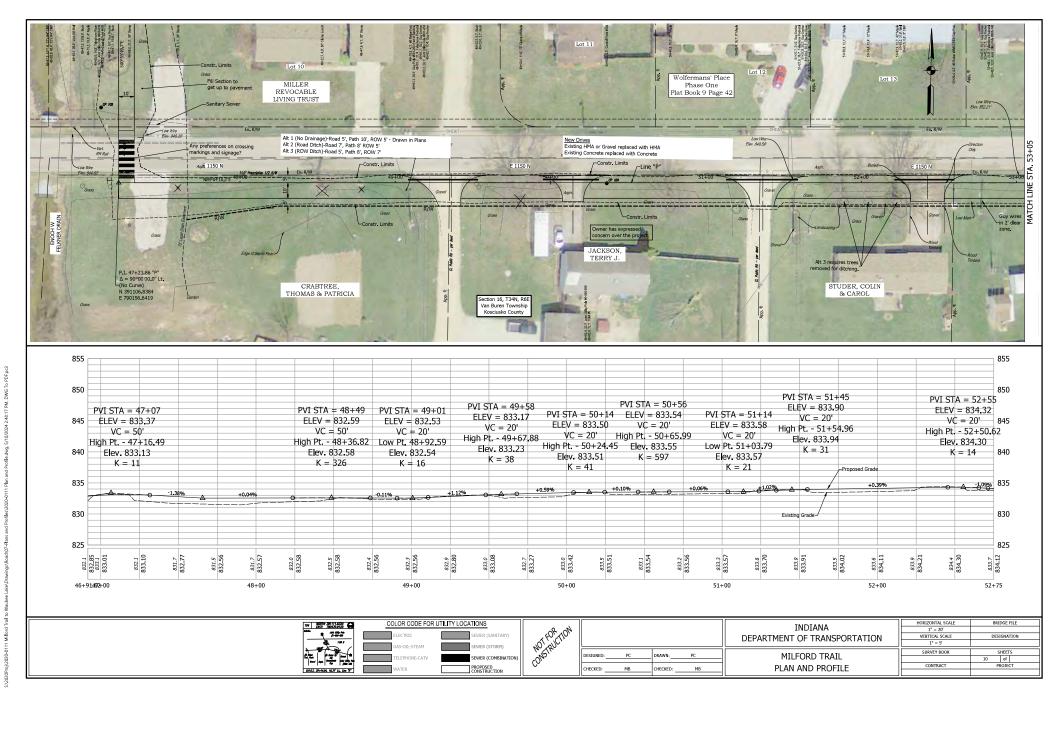
FOR LETTING:

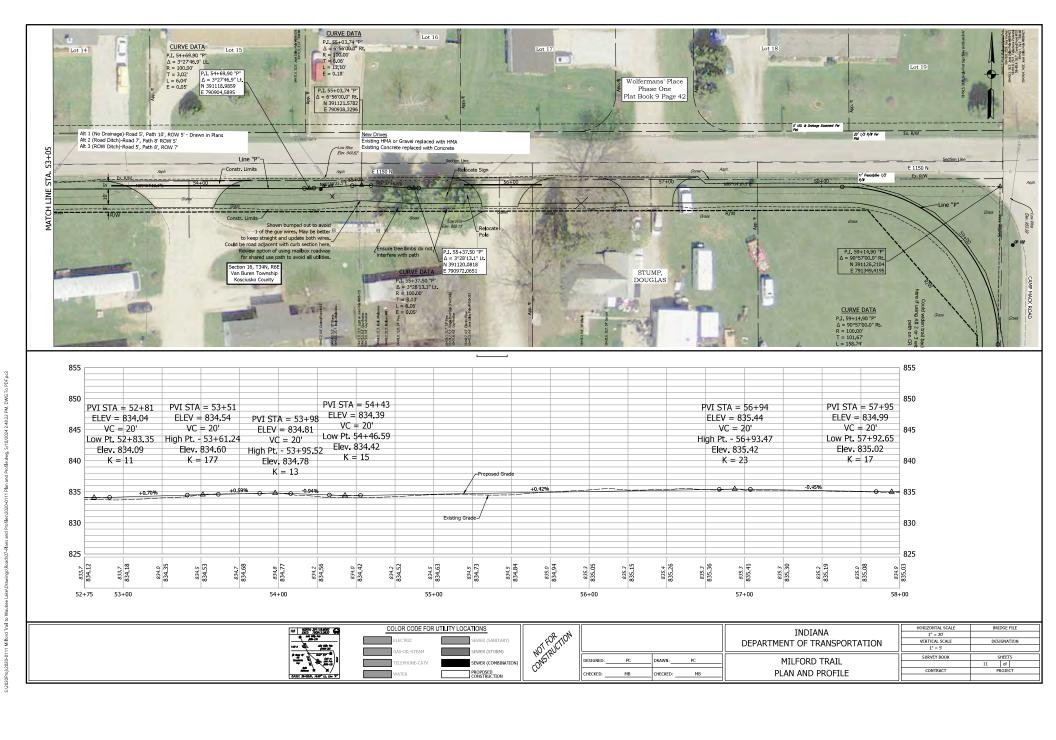
UTILITIES	GENERAL NOTES	INDEX
AT&T NIPSCO GAS	All earth shoulders, median areas, and cut and fill slopes shall be plain or mulched seeded except where sodding is specified.	SHEET NO. DESCRIPTION
110 N Main St 801 E 86th Ave		
Culver, IN 46511 Merrillville, IN 46410 (574) 842-8830 (219) 647-6260	The final cross sections of the grading contract will be the original cross sections of the paving contract. However, partial or complete cross sections shall be taken if necessary to determine the actual excavation quantities.	1 TITLE SHEET 2 MIDOX AND GENEAU HOTES 3 TYPICAL CROSS SECTIONS 4-13 PARA MID PROFILES
Dean Norwich (JMC Engineer) Dean Garrett (dgarrett@nisource.com)	The paper relocation will be cross sectioned by the Engineer before construction.	14 BRIDGE LAYOUT 15 BRIDGE GENERAL PLAN
Wade Craver (wcraver@nisource.com)	Existing asphali: pavement located outside the construction limits, between Sta. and Sta. , shall be removed as directed.	16-37 CROSS SECTIONS
BRIGHTSPEED 248 W Monroe St	The quantity of next excavation shown on the nams has been estimated on the hasis of theoretical cross	
Decatur, IN 46733	sections by using treatment of existing fills, treatment by removal, or treatment by displacement, where each treatment applies.	
(980) 376-1443 Max Downey	** Contractor shall verify the existing flowline elevation to set the appropriate sump depth on structures designed with sump.	
(maxwell.k.downey@brightspeed.com)	** REPRESENTS GENERAL NOTES REQUIRED	
631 M Main St North Webster, IN 46555 (574) 244-2056 Jason Pogar (jpogar@imediacomcc.com) MILFORD 121 S Main St Milford, IN 46542 (574) 658-4614 Steven Marquart (CFN Engineer) NEW PARIS TELEPHONE 19066 E Market St New Paris, IN 46553 (574) 831-7170 Rob Smith (rob.amitch@inptel.com) NIPSCO ELECTRIC 801 E 86th Ave Merrillville, IN 46410 (219) 647-72626 Nathan Beasley (inbeasley@inisource.com)		
REVISIONS SHEET NO. DESCRIPTION	THE LOCATIONS OF ALL EXISTING UNDERSIGNING UNITITIES SHOWN ON THE STAM ARE RESEDUEND ABOVE GROUND EVIDENCE (including, but not limited to, manholes, inlets, valves, and marks made upon the ground by others) AND ARE SPECULATIVE IN NATURE, THERE MAY ALSO BE OTHER EXISTING UNDERSIGNING UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EXISTING UNDERSIGNING UNITITIES FOR WHICH THERE IS NO ABOVE GROUND EXISTING UNDERSIGNING UNITITIES FOR WHICH THE SHOW ABOVE FOR UNITIES FOR WHICH THE SHOWN AS THE STAMP OF THE SHOWN AS THE SHOWN A	HORZONTAL SCALE BRIDGE FILE
	DESIGNED: PC DRAWN: CONSTRUCTOR DESIGNED: PC DRAWN: CHECKED: MB CHECKED:	INDIANA

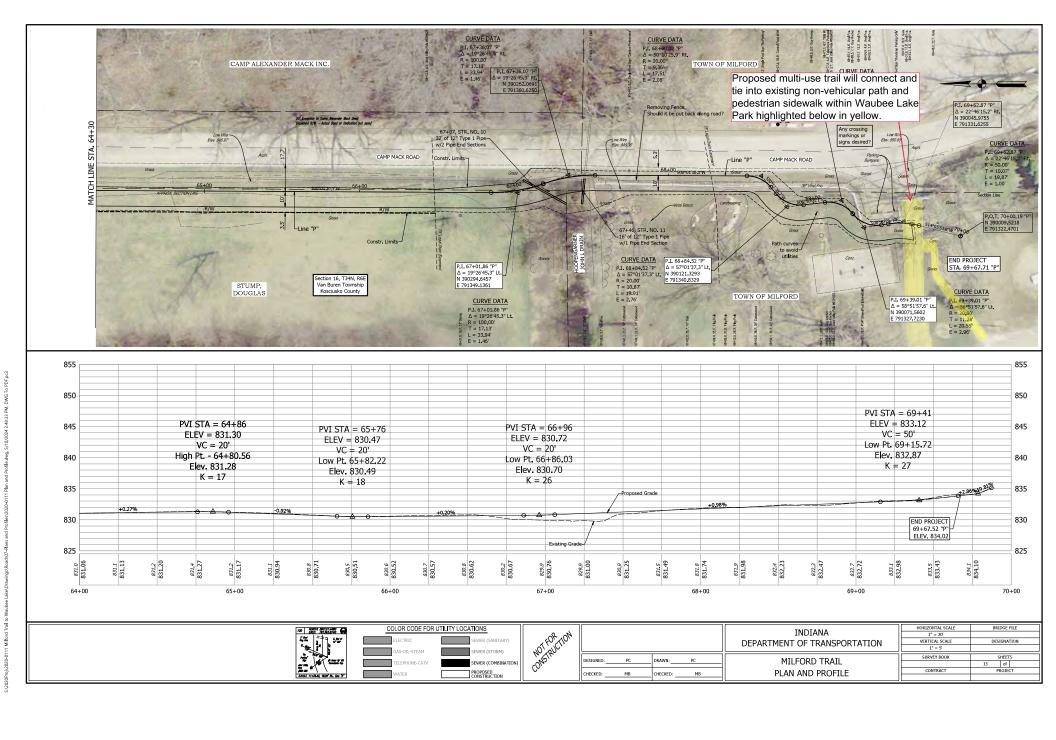












APPENDIX C Early Coordination



September 20, 2023

Sample Early Coordination Letter

Re: Des. No. 2101778

Milford Multi-Use Trail Project

Multi-Use Trail, From East 1st Street and Emeline Street to Waubee Lake Park

Town of Milford, Kosciusko County, Indiana

Dear Agency Contact,

The Town of Milford, with funding from the Federal Highway Administration (FHWA) and oversight by the Indiana Department of Transportation (INDOT), intends to proceed with a multi-use trail project in the Town of Milford. 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 project description in your reply.** We will incorporate your comments into the formal environmental study. Your cooperation in this endeavor is appreciated.

Project Location and Existing Conditions

The proposed project is located within the Town of Milford from East 1st Street to the Waubee Lake beachfront in Sections 9 & 16, Township 34 North, Range 6 East in Van Buren Township, as depicted on the Milford U.S. Geological Survey (USGS) Quadrangle. Adjacent land use throughout the corridor consists of residential, multi-use commercial, recreational, and agricultural properties.

Purpose and Need

The need for this project stems from the lack of pedestrian and non-vehicular facilities connecting the Town of Milford to Waubee Lake Park. The primary purpose of the project is to provide pedestrian and non-vehicular facilities.

Proposed Project

The project begins at East 1st Street and extends south to follow along the east side of the active Norfolk Southern Railroad tracks across Turkey Creek, and then follows an unnamed tributary (UNT) to Turkey Creek to the north side of CR 1150 North. A pedestrian bridge will be constructed as part of the multi-use path for the crossing of Turkey Creek. The trail will then extend along County Road 1150 to Camp Mack Road where it will then turn south and tie into Waubee Lake Park.

The project is examining the multiple locations for the proposed trailhead. These locations include:

- The intersection of East 1st Street and Main Street
- East 1st Street just to the east of the Norfolk Southern Railroad
- Emeline Street just east of the Norfolk Southern Railroad
- Emeline Street and James Street
- Emeline Street and the alley between James Street and East Street
- South of the parking lot located south of East 1st Street, east of the Norfolk Southern Railroad (Preferred)

The Maintenance of Traffic (MOT) plan will likely consist of lane restrictions during construction. Due to the narrow roadway, there is a potential for temporary signaling of traffic. MOT plans will be developed as the design plans progress and will be in accordance with *Indiana Design Manual*.

Right-of-Way (ROW)

The proposed project is anticipated to require the acquisition of additional right-of-way. It is anticipated that more than 0.5 acre of new permanent ROW will be required for the proposed project. Final ROW amounts have not yet been finalized.

Environmental Resources

A Red Flag Investigation (RFI) was performed for a 0.5 mile radius of the project area. Several "Red Flags" were identified within the 0.5-mile search radius; however, not all will be impacted. One water resource, Turkey Creek, and two National Wetland Inventory (NWI)-wetland features were identified within the project area. The project is located within a mapped floodplain. A Waters of the U.S. Report will be developed and necessary waterway permits will be obtained. This project is located within the St. Joseph Sole Source Aquifer. Coordination with the U.S. Environmental Protection Agency, Ground Water and Drinking Water Branch will occur. No additional "Red Flags" are mapped within the immediate vicinity of the project. This project lies outside the Karst Memorandum of Understanding Potential Karst Features Region.

Section 106

The proposed project will qualify for the Minor Projects Programmatic Agreement (MPPA) under Category B. Archaeological investigations will be conducted.

Range-wide Informal Programmatic Consultation

The project appears to fall under the Range-wide Programmatic Informal Consultation process. Completion of the appropriate determination key through the U.S. Fish and Wildlife Service's (USFWS) Information for Planning and Consultation (IPaC) portal will occur. If a determination of "Not Likely to Adversely Affect," or "Likely to Adversely Affect" is reached then additional consultation with the USFWS will occur through INDOT.

Should we not receive your response within **30** calendar days from the date of this letter, it will be assumed that your agency feels that there will be no adverse effects incurred as a result of the proposed project. However, should you find that an extension to the response time is necessary, a reasonable amount may be granted upon request. If you have any questions regarding this project, please feel free to contact me at 317-522-2471, or at sieffries@usiconsultants.com. Additionally, should you want to contact the sponsor of this project, the Town of Milford, please contact the Town of Milford Clerk-Treasurer, Tricia Gall, at (574) 658-4519, or at town.clerk@milford-indiana.org.

Thank you in advance for your input. Your feedback on the proposed project is appreciated.

Shampaygne Jeffries

Shampaygne Jeffries Environmental Specialist USI Consultants, Inc.

Attachments:

- General Location Map
- Aerial Map
- USGS Topographical, Milford Quadrangle Map
- Red Flag Investigation Maps
- Photo Location Map and Photographs

Project area maps and photographs have been removed to avoid duplication. Please see Appendix B for graphics, including project area maps and photographs.

Recipients:

- Federal Highway Administration Indiana Division
- U.S. Natural Resources Conservation Service
- National Parks and Services
- Chicago Regional Office, U.S. Department of Housing and Urban Development
- U.S. Army Corps of Engineers
- U.S. Coast Guard
- U.S. Environmental Protection Agency, Ground Water and Drinking Water Branch
- INDOT Fort Wayne District Environmental Services
- INDOT Fort Wayne Project Manager
- Indiana Department of Natural Resources, Division of Fish and Wildlife
- INDOT Environmental Policy Manager
- INDOT Aviation
- IDEM Wetlands and Stormwater Program
- Michiana Area Council of Governments (MACOG) MPO
- Van Buren Township Trustee
- Wawasee Community School Corporation
- Town of Milford EMS
- Town of Milford Police Department
- Town of Milford Council
- Indiana Geologic and Water Survey
- IDEM Groundwater Section
- Milford Water Department
- Waubee Lake Mobile Home Park
- Town of Milford Floodplain Administrator

or graphics, including project area naps and photographs.

From: <u>Matt Sandy</u>

To: Shampaygne Jeffries

Subject: Re: Milford Multi-Use Trail Project (DES 2101778) - Early Coordination Letter

Date: Wednesday, September 20, 2023 3:46:58 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Shampaygne,

Thank you for allowing us to review the proposal. The only input our office would have is that permitting would be required for all those areas within the special flood hazard areas, both as shown on the FIRM as well as the IDNR BAFL. It should also be noted that due to the proximity to turkey creek erosion control will be crucial.

Please do not hesitate to contact me if you have any questions.

Matt Sandy

Kosciusko County Area Plan Commission

Matthew M. Sandy,

Plan Commission Director & Floodplain Administrator

100 W. Center St. Rm. 303

Warsaw, In 46580 Ph: 574-372-2304

On Wed, Sep 20, 2023 at 11:43 AM Shampaygne Jeffries <<u>sjeffries@usiconsultants.com</u>> wrote:

Dear Interested Agencies,

USI Consultants Inc. is preparing the Categorical Exclusion document for the above-referenced project. The attached 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. Should we not receive your response within **thirty (30) calendar days** from the date of this letter, it will be assumed that your agency believes that there will be no adverse effects incurred as a result of the proposed project.

Respectfully,

From: <u>Lewandowski, Tyler</u>

To: Shampaygne Jeffries; town.clerk@milford-indiana.org

Cc: Ruth Hook; Margaret Dickerson

Subject: RE: Milford Multi-Use Trail Project (DES 2101778) - Early Coordination Letter

Date: Friday, September 22, 2023 8:07:25 AM

Attachments: <u>image007.png</u>

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

After review, no tall structure permit is required for the project if all equipment being used is under 200 feet in height. Please let our office know if you have any further questions.

Thank you,

Tyler Lewandowski
Project Manager
INDOT Office of Aviation
(317) 495-4875
tlewandowski@indot.in.gov
www.aviation.indot.in.gov



From: Shampaygne Jeffries <sjeffries@usiconsultants.com>

Sent: Wednesday, September 20, 2023 11:44 AM

To: town.clerk@milford-indiana.org

Cc: Ruth Hook <rhook@usiconsultants.com>; Margaret Dickerson

<mdickerson@usiconsultants.com>

Subject: Milford Multi-Use Trail Project (DES 2101778) - Early Coordination Letter

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

Dear Interested Agencies,

USI Consultants Inc. is preparing the Categorical Exclusion document for the above-referenced project. The attached 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. Should we not receive your response within **thirty (30) calendar days** from the date of this letter, it will be assumed that your agency believes that there will be no adverse effects incurred as a result of the proposed project.

Respectfully,



Commander Ninth Coast Guard District 1240 E 9th St Cleveland, OH 44199 Staff Symbol: (dpb) Phone: (216) 902-6086 Fax: (216) 902-6088 Email: william.b.stanifer@uscg.mil

16590 September 22, 2023 B-264/mow

Shampaygne Jeffries USI 8415 E. 56th Street Indianapolis, IN 46216

Dear Ms. Jeffries:

This letter is in response to your September 20, 2023 letter on behalf of the Indiana Department of Transportation requesting a jurisdictional determination under 33 C.F.R. § 2.36(a) and inquiry regarding the need for a Coast Guard bridge permit for proposed construction of a bridge carrying a multi-use trail across Turkey Creek in the Town of Milford, Kosciusko County, Indiana (Des. No. 2101778).

Upon review of our records, we confirmed that the Coast Guard has not previously determined the navigability of this location. The location of the current and proposed structure is not located over any waterway over which the Coast Guard would exercise its jurisdiction as it pertains to its bridge permitting authorities. Due to these factors, the Coast Guard does not intend to make a navigability determination in accordance with 14 U.S.C. § 563.

Absent such a determination, the Coast Guard hereby declines to assert jurisdiction under our bridge authorities on the above-described waterway or reach thereof. As such, a Coast Guard bridge permit is not required for the subject bridge project and other associated permit conditions related to lighting, navigational clearances, etc. will not be prescribed by our office.

This decision relates only to Coast Guard bridge permitting and does not relieve the applicant of the responsibility to comply with any other applicable federal, state or local laws and regulations that may apply to this project. I recommend you contact the U.S. Army Corps of Engineers Detroit District to determine whether they have any permitting requirements on the waterway.

Please contact this office prior to construction of any other bridges on this waterway as this determination may change based upon future waterway usage.

If you have any questions about this matter, please contact Mr. Michael Walker at (216) 902-6087 or michael.o.walker2@uscg.mil.

Sincerely,

W. B. STANIFER Chief, Bridge Branch U. S. Coast Guard By direction



Farm Production and Conservation Natural Resources Conservation Service Indiana State Office 6013 Lakeside Boulevard Indianapolis, Indiana 46278 317-295-5800

October 5, 2023

Shampaygne Jefferies 8415 E. 56th Street Indianapolis, Indiana 46216

Dear Ms. Jefferies:

The proposed Multi-Use Trail, From East 1st Street and Emeline Street to Waubee Lake Park in the Town of Milford in Kosciusko County, Indiana, (Des. No. 2101778), as referred to in your letter received September 20, 2023, will cause a conversion of prime farmland.

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

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

Sincerely,

JOHN ALLEN

Digitally signed by JOHN ALLEN Date: 2023.10.05 11:50:40 -04'00'

JOHN ALLEN State Soil Scientist

USDA is an equal opportunity provider, employer, and lender.

PART I (To be completed by Federal Agency) Date Of Land Evaluation Request Name of Project DES2101778 Milford Multi Use Trail Federal Agency Involved Proposed Land Use County and State Kosciusko County, IN Date Request Received By NRCS) Parson Completing Form: NRCS Does the site contain Prime, Unique, Statewide or Local Important Farmland? (If no, the FPPA does not apply - do not complete additional parts of this form) YES NO Acres Irrigated Average Farm S 251 ac Major Crop(s) Farmable Land In Govt. Jurisdiction Acres: 318897 % 90 Amount of Farmland As Defined in FPPA Acres: 2497 % 70 Name of Land Evaluation System Used LESA Name of State or Local Site Assessment System Date Land Evaluation Request PART III (To be completed by Federal Agency) Alternative Site Rating Site A Site B Site C Site A. Total Acres To Be Converted Directly				
PART II (To be completed by NRCS) Date Request Received By NRCS Parson Completing Form: NRCS Acres Irrigated Average Farm S 251 ac Amount of Farmland As Defined in FPPA Acres: 318897 % 90 Name of Land Evaluation System Used LESA Name of State or Local Site Assessment System Date Land Evaluation Returned by NRCS 10/05/2023 Alternative Site Rating Site A Site B Site C Site				
PART II (To be completed by NRCS) Date Request Received By NRCS Parson Completing Form: NRCS Acres Irrigated Average Farm S 251 ac Amount of Farmland As Defined in FPPA Acres: 318897 % 90 Name of Land Evaluation System Used LESA Name of State or Local Site Assessment System Date Land Evaluation Returned by NRCS 10/05/2023 Alternative Site Rating Site A Site B Site C Site	Federal Agency Involved			
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	e D			
B. Total Acres To Be Converted Indirectly				
C. Total Acres In Site				
PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland 1.50				
B. Total Acres Statewide Important or Local Important Farmland 0.50				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted 0.002				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value 75				
DAPT V (To be completed by NDCC). Lond Furthering				
Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)				
PART VI (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106) Maximum Points Site A Site B Site C)			
1. Area In Non-urban Use				
2. Perimeter In Non-urban Use (10) 0				
3. Percent Of Site Being Farmed (20) 2				
4. Protection Provided By State and Local Government (20)				
5. Distance From Urban Built-up Area (15) 0				
6. Distance To Urban Support Services (15) 0				
7. Size Of Present Farm Unit Compared To Average (10) 0				
8. Creation Of Non-farmable Farmland (10) 0				
9. Availability Of Farm Support Services (5) 5				
10. OH ann investments				
The Lifects of Conversion of Frank Support Services				
12. Companying With Existing Agricultural Ose				
12 0 0	0			
PART VII (To be completed by Federal Agency) Relative Value Of Farmland (From Part V) 100 65 0 0	<u> </u>			
	<u>)</u>)			
	<u>)</u>)			
Site Selected: Site A Date Of Selection 10/31/23 Was A Local Site Assessment Used? YES NO	<u>, </u>			
Reason For Selection:				
Site A was selected because the site placement addresses the need for a multi-use trail to connect to own of Milford to Waubee Lake Park.	the			
Name of Federal agency representative completing this form: Shampavane Jeffries; USI Consultants, In Date: 10/31/23				

(See Instructions on reverse side)

Form AD-1006 (03-02)

THIS IS NOT A PERMIT

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

Early Coordination/Environmental Assessment

DNR#: ER-25962

Request Received: September 20, 2023

Requestor:

Shampaygne Jeffries USI Consultants, Inc 8415 East 56th Street Indianapolis, IN 46216

Project:

Town of Milford multi-use trail construction, from East 1st Street and Emeline Street to Waubee Lake Park, with a pedestrian bridge crossing over Turkey Creek; Des #2101778

County/Site Info: Kosciusko County

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 and 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:

A) Stream Crossing Design

Bridges are preferred over culverts, and three-sided culverts are preferred over box or pipe culverts. Multiple culverts or culverts with multiple openings are not recommended for approval. These types of structures are often problematic for fish and wildlife passage as they tend to accumulate debris and become blocked. If box and pipe culverts are used, the culvert bottoms should be sumped a minimum of 6" (or 20% of the culvert height or diameter, whichever is greater up to a maximum of 2") below the stream bed elevation. Sumping is not required for bridges or three-sided culverts. Crossings must span the entire channel width (a minimum of 1.2 times the ordinary high-water mark width). Crossings must maintain the natural stream substrate within the structure (natural stream substrate must be replaced in sumped box and pipe culverts up to the existing flowline). Scour protection at the inlet and outlet must not extend above the existing flowline elevation. Stream depth, channel width and water velocities in the crossing structure during low-flow conditions must approximate those in the natural stream channel.

The new/replacement/rehabilitated crossing structure, and any bank stabilization under or around the structure, must not create conditions that are less favorable for wildlife passage when compared to existing conditions. Upgrading wildlife passage for replacement/rehabilitated structures is recommended whenever possible to improve wildlife/vehicle safety. White-tailed deer passage must be incorporated into all new structures where no structure previously existed. Minimum structure dimensions for white-tailed deer passage are 20 feet of width clearance (overall span of the structure) and 8 feet of height clearance measured from the ordinary highwater mark (OHWM). Bank lines must be maintained or restored within structures to allow for wildlife passage above the OHWM. All wildlife passage designs must include a smooth level pathway a minimum of 1-3 feet in width composed of natural substrate (soil, sand, gravel, etc.) or compacted aggregate fill over riprap (#2, #53, #73, etc.) tied into existing elevations both upstream and downstream. The width and location of the wildlife pathway is dependent on the wildlife species using the area.

There are several techniques and materials for incorporating wildlife passage into the design of a crossing structure if maintaining or restoring banklines is not possible. Coordination with a Regional Environmental Biologist to address wildlife passage issues before submitting a permit application (if required) is encouraged to avoid delays in the permitting process. The following links are good resources to consider in the design of stream crossing structures to maintain fish and wildlife passage:

https://www.fs.usda.gov/ccrc/tool/fishxing-fish-passage-learning-systems

https://www.fs.usda.gov/wildlifecrossings/library/index.php

https://www.fhwa.dot.gov/clas/ctip/wildlife crossing structures/

https://www.fhwa.dot.gov/engineering/hydraulics/pubs/11008/hif11008.pdf

B) Trails

The following is a basic list of recommendations from IDNR Division of Fish and Wildlife to consider when planning trails in or around potential fish, wildlife, or botanical resource habitat.

- a. Place the trail in or adjacent to existing rights-of-way where possible to minimize significant impacts to natural resource habitat. Also, utilize previously disturbed or degraded areas. Align the trail along or near existing man-made edges or areas that have the potential to be restored or enhanced by trail construction (i.e., railroad corridors), rather than routing the trail through previously undisturbed areas.
- b. When designing or constructing a trail, disturb as narrow an area as possible to help minimize negative impacts. Where significant impacts to fish, wildlife or botanical resources are likely due to the trail's width, reduce the width to help avoid those impacts. ADA accessibility standards allow departures from the standards under certain conditions, including substantial harm to natural features, habitat, or vegetation (see https://www.access-board.gov/attachments/article/1637/outdoor-guide.pdf, Outdoor developed areas: a summary of accessibility standards for Federal outdoor developed areas).
- c. Do not focus only on the direct impact of the trail's width; also consider the trail's impact to the surrounding habitat. Trails can fragment larger habitat areas and reduce the overall usefulness of the site to fish, wildlife, or botanical resources (1 large habitat block is better than 2 small habitat blocks). Trails can cause significant impacts to forested areas, riparian forested corridors along creeks and rivers, and wetland areas. They also may cause sediment and erosion issues or introduce human disturbance into fairly isolated areas containing wildlife habitat.
- d. Avoid unnecessary stream crossings. Instead, make use of or modify existing stream crossings or avoid crossing the stream altogether. Where stream crossings are unavoidable, pedestrian bridges with supports/abutments placed no less than 10 feet landward from the tops of the banks on each side of the waterway are recommended. Alternatively, a three-sided culvert may be used. Three-sided culverts should be oversized to allow terrestrial wildlife movement along the creek on unsubmerged dry land at normal water levels. Box-culvert or pipe-culvert crossings are not recommended.
- e. Trails designed to follow a stream's course must be placed outside the stream's forested riparian buffer. Also, do not place the trail along the tops of the banks of a forested creek. Avoid perpendicular fragmentation of riparian areas (streamside habitat). Where the stream has little or no forested riparian buffer, the trail should be no closer than 15 feet from the tops of the banks.
- f. Avoid elements identified in the Natural Heritage Database; trails may negatively affect species that require specific natural conditions (vegetation, light levels, moisture, etc.) that are altered as a result of trail construction. Rare and high-quality habitats, and wildlife habitats that possess high wildlife abundance and diversity, should be avoided by placing the trail around the habitat and screening it from

- the trail and trail users with a buffer of native vegetation or another method as discussed below. Wetlands and karst features are but two examples of areas to avoid.
- g. Raised boardwalks should be constructed in wet areas or near wetlands (trails through wetlands are not recommended). A material such as composite decking should be used rather than treated wood which can leach elements toxic to aquatic life.
- h. Screen wildlife habitat from the trail corridor. Vegetation, topography, and fences can help reduce the impact of noise and line of site disturbances of trail users on wildlife. Walls can create wildlife movement barriers and potential impacts must be considered. Native grass buffers (2 to 3 feet tall) are recommended along the edge of trails near habitat such as wetlands.
- i. Lighting should only be used when absolutely necessary. Lighting in forested areas and along creeks, streams, and rivers should be the lowest intensity feasible and shielded to cast light downwards onto the trail and not up- or outwards into the surroundings to avoid disturbing wildlife circadian rhythms and disorienting night-migrating birds.

Certain types of LED lighting can have negative impacts on both human and wildlife health and safety. The International Dark-Sky Association has developed a set of recommendations for those choosing LED lighting systems. These suggestions will aid in the selection of lighting that is energy and cost efficient, yet ensures safety and security, protects wildlife, and promotes the goal of reducing light pollution:

- Always choose fully shielded fixtures that emit no light upward.
- Use "warm-white" or filtered LEDs (CCT < 3,000 K; S/P ratio < 1.2) to minimize harmful blue light emission.
- Look for products with adaptive controls like dimmers, timers, and motion sensors.
- Consider dimming or turning off lights during non-peak overnight hours.
- Avoid the temptation to over-light because of the higher luminous efficiency of LEDs.
- Only light the exact space and in the amount required for particular tasks.

The Division of Fish and Wildlife strongly encourages visiting the following link to learn more about the potential negative impacts of improperly selected LED lighting systems: http://darksky.org/light-pollution/light-pollution-solutions/.

- j. Any plantings in the riparian areas should be locally native species, not exotic species, or horticultural varieties (e.g., "Autumn Blaze" Red Maple). A list of appropriate native woody and herbaceous vegetation can be provided upon request.
- k. Trail surfaces can have negative effects on surrounding natural areas and deter movement of some species across the trail. Some surface materials are more environmentally acceptable than others, such as mulch and mown grass which should be considered as the first options. Asphalt is not recommended as a trail surface in the floodway. The conventional maintenance for aging asphalt is to seal it with a blacktop or asphalt sealer. Research has shown that as these sealers break down over time, they move into the aquatic environment and are highly toxic to aquatic life. If asphalt is used, then asphalt sealer should not be used for long-term maintenance and repair of the asphalt trail surface. In previously disturbed areas, concrete is an acceptable surface material, and porous concrete is preferred wherever it can be used.
- I. Shoulders should be constructed using unconsolidated materials where possible. In some situations, solid shoulders are necessary. In those cases, shoulders should be constructed using porous concrete.
- m. Trails that highlight natural resources should skirt the resource and utilize "pull-offs" at specific sites instead of letting the entire trail and traffic disturb the resource.

C) Riparian Habitat

We recommend a mitigation plan be developed (and submitted with the permit application, if required) for any unavoidable habitat impacts that will occur. The DNR's Habitat Mitigation Guidelines (and plant lists) can be found online at: https://www.in.gov/nrc/files/IB-17.pdf.

Impacts to non-wetland forest of one (1) acre or more in a rural or urban area should be mitigated at a minimum 2:1 ratio based on area of impact. Impacts to non-wetland forest under one (1) acre but at least 0.10

acre in a rural or urban area should be mitigated at a minimum 1:1 ratio based on area of impact. Impacts under 0.10 acre in a rural area typically do not require mitigation or additional plantings beyond seeding and stabilizing disturbed areas, though there are exceptions for high quality habitat sites. Impacts under 0.10 acre in an urban area should be mitigated by replacing trees that are 10" diameter-at-breast height (dbh) or greater by planting five trees, 1" to 2" in dbh, for each tree which is removed that is 10" dbh or greater. Seeding and stabilizing disturbed areas is required regardless of the impact amount and location. If floodway impacts to forested wetland and non-wetland habitat areas combine to be 0.10 acres or more, mitigation should be done and coordinated with the biologist, as needed.

D) Wetlands

Due to the presence or potential presence of wetland habitat on site, we recommend contacting and coordinating with the Indiana Department of Environmental Management (IDEM) 401 program and the US Army Corps of Engineers (USACE) 404 program.

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 that are not currently mowed and maintained with a mixture of grasses, sedges, and wildflowers native to Northern Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion; turf-type grasses (including low-endophyte, friendly endophyte, and endophyte free tall fescue but excluding all other varieties of tall fescue) may be used in currently mowed areas only. A native herbaceous seed mixture must include at least 5 species of grasses and sedges and 5 species of wildflowers.
- 2. Minimize and contain within the project limits in-channel 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 or Northern Long-eared Bat roosting (3 inches or greater diameter-at-breast height, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
- 5. Do not excavate in the low flow area except for the placement of piers, foundations, and riprap, or removal of the old structure.
- 6. Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumparounds.
- 7. Use minimum average 6-inch graded riprap stone extended below the normal water level to provide habitat for aquatic organisms in the voids.
- 8. Do not use broken concrete as riprap.
- 9. Underlay the riprap with a bedding layer of well graded aggregate or a geotextile to prevent piping of soil underneath the riprap.
- 10. All excavated material must be properly spread or completely removed from the project site such that erosion and off-site sedimentation of the material is prevented.
- 11. Minimize the movement of resuspended bottom sediment from the immediate project area.
- 12. Do not deposit or allow construction/demolition materials or debris to fall or otherwise enter the waterway. Any incidental fallen material or debris in the waterway must be removed within 24 hours using best management practices, particularly lifting material out of the waterway and not dragging it across the streambed whenever possible.
- 13. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the waterbody or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
- 14. Seed and protect all disturbed streambanks and slopes not protected by other methods that are 3:1 or steeper with erosion control blankets that are heavy-duty, biodegradable, and net free or that use loose-woven / Leno-woven netting to minimize the entrapment and snaring of small-bodied wildlife such as snakes and turtles (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.
- 15. Do not excavate or place fill in any riparian wetland.

Contact Staff:

Our agency appreciates this opportunity to be of service. Please contact me at RVanVoorhis@dnr.IN.gov or (317) 232-8163 if we can be of further assistance.

Rachel Van Voorhis

Rachel Van Voorhis Environmental Coordinator Division of Fish and Wildlife Date: October 20, 2023

Shampaygne Jeffries; town.clerk@milford-indiana.org To: Cc:

Ruth Hook; Margaret Dickerson; Shumard, Nichole; Ware, Daylan

Subject: EPA Sole Source Aquifer of (DES 2101778) Date: Tuesday, December 12, 2023 10:30:30 AM

Attachments: image007.png

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2023-9-20 Des 2101778 Milford Trail Early Coordination Letter.pdf

IN SSA-MOU FHWA 2021.pdf

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EPA Sole Source Aquifer Review of (DES 2101778)

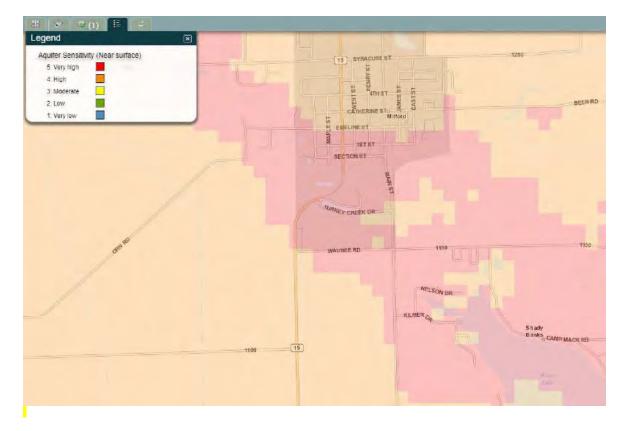
Good Morning Shampaygne,

This message is in response to your email sent on September 20, 2023 regarding the Multipurpose Trail Project Des. No. 2101778. This project is within the boundary of the St. Joseph Sole Source Aquifer (SSA). This project will be federally supported through the Federal Highway Administration (FHWA) - Indiana Department of Transportation (INDOT). There is also a Memorandum of Understanding (MOU) among the FHWA, the US EPA Region5, and INDOT regarding SSAs in the state of Indiana (attached) which you can also refer to in the future when assessing project review needs.

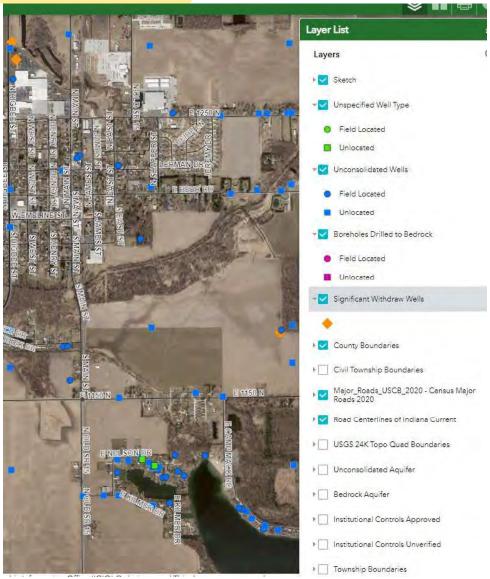
Project Location: From East 1st Street and Emeline Street to Waubee Lake Park. Town of Milford, Kosciusko County, IN & multiple locations for the proposed trailhead as described in the attached coordination letter from USI Consultants. Description: Roughly 1.25 miles of Multi-Use Trail, pedestrian and non-vehicular

Please see the following SSA Project Review Recommendations summary:

1. Hydrology: The project is located in the southernmost branching portion of the St. Joseph SSA as seen on the website here (Sole Source Aquifers (arcgis.com)). The St Joseph SSA is composed of surficial sand and gravel above a moderately thick (20 to 100 feet) clay/glacial till zone which is underlain by a sand and gravel aquifer that is extensively used by industrial and municipal wells. In the area where work is take place, aquifer sensitivity is very high as seen at this website and in the screenshot below (Indiana MAP). Contractors and engineers should be made aware that the area where work is to be performed overlies a very highly sensitive portion of a federally recognized Sole Source Aquifer. Local water wells indicate that the static water level is as little as 4 feet below ground level. For this reason, excavation work (especially that occuring near Waubee Lake) should expect to encounter water.

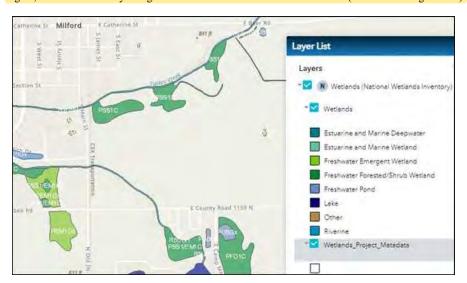


- 2. **Project Specifics:** The proponent indicated that the deepest excavation expected is 6 feet, with the majority of the excavation most likely at the bridge and for a culvert extension. Excavation requiring to be filled is to be done so with clean fill per all applicable local and state requirements. Any contaminated soil excavated should be removed from the site and filled back with clean material (including any grading). While excavation may not always be expected to encounter the water table, sometimes deeper excavation occurs unintentionally, or the water table is present at a higher level than previously expected. In either case, contingency plans should be in place so that the project engineer and all relevant officials are made aware that contact with groundwater was made and take the proper dewatering steps that may be needed (keeping in mind that the excavation is now a potential conduit for pollution to the aquifer).
- 3. **Known Wells:** The proponent indicated that adjacent land use throughout the corridor consists of residential, multi-use commercial, recreational, and agricultural properties. As seen on this website, there appear to be a several wells in and around the project area. (Water Well Viewer (arcgis.com)), some directly next to the trail. The purpose of identifying mapped (and potentially unmapped) wells is to physically locate wells within the project boundary so that trucks and equipment don't damage the wells and so that contractors are aware of the potential conduits for contamination to the aquifer. The purpose is also to inspect wells both inside of and near the project boundary (within 0.25 miles) before, during, and after construction or rehabilitation to be sure that no unintended disturbance was caused.



- 4. **Hazardous sites:** As noted on page 9 of the coordination letter, there are a few hazardous Material concern locations within a half mile of the proposed construction area. Contractors working on excavation should be made aware of the location of such sites incase foul odors or oil sheens are encountered during construction. Contingency plans should be created to handle such situations should they be encountered. Based on our own search using the following sites (<u>UST Finder</u> and <u>Enviro-Atlas</u>) there are a few UST's as well as a few RCRA Hazardous waste / Toxic release inventory locations within the half mile radius (none of which are in close proximity to the where the trail is proposed except for an UST near the trail head.
- 5. **Presence of Wetlands**: The proponent indicated that one water resource, Turkey Creek, and two National Wetland Inventory (NWI)-wetland features were identified within the project area as well as that the project is located within a mapped floodplain.

The proponent indicated that a waters of the U.S. Report will be developed and necessary waterway permits will be obtained. Contractors and engineers should know the location of wetlands near the project area so that disturbances and contamination can be avoided. Wetlands can act as a conduit for pollutants to reach the water table. These areas should especially be avoided when staging for construction and should not be used for the temporary storage of any chemicals or fuels during the construction period. Again, there are nationally recognized wetlands within the construction area (seen in the image below).



There is also a potential for wetland conditions to be present across most of the area projected for construction (per Enviro Atlas (epa.gov)). Due to the presence of National Wetlands, contractors should be prepared to encounter the water table; this may include identifying emergency dewatering equipment and being sure that procedural plans are in place in the event that unexpected dewatering is needed. Precaution should be taken not to store construction materials near these areas and they should be protected from run off during the construction period.

- 6. Storm Water Management: In the coordination letter the proponent indicated that roughly a 0.5 acre of new permanent ROW will be required for the proposed project. Excavation /construction should be particularly mindful of sediment transport while constructing the portion of the trail which directly crosses over or follows alongside the creek. During the construction period it is important to incorporate the routine inspection of storm water management systems including: trenches, silt fence, riprap, stone (gravel), hardware wire, sod, concrete blocks, sediment logs, straw/hay bales, swales, ditch lines, yard inlets, wire mesh, catch basins, or other mechanisms. Contractors should be instructed to inspect that the components of the stormwater management system are functioning appropriately each day of work and especially before storm events weather. This includes damaged materials replacement, silt fence perimeter checks, silt fence drain cover cleaning, and debris removal as needed.
- 7. Waste Management: Demolition/Waste is to be removed from the site in compliance with relevant federal, state, and local law (i.e. legal disposal). EPA expects that this will suffice for aquifer protection based on our current understanding of the project.
- 8. **Chemical use/storage:** Note that chemicals, generators, and fuels should not be stored near conduits to the aquifer (such as near excavation, active or abandoned wells, or near wetlands and surface water bodies. Fuel should be contained in a double walled container and placed on top of a concrete or otherwise protective spill pad as a 3rd layer of spill prevention. Contingency Plans in the event of spill are recommended, especially if temporary generators and fuel are to be used and stored on the site.
- 9. Environmental Impact Statement(s): If any other environmental assessments are available please let us know. Note that review of any additional assessments would not "re-open" our SSA review unless additional project information is presented which significantly changes our understanding of the project on which our recommendations/review were based.
- 10. Citizen Concerns of Inquiry: If there has been any citizen concerns regarding the impact of this project on groundwater or drinking water please let us know. Note that review of any future Citizen Concerns would not "re-open" our SSA review unless additional project information is presented which significantly changes our understanding of the project on which our recommendations/review were based.

Based on EPA's review of the materials, EPA determines that this project is not likely to contaminate the St. Joseph Sole Source Aquifer.

As always, EPA suggests that during the course of the work, appropriate safeguards and BMPs are in place to ensure that local ground water supplies and neighboring drinking water wells are not endangered. Again, such precautions should include notifying general contractors that the site is sensitive, using green-infrastructure practices where possible to reduce potential impacts of stormwater run-off, securing adequate precautions for fueling/servicing large equipment, and developing contingency plans to handle the release of any hazardous materials.

Let us know if any questions arise from you or your team and again, at this time, the project is deemed not likely to contaminate the St. Joseph SSA.

Victoria Heath Environmental Engineer US EPA | R5 | WD | Ground Water & Drinking Water Branch 77 West Jackson Boulevard, WG-15J, Chicago, IL 60604



Organization and Project Information

Organization Name: USI Consultants, Inc.

Last Name: Haverbusch

Email: chaverbusch@usiconsultants.com

City: Indianapolis

Zip: 46216

Destination Id: 2101778

Project Description: The trail begins at E 1st St, follows the Norfolk Southern RR tracks south w/ a bridge to cross Turkey Creek, follows UNT to Turkey Creek to CR 1150 N, to Camp Mack Rd,

& ends at Lake Waubee Park.

First Name: Courtney

Phone: (513) 917-0331

Address Line 1: 8415 E 56th Street

State: IN

Customer Id: 2020-0111

Project Title: Town of Milford Trail Project

Environmental Assessment Report

Geological Hazards:

- 1. Floodway
- 2. Moderate liquefaction potential

Mineral Resources:

1. Sand and Gravel Resource: High Potential

Active or abandoned mineral resources extraction sites:

1. Petroleum Exploration Wells

Disclaimer:

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

This information was furnished by Indiana Geological Survey

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

Email: IGSEnvir@indiana.edu

Phone: (812) 855-7428





From: Turnbow, Alisha To: **Courtney Haverbusch**

Subject: RE: Des. No. 2101778 Milford Trail Project Tuesday, June 4, 2024 5:21:12 PM Date:

Attachments: image001.png

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Hi Courtney

Des No 2101778 is located in both Milford Water Department's and Waubee Lake Mobile Home Park's Wellhead Protection (WHP) Areas.

- The contact for Milford Water Department is Steve Marquart and they can be reached at utilities@milford-indiana.org and 574-658-4614.
- The contact for Waubee Lake Mobile Home Park is Doug Stump and they can be reached at dougstump1972@gmail.com and 574-551-1529.

Let me know what questions you have.

Sincerely,



Alisha Turnbow

Environmental Manager Office of Water Quality Drinking Water Branch, Groundwater Section

(317) 233-9158 • aturnbow@idem.IN.gov

Indiana Department of Environmental Management











Please take two minutes and complete this brief survey.



From: Courtney Haverbusch <chaverbusch@usiconsultants.com>

Sent: Tuesday, June 4, 2024 3:14 PM

To: Turnbow, Alisha <ATurnbow@idem.IN.gov> Subject: Des. No. 2101778 Milford Trail Project

From: Andrew Heltzel
To: Courtney Haverbusch

Cc: Matt Sandy

Subject: Response on Milford Trail Project: Coordination for Floodplain Administrator

Date: Tuesday, June 11, 2024 3:25:26 PM

You don't often get email from aheltzel@kosciusko.in.gov. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Courtney,

Thank you for reaching out to us. Matt Sandy forwarded me your message. We are excited to have a project like this in our community.

As far as permitting goes, anything located within the floodplain will require a Flood Development Permit from us. Anything within the regulated floodway will require permits from the DNR Division of Water prior to permits from us as well.

Please let me know if you have any questions, Kind regards.

--

Andy Heltzel Assistant Planner & Floodplain Administrator Kosciusko County Area Plan Commission



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office 620 South Walker Street Bloomington, IN 47403-2121 Phone: (812) 334-4261 Fax: (812) 334-4273

In Reply Refer To: 08/05/2024 19:07:30 UTC

Project Code: 2024-0094372

Project Name: Des. No. 2101778 Milford Multi-Use Trail Project, Kosciusko County

Subject: List of threatened and endangered species that may occur in your proposed project

location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

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

determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process. For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of

Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

OFFICIAL SPECIES LIST

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

This species list is provided by:

Indiana Ecological Services Field Office 620 South Walker Street Bloomington, IN 47403-2121 (812) 334-4261

PROJECT SUMMARY

Project Code: 2024-0094372

Project Name: Des. No. 2101778 Milford Multi-Use Trail Project, Kosciusko County

Project Type: Recreation - New Construction

Project Description: The proposed project is located within the Town of Milford from East 1st

Street to Waubee Lake in Sections 9 & 16, Township 34 North, Range 6 East in Van Buren Township, as depicted on the Milford U.S. Geological Survey (USGS) Quadrangle. Adjacent land use throughout the corridor

consists of residential, multi-use commercial, recreational, and

agricultural properties.

The proposed project includes the construction of a 1.1 mile long, 10-ft wide multi-use trail and facilities with drainage improvements along the project corridor as well as a pedestrian bridge over Turkey Creek. Project facilities include the construction of the trail as well as the establishment of the trailhead, providing a bench, trash can, and parking, as well as signage and pavement markings for the trail crossing of East County Road (CR) 1150 North. Proposed drainage improvements include the potential addition of small driveway pipes under drives located along the south side of East CR 1150 North, as needed to keep roadway drainage off of the proposed trail, as well as a 16' extension of an existing small 12" pipe (Pipe #2) under Camp Mack Road conveying to Hoopengarner Drain to extend the pipe under the proposed trail, and the addition of a new, 32' long 12" pipe (Pipe #3) to convey roadside drainage from the western side of Camp Mack Road under the new trail and into Hoopengarner Drain. One small drive pipe already exists (Pipe #1) under a drive located along the west side of Camp Mack Road south of East CR 1150 North; the south end of this pipe is buried. The preferred terminus is a trailhead just south of the parking lot located south of East First Street and east of the Norfolk Southern Railroad. The proposed project begins at this terminus and extends south to follow along the east side of the active Norfolk Southern Railroad tracks across Turkey Creek, and then follows an unnamed tributary (UNT) to Turkey Creek to the north side of East CR 1150 North. The trail will then extend along the south side of East County Road 1150 North to Camp Mack Road where it will then turn south along the west side of Camp Mack Road and tie into Waubee Lake Park. Approximately 0.25 acre of temporary ROW and approximately 3.20 acre of permanent ROW are anticipated for the project.

Suitable summer habitat, including wooded areas and tree lines, are present within and adjacent to the project area. Approximately 0.45 acre of tree trimming/clearing is anticipated to occur within 100 feet of existing roadway/railways as part of the project during inactive bat season. Dominant tree species within 100 ft of the railway include

In the USFWS Concurrence for the LAA IPaC Determination, it was determination that mitigation for the project is not required for the Northern Long-Eared Bat. As such, USFWS indicated that the rate per acre value to be used for the mitigation cost was to \$12,588 (USFWS Estimated Cost per acre land value for Indiana/Indiana Bat OR NLEB). This adjustment resulted in an updated mitigation cost calculation of:

0.1 acre x 1.75 x \$12,588 = \$2,202.90

American elm (Ulmus americana), slippery elm (Ulmus rubra), box elder (Acer negundo), and black walnut (Juglans nigra). Approximately 0.1 acre of trimming/clearing is anticipated to occur between 100-300 feet of existing roadway/railways as part of the project during inactive bat season. Dominant tree species within 100-300 ft of the railway also include American elm, slippery elm, box elder, and black walnut. The INDOT 0.5-mile bat check occurred on March 31, 2023, and did not indicate the presence of endangered bat species within 0.5 mile of the project area. Pipes #1 and #2 were investigated during the September 13, 2023, field visit, and no structures showed any direct or indirect signs of occupation by bats.

Construction is anticipated to occur between January 2027 and December 2027. Permanent lighting will not be replaced or added as part of the project. Temporary lighting may be used during construction but will be pointed away from suitable bat habitat. The Rangewide In-Lieu Fee Program, via The Conservation Fund, will be utilized for any mitigation required for the project. A total of 0.1 acre of impacts require mitigation, at a ratio of 1.75 (Kosciusko County has < 30% Forest Cover per USFWS), at a rate of \$12,833 per acre (USFWS Estimated Cost per acre land value for Indiana/Indiana & NLEB). Total mitigation cost comes to \$2,245.78.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@41.4033594,-85.84496872173645,14z



Counties: Kosciusko County, Indiana

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

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

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

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

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME STATUS

Indiana Bat Myotis sodalis

Endangered

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

Species profile: https://ecos.fws.gov/ecp/species/5949

Northern Long-eared Bat *Myotis septentrionalis*

Endangered

No critical habitat has been designated for this species.

This species only needs to be considered under the following conditions:

• This species only needs to be considered if the project includes wind turbine operations.

Species profile: https://ecos.fws.gov/ecp/species/9045

BIRDS

INSECTS

NAME STATUS

Monarch Butterfly *Danaus plexippus*

Candidate

No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743

Species profile: https://ecos.fws.gov/ecp/species/758

CRITICAL HABITATS

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

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

1. The Bald and Golden Eagle Protection Act of 1940.

- 2. The Migratory Birds Treaty Act of 1918.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to <u>Bald Eagle Nesting and Sensitivity to Human Activity</u>

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME BREEDING SEASON

Bald Eagle *Haliaeetus leucocephalus*

Breeds Dec 1 to

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Aug 31

https://ecos.fws.gov/ecp/species/1626

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (

Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

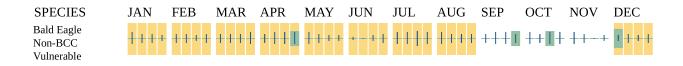
Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.

■ probability of presence ■ breeding season | survey effort − no data



Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "Supplemental Information on Migratory Birds and Eagles".

- 1. The Migratory Birds Treaty Act of 1918.
- 2. The <u>Bald and Golden Eagle Protection Act</u> of 1940.
- 3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Golden-plover <i>Pluvialis dominica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA	Breeds elsewhere
and Alaska. https://ecos.fws.gov/ecp/species/10561	

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Dec 1 to Aug 31
Bobolink <i>Dolichonyx oryzivorus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9454	Breeds May 20 to Jul 31
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9406	Breeds Mar 15 to Aug 25
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9679	Breeds elsewhere
Pectoral Sandpiper <i>Calidris melanotos</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9561	Breeds elsewhere
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9398	Breeds May 10 to Sep 10
Semipalmated Sandpiper <i>Calidris pusilla</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9603	Breeds elsewhere
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "Supplemental Information on Migratory Birds and Eagles", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

10 of 13

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (

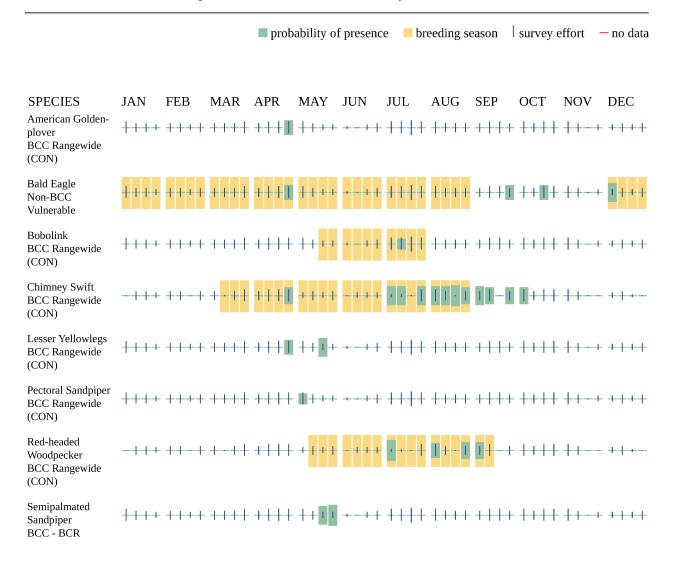
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (-)

A week is marked as having no data if there were no survey events for that week.





Additional information can be found using the following links:

- Eagle Management https://www.fws.gov/program/eagle-management
- Measures for avoiding and minimizing impacts to birds https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds
- Nationwide conservation measures for birds https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf
- Supplemental Information for Migratory Birds and Eagles in IPaC https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action

WETLANDS

Impacts to <u>NWI wetlands</u> and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local <u>U.S. Army Corps of Engineers District</u>.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

FRESHWATER FORESTED/SHRUB WETLAND

PSS1C

RIVERINE

• R2UBHx

IPAC USER CONTACT INFORMATION

Agency: USI Consultants, Inc Name: Courtney Haverbusch Address: 8415 E 56th Street

City: Indianapolis

State: IN Zip: 46216

Email chaverbusch@usiconsultants.com

Phone: 5139170331

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Milford town



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office 620 South Walker Street Bloomington, IN 47403-2121 Phone: (812) 334-4261 Fax: (812) 334-4273

In Reply Refer To: 06/24/2024 14:47:55 UTC

Project code: 2024-0094372

Project Name: Des. No. 2101778 Milford Multi-Use Trail Project, Kosciusko County

Subject: Consistency letter for the 'Des. No. 2101778 Milford Multi-Use Trail Project,

Kosciusko County' project under the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects

within the Range of the Indiana Bat and Northern Long-eared Bat (NLEB).

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated June 24, 2024 to verify that the **Des. No. 2101778 Milford Multi-Use Trail Project, Kosciusko County** (Proposed Action) may rely on the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under section 7(a) (2) of the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures. At least one of the qualification interview questions indicated an activity or portion of your project is consistent with a likely to adversely affect therefore, the overall determination for your project is, may affect, and is likely to adversely affect the endangered Indiana bat (*Myotis sodalis*) and/or the endangered northern long-eared bat (*Myotis septentrionalis*). Consultation with the Service pursuant to section 7(a)(2) of the ESA (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq*.) is required.

This "may affect - likely to adversely affect" determination becomes effective when the lead Federal action agency or designated non-federal representative requests the Service rely on the PBO to satisfy the agency's consultation requirements for this project. Please provide this consistency letter to the lead Federal action agency or its designated non-federal representative for review, and as the agency deems appropriate, transmit to this Service Office for verification that the project is consistent with the PBO.

This Service Office will respond by letter to the requesting Federal action agency or designated non-federal representative within 30 calendar days after receiving request for verification to:

- verify that the Proposed Action is consistent with the scope of actions covered under the PBO;
- verify that all applicable avoidance, minimization, and compensation measures are included in the action proposal;
- identify any action-specific monitoring and reporting requirements, consistent with the monitoring and reporting requirements of the PBO, and
- identify anticipated incidental take.

ESA Section 7 compliance for this Proposed Action is not complete until the Federal action agency or its designated non-federal representative receives a verification letter from the Service.

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or Northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities: If your initial bridge/culvert or structure assessments failed to detect Indiana bats, but you later detect bats prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office. In these instances, potential incidental take of Indiana bats may be exempted provided that the take is reported to the Service.

If the Proposed Action may affect any other federally-listed or proposed species and/or designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please advise the lead Federal action agency accordingly.

The following species may occur in your project area and **are not** covered by this determination:

- Monarch Butterfly Danaus plexippus Candidate
- Tricolored Bat *Perimyotis subflavus* Proposed Endangered
- Whooping Crane Grus americana Experimental Population, Non-Essential

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

NAME

Des. No. 2101778 Milford Multi-Use Trail Project, Kosciusko County

DESCRIPTION

The proposed project is located within the Town of Milford from East 1st Street to Waubee Lake in Sections 9 & 16, Township 34 North, Range 6 East in Van Buren Township, as depicted on the Milford U.S. Geological Survey (USGS) Quadrangle. Adjacent land use throughout the corridor consists of residential, multi-use commercial, recreational, and agricultural properties.

The proposed project includes the construction of a 1.1 mile long, 10-ft wide multi-use trail and facilities with drainage improvements along the project corridor as well as a pedestrian bridge over Turkey Creek. Project facilities include the construction of the trail as well as the establishment of the trailhead, providing a bench, trash can, and parking, as well as signage and pavement markings for the trail crossing of East County Road (CR) 1150 North. Proposed drainage improvements include the potential addition of small driveway pipes under drives located along the south side of East CR 1150 North, as needed to keep roadway drainage off of the proposed trail, as well as a 16' extension of an existing small 12" pipe (Pipe #2) under Camp Mack Road conveying to Hoopengarner Drain to extend the pipe under the proposed trail, and the addition of a new, 32' long 12" pipe (Pipe #3) to convey roadside drainage from the western side of Camp Mack Road under the new trail and into Hoopengarner Drain. One small drive pipe already exists (Pipe #1) under a drive located along the west side of Camp Mack Road south of East CR 1150 North; the south end of this pipe is buried. The preferred terminus is a trailhead just south of the parking lot located south of East First Street and east of the Norfolk Southern Railroad. The proposed project begins at this terminus and extends south to follow along the east side of the active Norfolk Southern Railroad tracks across Turkey Creek, and then follows an unnamed tributary (UNT) to Turkey Creek to the north side of East CR 1150 North. The trail will then extend along the south side of East County Road 1150 North to Camp Mack Road where it will then turn south along the west side of Camp Mack Road and tie into Waubee Lake Park. Approximately 0.25 acre of temporary ROW and approximately 3.20 acre of permanent ROW are anticipated for the project.

Suitable summer habitat, including wooded areas and tree lines, are present within and adjacent to the project area. Approximately 0.45 acre of tree trimming/clearing is anticipated to occur within 100 feet of existing roadway/railways as part of the project during inactive bat season. Dominant tree species within 100 ft of the railway include American elm (Ulmus americana), slippery elm (Ulmus rubra), box elder (Acer negundo), and black walnut (Juglans nigra). Approximately 0.1 acre of trimming/clearing is anticipated to occur between 100-300 feet of existing roadway/railways as part of the project during inactive bat season.

Dominant tree species within 100-300 ft of the railway also include American elm, slippery elm, box elder, and black walnut. The INDOT 0.5-mile bat check occurred on March 31, 2023, and did not indicate the presence of endangered bat species within 0.5 mile of the project area. Pipes #1 and #2 were investigated during the September 13, 2023, field visit, and no structures showed any direct or indirect signs of occupation by bats.

Construction is anticipated to occur between January 2027 and December 2027. Permanent lighting will not be replaced or added as part of the project. Temporary lighting may be used during construction but will be pointed away from suitable bat habitat. The Rangewide In-Lieu Fee Program, via The Conservation Fund, will be utilized for any mitigation required for the project. A total of 0.1 acre of impacts require mitigation, at a ratio of 1.75 (Kosciusko County has < 30% Forest Cover per USFWS), at a rate of \$12,833 per acre (USFWS Estimated Cost per acre land value for Indiana/Indiana & NLEB). Total mitigation cost comes to \$2,245.78.

In the USFWS Concurrence for the LAA IPaC Determination, it was determination that mitigation for the project is not required for the Northern Long-Eared Bat. As such, USFWS indicated that the rate per acre value to be used for the mitigation cost was to \$12,588 (USFWS Estimated Cost per acre land value for Indiana/Indiana Bat OR NLEB). This adjustment resulted in an updated mitigation cost calculation of:

 $0.1 \text{ acre } \times 1.75 \times \$12,588 = \$2,202.90$

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@41.4033594,-85.84496872173645,14z



DETERMINATION KEY RESULT

Based on your answers provided, this project is likely to adversely affect the endangered Indiana bat and/or the endangered northern long-eared bat. Therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required. However, also based on your answers provided, this project may rely on the conclusion and Incidental Take Statement provided in the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Longeared Bat.

QUALIFICATION INTERVIEW

- 1. Is the project within the range of the Indiana bat^[1]?
 - [1] See Indiana bat species profile

Automatically answered

Yes

- 2. Is the project within the range of the northern long-eared bat^[1]?
 - [1] See northern long-eared bat species profile

Automatically answered

Yes

- 3. Which Federal Agency is the lead for the action?
 - A) Federal Highway Administration (FHWA)
- 4. Are *all* project activities limited to non-construction^[1] activities only? (examples of nonconstruction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)
 - [1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting. No
- 5. Does the project include *any* activities that are **greater than** 300 feet from existing road/ rail surfaces^[1]?
 - [1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

No

- 6. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum^[1]?
 - [1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

No

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7. Is the project located **within** a karst area? *No*

- 8. Is there *any* suitable^[1] summer habitat for Indiana Bat or NLEB **within** the project action area^[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)
 - [1] See the Service's <u>summer survey guidance</u> for our current definitions of suitable habitat.
 - [2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the <u>User's Guide for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat</u>.

Yes

- 9. Will the project remove *any* suitable summer habitat^[1] and/or remove/trim any existing trees **within** suitable summer habitat?
 - [1] See the Service's <u>summer survey guidance</u> for our current definitions of suitable habitat. *Yes*
- 10. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?
- 11. Have presence/probable absence (P/A) summer surveys^{[1][2]} been conducted^{[3][4]} **within** the suitable habitat located within your project action area?
 - [1] See the Service's <u>summer survey guidance</u> for our current definitions of suitable habitat.
 - [2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.
 - [3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.
 - [4] Negative presence/probable absence survey results obtained using the <u>summer survey guidance</u> are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

No

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- 12. Does the project include activities **within documented Indiana bat habitat**^{[1][2]}?
 - [1] Documented roosting or foraging habitat for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)
 - [2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

13. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented Indiana bat** roosting/foraging habitat or travel corridors?

Yes

- 14. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented Indiana bat** roosting/foraging habitat or travel corridors occur^[1]?
 - [1] Coordinate with the local Service Field Office for appropriate dates.
 - B) During the inactive season
- 15. Does the project include activities **within documented NLEB habitat**^{[1][2]}?
 - [1] Documented roosting or foraging habitat for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)
 - [2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

No

16. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors?

Yes

- 17. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur?
 - B) During the inactive season
- 18. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces? *Yes*
- 19. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?

Yes

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20. Are *all* trees that are being removed clearly demarcated?

Yes

21. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?

No

22. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

No

23. Does the project include slash pile burning?

No

- 24. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)? *Yes*
- 25. Is there *any* suitable habitat^[1] for Indiana bat or NLEB **within** 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)
 - [1] See the Service's current <u>summer survey guidance</u> for our current definitions of suitable habitat. *Yes*
- 26. Has a bridge assessment^[1] been conducted **within** the last 24 months^[2] to determine if the bridge is being used by bats?
 - [1] See <u>User Guide Appendix D</u> for bridge/structure assessment guidance
 - [2] Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that bridge/structure in subsequent years.

Yes

SUBMITTED DOCUMENTS

- DesNo 2101778_Pipe 1_Bat Assessment Form.pdf https://ipac.ecosphere.fws.gov/project/LHYKBKDWJFHAFGFFC5EQU55NFM/
 projectDocuments/145277414
- DesNo 2101778_Pipe 2_Bat Assessment Form.pdf https://ipac.ecosphere.fws.gov/project/LHYKBKDWJFHAFGFFC5EQU55NFM/
 projectDocuments/145277415

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27. Did the bridge assessment detect *any* signs of Indiana bats and/or NLEBs roosting in/under the bridge (bats, guano, etc.)^[1]?

[1] If bridge assessment detects signs of *any* species of bats, coordination with the local FWS office is needed to identify potential threatened or endangered bat species. Additional studies may be undertaken to try to identify which bat species may be utilizing the bridge prior to allowing *any* work to proceed.

Note: There is a small chance bridge assessments for bat occupancy do not detect bats. Should a small number of bats be observed roosting on a bridge just prior to or during construction, such that take is likely to occur or does occur in the form of harassment, injury or death, the PBO requires the action agency to report the take. Report all unanticipated take within 2 working days of the incident to the USFWS. Construction activities may continue without delay provided the take is reported to the USFWS and is limited to 5 bats per project.

No

28. Will the bridge removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

No

29. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

No

30. Will the project involve the use of **temporary** lighting *during* the active season? *Yes*

31. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **temporary** lighting will be used?

Yes

32. Will the project install new or replace existing **permanent** lighting?

No

33. Does the project include percussives or other activities (**not including tree removal**/ **trimming or bridge**/**structure work**) that will increase noise levels above existing traffic/ background levels?

No

34. Are *all* project activities that are **not associated with** habitat removal, tree removal/ trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives, limited to actions that DO NOT cause any additional stressors to the bat species?

Examples: lining roadways, unlighted signage, rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

Yes

35. Will the project raise the road profile **above the tree canopy**?

No

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36. Are the project activities that are not associated with habitat removal, tree removal/ trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives consistent with a No Effect determination in this key?

Automatically answered

Yes, other project activities are limited to actions that DO NOT cause any additional stressors to the bat species as described in the BA/BO

37. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

Automatically answered

Yes, because the tree removal/trimming that occurs outside of the Indiana bat's active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost.

38. Is the habitat removal portion of this project consistent with a Likely to Adversely Affect determination in this key?

Automatically answered

Yes, because the tree removal that occurs outside the Indiana bat's active season is 100-300 feet from the existing road/rail surface, and is not in documented roosting/foraging habitat or travel corridors.

39. Is the habitat removal portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

Automatically answered

Yes, because the tree removal/trimming that occurs outside of the NLEB's active season occurs greater than 0.5 miles from the nearest hibernaculum, is less than 100 feet from the existing road/rail surface, includes clear demarcation of the trees that are to be removed, and does not alter documented roosts and/or surrounding summer habitat within 0.25 miles of a documented roost.

40. Is the habitat removal portion of this project consistent with a Likely to Adversely Affect determination in this key?

Automatically answered

Yes, because the tree removal that occurs outside the NLEB's active season is 100-300 feet from the existing road/rail surface, and is not in documented roosting/foraging habitat or travel corridors.

41. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

Automatically answered

Yes, because the bridge has been assessed using the criteria documented in the BA and no signs of bats were detected

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42. General AMM 1

Will the project ensure *all* operators, employees, and contractors working in areas of known or presumed bat habitat are aware of *all* FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

Yes

43. Tree Removal AMM 1

Can *all* phases/aspects of the project (e.g., temporary work areas, alignments) be modified, to the extent practicable, to avoid tree removal^[1] in excess of what is required to implement the project safely?

Note: Tree Removal AMM 1 is a minimization measure, the full implementation of which may not always be practicable. Projects may still be NLAA as long as Tree Removal AMMs 2, 3, and 4 are implemented and LAA as long as Tree Removal AMMs 3, 5, 6, and 7 are implemented.

[1] The word "trees" as used in the AMMs refers to trees that are suitable habitat for each species within their range. See the USFWS' current summer survey guidance for our latest definitions of suitable habitat.

Yes

44. Tree Removal AMM 3

Can tree removal be limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits)?

Yes

45. Lighting AMM 1

Will *all* **temporary** lighting be directed away from suitable habitat during the active season?

Yes

- 46. For Indiana bat, if applicable, compensatory mitigation measures are required to offset adverse effects on the species (see Section 2.10 of the BA). Please select the mechanism in which compensatory mitigation will be implemented:
 - 1. Range-wide In Lieu Fee Program, The Conservation Fund

PROJECT QUESTIONNAIRE

1. Please describe the proposed bridge work:

One existing 12 inch pipe under a private drive (Pipe #1) may be replaced depending on condition and if necessary to direct drainage away from the proposed trail. An additional 12 inch pipe (Pipe #2) which directs drainage under Camp Mack Road to Hoopengarner Drain will be extended 16' to accommodate for the trail. A new, 32' long 12" pipe (Pipe #3) will be placed to convey roadside drainage from the western side of Camp Mack Road under the new trail and into Hoopengarner Drain. Additional small driveway pipes under drives located along the south side of East CR 1150 North may be added as needed to keep roadway drainage off of the proposed trail.

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2. How many acres^[1] of trees are proposed for removal between 100-300 feet of the existing road/rail surface?

[1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

0.1

3. Please state the timing of all proposed bridge work:

January 2027-December 2027

4. Please verify:

All tree removal will occur greater than 0.5 mile from any hibernaculum.

Yes, I verify that all tree removal will occur greater than 0.5 miles from any hibernaculum.

5. Is the project location 0-100 feet from the edge of existing road/rail surface?

Yes

6. Is the project location 100-300 feet from the edge of existing road/rail surface?

Yes

7. Please enter the date of the bridge assessment:

September 13, 2023

8. Have you made a No Effect determination for *all* other species indicated on the FWS IPaC generated species list?

N/A

9. Please verify:

No documented Indiana bat roosts or surrounding summer habitat within 0.25 mile of documented roosts will be impacted between May 1 and July 31.

Yes, I verify that no documented Indiana bat roosts or surrounding summer habitat within 0.25 mile of documented roosts will be impacted during this period.

10. Have you made a May Affect determination for *any* other species on the FWS IPaC generated species list?

N/A

11. Please verify:

No documented NLEB roosts or surrounding summer habitat within 150 feet of documented roosts will be impacted between June 1 and July 31.

Yes, I verify that no documented NLEB roosts or surrounding summer habitat within 150 feet of documented roosts will be impacted during this period.

12. How many acres^[1] of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

[1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

0.45

- 13. You have indicated that the following Avoidance and Minimization Measures (AMMs) will be implemented as part of the proposed project:
 - Tree Removal AMM 1

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- Lighting AMM 1
- Tree Removal AMM 3
- General AMM 1

AVOIDANCE AND MINIMIZATION MEASURES (AMMS)

This determination key result includes the committment to implement the following Avoidance and Minimization Measures (AMMs):

TREE REMOVAL AMM 1

Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to avoid tree removal.

LIGHTING AMM 1

Direct temporary lighting away from suitable habitat during the active season.

TREE REMOVAL AMM 3

Ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).

GENERAL AMM 1

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

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DETERMINATION KEY DESCRIPTION: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING NLEB OR INDIANA BAT

This key was last updated in IPaC on October 30, 2023. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the endangered **northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should <u>only</u> be used to verify project applicability with the Service's <u>amended February 5</u>, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) <u>for Transportation Projects</u>. The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is <u>not</u> intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

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IPAC USER CONTACT INFORMATION

Agency: USI Consultants, Inc Name: Courtney Haverbusch Address: 8415 E 56th Street

City: Indianapolis

State: IN Zip: 46216

Email chaverbusch@usiconsultants.com

Phone: 5139170331

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Milford town

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United States Department of the Interior Fish and Wildlife Service



USFWS Project Code: 2024-0094372

Indiana Field Office (ES) 620 South Walker Street Bloomington, IN 47403-2121 Phone: (812) 334-4261 Fax: (812) 334-4273

August 8, 2024

Ms. Karstin Carmany-George Federal Highway Administration 575 N. Pennsylvania Street, Room 254 Indianapolis, Indiana 46204 (Sent via email)

RE: Des. 2101778, Milford Multi-Use Trail Project, Kosciusko County.

Dear Ms. Carmany-George:

The U.S. Fish and Wildlife Service (Service) is responding to your email request dated June 24, 2024, to verify that the proposed Milford Multi-Use Trail Project (the Project) may rely on the amended February 5, 2018, Programmatic Biological Opinion (BO) (dated March 23, 2023) for federally funded or approved transportation projects that may affect the federally listed endangered Indiana bat (*Myotis sodalis*) and/or federally listed endangered northern long-eared bat (NLEB) (*Myotis septentrionalis*). We received your request and the associated Likely to Adversely Affect (LAA) Consistency Letter on June 24, 2024.

This letter provides the Service's response as to whether the Federal Highway Administration (FHWA) may rely on the BO to comply with Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) for the Project's effects to the Indiana bat and NLEB.

The FHWA has determined that the Project is *likely to adversely affect* the Indiana bat and/or the NLEB.

Conclusion

The Service has reviewed the effects of the proposed Project, which includes the FHWA's commitment to implement any applicable mitigation measures as indicated on the LAA Consistency Letter. We confirm that the proposed Project's effects are consistent with those analyzed in the BO. The Service has determined that projects consistent with the conservation measures and scope of the program analyzed in the BO are not likely to jeopardize the continued existence of the Indiana bat or the NLEB. In coordination with your agency and the other sponsoring Federal Transportation Agencies, the Service will reevaluate this conclusion annually considering any new pertinent information under the adaptive management provisions of the BO.

Incidental Take

Indiana Bat and Northern Long-eared Bat

Tree Removal

The Service anticipates that tree removal associated with the proposed Project will cause incidental take (IT) of Indiana bats and NLEBs. As described in the IT Statement (ITS) of the BO, quantifying the specific number of individuals affected is not practicable. Therefore, the Services uses a surrogate (acreage of tree removal) to prove a means of expressing and monitoring take of the Indiana bat and the NLEB.

The proposed Project will remove **0.55 acres** of trees from habitat that is suitable for the Indiana bat and NLEB. All tree removal will occur in winter and comply with all other conservation measures in the BO. Based on the BO, 0.45 acres of the removal are not anticipated to result in any adverse effects, and **0.1 acres** are anticipated to result in adverse effects.

The FHWA used the mitigation ratio of 1.75 from Table 3 of the BO¹ to calculate the compensatory mitigation required to offset adverse impacts to the Indiana bat for a total of 0.175² of trees that is suitable for the Indiana bat. **Mitigation is not required for the NLEB.**

To comply with the mitigation requirements of the BO, the FHWA will contribute \$2,202.90 to The Conservation Fund (TCF), the Program Sponsor, within 1 year of this letter or prior to the start of construction, whichever is earliest. These calculations are based on the mitigation identified above² and the 2024 Land Use Values in Table 2 of Exhibit E in TCF's In Lieu Fee Instrument³. If payment is made later than 1 year from the date of this letter, the mitigation cost may change because of updated land use values in Table 2 of Exhibit E. The FHWA or designated non-federal representative must notify TCF at least five days prior to payment so that TCF can verify that the appropriate land value has been used. At the time of payment, the FHWA or designated non-federal representative shall notify the Service of compliance with the compensatory mitigation requirements as described above.

The purchase of species conservation credits and/or in-lieu fee contributions shall occur prior to construction of a transportation project covered under this programmatic BO. Exceptions to this program stipulation include emergency projects that do not require a letting prior to construction. In these cases, purchase of credits and/or in-lieu fee contributions shall occur within three months of completion of the project. This timeframe allows for measuring the acres of habitat affected by the emergency project and for financial processing.

² XX acres * XX ratio

³https://www.fws.gov/sites/default/files/documents/IBAT-NLEB-ILF-Exhibit-E-Fee-Schedule-2023-01-04.pdf

Bridge, Culvert, and/or Structure Activities

Range-wide, the Service estimates IT of a small number of Indiana bats and/or NLEBs is reasonably certain to occur at up to 10 bridges/culverts or structures in a 12-month period when signs of bat use or occupancy are observed. For projects in which five or fewer bats are indicated, take will be covered under the ITS in the BO. Some of this take may occur when an initial bridge/culvert or structure bat assessment fails to detect Indiana bat or NLEB use or occupancy, yet bats are later detected prior to, or during construction. In this situation, potential IT of Indiana bats and/or NLEBs may be exempted provided that the take is reported to the Service. Please contact this Service office and submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) within 2 working days of any such incidents.

Tricolored Bat

On September 13, 2022, the Service published a proposal in the Federal Register to list the tricolored bat (Perimyotis subflavus) as endangered under the ESA. The Service has up to 12months from the date the proposal was published to make a final determination, either to list the tricolored bat under the ESA or to withdraw the proposal. The Service determined the bat faces extinction primarily due to the range-wide impacts of white-nose syndrome (WNS), a deadly fungal disease affecting cave-dwelling bats across North America. Because tricolored bat populations have been greatly reduced due to WNS, surviving bat populations are now more vulnerable to other stressors such as human disturbance and habitat loss. Species proposed for listing are not afforded protection under the ESA; however, as soon as a listing becomes effective (typically 30 days after publication of the final rule in the Federal Register), the prohibitions against jeopardizing its continued existence and "take" will apply. Therefore, if this project or other future or existing projects have the potential to adversely affect tricolored bats after the potential new listing goes into effect, we recommend that the effects of the project on tricolored bat and their habitat be analyzed to determine whether authorization under ESA section 7 is necessary. Projects or programs with an existing section 7 biological opinion may require reinitiation of consultation.

The tricolored bat is a small insectivorous bat that typically overwinters in caves, abandoned mines and tunnels, and road-associated culverts (southern portion of the range) and spends the rest of the year in forested habitats, typically roosting among live and dead leaf clusters. For more information on tricolored bats and the proposed rule, please see: https://www.fws.gov/species/tricolored-bat-perimyotis-subflavus and for more information on WNS, please see: https://www.whitenosesyndrome.org/

Reasonable and Prudent Measures

The Service will add the acreage of Project-related tree removal to the annual total acreage attributed to the BO as a surrogate measure of Indiana bat and NLEB IT and exempted from the prohibitions of section 9 of the ESA. Such exemption is effective as long as your agency implements the reasonable and prudent measure (RPM) and accompanying terms and conditions of the BO's ITS.

The sole RPM of the BO's ITS requires the Federal Transportation Agencies to ensure that State/Local transportation agencies, who choose to include eligible projects under the programmatic action, incorporate all applicable conservation measures in the project proposals submitted to the Service for ESA section 7 compliance using the BO. The implementing terms and conditions for this RPM require the Federal Transportation Agencies to offer training to appropriate personnel about using the BO, and promptly report sick, injured, or dead bats (regardless of species) or any other federally listed species located at the project site.

Reporting Dead or Injured Bats

The FHWA, its State/Local cooperators, and any contractors must take care when handling dead or injured Indiana bats and NLEBs, or any other federally listed species that are found at the project site to preserve biological material in the best possible condition and to protect the handler from exposure to diseases, such as rabies. Project personnel are responsible for ensuring that any evidence about determining the cause of death or injury is not unnecessarily disturbed. Reporting the discovery of dead or injured listed species is required in all cases to enable the Service to determine whether the level of IT exempted by this BO has been exceeded, and to ensure that the terms and conditions are appropriate and effective. Parties finding a dead, injured, or sick specimen of any endangered or threatened species must promptly notify this Service Office.

Reinitiation Notice

This letter concludes consultation for the Project, which qualifies for inclusion in the BO issued to the Federal Transportation Agencies. To maintain this inclusion, a reinitiation of this Project-level consultation is required where the FHWA's discretionary involvement or control over the Project has been retained (or is authorized by law) and if:

- 1. the amount or extent of IT of Indiana bats or NLEBs is exceeded;
- 2. new information reveals that the Project may affect listed species or critical habitat in a manner or to an extent not considered in the BO;
- 3. the Project is subsequently modified in a manner that causes an effect to listed species or designated critical habitat not considered in the BO; or
- 4. a new species is listed or critical habitat designated that may be affected by the Project.

Per condition #1 above, the anticipated IT is exceeded when:

- the Project removes more than 0.1 acre(s) of habitat suitable for the Indiana bat and/or NLEB beyond 100 feet from the edge of pavement; and/or
- the Project takes more than 5 Indiana bats and/or 5 NLEBs resulting from bridge, culvert, or structure activity⁴.

⁴ Annual reports will be completed each year as described in the *Monitoring* and *Reporting* section of the BO to track the number of projects range-wide where IT of Indiana bat and/or NLEB is reasonably certain to occur from bridge, culvert, or structures activities per annual reporting year.

In instances where the amount or extent of IT is exceeded, the FHWA is required to immediately request a reinitiation of this Project-level consultation.

We appreciate your continued efforts to ensure that this Project is fully consistent with all applicable provisions of the BO. If you have any questions regarding our response or if you need additional information, please contact Robin McWilliams Munson at Robin_McWilliams@fws.gov.

Sincerely,

ROBIN MCWILLIAMS- Digitally signed by ROBIN MCWILLIAMS-MUNSON Date: 2024.08.08 10:24:41

MUNSON -04'00'

For Susan E. Cooper Field Office Supervisor

APPENDIX D

Section 106 of the National Historic Preservation Act

Minor Projects PA Project Submittal and Assessment Form

SECTION 1

Submittal of this form is only required for projects where Category B applies. Projects qualifying under Category A do not require submittal of this form. SECTION 2 (for Conditions of Category B-1 for curb/sidewalk) or SECTION 3 (for Conditions of Category B-9 for drainage structures) may be required as determined by INDOT-Cultural Resources Office (INDOT-CRO) review. INDOT-CRO will notify applicant if the Minor Projects PA does not apply.

Part 1: Project Information-Completed by Applicant (Consultant/PM/Project Sponsor/INDOT District Staff) *

*A qualified professional historian (QP) is not required to complete Part I INDOT-Cultural Resources Office (INDOT-CRO) staff will be responsible for completion of Part II.

Original Submission Date: April 04, 2024 Amended Submission Date*:

*Consult with INDOT-CRO to determine whether an amendment is required. For revisions/updates to original form, please detail in applicable sections below. **Please use red font to distinguish the revisions/updates.**

Submitted By (Provide Name and Firm/Organization):

Sydney Heidenreich Metric Environmental, LLC 6958 Hillsdale Court Indianapolis, IN 46250 317.981.2867 Sydneyh@metricenv.com

Project Designation Number: 2101778

Route Number: N/A

Feature crossed (if applicable):

City/Township: Van Buren Township County: Kosciusko County

Project Description:*

*Provide a full project description—include the same level of specificity and detail as expected in the NEPA document—in order to ensure a timely review by INDOT-CRO staff. For bridge and culvert projects, include specific details on the rehab or replacement including potential changes to width, height and materials. Be sure to include the specific elements listed below as applicable.

The proposed project would construct a 10-foot wide bike and pedestrian trail with two-foot shoulders in the Town of Milford to Waubee Lake to the south in Kosciusko County, Indiana. The northern terminus of the trail would begin just south of East First Street and its southern terminus would be East Camp Mack Road at the Waubee Lake beachfront, a distance of 1.2 miles. The project would also require construction of a pedestrian bridge over Turkey Creek. The installation of gates and/or bollards at trail entrances, as well as signage, crosswalk markings, and other pavement markings is also part of the project scope. A common area near the south terminus of the trail may also be included in the design that could potentially include seating and informational signage, such as trail information and mapping.

The need for the project stems from a lack of pedestrian and non-vehicular facilities connecting the Town of Milford to Waubee Lake Park. The purpose of the project is to provide pedestrian and non-vehicular facilities to increase connectivity.

The proposed route will begin on the east side of the Norfolk-Southern Railroad tracks just south of East First and it will follow along the east side of the tracks for approximately 1,800 feet. From there the trail would travel

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Minor Projects PA Project Submittal and Assessment Form

southeasterly for a length of approximately 1,800 feet until reaching the south side of East County Road 1150 North,
at which point the trail would again travel eastward along the south side of the roadway until reaching the southwest
corner of East County Road 1150 North and East Camp Mack Road. From there the trail would travel south along
the west side of East Camp Mack Road until reaching its terminus at Waubee Lake. The total project length is
approximately 1.2 miles.

The project will require 3.20 acres of permanent and 0.25 acres of temporary right-of-way.

The Maintenance of Traffic (MOT) plan will likely consist of lane restrictions during construction. Due to the narrow roadway, there is a potential for temporary signaling of traffic. MOT plans will be developed as the design plans progress and will be in accordance with Indiana Design Manual.

If the project includes any curb, curb ramp, or sidewalk work, please specify the location(s) of such work:

For bridge or small structure projects, please list feature crossed, structure number, NBI number, and structure type:

For bridge projects, is the bridg (https://www.in.gov/indot/2531.	ge included in INDOT's Historic Bridge Inventory httm)?
□ Yes □ No	
	determine the bridge eligible for or listed in the National Register of provide page # of entry in Historic Bridge Inventory.
Will there be right-of-way acqu ☑ Yes ☐ No	isition as part of this project?
If yes was checked above, please ☑ Permanent ☐ Temp	
	vay acquisition locations in text below and in attached mapping. Please ary and permanent) and indicate what activities are included in the
The project will require 3.20 acres is needed for construction of the r	s of permanent and 0.25 acres of temporary right-of-way. Permanent right-of-wanew multiuse trail.
Is there <u>any</u> potential for additional staging, etc.?	onal temporary right-of-way to be needed later for purposes such as access,
Yes ⊠ No Archaeology (check one):	An easement is being created at the north end of the project limits on the Papers Inc property. This easement will allow the Town to maintain the trailhead and associated facilities within the existing parking lot without the need for any future temporary ROW at this location.
90 (vities are presumed to occur in previously disturbed soils.*
*INDOT-CRO will i	notify you if project area includes undisturbed soils and requires an archaeological

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reconnaissance.

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Project takes place in undisturbed soils and the archaeology report is included with the submission.*

*If an archaeology report is required, the Minor Projects PA Form will not be finalized until the report is reviewed and approved by INDOT-CRO. For INDOT-sponsored projects, INDOT-CRO may be able to complete the archaeological investigation. If you would like to request that INDOT-CRO complete an archaeological investigation, please contact the INDOT-CRO archaeology team lead. See CRM Pt. 1 Ch. 3 for current contact information.

Please specify all applicable categories and condition(s) (INDOT will highlight applicable conditions in yellow):

B-8. Construction of pedestrian facilities including trails, multi-use paths, greenways, and associated minor activities defined below, under the following conditions [BOTH Condition A, which pertains to Archaeological Resources, and Condition B, which pertains to Above-Ground Resources, must be satisfied]:

Condition A (Archaeological Resources)

One of the two conditions listed below must be met (EITHER Condition i or Condition ii must be satisfied):

- i. Work occurs within areas previously disturbed by vertical and horizontal construction activities, including existing roadway, sidewalk, or rail bed, and is not on, within or adjacent to a National Register listed or eligible site; *OR*
- ii. Work occurs in undisturbed soils and an archaeological investigation conducted by the applicant and reviewed by INDOT Cultural Resources Office determines that no National Register-listed or potentially National Register-eligible archaeological resources are present within the project area. If the archaeological investigation locates National Register-listed or potentially National Register- eligible archaeological resources, then full Section 106 review will be required. Copies of any archaeological reports prepared for the project will be provided to the DHPA and any archaeological site form information will be entered directly into the SHAARD by the applicant. The archaeological reports will also be available for viewing (by Tribes only) on INSCOPE.

Condition B (Above-Ground Resources)

Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource.

Activities associated with this category include the following:

- Pavement surface installation, replacement, rehabilitation, resurfacing, and reconstruction work, including widening, laying down of crushed stone or gravel, shoulder treatments, pavement repair, seal coating, pavement grinding, pavement marking, etc.;
- Installation of new signals, signage, and other traffic control devices;
- Installation of new safety appurtenances such as guardrails and barriers;
- Installation of plant materials and hardscape landscaping elements, including, but not limited to bike racks, benches, trash cans, lighting, and other amenities;
- Trail heads and parking lots;
- Installation of pipes, culverts, and pedestrian bridges.

Check ☐ if SECTION 2: Minor Projects PA Category B-1, Condition B-ii Submission is included

Check ☐ if SECTION 3: Minor Projects PA Category B-9, Condition B-i-c-2 or B-ii-b-3 Submission is included

Part II: Completed by INDOT-CRO
Information reviewed (please check all that apply):
General project location map ☑ USGS map ☑ Aerial photograph ☑ Soil survey data ☑
General project area photos ☒ Archaeology Reports ☒ Historic Property Reports ☐
Indiana Historic Buildings, Bridges, and Cemeteries Map/Interim Report
Bridge inspection information/iTAMS □ Historic Bridge Inventory Database □
SHAARD 🛮 SHAARD GIS 🖾 Streetview Imagery 🖾 County GIS Data/Property Cards 🖾
Other (please specify):
Copenhaver, Megan 2024 Phase Ia Archaeological Survey for the Town of Milford Bike and Pedestrian Trail Project, East 1st Street to East Camp Mack Road, Van Buren Township, Kosciusko County, Indiana (INDOT Des. No. 2101778). Report on file, Indiana Department of Transportation, Cultural Resources Office, Indianapolis, IN.
Are there any commitments associated with this project? If yes, please explain and include in the Additional Comments Section below. Yes □ No ☒
Does the project result in a de minimis impact to a Section 4(f) protected historic resource? If yes, please explain in the Additional Comments Section below. Yes □ No ☒
Additional Comments:
Alexandra December 1

Above-ground Resources

An INDOT-Cultural Resources Office (CRO) historian who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61 first performed a desktop review, checking the Indiana Register of Historic Sites and Structures (State Register) and National Register of Historic Places (National Register) lists for Kosciusko County. No listed resources are present within approximately 250 feet of the project area, a distance that would serve as an adequate area of potential effects (APE) given the scope of the project and the surrounding terrain.

The Kosciusko County Interim Report (1991; Van Buren Township; Milford Scattered Sites) of the Indiana Historic Sites and Structures Inventory (IHSSI) was also consulted. The National Register and IHSSI information is available in the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) and the Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBCM). The SHAARD information was checked against the Interim Report hard copy maps. The following IHSSI resources are recorded within approximately 250 feet of the project:

Van Buren Township

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Minor Projects PA Project Submittal and Assessment Form

IHSSI No. 085-411-05028 (Farm; Old SR 15; c. 1880; "contributing") IHSSI No. 085-411-05029 (Farm; Old SR 15; c. 1905; "notable")

Milford Scattered Sites

IHSSI No. 085-411-06027 (House; 302 S Main Street; c. 1925; "notable")

According to the IHSSI rating system, generally properties rated "contributing" do not possess the level of historical or architectural significance necessary to be considered individually National Register eligible, although they would contribute to a historic district. If they retain material integrity, properties rated "notable" might possess the necessary level of significance after further research. Properties rated "outstanding" usually possess the necessary level of significance to be considered National Register eligible if they retain material integrity. Historic districts identified in the IHSSI are usually considered eligible for the National Register.

The INDOT-CRO historian reviewed structures adjacent to the project area utilizing online aerial, street-view photography, and the Kosciusko County GIS website. Land surrounding the project area is primarily rural with the north terminus of the project at the edge of a small town and the rest of the project adjacent to agricultural fields, an active railroad line, and scattered buildings, primarily houses.

For approximately 1,800 feet, the trail will be constructed parallel to the east of the railroad tracks, which are slightly raised from the ground level; south of Turkey Creek, the railroad tracks are on top of a berm. IHSSI No. 085-411-05029 (Farm; "notable") is located on the west side of Old SR 15, which runs parallel to the railroad tracks east of the road in this location, south of Turkey Creek. The house is set back from the roadway with all the outbuildings located beyond the house. No physical impacts will occur to the property. Given the limited visual impact construction of a trail has the potential to impart, the distance between the property and the project area, and the presence of the railroad that will obscure the view to the trail for this property, IHSSI No. 085-411-05029 (Farm; "notable") is not considered adjacent to the project area for the purposes of this determination.

IHSSI No. 085-411-06027 (House; "notable") is located northwest of the northern terminus of the project and is separated from the project area by some deciduous and coniferous trees, volunteer vegetation, and the railroad line. No physical impacts will occur to the property. The intervening trees, vegetation, and railroad track will help shield the proposed trail, which will already have a limited visual impact, from view of the resource. For the purposes of this determination, IHSSI No. 085-411-06027 (House; "notable") is not considered adjacent to the project.

Other above-ground properties within 250 feet of the project area consist of residential houses dating from the late nineteenth century to the twenty-first century, municipal buildings dating to the mid-twentieth century, and one industrial building dating to the late twentieth century. Properties constructed after 1976 will not be 50 years old or older by letting in 2026; there are 17 properties that will be at least 50 years old or older by letting. Many of the properties dating to the late nineteenth century and early twentieth century have experienced severe alterations, such as large-scale additions, porch alterations, fenestration changes, and replacement siding and windows, impacting their integrity and ability to convey their significance. None of these properties are considered potentially eligible to the National Register for the purposes of this determination. None of the mid-twentieth-century houses appear to meet the *Residential Planning and Development in Indiana*, 1940-1973 requirements to be individually eligible to the National Register. Additionally, the two municipal buildings dating to the mid-twentieth century do not appear to be good examples of a specific type, form, or style and are not considered eligible to the National Register. No potential historic districts were identified.

Based on the available information, as summarized above, no above-ground concerns exist as long as the project scope does not change.

Archaeological Resources

An INDOT-CRO archaeologist who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61 reviewed the archaeology report submitted by Metric Environmental, LLC on behalf of USI Consultants (Copenhaver 2024).

A 22.2-acre survey area was examined through a combination of systematic shovel probing (n=119) in 15 m intervals, pedestrian survey, soil coring (n=9) and visual inspection of disturbed areas. The area encompassing East 1st Street and East Camp Mack Road in Milford has been previously disturbed from the construction of the roadways, existing culverts with associated drainages, embankments, residential and commercial infrastructure, landscaping, existing sidewalks, and buried utilities. Two archaeological sites, 12KO565 and 12KO566, were documented as a result of the survey. Site 12KO565 consists of a precontact lithic scatter with an unknown temporal period and site 12KO566 consists of a single precontact lithic flake from an unknown temporal period. Both sites are unlikely to produce information beyond that which has already been gathered, therefore, 12KO565 and 12KO566 are not eligible for listing in the NRHP and no further work is recommended (Copenhaver 2024).

Therefore, there are no archaeological concerns as long as the project scope and footprint do not change.

<u>Accidental Discovery</u>: If any archaeological artifacts or human remains are uncovered during construction, demolition, or earth moving activities, construction within 100 feet of the discovery will be stopped, and INDOT-CRO and the Division of Natural Resources-Division of Historic Preservation and Archaeology (DNR-DHPA) will be notified immediately.

INDOT-CRO staff reviewer(s): Kelyn Alexander and KayLee Blum

INDOT Approval Date: 9/5/2024

Amendment Approval Date (if applicable):

***Be sure to attach this form to the National Environmental Policy Act documentation for this project. Also, the NEPA documentation shall reference and include the description of the specific stipulation in the PA that qualifies the project as exempt from further Section 106 review.

Please attach the following to this form:

- General Location Map. This map should allow the INDOT-CRO reviewer to quickly locate the project.
- Aerial photography map(s) of project area. This map must include project limits. It may also include SHAARD data, but SHAARD data is not required.
- Map depicting potential temporary and/or permanent right-of-way acquisitions.
- Project plans, if available.
- If bridge or small structure project, please attach photographs of bridge or small structure. Photographs can be found in inspection reports located in INDOT's Bridge Inspection Application System (BIAS), as well as other project documents, such as engineering assessments or mini-scopes.

In the email submission to INDOT-CRO, please also include:

• A GIS polygon shapefile or KMZ file of the project area (shapefiles are preferred). Shapefiles should depict the project area, including all existing and proposed right-of-way and construction limits, and should use the "NAD 1983 UTM" projected coordinate system. In addition, these files should contain

Minor Projects PA Project Submittal and Assessment Form

the following *text* attribute field: DES_NO. The project designation number should be entered in this field.

• If the project takes place in undisturbed soils, attach the results of the archaeological investigation.

APPENDIX E

Red Flag Investigation and Hazardous Materials



Date: September 7, 2023

To: Site Assessment & Management (SAM)

Environmental Policy Office – Environmental Services Division (ESD)

Indiana Department of Transportation (INDOT)

100 N Senate Avenue, Room N758-ES

Indianapolis, IN 46204

From: Shampaygne Jeffries

USI Consultants, Inc. 8415 E. 56th Street Indianapolis, IN 46216

sjeffries@usiconsultants.com

Re: RED FLAG INVESTIGATION

DES #2101778, Local Project

Multi-Use Trail Project

Milford Trail, From East 1st Street and Emeline Street to Waubee Lake Park

Work in waterway: Yes ⊠ No □ Below ordinary high water mark: Yes ⊠ No □

Kosciusko County, Indiana

PROJECT DESCRIPTION

Brief Description of Project: The project is located within the Town of Milford from 1st Street to the Waubee Lake beachfront in Sections 9 & 16, Township 34 North, Range 6 East, Van Buren Township, Kosciusko County, Indiana. Multiuse trail facilities would be constructed with drainage improvements along the project corridor. In addition, the project consists of a pedestrian bridge over Turkey Creek. Multiple trailhead locations are being considered as part of the project including at the intersection of First Street and Main Street, First Street just to the east of the Norfolk Southern Railroad, Emeline Street just east of the Norfolk Southern Railroad, Emeline Street and James Street, and Emeline Street and the alley between James Street and East Street. The preferred terminus is a trailhead just south of the parking lot located south of East First Street east of the Norfolk Southern Railroad. Project development is early and on-going. Bridge Work Included in Project: Yes ⊠ No □ Structure #(s) TBD If this is a bridge project, is the bridge Historical? Yes \square No \boxtimes , Select \square Non-Select \square (Note: If the project involves a historical bridge, please include the bridge information in the Recommendations Section of the report). Culvert Work Included in Project: Yes ☐ No ☒ Structure #(s) _____ Proposed right of way: Temporary \boxtimes # Acres $\underline{>}0.5$, Permanent \boxtimes # Acres $\underline{>}0.5$, Not Applicable \square Type and proposed depth of excavation: Anticipated excavation activities include grading and retaining wall for multi-use trail alignment. In addition, a max depth of 8 feet below grade surface (bgs) of excavation is anticipated for storm sewer improvements. Maintenance of traffic (MOT): The Maintenance of Traffic (MOT) plan will likely consist of lane restrictions during construction. Due to the narrow roadway, there is a potential for temporary signaling of traffic. MOT plans will be developed as the designs plans progress and will be in accordance with the Indiana Design Manual.

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Red Flag Investigation, DES #2101778

State Project: ☐ LPA: ⊠

Any other factors influencing recommendations: There is an easement, Enoch W. Felkner Regulated Drain, within the project's corridor.

INFRASTRUCTURE TABLE AND SUMMARY

Infrastructure Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:							
Religious Facilities 1* Recreational Facilities 2							
Airports ¹	N/A Pipelines 2						
Cemeteries	Cemeteries N/A Railroads 1						
Hospitals	ospitals N/A Trails N/A						
Schools	1	Managed Lands	N/A				

¹In order to complete the required airport review, a review of public-use airports within 3.8 miles (20,000 feet) is required.

Explanation:

Religious Facilities*: One (1) religious facility is located within the 0.5 mile search radius. Although not mapped, Milford Chapel is located approximately 0.22 mile northeast of the potential eastern termini along the Emeline Street alternative. No impact is expected.

Schools: One (1) school is located within the 0.5 mile search radius. Milford School is located approximately 0.41 mile northwest of the potential western termini along Emeline Street. No impact is expected.

Recreational Facilities: Two (2) recreational facilities are located within the 0.5 mile search radius. The nearest recreational facility, Waubee Lake Park, is located within the project area. Coordination with Milford Park Board will occur.

Pipelines: Two (2) pipeline segments are located within the 0.5 mile search radius. The nearest pipeline segment, Northern Indiana Public Services Co., crosses the project area. Coordination with Northern Indiana Public Services Co. will occur.

Railroads: One (1) railroad segment is located within the 0.5 mile search radius. Norfolk Southern Railroad crosses the project area. Coordination with Norfolk Southern Railroad should occur.

WATER RESOURCES TABLE AND SUMMARY

Water Resources Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:							
NWI - Points	N/A	Canal Routes – Historic	N/A				
Karst Springs	Karst Springs N/A NWI – Wetlands 33						
Canal Structures – Historic N/A Lakes 11							
NPS NRI Listed N/A Floodplain – DFIRM 39							
NWI-Lines	13	Cave Entrance Density	N/A				

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IDEM 303d Listed Streams and Lakes (Impaired)	4	Sinkhole Areas	N/A
Rivers and Streams	7	Sinking-Stream Basins	N/A

Explanation:

NWI-Lines: Thirteen (13) NWI-Line segments are located within the 0.5 mile search radius. Two (2) NWI-Line segments are located within the project area. A Waters of the US Report is recommended based on mapped features, and coordination with the appropriate agency, if applicable, will occur.

IDEM 303d Listed Streams and Lakes (Impaired): Four (4) 303d Listed River and Stream segments are located within the 0.5 mile search radius. Turkey Creek is located within the project area. Turkey Creek is listed for *E. coli*. Workers who are working in or near water with *E. coli* should take care to wear appropriate PPE, observe proper hygiene procedures, including regular hand washing and limiting personal exposure.

Rivers and Streams: Seven (7) stream segments are located within the 0.5 mile search radius. Two stream segments, associated with Turkey Creek, are located within the project area. A Waters of the US Report is recommended based on mapped features, and coordination with the appropriate agency, if applicable, will occur.

NWI – Wetlands: Thirty-three (33) wetland polygons are located within the 0.5 mile search radius. Six (6) wetland polygons are located adjacent to the project area. A Waters of the US Report is recommended based on mapped features, and coordination with the appropriate agency, if applicable, will occur.

Lakes: Eleven (11) lake polygons are located within the 0.5 mile search radius. Three (3) lake polygons are located adjacent to the project area. A Waters of the US Report is recommended based on mapped features, and coordination with the appropriate agency, if applicable, will occur.

Floodplain – DFIRM: Thirty-nine (39) floodplain polygons are located within the 0.5 mile search radius. The project area is located within four (4) of the floodplain polygons. Coordination with the appropriate agency will occur.

MINING AND MINERAL EXPLORATION TABLE AND SUMMARY

Mining/Mineral Exploration Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:							
Petroleum Wells N/A Mineral Resources N/A							
Mines – Surface N/A Mines – Underground N/A							

Explanation: No mining and mineral exploration resources were identified within the 0.5 mile search radius.

HAZARDOUS MATERIAL CONCERNS TABLE AND SUMMARY

Hazardous Material Concerns			
ndicate the number of items of conce	ern found wit	thin the 0.5 mile search radius. If there	are no items
olease indicate N/A:			
Superfund	N/A	Manufactured Gas Plant Sites	N/A
RCRA Generator/ TSD	N/A	Open Dump Waste Sites	N/A
RCRA Corrective Action Sites	N/A	Restricted Waste Sites	N/A
State Cleanup Sites	N/A	Waste Transfer Stations	N/A
Septage Waste Sites	N/A	Tire Waste Sites	N/A
Underground Storage Tank (UST) Sites	6	Confined Feeding Operations (CFO)	N/A
Voluntary Remediation Program	N/A	Brownfields	N/A
Construction Demolition Waste	N/A	Institutional Controls	N/A
Solid Waste Landfill	N/A	NPDES Facilities	6
Infectious/Medical Waste Sites	N/A	NPDES Pipe Locations	N/A
Leaking Underground Storage (LUST) Sites	N/A	Notice of Contamination Sites	N/A

Unless otherwise noted, site specific details presented in this section were obtained from documents reviewed on the Indiana Department of Environmental Management (IDEM) Virtual File Cabinet (VFC).

Explanation:

Underground Storage Tank (UST) Sites: Six (6) UST sites are located within the 0.5 mile search radius. The nearest UST site, Papers Incorporated, 206 S Main St, AI ID# 11012, is located adjacent to the western termini along Emeline Street. According to the November 8, 1999 UST System Closure Report Review Checklist, the UST on site near the southwest corner of the building was closed on August 26, 1998. No impact is expected.

NPDES Facilities: Six (6) NPDES Facilities are located within the 0.5 mile search radius. The nearest NPDES site, Bison Trailer LLC, 802 Old SR 15, Permit # INRM01779, is mapped adjacent to the project area; however, the facility is actually located approximately 0.68 mile northeast of the project area. No impact is expected.

ECOLOGICAL INFORMATION SUMMARY

The Kosciusko County listing of the Indiana Natural Heritage Data Center information on endangered, threatened, or rare (ETR) species and high quality natural communities is provided at (https://www.in.gov/dnr/nature-preserves/files/np-kosciusko.pdf). A preliminary review of the Indiana Natural Heritage Database by INDOT ESD did indicate the presence of ETR species within the 0.5 mile search radius. Coordination with USFWS and IDNR will occur.

A review of the USFWS database did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. The range-wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation for INDOT Projects".

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RECOMMENDATIONS SECTION

Include recommendations from each section. If there are no recommendations, please indicate N/A:

INFRASTRUCTURE:

Recreational Facilities: Waubee Lake Park is located within the project area. Coordination with Milford Park Board will occur.

Pipelines: Northern Indiana Public Services Co. crosses the project area. Coordination with Northern Indiana Public Services Co. will occur.

Railroads: Norfolk Southern Railroad crosses the project area. Coordination with Norfolk Southern Railroad should occur.

WATER RESOURCES:

A Waters of the US Report is recommended based on mapped features and coordination with the appropriate agency, if applicable, will occur for the following features:

- Six (6) wetland polygons are located adjacent to the project area.
- The project area is located within a floodplain (coordination only).
- One (1) stream segment, Turkey Creek, flows through the project area.
- Two (2) NWI-Line segments are located within the project area.
- Three (3) lake polygons are located adjacent to the project area.

IDEM 303d Listed Streams and Lakes (Impaired): Turkey Creek is located within the project area. Turkey Creek is listed for *E. coli*. Workers who are working in or near water with *E. coli* should take care to wear appropriate PPE, observe proper hygiene procedures, including regular hand washing, and limit personal exposure.

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS: N/A

ECOLOGICAL INFORMATION: Coordination with USFWS and IDNR will occur. The range-wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation INDOT Projects".

Peter Washburn

Digitally signed by Peter Washburn Date: 2023.09.13 10:42:01 -04'00'

(Signature)

INDOT ESD concurrence:

Prepared by: Shampaygne Jeffries Environmental Specialist USI Consultants, Inc.

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Graphics:

A map for each report section with a 0.5 mile search 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:

SITE LOCATION: YES

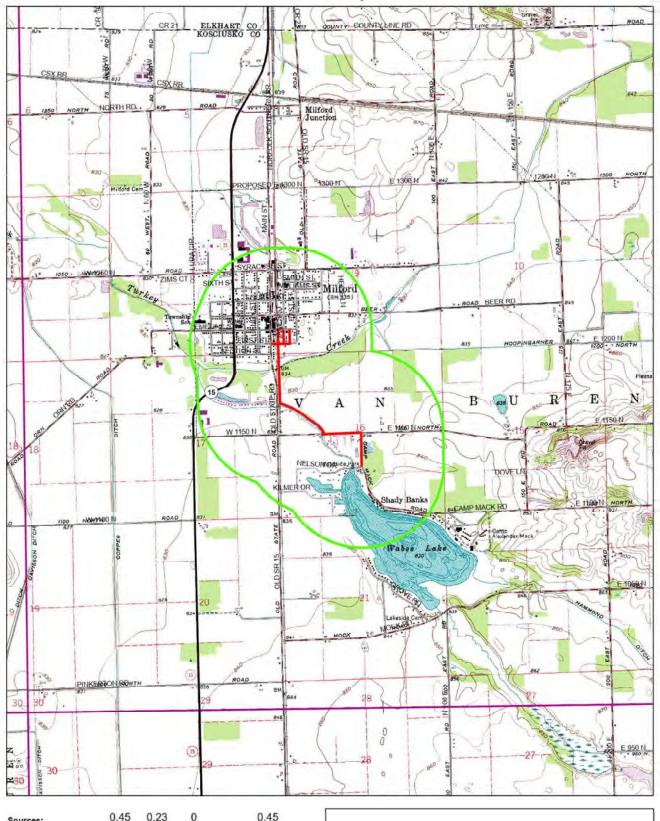
INFRASTRUCTURE: YES

WATER RESOURCES: YES

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS: YES

Red Flag Investigation - Site Location Milford Trail, From East 1st Street and Emeline Street to Waubee Lake Park Des. No. 2101778, Multi-Use Trail Project Kosciusko County, Indiana



Non Orthophotography
Data - Obtained from the State of Indiana Geographical
Information Office Library
Orthophotography - Obtained from Indiana Map Framework Data
(www.indianamap.org)
Map Projection: UTM Zone 16 N Map Datum: NAD83

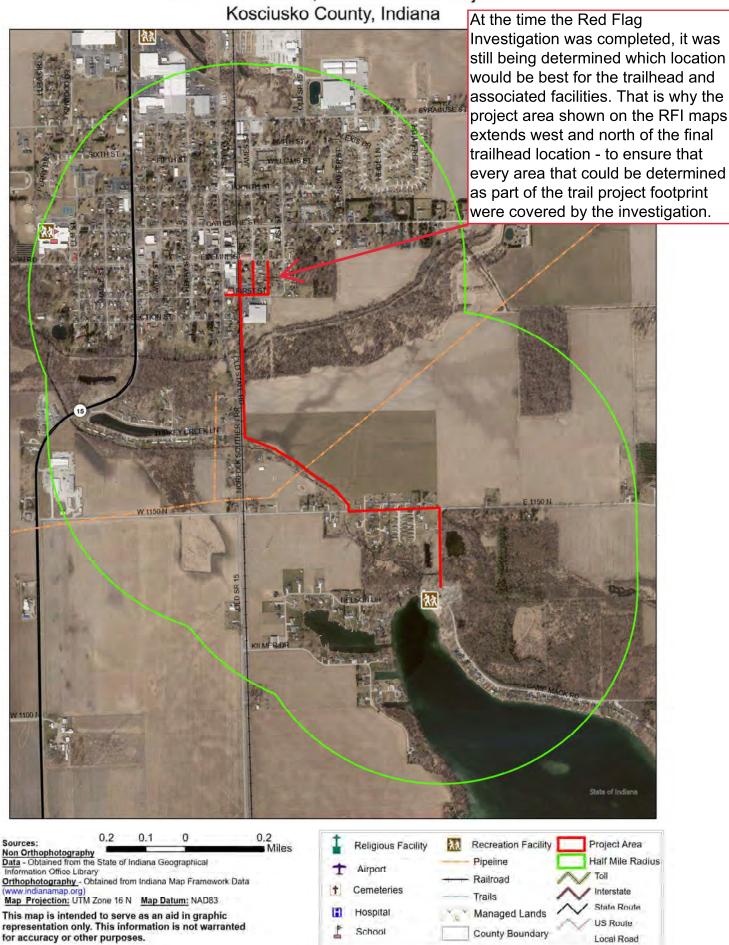
This map is intended to serve as an aid in graphic

representation only. This information is not warranted

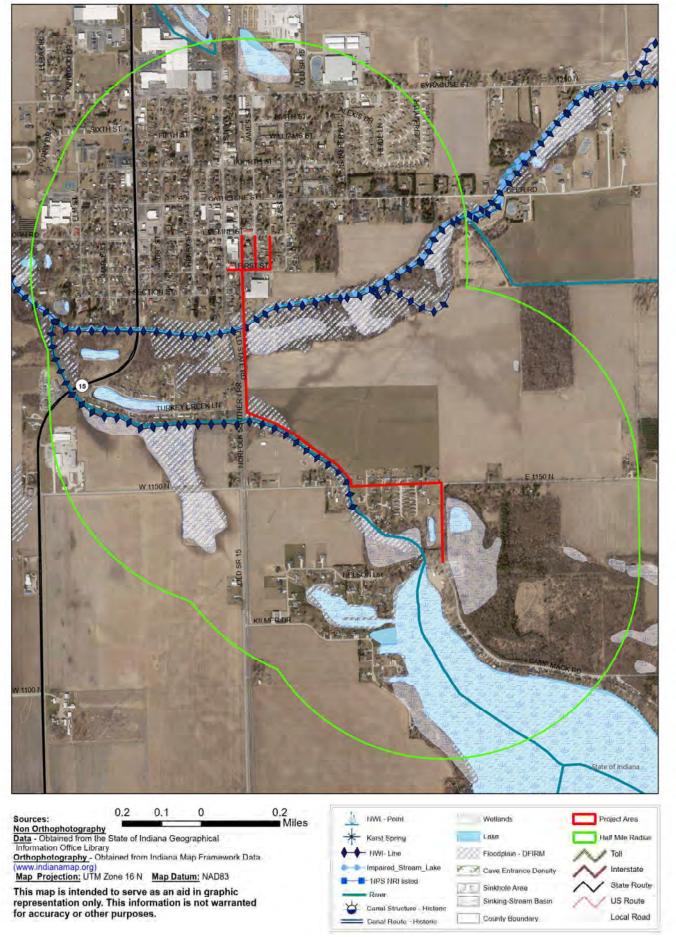
for accuracy or other purposes.

MILFORD QUADRANGLE INDIANA 7.5 MINUTE SERIES (TOPOGRAPHIC)

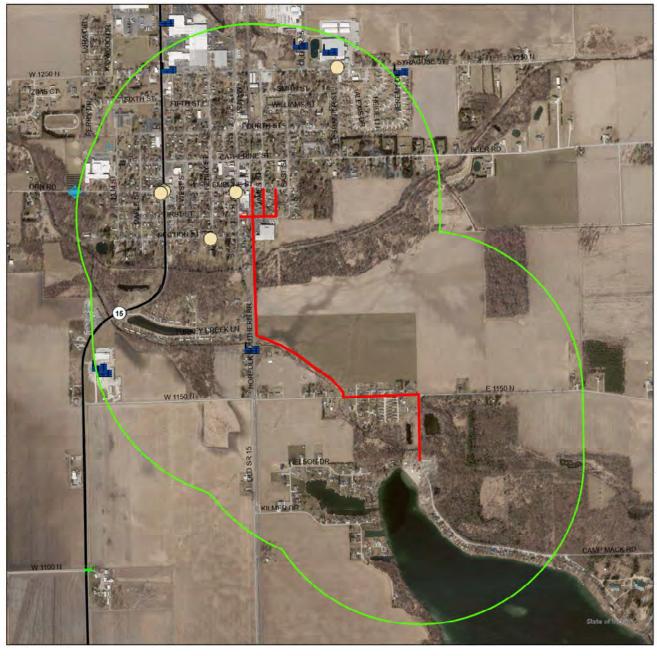
Red Flag Investigation - Infrastructure Milford Trail, From East 1st Street and Emeline Street to Waubee Lake Park Des. No. 2101778, Multi-Use Trail Project

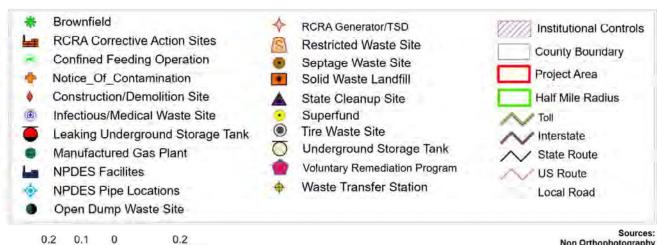


Red Flag Investigation - Water Resources Milford Trail, From East 1st Street and Emeline Street to Waubee Lake Park Des. No. 2101778, Multi-Use Trail Project Kosciusko County, Indiana



Red Flag Investigation - Hazardous Materials Concerns Milford Trail, From East 1st Street and Emeline Street to Waubee Lake Park Des. No. 2101778, Multi-Use Trail Project Kosciusko County, Indiana





This map is intended to serve as an aid in graphic representation only. This information is not warranted

Non Orthophotography

<u>Data</u> - Obtained from the State of Indiana Geographical
Information Office Library

<u>Orthophotography</u> - Obtained from Indiana Map Framework Data

for accuracy or other purposes.

Des. No. 2101778 Appendix E - Red Flag Investigation and Hazardous Materials (Www.indianamap.org)

Map Projection: UTM Zone 16 N Map Datum: NAD83 Page 10

APPENDIX F Water Resources

Waters of the U.S. Determination Milford Multi-Use Trail Tow of Milford, Kosciusko County, Indiana Des. No. 2101778 & Contract #R-44340

Date of Field Reconnaissance:

September 13, 2023

Report Completion Date:

February 15, 2024

Project Location:

Sections 9 & 16, Township 34 North, Range 6 East Milford U.S. Geological Survey (USGS) 7.5-minute Topographic Quadrangle Town of Milford, Kosciusko County, Indiana Lat/Long: From 41.408483, -85.845150 to 41.396251, -85.835633

Project Description:

The proposed project includes the construction of multi-use trail facilities with drainage improvements along the project corridor. In addition, the project consists of a pedestrian bridge over Turkey Creek. Multiple trailhead locations are being considered as part of the project including at the intersection of First Street and Main Street, First Street just to the east of the Norfolk Southern Railroad, Emeline Street just east of the Norfolk Southern Railroad, Emeline Street and James Street, and Emeline Street and the alley between James Street and East Street. The preferred terminus is a trailhead just south of the parking lot located south of East First Street east of the Norfolk Southern Railroad. Project development is early and on-going. Surrounding land use is classified as forested, agricultural, and residential.

Two streams, Turkey Creek and unnamed tributary (UNT) to Turkey Creek, one wetland, and two open water features were identified in the field investigation. Vegetation was predominantly maintained lawn, agricultural, and forested. The project is located within the Turkey Creek and UNT to Turkey Creek floodplains.

The project is located within the Warsaw Moraines and Drainageways physiographic division of Indiana, which is outside the Potential Karst Features Region identified in the July 15th, 2021, Karst Memorandum of Understanding between the Indiana Department of Transportation (INDOT), Indiana Department of Natural Resources (IDNR), Indiana Department of Environmental Management (IDEM), and the U.S. Fish and Wildlife Service (USFWS).

Soil Information:

According to the Natural Resources Conservation Service (NRCS) Web Soil Survey website for Kosciusko County, Indiana, the project area does contain soil areas with nationally listed hydric soils.

Table 1: Soil Map Data:

Soil Name	Symbol	NRCS Flood Frequency	NRCS Drainage Class	NRCS Hydric Category	Hydric Rating
Sebewa mucky loam	Sf	None	Poorly drained	Predominantly Hydric (66-99%)	98% Hydric
Brady sandy loam	Вр	None	Somewhat poorly drained	Predominantly Nonhydric (1%-32%)	4% Hydric
Gravelton loamy sand, occasionally flooded	Go	Occasional	Very poorly drained	Hydric (100%)	100% Hydric
Kosciusko sandy loam, 0 to 2 percent slopes	KoA	None	Well drained	Nonhydric (0%)	0% Hydric
Kosciusko sandy loam, 2 to 6 percent slopes	КоВ	None	Well drained	Nonhydric (0%)	0% Hydric
Bronson sandy loam, 0 to 2 percent slopes	BrA	None	Moderately well drained	Predominantly Nonhydric (1%-32%)	3% Hydric
Ormas loamy sand, 0 to 2 percent slopes	OrA	None	Well drained	Nonhydric (0%)	0% Hydric
Boyer loamy sand, 1 to 6 percent slopes	ВоВ	None	Well drained	Nonhydric (0%)	0% Hydric
Gilford mucky sandy loam, gravelly substratum	Gm	None	Very poorly drained	Hydric (100%)	100% Hydric
Edwards muck, drained	Ed	None	Very poorly drained	Hydric (100%)	100% Hydric

National Wetland Inventory (NWI) Information:

Four National Wetland Inventory (NWI) wetlands are located within or adjacent to the study area. This includes two linear features associated with Turkey Creek and UNT to Turkey Creek. Wetland types are based on the Classification of Wetlands and Deepwater Habitats of the United States (Cowardin et al. 1979).

- Two palustrine, unconsolidated bottom, intermittently exposed, excavated (PUBGx) freshwater ponds are located adjacent to the investigated area in the southern extent;
- A palustrine, scrub-shrub, broad-leaved deciduous, seasonally flooded (PSS1C) freshwater forested/shrub wetland, associated with Turkey Creek, is located within the northern extent of the investigated area;
- One palustrine, forested, broad-leaved deciduous, seasonally flooded (PFO1C) wetland is located adjacent to the southern extent of the investigated area.

HUC (12 Digit):

The Milford Multi-Use Trail Project investigated area is located within the 040500011704 (Hoopingarner Ditch-Turkey Creek) and 040500011703 (Waubee Lake-Hammond Ditch) 12-digit HUCs.

National Hydrography Dataset (NHD) and Flood Zones:

The USGS National Hydrography Dataset (NHD) mapped two features within the study area. Two features are mapped as classified. These feature(s) correspond to Turkey Creek and UNT to Turkey Creek. A review of the Milford 1:24,000 topographic quadrangle identified two solid blue line features within the investigated area. The project is within the Turkey Creek and UNT to Turkey Creek flood zones.

Milford Multi-Use Trail
Multi-Use Trail from East 1st Street to Waubee Lake Park
Des. No. 2101778
Town of Milford, Kosciusko County, Indiana

Field Reconnaissance:

Prior to site investigation, desktop and database reconnaissance was performed. Aerial imagery, USFWS NWI map, and the NRCS Web Soil Survey for the project site were analyzed to determine possible water and wetlands resources in the area. Field investigation was conducted on September 13, 2023. Weather on the day of the field investigations was 68 degrees and cloudy. The last precipitation event occurred on September 12, 2023 with 0.78 inch of rain (Weather Underground).

Water resource boundaries were mapped using a Trimble R1 receiver and Field Maps as the GIS data collection platform. For those features that identified bed and bank, the ordinary high water mark (OHWM) measurements were taken outside the influence of the structure, in the location most resembling the natural stream environmental.

Stream Features: Two stream features, Turkey Creek and UNT to Turkey Creek, were identified within the investigated area.

Turkey Creek

Turkey Creek is a perennial stream that flows from east to west within the investigated area. Approximately 285 linear feet of the stream is within the investigated area and is of good quality due to sinuosity, overhanging vegetation, stable banks, substrate, and diverse organisms. The OHWM is 35.5 feet wide by 0.5 feet deep. The substrate within this reach of Turkey Creek is gravel (50%), pebbles (30%), and sand (20%). The upstream drainage of Turkey Creek is 59.30 square miles according to StreamStats. This reach of Turkey Creek possessed pools and riffles during the time of investigation. The base flood elevation (BFE) of Turkey Creek is 825.1 feet within this section of the investigated area.

Turkey Creek is considered a perennial, relatively permanent waterway (RPW) with a downstream connection to Saint Joseph River, a Traditional Navigable Waterway (TNW), through the Elkhart River in Elkhart County. Turkey Creek would be subject to USACE jurisdiction under Section 404 of the Clean Water Act due to its connection to a TNW downstream of the project. This stream is not subject to USACE jurisdiction under Section 10 of the River and Harbors Act.

UNT to Turkey Creek

UNT to Turkey Creek is an intermittent stream that drains Waubee Lake and flows from southeast to northwest within the investigated area. Approximately 1,800 linear feet of the stream is within the investigated area and is of poor quality due to lack of water during the field investigation, lack of overhanging vegetation, and substrate. The OHWM is 3.5 feet wide by 0.5 feet deep. The substrate within this reach of UNT to Turkey Creek is gravel (50%), pebbles (30%), and sand (20%). The upstream drainage of UNT to Turkey Creek is 15.57 square miles according to StreamStats. This reach of UNT to Turkey Creek possessed no pools or riffles during the time of investigation. These features may be present during periods when water is present. The BFE of UNT to Turkey Creek is 825.8 feet within this section of the investigated area.

UNT to Turkey Creek is considered an intermittent, non-RPW with a downstream connection to Saint Joseph River, a Traditional Navigable Waterway (TNW), through Turkey Creek and the Elkhart River in Elkhart County. UNT to Turkey Creek would be subject to USACE jurisdiction under Section 404 of the Clean Water Act due to its connection to a TNW downstream of the project. This stream is not subject to USACE jurisdiction under Section 10 of the River and Harbors Act.

Table 2: Stream Features

Feature Name	Photos	Lat/Long	OHWM Width (ft)	OHWM Depth (ft)	USGS Blue-line? Type?	Riffles/ Pools	Quality	Substrate	Likely Water of the U.S.?
Turkey Creek	18-25	41.405284 <i>,</i> -85.844912	35.5	0.5	Yes, Solid	Yes	Good	Gravel (50%), Pebbles (30%) & Sand (20%)	Yes
UNT to Turkey Creek	8-11 & 13-15	41.400427, -85.841514	3.5	0.5	Yes, Solid	No	Poor	Gravel (50%), Pebbles (30%) & Sand (20%)	Yes

Wetlands: One wetland, Wetland 1, were identified within the investigated area.

Data Point 1 (DP 1)

DP 1 represents possible wetland conditions within the project area due to the accumulation of the UNT to Turkey Creek drainage and the result of hydrophytic vegetation. DP 1 was taken in the southern extent of the project area, along the west side of East Camp Mack Road within a depressional area at the base of a roadside embankment. The tree stratum was dominated by common buttonbush (*Cephalanthus occidentalis*, OBL) and Carolina false buckthorn (*Frangula caroliniana*, FAC). The herb stratum was dominated by orange jewelweed (*Impatiens capensis*, FACW) and bearded beggarticks (*Bidens aristosa*, FACW). Vegetation passed the rapid test, dominance test, and prevalence index and, therefore, hydrophytic vegetation criteria are met. The 2020 Indiana SSURGO data for Kosciusko County indicated that this data point is located within Edwards muck, which is considered to be hydric. Soils were excavated to a depth of 16 inches with a soil profile of 0 to 5 inches of 10YR 2/1 (100%). From 5 to 8.5 inches the soil consisted of 10YR 2/2 (100%). From 8.5 to 16 inches the soil consisted of 10YR 2/1 (55%), redox concentrations of 2.5YR 3/6 (30%), and matrix of 10YR 6/1 (15%). The soil profile does not meet any hydric soil indicators, and therefore, no hydric soils are present. The data point had one primary and one secondary wetland hydrology indicators. Saturation (A3) at a depth of 16 inches below the surface and the FAC-Neutral Test. As this sample point did not meet all three wetland indicators, it can be assumed that DP 1 is not within a wetland.

Wetland 1

Wetland 1 is a Palustrine Emergent (PEM) wetland located in the northern extent of the investigated area, bordering and fed by Turkey Creek. Wetland 1 is located on a terrace along Turkey Creek. Wetland 1 is approximately 0.02 acre in size and is completely within the investigated area. The boundary of Wetland 1 was determined by a change in vegetation. Wetland 1 is dominated by American elm (*Ulmus americana*, FACW), Green ash (*Fraxinus pennsylvanica*, FACW), Canadian clearweed (*Pilea pumila*, FACW), bearded beggarticks (*Bidens aristosa*, FACW), and ricecut grass (*Leersia oryzoides*, OBL). Wetland 1 exhibits good quality due to the diversity of plant species and dominance of native plants. As Wetland 1 has connectivity to Turkey Creek, a jurisdictional resource, it is considered to have significant nexus and would be subject to USACE jurisdiction under Section 404 of the Clean Water Act.

Data Point 2 (DP 2)

DP 2 represents wetland conditions within Wetland 1. DP 2 was taken on a terrace bordering Turkey Creek. The tree stratum was dominated by American elm (*Ulmus americana*, FACW) and Green ash (*Fraxinus pennsylvanica*, FACW). The herb stratum was dominated by Canadian clearweed (*Pilea pumila*, FACW), bearded beggarticks (*Bidens aristosa*, FACW), and ricecut grass (*Leersia oryzoides*, OBL). Vegetation passed the rapid test, dominance test, and the prevalence index and, therefore, hydrophytic vegetation criteria was met. The 2020 Indiana SSURGO data for Kosciusko County indicated that this data point is located within Gravelton loamy sand, which is considered to be hydric. Soils were excavated to a depth of 15 inches with shovel refusal due to gravel. Multiple attempts were made at several locations. The soil profile consisted of 0 to 3 inches of 2.5Y 4/2 (70%) and redox concentrations of 2.5Y 2.5/1 (30%). From 3 to 8.5 inches, the soil profile consisted of 5Y 2.5/1 (100%). From 8.5 to 11 inches, the soil profile consists of 5Y 3/1 (100%), and from 11 to 15 inches 5Y 4/1 (100%). The soil profile meets the Dark Surface (S7) hydric soil indicator, and therefore, hydric soils are present. The data point had two primary wetland hydrology indicators and one secondary indicator. High Water Table (A2) at a depth of 9 inches, Saturation (A3) at a depth of 1 inch below the surface, and FAC-Neutral Test (D5) were all present at the sample point. As this sample point met all three wetland indicators, it can be assumed that DP 2 is within a wetland.

Data Point 3 (DP 3)

DP 3 represents upland conditions for Wetland 1. DP 3 was taken on a terrace just outside of Wetland 1. The tree stratum was dominated by American elm (*Ulmus americana*, FACW). The herb stratum was dominated by wood nettle (*Laportea canadensis*, FACW). Vegetation passed the dominance test, and therefore, hydrophytic vegetation criteria are met. The 2020 Indiana SSURGO data for Kosciusko County indicated that this data point is located within the Gravelton loamy sand, which is considered to be hydric. Soils were excavated to a depth of 15 inches with shovel refusal due to roots and gravel. Multiple attempts were made at several locations. The soil profile consists of 0 to 7 inches of 10YR 3/2 (100%). From 7 to 11.5 inches the soil profile consists of 10YR 4/3 (100%). From 11.5 to 15 inches the soil profile consisted of 10YR 3/2 (100%). No hydric soil indicators were present. There were no primary or secondary wetland hydrology indicators present at the sample point. As not all the wetland indicators were met, it can be assumed that DP 3 is not within a wetland.

Table 3: Wetland Summary

Wetland Name	Photos	Lat/Long	Classification	Quality	Size (acre)	Likely Water of the U.S.?
Wetland #1	26 & 27	41.397010 <i>,</i> -85.835611	PEM	Good	0.02	Yes

Table 4: Wetland Determination Sample Points

Data Point	Hydrophytic Vegetation	Hydrophytic Soils	Hydrology Indicators	Wetland
Data Point #1	Yes	No	Yes	No
Data Point #2	Yes	Yes	Yes	Yes
Data Point #3	Yes	No	No	No

Roadside Ditch Features:

No roadside ditch features were identified within the study area.

Open Water:

Two open water features were observed near the study area. The two features are man-made ponds adjacent to East Camp Mack Road, mapped on the NWI map, and all are constructed features that lack connectivity to a jurisdictional resource.

Conclusions:

The September 13, 2023 field investigation for the Milford Multi-Use Trail Project identified two stream features, Turkey Creek and UNT to Turkey Creek; one wetland, Wetland 1; and two open water features. Turkey Creek, UNT to Turkey Creek and Wetland 1 would be subject to USACE jurisdiction under Section 404 of the Clean Water Act due to their connection to a TNW downstream of the project. The open water features are not considered jurisdictional due to their lack of connectivity to a jurisdictional resource.

Every effort should be taken to avoid and minimize impacts to the waterway and wetlands. If impacts are necessary, then mitigation may be required. The final determination of jurisdictional waters is ultimately made by the U.S. Army Corps of Engineers. This report is our best judgment based on the guidelines set forth by the Corps.

All drainage structures within the study area were examined on September 13, 2023 for the presence of bats and migratory birds. It was found that the structures did not show direct or indirect signs of occupation. The structures do provide for wildlife crossing. During the field investigation, animal tracks, droppings, and low water levels were observed.

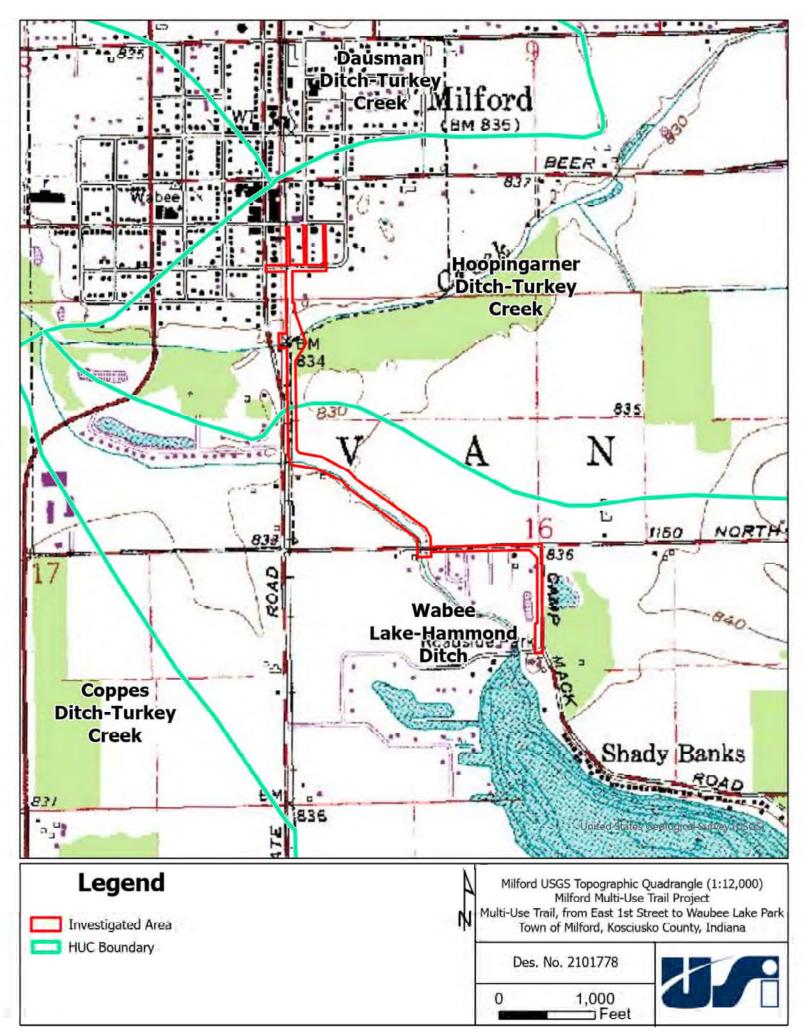
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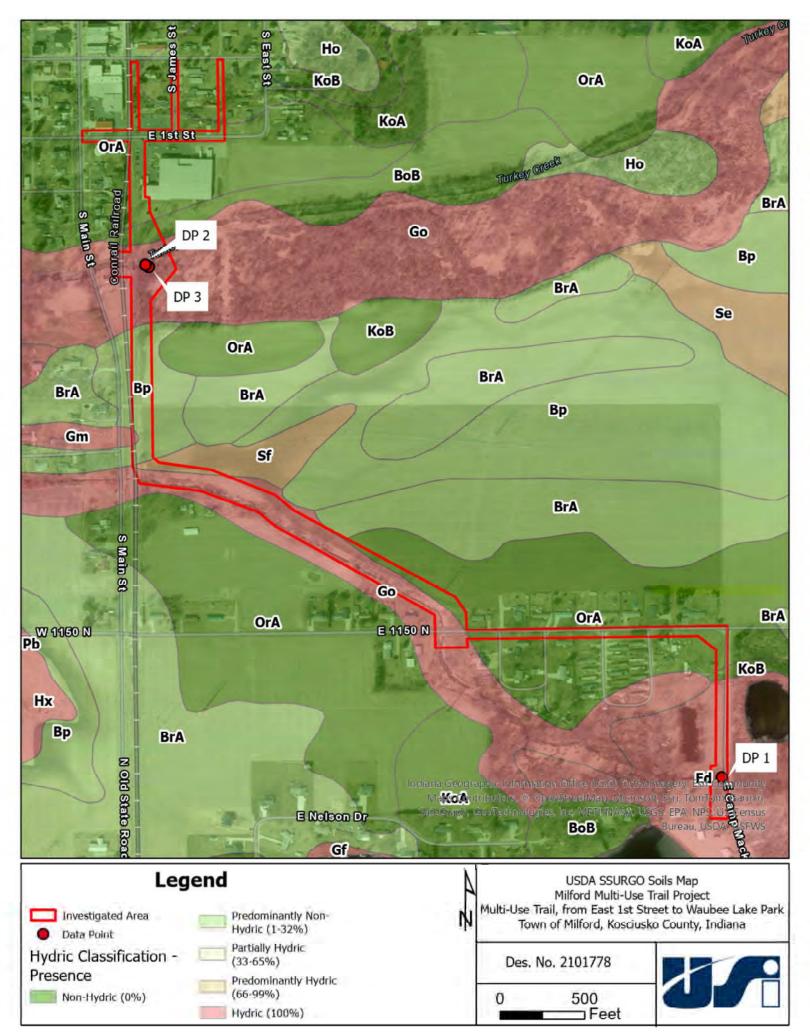
This waters determination has been prepared based on the best available information, interpreted in the light of the investigator's training, experience and professional judgement in conformance with the 1987 Corps of Engineers Wetlands Delineation Manual, the appropriate regional supplement, the USACE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

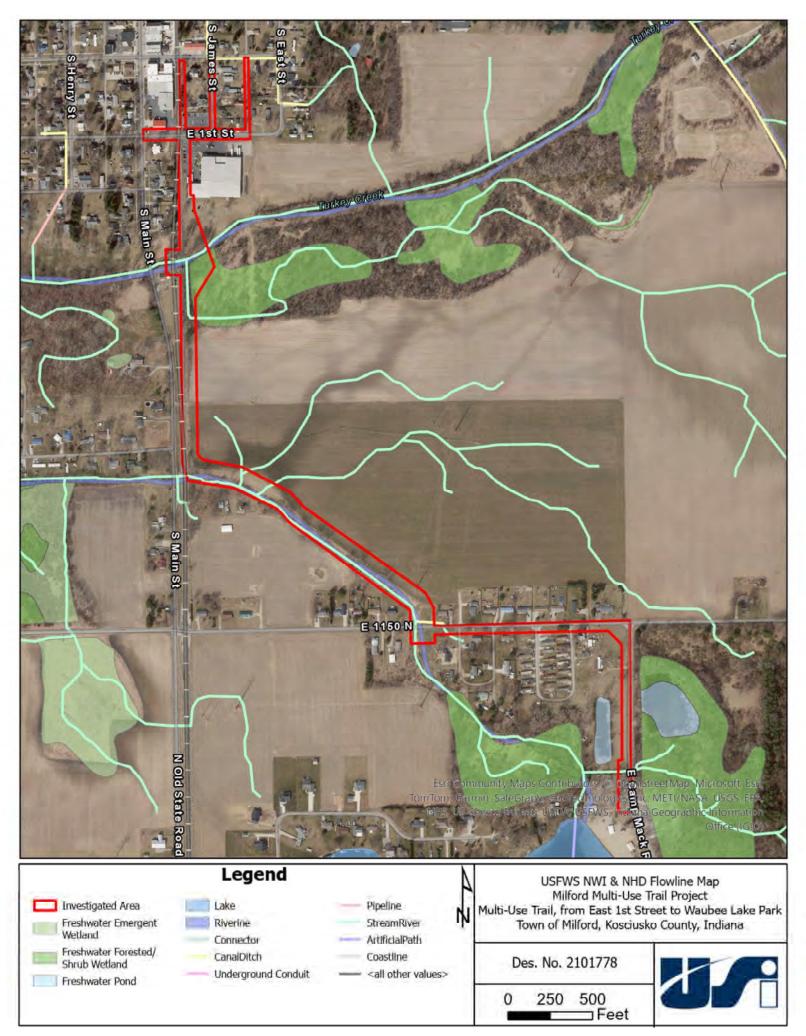
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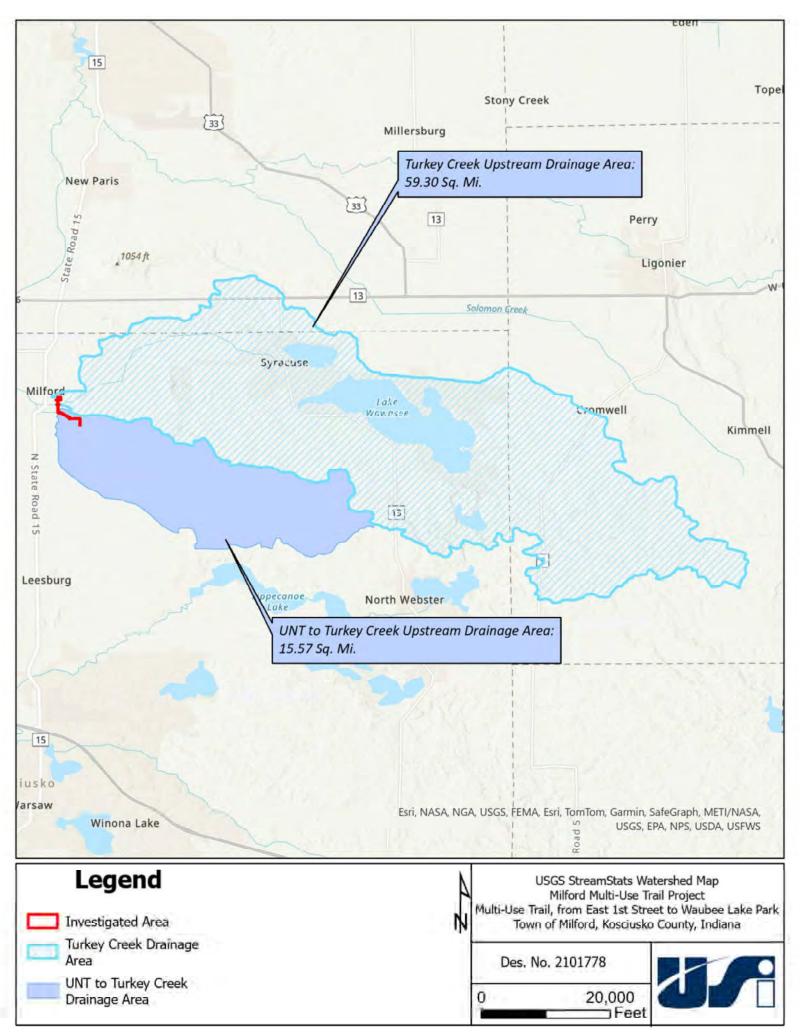
Environmental Specialist USI Consultants, Inc.

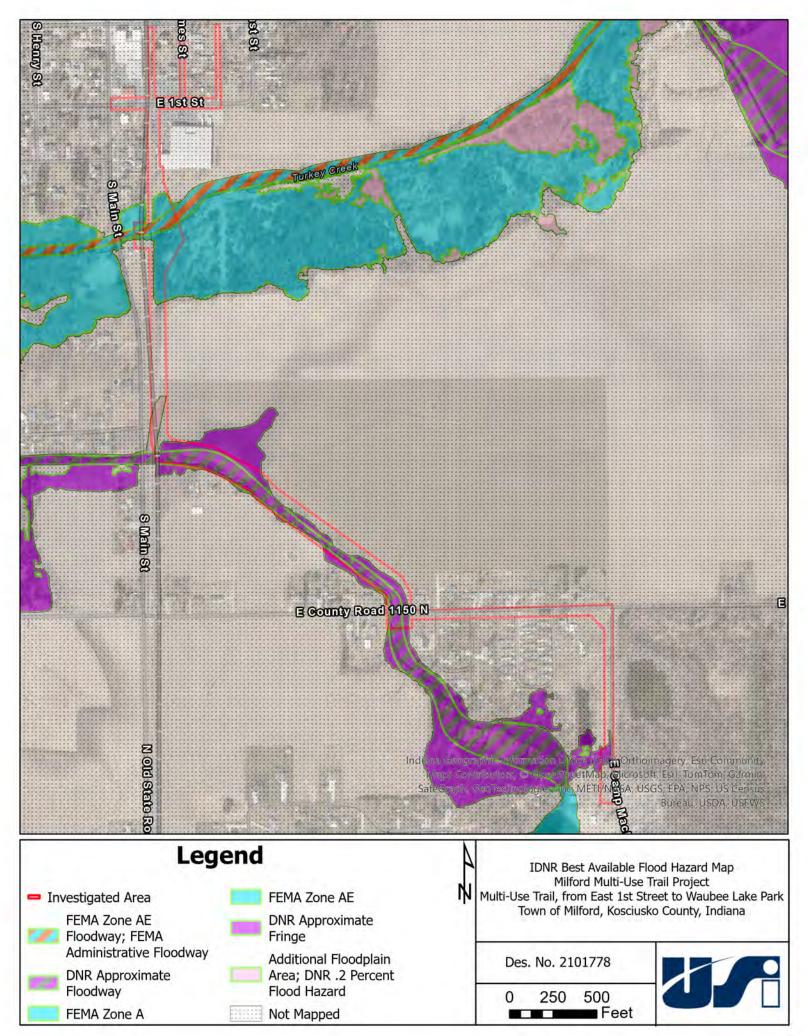
Some project area maps have been removed to avoid duplication. Please see Appendix B for additional maps and photographs.

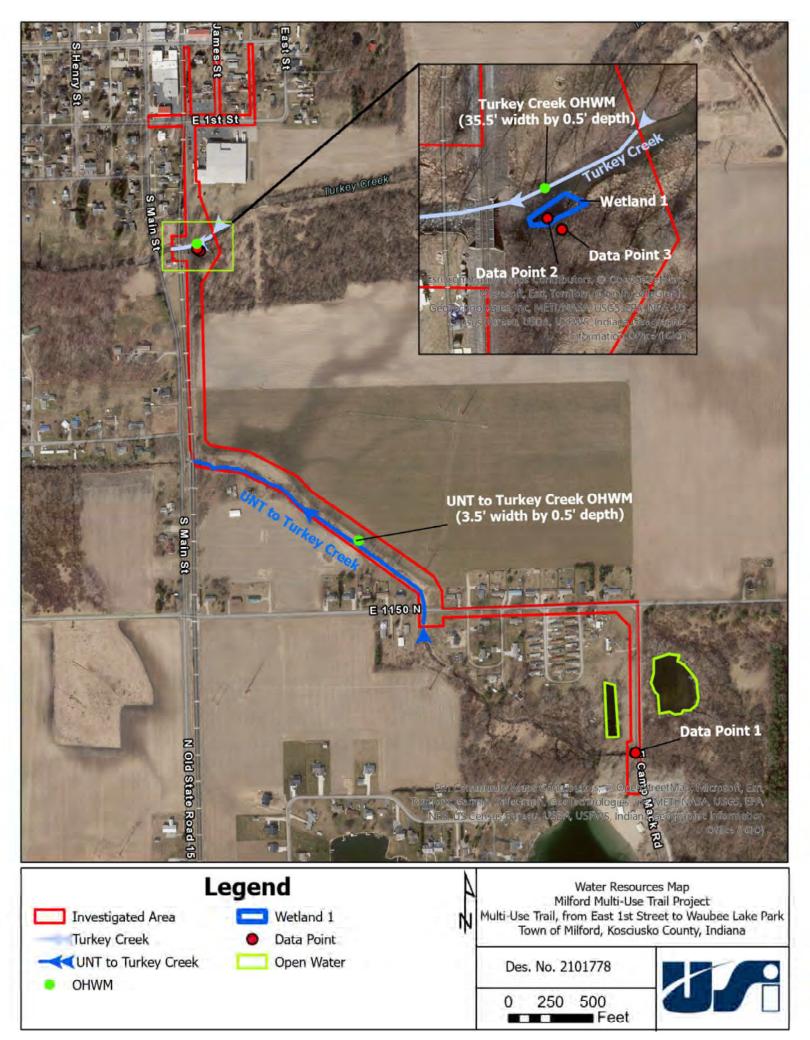


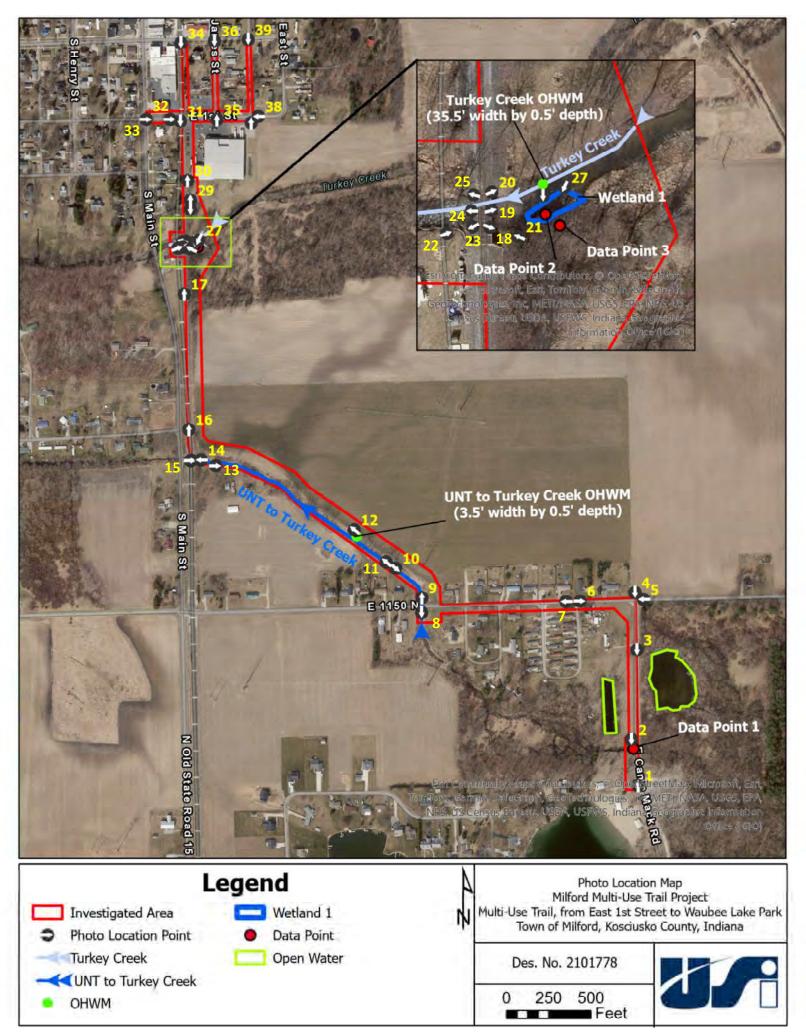














1. Looking north along East Camp Mack Road from end of project.



2. Looking south along East Camp Mack Road.



Des. No. 2101778

Des. No. 2101778



Appendix F - Water Resources

4 Looking west from East County Road 1150 North and East Camp Mack Road intersection.
Page 14



5. Looking south from East County Road 1150 North and East Camp Mack Road intersection.



6. Looking east along East County Road 1150 North.



Des. No. 2101778 west along East County Road 1150 North.



Appendix F - Water Resources 8. Looking south from structure facilitating UNT to Turkey Creek (upstream). Page 15



9. Looking north from structure facilitating UNT to Turkey Creek (downstream).



10. Looking southeast upstream UNT to Turkey Creek towards structure beneath East County Road 1150 North.



11. Looking northwest downstream UNT to Turkey Creek. Appendix F - Water Resources 12. Looking northwest along UNT to Turkey Creek at agricultural field. Page 16



13. Looking east upstream UNT to Turkey Creek.



14. Looking west at structure beneath railroad tracks facilitating UNT to Turkey Creek (downstream).



15. Looking east from tracks and structure upstream UNT to Turkey Creek Des. No. 2101778 Appendix F - Water Resources



16. Looking north along tracks.



17. Looking north along tracks.



18. Looking southeast at surrounding area along Turkey Creek.



Des. No. 2101778 Looking northeast upstream Turkey Creek.



20. Looking northeast at surrounding area along Turkey Creek from Structure No. 43-00029 B. Appendix F - Water Resources





Milford Multi-Use Trail Project Des. No. 2101778

22. Looking northeast upstream at Structure No. 43-00029 B over Turkey Creek.



23. Looking southwest at surrounding area along Turkey Creek.

Des. No. 2101778

Appendix F - Water Resources

24. Looking west downstream Turkey Creek.



25. Looking northwest at surrounding area along Turkey Creek.



26. Looking south at Wetland 1.



Des. No. 2101778²⁷. Looking southwest at Wetland 1.



Appendix F - Water Resources

28. Looking south towards Turkey Creek.



29. Looking north along railroad tracks.



30. Looking north along railroad tracks.



Des. No. 2101778



Appendix F - Water Resources 32. Looking east along East 1st Street at railroad crossing. Page 21









Des. No. 2101778 35. Looking north along James Street.

Appendix F - Water Resources

36. Looking south along James Street.



37. Looking north along alley from East 1st Street.



Des. No. 2101778

39. Looking south along alley from Emeline Street.



38. Looking west along East 1st Street.

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: .Milford Multi-Use Trail City/Co	ounty: Milford/Kosciusko Sampling Date: 9/13/23
Applicant/Owner: Town of Milford	State: IN Sampling Point: DP 1
Investigator(s): B. Williams & S. Jeffries Section	n, Township, Range: Section 16, T34N, R6E
Landform (hillside, terrace, etc.): Depression Local reli	ef (concave, convex, none): Concave Slope (%): 0-2
Subregion (LRR or MLRA): LRR L Lat: 41.396915	Long: -85.835596 Datum: NAV83
Soil Map Unit Name: Ed; Edwards muck, drained	NWI classification: N/A
Are climatic / hydrologic conditions on the site typical for this time of year?	Yes X No (If no, explain in Remarks.)
Are Vegetation, Soil, or Hydrology significantly disturb	
Are Vegetation , Soil , or Hydrology naturally problems	
SUMMARY OF FINDINGS – Attach site map showing sample	
Hydrophytic Vegetation Present? Yes X No Is	the Sampled Area
Hydric Soil Present? Yes No X wi	thin a Wetland? Yes No _X_
Wetland Hydrology Present? Yes X No If y	ves, optional Wetland Site ID:
Remarks: (Explain alternative procedures here or in a separate report.) Potential wetland point	
HYDROLOGY	
Wetland Hydrology Indicators:	Secondary Indicators (minimum of two required)
Primary Indicators (minimum of one is required; check all that apply)	Surface Soil Cracks (B6)
Surface Water (A1) Water-Stained Leaves	
High Water Table (A2) Aquatic Fauna (B13) Aquatic Fauna (B15)	Moss Trim Lines (B16)
X Saturation (A3) — Marl Deposits (B15)	Dry-Season Water Table (C2)
Water Marks (B1) Hydrogen Sulfide Odor	<u> </u>
Sediment Deposits (B2) Oxidized Rhizospheres	- · · · · · · · · · · · · · · · · · · ·
Drift Deposits (B3) Presence of Reduced	
Algal Mat or Crust (B4) Recent Iron Reduction This Must Surface (C5)	
Iron Deposits (B5) Thin Muck Surface (C7) Other (Cyrelia in Personal Program (B7)	· · · · · · · · · · · · · · · · · · ·
Inundation Visible on Aerial Imagery (B7) Other (Explain in Rema	
Sparsely Vegetated Concave Surface (B8)	X FAC-Neutral Test (D5)
Field Observations:	
Surface Water Present? Yes No X Depth (inches):	<u></u>
Water Table Present? Yes No X Depth (inches):	
Saturation Present? Yes X No Depth (inches): 1	Wetland Hydrology Present? Yes X No
(includes capillary fringe)	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous	ous inspections), if available:
Develop	
Remarks:	

US Army Corps of Engineers

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

0-5 5-8.5 8.5-16	10YR 2/1 10YR 2/2 10YR 2/2 10YR 2/1 10YR 6/1	% 100 100 55 15 15	Color (moist) 2.5YR 3/6	30	Type ¹ C	Loc ² M	Loamy/Clayey Loamy/Clayey		Remarks	
5-8.5	10YR 2/2 10YR 2/1	100 55	2.5YR 3/6	30			Loamy/Clayey			
	10YR 2/1	55	2.5YR 3/6	30						
8.5-16			2.5YR 3/6	30		<u>M</u>	Loamy/Clayov			
	10YR 6/1						Loamy/Clayey	Promine	nt redox cond	entrations
			_							
							<u> </u>			
—										
		letion, RM	I=Reduced Matrix, C	S=Cover	ed or Coa	ated Sand	d Grains. ² Loc Indicators for		ore Lining, M	
dric Soil Inc Histosol (A			Polyvalue Belov	v Surface	(S8) (LR	R R			R K, L, MLRA	
Histic Epipe	•	_	MLRA 149B)	· Gariago	(00) (2.1	,			A16) (LRR K ,	
Black Histic			Thin Dark Surfa	ce (S9) (I	LRR R, N	ILRA 149			Peat (S3) (LR	
_ Hydrogen \$	Su l fide (A4)	_	High Chroma Sa	ands (S1	1) (LRR K	(, L)	Polyvalue	Below Surf	ace (S8) (LRF	R K, L)
_Stratified L	ayers (A5)	_	Loamy Mucky M	linera l (F	1) (LRR k	(, L)	Thin Dark	Surface (S	9) (LRR K, L)	
– '	Below Dark Surface	e (A11) _	Loamy Gleyed I		2)			2	ses (F12) (LR	
_	Surface (A12)	_	Depleted Matrix					•	Soils (F19) (N	
_	cky Mineral (S1)	_	Redox Dark Sur						MLRA 144A,	145, 149B)
Sandy Gley Sandy Red	yed Matrix (S4)	-	Depleted Dark S Redox Depress	•	-7)			nt Material (rz1) ırface (TF12)	
Stripped M	` '	_	Marl (F10) (LRF	. ,				plain in Rem	, ,	
Dark Surfa	` /	_	Wall (1 10) (ERG	(IX, L)			Other (Ex	piair iii Keri	iaiks)	
_	,									
			etland hydrology mu	ıst be pre	sent, unle	ess distur	bed or problematic.			
•	yer (if observed):									
Type:										
Depth (inche	s):						Hydric Soil Pre	sent?	Yes	No X



DP1 Soil Profile



DP1 Soil Profile Hole

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Milford Multi-Use Trail	City/County: Milford/Kosciusko Sampling Date: 9/13/23
Applicant/Owner: Town of Milford	State: IN Sampling Point: DP2
Investigator(s): B. Williams & S. Jeffries	Section, Township, Range: Section 16, T34N, R6E
Landform (hillside, terrace, etc.): Terrace	Local relief (concave, convex, none): None Slope (%): 5-8
Subregion (LRR or MLRA): LRR L Lat: 41.405197	Long: -85.844910 Datum: NAV83
Soil Map Unit Name: Go; Gravelton loamy sand, occasionally floode	
Are climatic / hydrologic conditions on the site typical for this time of	
Are Vegetation, Soil, or Hydrologysignification	
Are Vegetation, Soil, or Hydrologynaturally	problematic? (If needed, explain any answers in Remarks.)
SUMMARY OF FINDINGS – Attach site map showing	g sampling point locations, transects, important features, etc.
Hydrophytic Vegetation Present? Yes X No	Is the Sampled Area
Hydrophytic Vegetation Present? Yes X No Hydric Soil Present? Yes No X	within a Wetland? Yes No X
Wetland Hydrology Present? Yes X No	If yes, optional Wetland Site ID:
Remarks: (Explain alternative procedures here or in a separate rep	
Wetland 1, wetland point	,
L HYDROLOGY	
	Consider Indicators (winter up of the provinced)
Wetland Hydrology Indicators:	Secondary Indicators (minimum of two required)
Primary Indicators (minimum of one is required; check all that apply Surface Water (A1) Water-Staine	Surface Soil Cracks (B6) Drainage Patterns (B10)
X High Water Table (A2) Aquatic Faun	
X Saturation (A3) Marl Deposits	
1 	ulfide Odor (C1) Crayfish Burrows (C8)
1 — · · · · · · — · · · · · — · · · · ·	zospheres on Living Roots (C3) Saturation Visible on Aerial Imagery (C9)
1 — — — — — — — — — — — — — — — — — — —	Reduced Iron (C4) Stunted or Stressed Plants (D1)
Algal Mat or Crust (B4) Recent Iron F	Reduction in Tilled Soils (C6) Geomorphic Position (D2)
Iron Deposits (B5) Thin Muck So	urface (C7) Shallow Aquitard (D3)
Inundation Visible on Aerial Imagery (B7) Other (Explain	in in Remarks) Microtopographic Relief (D4)
Sparsely Vegetated Concave Surface (B8)	X FAC-Neutral Test (D5)
Field Observations:	
Surface Water Present? Yes No X Depth (inch	nes):
Water Table Present? Yes X No Depth (inch	· ———
Saturation Present? Yes X No Depth (inch	nes):1 Wetland Hydrology Present? Yes X No
(includes capillary fringe)	
Describe Recorded Data (stream gauge, monitoring well, aerial pho	tos, previous inspections), if available:
Remarks:	

Trac Chrotum (Blot size: 20	Absolute	Dominant	Indicator	Deminance Test weeksheets	
<u>Tree Stratum</u> (Plot size:)	% Cover	Species?	Status	Dominance Test worksheet:	
1. Ulmus americana		Yes	FACW	Number of Dominant Species	4.0
2. Fraxinus pennsylvanica	40	Yes	FACW	That Are OBL, FACW, or FAC: 5	— ^(A)
3. Rhamnus cathartica4.		No	FAC	Total Number of Dominant Species Across All Strata: 5	(B)
5.6.				Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0%	(A/B)
7.				Prevalence Index worksheet:	
	110	=Total Cover		Total % Cover of: Multiply by	:
Sapling/Shrub Stratum (Plot size: 15)				OBL species 30 x 1 = 30	
1				FACW species 180 x 2 = 360	
2.				FAC species 20 x 3 = 60	
3.				FACU species 0 x 4 = 0	
4.				UPL species 0 x 5 = 0	_
5.				Column Totals: 230 (A) 450	(B)
6.				Prevalence Index = B/A = 1,96	
7				Hydrophytic Vegetation Indicators:	
		=Total Cover		X 1 - Rapid Test for Hydrophytic Vegetation	
Herb Stratum (Plot size: 10)		10101 00101		X 2 - Dominance Test is >50%	
1. Pilea pumila	60	Yes	FACW	X 3 - Prevalence Index is ≤3.0 ¹	
2. Bidens aristosa	30	Yes	FACW	4 - Morphological Adaptations ¹ (Provide s	unnortin
	30	Yes	OBL	data in Remarks or on a separate sheet	
Leersia oryzoides 4.		<u>res</u>	OBL	Problematic Hydrophytic Vegetation ¹ (Exp	oloin)
5.				Problematic Hydrophytic Vegetation (Exp	naiii)
				¹ Indicators of hydric soil and wetland hydrolog	y must
6				be present, unless disturbed or problematic.	
7.				Definitions of Vegetation Strata:	
8 9				Tree – Woody plants 3 in. (7.6 cm) or more in at breast height (DBH), regardless of height.	diamete
10				Sapling/shrub – Woody plants less than 3 in.	DBH
11				and greater than or equal to 3.28 ft (1 m) tall.	
12				Herb – All herbaceous (non-woody) plants, re	nardless
	120	=Total Cover		of size, and woody plants less than 3.28 ft tall.	
Woody Vine Stratum (Plot size: 5)				Woody vines – All woody vines greater than 3	3 28 ft in
1.				height.	7.20 It III
2.					
3.				Hydrophytic	
4.				Vegetation Present? Yes X No	
·		=Total Cover		11000min 110 <u>110 110 110 110 110 110 110 110 11</u>	•
Domarka: //naludo nhoto numboro horo er en a cono		- Total Cover		I	
Remarks: (Include photo numbers here or on a sepa	rate sneet.)				

SOIL Sampling Point: DP2

	escription: (Describe	to the de				or or con	firm the absence	of indicators.)	
Depth (inches)	Matrix Color (moist)	%	Color (moist)	x Featur	es Type ¹	Loc ²	Texture	Rem	arke
0-3	2.5Y 4/2	70	2.5Y 2.5/1	30	C	M	Loamy/Clayey	Faint redox co	-
3-8.5	5Y 2.5/1	100	2.01 2.0/1				Sandy	T anti redox co	Silicenti attoris
8.5-11	5Y 3/1	100					Sandy		
11-15	5Y 4/1	100					Sandy		
									_
	Concentration, D=De	p l etion, RI	M=Reduced Matrix, C	S=Cove	red or Coa	ated Sand		cation: PL=Pore Lini	
	oil Indicators: sol (A1)		Polyvoluo Polov	, Curfood	(CO) /I D	D D		or Problematic Hydri	
I —	Epipedon (A2)		Polyvalue Below MLRA 149B)	/ Surface	(So) (LR	KK,		ck (A10) (LRR K, L, airie Redox (A16) (LI	
	: Histic (A3)		Thin Dark Surfa	ce (S9) (IRRR N	II RA 149		cky Peat or Peat (S3	· ·
	ogen Sulfide (A4)		High Chroma Sa					e Below Surface (S8)	
	fied Layers (A5)		Loamy Mucky M					k Surface (S9) (LRR	` ' /
	eted Below Dark Surfa	ce (A11)	Loamy Gleyed N			, ,		nganese Masses (F12	· ·
	Dark Surface (A12)	, ,	Depleted Matrix		•			it Floodplain Soils (F1	
Sand	y Mucky Mineral (S1)		Redox Dark Sur	face (F6)		Mesic Sp	oodic (TA6) (MLRA 1	44A, 145, 149B)
Sand	y Gleyed Matrix (S4)		Depleted Dark S	Surface (F7)		Red Pare	ent Material (F21)	
Sand	y Redox (S5)		Redox Depressi				Very Sha	allow Dark Surface (T	F12)
I ——	oed Matrix (S6)		Marl (F10) (LRR	(K, L)			Other (E	xplain in Remarks)	
X Dark	Surface (S7)								
³ Indicators	s of hydrophytic vegeta	ation and v	wetland hydrology mu	st be pre	esent. unle	ess distur	bed or problematic		
	e Layer (if observed)		, 3,		,				
Type: <u>C</u>	Gravel								
Depth (i	inches):	15					Hydric Soil Pre	esent? Yes_	X No
Remarks:							•		
Shovel ref	fusal due to gravel laye	er							



DP2 Soil Profile



DP2 Soil Profile Hole

WETLAND DETERMINATION DATA FORM - Northcentral and Northeast Region

Project/Site: Milford Multi-Use Trail	City/County: Milford	/Kosciusko	Sampling Date: 9/13/23
Applicant/Owner: Town of Milford	· · · ·	State:	IN Sampling Point: DP3
Investigator(s): B. Williams & S. Jeffries	Section, Township,	Range: Section 16, T34N,	
Landform (hillside, terrace, etc.): Terrace	Local relief (concave,	-	Slope (%): 0-2
		Long: 81.844856	
			
Soil Map Unit Name: Go; Gravelton loamy sand, occasion			ication: N/A
Are climatic / hydrologic conditions on the site typical for t	<u> </u>	No (If no, explain	,
Are Vegetation, Soil, or Hydrology		"Normal Circumstances" pr	
Are Vegetation, Soil, or Hydrology	naturally problematic? (If no	eeded, explain any answers	s in Remarks.)
SUMMARY OF FINDINGS – Attach site map	showing sampling point	locations, transects,	important features, etc.
Hydrophytic Vegetation Present? Yes X	No Is the Sampled	I Area	
Hydric Soil Present?	No X within a Wetlar		No X
Wetland Hydrology Present? Yes		Wetland Site ID:	_ X _
Remarks: (Explain alternative procedures here or in a se			
	eparate report.)		
Wetland 1, upland point			
HYDROLOGY			
Wetland Hydrology Indicators:		Secondary India	cators (minimum of two required)
Primary Indicators (minimum of one is required; check al	II that apply)		il Cracks (B6)
-	/ater-Stained Leaves (B9)		atterns (B10)
	quatic Fauna (B13)	Moss Trim	
	arl Deposits (B15)		n Water Table (C2)
	ydrogen Sulfide Odor (C1)	Crayfish Bu	
 -	xidized Rhizospheres on Living Ro		Visible on Aerial Imagery (C9)
	resence of Reduced Iron (C4)		Stressed Plants (D1)
	ecent Iron Reduction in Tilled Soils		c Position (D2)
I — · · · / —	nin Muck Surface (C7)	Shallow Aq	` '
<u> </u>	ther (Explain in Remarks)		raphic Relief (D4)
Sparsely Vegetated Concave Surface (B8)	mer (Explain in Nemano)	FAC-Neutra	
		I AO-Neutt	il lest (D0)
Field Observations:	Donath (in aboa)		
	Depth (inches):		
	Depth (inches):	etland Hydrology Present	Yes No Y
	Depth (inches): W	eliano nyorology Preseni	? Yes No _X
(includes capillary fringe)			
Describe Recorded Data (stream gauge, monitoring well	, aerial photos, previous inspectio	ns), if available:	
Remarks:			
			ļ

EGETATION – Use scientific names of pl	Absolute	Dominant	Indicator		
ree Stratum (Plot size:30)	% Cover	Species?	Status	Dominance Test worksheet:	
. Ulmus americana	100	Yes	FACW_	Number of Dominant Species That Are OBL, FACW, or FAC: 2	_(A)
				Total Number of Dominant Species Across All Strata: 2	_(B)
				Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0%	- (A/B)
•				Prevalence Index worksheet:	_ (, , , ,
		=Total Cover		Total % Cover of: Multiply by:	
apling/Shrub Stratum (Plot size: 15)		i		OBL species 0 $x = 0$	_
				FACW species 160 x 2 = 320	_
				FAC species 0 x 3 = 0	_
				FACU species 25 x 4 = 100	_
				UPL species 20 x 5 = 100	_
				Column Totals: 205 (A) 520	<u>—</u> (В
				Prevalence Index = B/A = 2,54	— `
				Hydrophytic Vegetation Indicators:	
		=Total Cover		1 - Rapid Test for Hydrophytic Vegetation	
erb Stratum (Plot size: 10)		Total Gover		X 2 - Dominance Test is >50%	
	60	Yes	FACW	3 - Prevalence Index is ≤3.0 ¹	
Laportea canadensis Geum urbanum	20	No	UPL	4 - Morphological Adaptations ¹ (Provide sup	nortir
Rosa multiflora	10	No	FACU	data in Remarks or on a separate sheet)	portii
Parthenocissus quinquefolia	10	No No	FACU	Problematic Hydrophytic Vegetation ¹ (Expla	ain)
Hackelia virginiana	5	No No	FACU	<u> </u>	
Tracketta virginiana			17.00	¹ Indicators of hydric soil and wetland hydrology is be present, unless disturbed or problematic.	must
				Definitions of Vegetation Strata:	
				Tree – Woody plants 3 in. (7.6 cm) or more in di at breast height (DBH), regardless of height.	amete
 D				Sapling/shrub – Woody plants less than 3 in. D	NDLI
1.				and greater than or equal to 3.28 ft (1 m) tall.	ы
2	105	=Total Cover		Herb – All herbaceous (non-woody) plants, rega of size, and woody plants less than 3.28 ft tall.	ırdles
Voody Vine Stratum (Plot size: 5				Woody vines – All woody vines greater than 3.2	28 ft ir
				height.	
•				Hydrophytic	
·				Vegetation	
·				Present? Yes X No	
		=Total Cover			

SOIL Sampling Point: DP3

Profile Description:	(Describe to	the depth r	needed to docu	ment the	e indicate	or or conf	irm the absence of indicate	ors,)
Depth	Matrix	•		k Feature				,
(inches) Color	(moist)	% C	olor (moist)	%_	Type ¹	Loc ²	Texture	Remarks
	R 3/21	100					Sandy	_
7-11.5 10YI	R 4/31	100					Sandy	
11.5-15 10YI	R 3/21	100					Sandy	
¹ Type: C=Concentra	tion, D=Dep l et	ion, RM=Re	duced Matrix, C	S=Cover	ed or Coa	ated Sand		=Pore Lining, M=Matrix.
Hydric Soil Indicato	rs:						Indicators for Problem	•
— Histosol (A1)			Polyvalue Below	Surface	(S8) (LR	R R,		LRR K, L, MLRA 149B)
Histic Epipedon			MLRA 149B)	· (CO) (I		I DA 440		x (A16) (LRR K, L, R)
Black Histic (A3)			Thin Dark Surfac					or Peat (S3) (LRR K, L, R)
Hydrogen Sulfide			High Chroma Sa Leamy Mucky M					urface (S8) (LRR K, L)
Stratified Layers Depleted Below			Loamy Mucky M Loamy Gleyed N			(, L)	Thin Dark Surface	asses (F12) (LRR K, L, R)
Thick Dark Surfa			Depleted Matrix		-)			in Soils (F19) (MLRA 149B)
Sandy Mucky Mi			Redox Dark Surf) (MLRA 144A, 145, 149B)
Sandy Midcky Mid			Depleted Dark S				Red Parent Materia	
Sandy Redox (S			Redox Depression		',		Very Shallow Dark	
Stripped Matrix (Marl (F10) (LRR				Other (Explain in R	
Dark Surface (S		—	Man (1 10) (EIRIC	1 1, L)			Other (Explain in 10	omano)
	,							
³ Indicators of hydrop		n and wetlar	nd hydrology mu	st be pre	sent, un l e	ss disturb	ed or problematic.	
Restrictive Layer (if								
Type: Gravel/Root			_				Undeia Cail Deacast?	Van Na V
Depth (inches): Remarks:	15_		_				Hydric Soil Present?	Yes No_X_
Shovel refusal due to	gravel layer a	nd roots						
	3							



DP3 Soil Profile



DP3 Soil Profile Hole

Appendix 2 - PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

BACKGROUND INFORMATION

- A. REPORT COMPLETION DATE FOR PJD: February 12, 2024
- B. NAME AND ADDRESS OF PERSON REQUESTING PJD: Shampaygne Jeffries at USI Consultants, Inc. (8415 East 56th Street Indianapolis, IN 46216)
- C. DISTRICT OFFICE, FILE NAME, AND NUMBER:

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:

Multi-use trail facilities would be constructed with drainage improvements along the project corridor. In addition, the project consists of a pedestrian bridge over Turkey Creek. Multiple trailhead locations are being considered as part of the project including at the intersection of First Street and Main Street, First Street just to the east of the Norfolk Southern Railroad, Emeline Street just east of the Norfolk Southern Railroad, Emeline Street and James Street, and Emeline Street and the alley between James Street and East Street. The preferred terminus is a trailhead just south of the parking lot located south of East First Street east of the Norfolk Southern Railroad. Project development is early and on-going.

(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)

	State: Indiana	County/paris	h/borough: Ko :	sciusko	City: Militora
	Center coordinates of	site (lat/long	in degree decin	nal format):	
	Lat.: Begin: 41.408483, E	nd: 41.396251	Long.: Begin: -85	5.845150, End: -85.8350	633
	Universal Transverse	Mercator: 16	T 596556.39 E	4584009.2 N	
	Name of nearest water	erbody: Turke	ey Creek		
E.	REVIEW PERFORME	D FOR SITE	EVALUATION	(CHECK ALL TH	AT APPLY):
	Office (Desk) Dete	ermination. D	ate:		
	Field Determination	on. Date(s):			

TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.

Site number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
Turkey Creek	41.405284	-85.844919	285 LFT (0.003 acre)	non-wetland	Section 404
UNT to Turkey Creek	41.400424	-85.841514	1,800 LFT (0.021acre)	non-wetland	Section 404
Wetland 1	41.405197	-85.844910	0.02 acre	wetland	Section 404

- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "preconstruction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) 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) 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) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (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 PJD constitutes agreement that all aguatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives 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 AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, 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. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "may be" waters of the U.S. and/or that there "may be" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for PJD (check all that apply)

Checked items should be included in subject file. Appropriately reference sources

below where indicated for all checked items: Maps, plans, plots or plat submitted by or on behalf of the PJD requestor: Map: Photo Layout, Location, Aerial, NWI, Water Resources, SoilSurvey, Topography, NFHL, StreamStats Data sheets prepared/submitted by or on behalf of the PJD requestor. Office concurs with data sheets/delineation report. Office does not concur with data sheets/delineation report. Rationale: Data sheets prepared by the Corps: ☐ Corps navigable waters' study: _____ U.S. Geological Survey Hydrologic Atlas: Indiana DNR NHD Local Res & Indiana Map HUC 12 USGS NHD data. ■ USGS 8 and 12 digit HUC maps. ■ U.S. Geological Survey map(s). Cite scale & quad name: _Milford (1:24,000) Natural Resources Conservation Service Soil Survey. Citation: SSURGO Kosciusko County ■ National wetlands inventory map(s). Cite name: fws.com/wetlands/ State/local wetland inventory map(s): ___ FEMA/FIRM maps: NFHL, IDNR BAFA ■ 100-year Floodplain Elevation is: 825.1; 825.8 .(National Geodetic Vertical Datum of 1929) Photographs: Aerial (Name & Date): ESRI Best Available Imagery Other (Name & Date): Onsite Photos Taken September 13, 2023 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. 2/15/2024 Signature and date of Signature and date of Regulatory staff member person requesting PJD completing PJD (REQUIRED, unless obtaining the signature is impracticable)¹

¹ Districts may establish timeframes for requestor to return signed PJD forms. If the requestor does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

APPENDIX G Public Involvement



April 17, 2023

RE: Proposed Bike & Pedestrian Trail

Town of Milford

1st Street to Waubee Lake Park

TO: Property Owner Name

Street Address

Town, State Zip Code

Dear Property Owner:

Our firm was recently selected by the Town of Milford to complete a route survey for the above-referenced project. We would like to inform you, through this letter, that field crews will be in your area, to conduct survey work as part of this project.

Our information shows that you own or occupy property near this proposed project. It may be necessary for the survey crews to come onto your property to complete this work, which is allowed by law by Indiana Code IC 25-21.5-9-7 and IC 25-21.5-9-8. After work is completed, any equipment will be removed from your property, and the land restored to its previous condition. The survey crews will show you their identification, if you request, before coming onto your property. If you have sold this property, or someone else occupies it, please let us know the name and address of the new owner or current occupant so we can contact them about this survey. The survey work will include mapping the location of features such as buildings, trees, fences, driveways, and obtaining ground elevations. This work is necessary for the proper planning and design of this project.

At this stage, we generally do not know what effect, if any, our project may eventually have on your property. If we determine later that your property is involved, we will contact you with additional information.

Please be assured of our sincere desire to cause you as little inconvenience as possible during this survey. If any problems do occur, please contact our office at 317-544-4996, or you can email or write to me at the address below. Thank you, in advance, for your cooperation.

Sincerely,

USI Consultants, Inc.

Mark A. Schepers, PLS

Land Surveying Services Manager

Email: mschepers@usiconsultants.com

APPENDIX H
Air Quality



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue Room N758-Executive Office Indianapolis, Indiana 46204 PHONE: (855) 463-6848

Eric Holcomb, Governor Michael Smith, Commissioner

August 28, 2023

Mr. Jermaine R. Hannon, Division Administrator FHWA Indiana Division 575 North Pennsylvania St., Room 254 Indianapolis, IN 46204

Ms. Kelley Brookins, Regional Administrator FTA Region 5 200 West Adams St. Suite 320 Chicago, IL 60606-5253

Dear Mr. Hannon /Ms. Brookins:

The Indiana Department of Transportation is pleased to submit its FY 2024-2028 Statewide Transportation Improvement Program (STIP) for review and approval by your offices.

Included in the final submitted document is a listing of the state's expansion/preservation and local small urban and rural and rural transit projects. The following Metropolitan Planning Organization TIPs will be included in the FY 2024-2028 STIP by reference.

Area Plan Commission of Tippecanoe County (APCTC)	FY 2024-2028
• https://www.tippecanoe.in.gov/DocumentCenter/View/40728/FY-2024-	
2028-TIP-including-0-amendments	
Bloomington-Monroe County Metropolitan Planning Organization (BMCMPO)	FY 2024-2028
 https://bloomington.in.gov/sites/default/files/2023- 	
08/BMCMPO%20FY%202024%20-%202028%20TIP%20-%2006-30-	
23%20-%20ADOPTED%20FINAL.pdf	
Columbus Area Metropolitan Planning Organization (CAMPO)	FY 2024-2028
• https://www.columbus.in.gov/planning/tip/	
Delaware-Muncie Metropolitan Plan Commission (DMMPC)	FY 2022-2025
• Including Amendments/modifications through 2/14/23	
• https://www.co.delaware.in.us/egov/documents/1692987897 47263.pdf	
Evansville Metropolitan Planning Organization (EMPO)	FY 2024-2028
 http://www.evansvillempo.com/Docs/TIP/TIP 2024-2028/TIP 2024- 	
<u>2028.pdf</u>	
Kokomo-Howard County Governmental Coordinating Council (KHCGCC)	FY 2022-2026
• Including Amendments/modification through 7/28/23	
 https://www.kokomompo.com/project/tip-2020-2024/ 	

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

Kentuckiana Regional Planning and Development Agency (KIPDA)	FY 2023-2026
 https://www.kipda.org/wp-content/uploads/2023/05/FY2023-TIP-FINAL-5- 	
<u>25.pdf</u>	
Indianapolis Metropolitan Planning Organization (IMPO)	FY 2024-2027
• https://www.indympo.org/whats-underway/irtip	
Michiana Area Council of Governments (MACOG)	FY 2024-2028
• http://www.macog.com/docs/transportation/tip/approved/fy2028tip_projects	
<u>.pdf</u>	
Madison County Council of Governments (MCCOG)	FY 2022-2026
 Including Amendments/modifications through 7/28/23 	
 https://irp.cdn-website.com/65a760a0/files/uploaded/TIP%202022- 	
2026%20-%20updated%205-1-23.pdf	
Northeastern Indiana Regional Coordinating Council (NIRCC)	FY 2024-2028
 https://www.nircc.com/uploads/1/2/9/8/129837621/final_2024-2028_tip_5- 	
<u>25-23.pdf</u>	
Northwestern Indiana Regional Planning Commission (NIRPC)	FY 2022-2026
 Including Amendments/modifications through 7/25/23 	
• https://nirpc.org/2040-plan/mobility/transportation-improvement-program/	
Ohio-Kentucky-Indiana Regional Council of Governments (OKI)	FY 2024-2027
• https://www.oki.org/transportation-planning/transportation-improvement-	
program-tip/	
Terre Haute Area Metropolitan Planning Organization (THAMPO)	FY 2024-2028
• https://www.terrehautempo.com/images/THAMPO_2024_2028_AdoptionT	
<u>IP.pdf</u>	

In addition, INDOT has expanded our public involvement process by taking advantage of virtual meeting techniques and allowing accessibility to online documents, materials, virtual meeting registration, recorded virtual meetings, and comment forms. INDOT also leveraged our planning partner contacts (MPOs, RPOs, LTAP), social media, and notifications sent to local libraries, housing authorities, senior aging centers, and local newspapers across the state.

We greatly appreciate FHWA/FTA support in the development of the STIP 2024-2028 and look forward to working together to achieve our mutual goals. Should you have any questions pertaining to this amendment, please contact April Leckie, STIP Administration at 317-232-5466 or at aleckie@indot.in.gov.

Sincerely,

Michael Smith, Commissioner

Indiana Department of Transportation

cc: (w/enclosure): Angelica Salgado, FTA

Cecilia Crenshaw, FTA Erica Tait, FHWA Lyndsay Quist, INDOT Kristin Brier, INDOT Kathy Eaton-McKalip, INDOT

Louis Feagans, INDOT

April Leckie, INDOT Roy Nunnally, INDOT Larry Buckel, INDOT Jay Mitchell, INDOT Jason Casteel, INDOT Michael McNeil, INDOT Federal Transit Administration Region V 200 West Adams St., Suite 320 Chicago, IL 60606-5253



U.S. Department of Transportation

Federal Highway Administration Indiana Division 575 N. Pennsylvania St., Rm 254 Indianapolis, IN 46204-1576

September 1, 2023

Mr. Michael Smith Commissioner Indiana Department of Transportation 100 N Senate Ave. N955 Indianapolis, IN 46204

SUBJECT: Indiana FY2024-2028 STIP Approval and Associated Federal Planning Finding

Dear Mr. Smith:

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have completed our review of the FY2024-2028 Indiana Statewide Transportation Improvement Program (INSTIP), which was submitted by the Indiana Department of Transportation (INDOT) request letter dated August 23, 2023.

Based on our review of the information provided, certifications of the Statewide and Metropolitan transportation planning processes for and within the state of Indiana, and our participation in those transportation planning processes (including planning certification reviews conducted in Transportation Management Areas), FHWA and FTA are jointly approving the FY2024-2028 STIP, including the Metropolitan Planning Organization (MPO) Transportation Improvement Programs (TIPs) incorporated into the STIP by reference, subject to the corrective actions identified in the attached Federal Planning Finding (FPF) report. FHWA and FTA consider the projects in the 5th year for informational purposes only, and our approval does not exceed four years per 23 CFR 450.220(c).

FHWA and FTA are required under 23 CFR 450.220(b) to document and issue an FPF in conjunction with the approval of the FY2024-2028 STIP. At a minimum, the FPF verifies that the development of the STIP is consistent with the provisions of both the Statewide and Metropolitan transportation planning requirements. FHWA and FTA find that the Indiana FY2024-2028 STIP substantially meets the transportation planning requirements and are approving the STIP subject to the corrective actions outlined in the FPF. This approval is effective September 1, 2023 and is given with the understanding that an eligibility determination of individual projects for funding must be met, and INDOT must ensure the satisfaction of all administrative and statutory requirements, as well as address the corrective actions outlined in the attached report.

If you have questions or need additional information concerning our approval and the FPF, please contact Ms. Erica Tait of the FHWA Indiana Division at (317) 226-7481, or by email at erica.tait@dot.gov, or Mr. Tony Greep of the FTA Region 5 Office at (312) 353-1646, or by email at anthony.greep@dot.gov.

Sincerely,

KELLEY

Digitally signed by KELLEY BROOKINS

Date: 2023.08.31
17:33:15-05'00'

Kelley Brookins Regional Administrator FTA Region V Sincerely,

JERMAINE Digitally signed by JERMAINE R HANNON Date: 2023.09.01 11:46:31 -04'00'

Jermaine R. Hannon Division Administrator FHWA Indiana Division

Attachments have been removed for the purposes of the NEPA document.

Locally Sponsored Projects											
DES	Location	Work Type	Fund Type	Phase	Federal	Match	Total	Total Cost to Complete	Fiscal Year		
Kosciusko County											
1702866	Bridge #227 on S Hand St over Walnut Creek	Bridge Replacement	ST Bridge	CN	\$1,322,302	\$330,575	\$1,652,877	\$1,938,099	2025		
1802917	Bridge #161 on CR 200 S over Walnut Creek	Bridge Replacement, Other Construction	ST Bridge	CN	\$777,440	\$194,360	\$971,800	\$1,031,800	2024		
1902838	Bridge 30 on Beer Rd over Turkey Creek	Bridge Replacement	ST Bridge	RW	\$48,240	\$12,060	\$60,300	\$1,887,700	2024		
1902838	Bridge 30 on Beer Rd over Turkey Creek	Bridge Replacement	ST Bridge	CN	\$1,249,120	\$312,280	\$1,561,400	\$1,887,700	2025		
2003013	Bridge 9 Husky Trail over Deeds Creek	Bridge Replacement	ST STBG	CN	\$2,025,000	\$506,250	\$2,531,250	\$2,606,000	2024		
2101760	Bridge #123 on Packerton Road over Wyland Ditch	Bridge Replacement	ST Bridge	RW	\$50,400	\$12,600	\$63,000	\$2,448,950	2026		
2101760	Bridge #123 on Packerton Road over Wyland Ditch	Bridge Replacement	ST Bridge	CN	\$1,658,960	\$414,740	\$2,073,700	\$2,448,950	2027		
2201663	Bridge #139 - CR 700 E over Eel River	Bridge Replacement	ST Bridge	PE	\$376,000	\$94,000	\$470,000	\$5,409,000	2024		
2201663	Bridge #139 - CR 700 E over Eel River	Bridge Replacement	ST Bridge	RW	\$40,000	\$10,000	\$50,000	\$5,409,000	2026		
2201663	Bridge #139 - CR 700 E over Eel River	Bridge Replacement	ST Bridge	CN	\$3,911,200	\$977,800	\$4,889,000	\$5,409,000	2027 2028		
City of Warsaw											
1702849	Anchorage Rd (CR 200 N) from SR 15 to Biomet Dr	Added Travel Lanes	ST STBG	CN	\$2,683,763	\$670,941	\$3,354,704	\$4,276,764	2025		
Town of Milford											
2101778	Milford Trail: 1st Street to Waubee Lake Park	Bike/Pedestrian Facilities	ST TAP	RW	\$220,000	\$55,000	\$275,000	\$1,763,000	2026		
2101778	Milford Trail: 1st Street to Waubee Lake Park	Bike/Pedestrian Facilities	ST TAP	CN	\$978,400	\$244,600	\$1,223,000	\$1,763,000	2027		

APPENDIX I Additional Studies

Land and Water Conservation Fund (LWCF) County Property List for Indiana (Last Updated March 2022)

ProjectNumber	SubProjectCode	County	Property
1800240	1800240	Kosciusko	Pierceton Community Park
1800262	1800262	Kosciusko	Pierceton Community Park
1800289	1800289	Kosciusko	Kelly Park
1800320	1800320	Kosciusko	Winona Lake Park
1800321	1800321	Kosciusko	Lucerne Park and YMCA Camp Lucerne
1800322	1800322	Kosciusko	Levin Salvage Yard/Bixler Park
1800405	18004051	Kosciusko	Dewart Lake Public Access Site
1800420	1800420	Kosciusko	North Webster Town Park
1800508	1800508	Kosciusko	Southtown Shores Park

^{*}Park names may have changed. If acquisition of publically owned land or impacts to publically owned land is anticipated, coordination with IDNR, Division of Outdoor Recreation, should occur.

TRAIL FEASIBILITY STUDY

TOWN OF MILFORD

1ST STREET TO CAMP MACK ROAD

KOSCIUSKO COUNTY, IN

SEPTEMBER 29TH, 2021

Prepared For:

Town of Milford Town Council 121 South Main Street Milford, IN 46542

Design Engineers:

Wyatt A. Huber, El Greg R. Wendling, PE

USI Consultants, Inc. 8415 E. 56th Street, Suite A Indianapolis, IN 46215





Purpose of Report >>

USI Consultants, Inc. has been tasked by the Town of Milford to evaluate alignment alternatives for a potential multi-use trail from 1st Street to Camp Mack Road. The purpose of this report is to summarize the review performed of the various characteristics of the corridor, and to outline a proposed alignment that will meet the connectivity needs of the Town. The evaluation and recommendations made within this report were per design guidance and criteria established in the Indiana Design Manual (IDM) and the American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities.

Project Description / Existing Characteristics >>

The Town of Milford has expressed interest in developing a multi-use trail to provide connectivity from Milford to Waubee Lake to the south. The northern terminus of the trail would begin at 1st Street and its southern terminus would be at the Waubee Lake beachfront (Lat. 41°23′46.86″ N, Long. 85°50′07.87″ W). As part of the review, multiple characteristics of the corridor were evaluated including the extents of existing right-of-way, areas of anticipated environmental impact or concern, and any presence or anticipated impacts to utilities. Each of these sections have been detailed further below.

Existing Right-of-Way

The existing right-of-way along the Norfolk-Southern Railroad, C.R. 1150 N., and Camp Mack Road was verified as part of the initial project research performed for this report. Consultation with the Kosciusko County Highway Department, as well as cross-reference to existing right-of-way record documents and the County's GIS system, indicate there to be an apparent 40-foot right-of-way on C.R. 1150 N., and an apparent 50-foot right-of-way along Camp Mack Road. For the purposes of this report, these apparent rights-of-way were assumed to be valid.

Additionally, initial correspondence with the Kosciusko County Surveyor's Office identified the Enoch W. Felkner Regulated Drain that runs through parts of the project study area, which has a 75-foot easement measured from the top of bank. The Surveyor's Office was also able to provide additional railroad right-of-way and track maps for the existing railroad, which indicated a 66-foot (33-foot half) right-of-way from the centerline of the rail.

Existing Environmental Conditions/Concerns

A preliminary Red Flag Investigation (RFI) was performed for this project area to locate and evaluate any potential environmental hazards or concerns that could be encountered by this potential project. This investigation resulted in the identification of a number of water resources (namely the Turkey Creek and previously mentioned Enoch W. Felkner Regulated Drain) including associated wetlands or floodplains. Areas near the Turkey Creek crossing and along Camp Mack Road will need further investigation and delineation to further identify and refine potential impacts to wetlands as this project moves through design.

Existing Utilities

To begin the initial utility coordination process for this study, an Indiana 811 Utility Design Ticket was generated for the project study area to determine the potential utilities present. An initial notice request form was then sent to each of the utilities identified on this design ticket to identify type and approximate location of facilities each utility may maintain within the project study area. Initial notice requests were sent out on September 9th, 2020, and the section on the following page provides a summary of responses received as of the date of this report:

moving INDIANA's INFRASTRUCTURE Forward>>



- AT&T TX: An initial notice response was received on September 10th, 2020. AT&T TX maintains underground fiber optic facilities within the railroad right-of-way within the project location.
- <u>Lumen:</u> An initial notice response was received on September 21st, 2020. Lumen maintains underground 48-count fiber optic facilities along C.R. 1150 N, as well as underground 48-count fiber optic facilities along the existing Norfolk-Southern railroad. Lumen also maintains both overhead and underground copper facilities throughout the project study area.
- <u>Mediacom</u>: As of the date of this report, no initial notice response has been received from Mediacom.
- <u>Town of Milford:</u> As of the date of this report, no initial notice response has been received from the Town of Milford.
- <u>New Paris Telephone</u>: An initial notice response was received on September 9th, 2020. New Paris Telephone maintains both overhead and underground fiber optic facilities along 1st Street within the project study area.
- NIPSCO Electric: An initial notice response was received on September 11th, 2020. NIPSCO Electric maintains 69 kV transmission facilities with 12.5 kV distribution facilities within the project limits from 1st Street to C.R. 1150 N. The utility also maintains two (2) 345 kV transmission lines that cross diagonally southwest to northeast through the project study area. The utility also maintains overhead 7.2 kV electric distribution facilities along C.R. 1150 N to Nelson Drive. All NIPSCO Electric facilities are located within easement.
- NIPSCO Gas: An initial notice response was received on September 11th, 2020. NIPSCO Gas maintains a 12-inch steel gas line that crosses diagonally through the project study area. Additionally, the utility maintains a 2-inch distribution line along 1st Street, and a 3-inch distribution line along C.R. 1150 N.

Alternative Considerations and Proposed Alignment >>

During initial conversations with the Town of Milford, three potential alignment options were discussed to connect 1st Street to Waubee Lake to the south:

- <u>Alignment 1:</u> This trail alignment would begin at 1st Street immediately east of the Norfolk-Southern railroad crossing (#533535W) and then continue along the east side of the railroad line to Enoch W. Felkner Regulated Drain. The trail would then parallel the Drain to where the Drain intersects C.R. 1150 N. At this point, the trail would either continue to parallel the Drain to Waubee Lake or would split and follow C.R. 1150 N to Camp Mack Road, and then down Camp Mack Road to Waubee Lake.
- <u>Alignment 2:</u> This trail alignment would begin at the 1st Street and Old State Road 15 intersection and then continue south along the east side of Old State Road 15 to C.R. 1150 N. The trail would then cross the railroad line and follow parallel along the south side of C.R. 1150 N. to Camp Mack Road. At this point, the alignment would turn south and continue down Camp Mack Road to Waubee Lake.
- <u>Alignment 3:</u> This trail alignment would begin at 1st Street on the east side of The Papers, Inc. complex and then continue south along the existing NIPSCO utility easement across Turkey Creek. Once the proposed trail reached the edge of the field on Parcel No. 027-062-001, the trail would then follow west along the edge of the treeline to the railroad line easement and then continue south parallel to the railroad line to the Enoch W. Felkner Regulated Drain. At this point, the trail would either continue to parallel the Drain to Waubee Lake or would split and follow C.R. 1150 N to Camp Mack Road, and then down Camp Mack Road to Waubee Lake.

moving INDIANA's INFRASTRUCTURE Forward>>



After preliminary evaluation of each alignment option, the proposed Alignments 2 and 3 were dismissed due to a number of concerns including large anticipated environmental impacts, initial utility correspondence with NIPSCO and stipulations regarding their easement, and evaluation of the existing right-of-way along Old State Road 15. Therefore, Alignment 1 was selected as the preferred alignment to be more fully evaluated within this report.

<u>Proposed Alignment – Alignment 1:</u>

As detailed above, Alignment 1 will begin at 1st Street between the Norfolk-Southern Railroad and The Papers Inc. complex, and continue down the railroad and along the Enoch W. Felkner Regulated Drain to C.R. 1150 N. At this point, two potential jogs in alignment were evaluated to reach the tie-in point at Waubee Lake. This alignment is shown in the Project Location Map included in Appendix A, with the different jogs (or deviations) in alignment denoted as Alignment 1 and Alignment 1A. The conceptual trail alignments and typical cross section have also been more fully detailed in the plan sheets provided within Appendix B.

The proposed trail was designed per the criteria established in the Indiana Design Manual (IDM) and the guidance available through American Association of State Highway and Transportation Officials (AASHTO) Guide for the Development of Bicycle Facilities. The trail typical section is proposed to be a 10-foot wide asphalt path, with 2-foot stone shoulders on each side and placed on 6 inches of compacted aggregate as shown in the Conceptual Typical Section display in Appendix B. The proposed alignment was designed to a 20 mile-per-hour design speed, allowing for a 100-foot minimum horizontal curvature and a 3.0% maximum cross-slope to remain ADA compliant. A short prefabricated pedestrian bridge will be necessary to cross Turkey Creek at the north end of the project, and will need to be more fully designed and vetted as this project progresses.

As denoted on the plan sheets in Appendix B, there are several areas of note regarding the conceptual alignment:

- 1. Additional coordination will be necessary with The Papers, Inc. during the design process to minimize impacts to parking and truck dock access. Costs have been estimated to replace and reconstruct the impacted parking spots, but will need to be refined as design progresses.
- 2. Much of the proposed conceptual alignment running parallel to the Enoch W. Felkner Regulated Drain is located within the 75-foot easement when measured from top of bank. Initial correspondence with the Kosciusko County Surveyor's Office did not identify any potential issues with constructing the trail within this easement, granted that the trail did not introduce any hazards or obstacles to maintenance that may be necessary to the Regulated Drain. Continued coordination will be necessary as design progresses to fully confirm requirements with the Surveyor's Office.
- 3. Crosswalk markings and other stripping items will need to be more fully detailed during design. One crosswalk is anticipated at the intersection of the proposed trail and C.R. 1150 N. The south side of this area has also been identified as a potential area for additional trail amenities, such as a common area with information about the trail/Milford/surrounding area, and a seating/rest area. These details can be more fully explored and designed as the design progresses for this project.
- 4. Either gates, bollards, or other delineator devices will be installed at all entrances and exits of the trail to prevent unauthorized access by motorized vehicles (such as ATV's or golf carts). For the purpose of this report, bollards have been estimated and included within the summarized construction costs below. These delineator items will be more fully detailed through cooperation with the Town as design progresses.

moving INDIANA's INFRASTRUCTURE Forward>>



As detailed on page 14 of Appendix B, Alignment 1A was initially developed to continue to follow the Enoch W. Felkner Regulated Drain past C.R. 1150 N to the south terminus at Waubee Lake. However, upon initial modeling it was apparent that this alignment alternative would introduce severe impacts to the properties located on Parcel No.'s 027-063-033.CC, 027-063-003.CA, and 027-063-003.C. These impacts mainly include impacts to outbuildings or other appurtenances, but would likely result in much higher right-of-way costs due to damages. Furthermore, much of this section of proposed trail alignment is located within identified wetlands or floodplain areas. Construction costs in these areas are anticipated to be higher due to anticipated soil and subgrade stabilization, potential drainage concerns, and the possibility of additional permitting and required mitigation. Due to these reasons, Alignment 1A was dismissed from further review, and Alignment 1 was selected as the preferred and proposed alignment.

Additional coordination and design will be necessary to fully develop the proposed alignment for construction. Remaining design efforts include full topographic survey, hydraulic modeling and bridge design coordination for the prefabricated pedestrian bridge, the remaining design of the trail system, preparation of contract documents and bidding support. These fees are estimated at \$170,000.

Anticipated Right-of-Way

The proposed conceptual alignment was designed to best fit within existing rights-of-way owned by the Town or County to minimize costs where feasible. However, additional right-of-way is anticipated to be needed for the construction of the proposed alignment, and these limits are shown on the plan sheets available in Appendix C.

USI's Right-of-Way department preformed research regarding anticipated land values and improvements to prepare a cost estimate for right-of-way purchases. These costs are estimated to be \$185,000 for Land, Improvements, and Damages (LID), and \$90,000 in Right-of-Way Services (i.e. appraisals, property acquisition process, management). Preliminary engineering fees to perform the right-of-way engineering on this project are estimated at \$35,000.

Anticipated Environmental Impacts

Per the preliminary RFI information collected during the initial review for this study, the proposed Alignment 1 was designed to best avoid and minimize anticipated impacts to the identified wetland and floodplain areas. Due to the crossing at Turkey Creek and the construction impacts required, it is anticipated that a NEPA Categorical Exclusion Level 2 (CE-2) document with a public involvement meeting will be necessary. In addition to this, it is anticipated that a Waters of the United States (WOTUS) determination report will need to be prepared and submitted ahead of any permit submissions that may be necessary.

From a permit perspective, it is anticipated that a IDEM 401 Individual Permit, and DNR Construction in a Floodway (CIF) permit, and a IDEM Rule 5 permit will be necessary. Preliminary engineering fees to perform the preparation of the environmental documentation and all necessary permitting are estimated at \$50,000.

Anticipated Utility/Railroad Coordination and Impacts

The conceptual alignment was designed to best avoid impacts to existing utilities based on the initial response information received to date. Conflict areas could exist at the northern terminus along 1st Street, as well as along the portions of the trail that parallels C.R. 1150 N.

Additionally, further coordination will be necessary with NIPSCO to design within their easements throughout the project. At the time of this report, many impacts with utilities can theoretically be avoided through

moving INDIANA's INFRASTRUCTURE Forward>>



coordination during design and construction. However, there are still concerns of possible impacts along 1st Street and C.R. 1150 N. due to the tighter conditions. Therefore, \$50,000 has been estimated to cover any potential utility relocation costs.

At the time of this report, coordination with the Norfolk-Southern Railroad is not anticipated as the proposed project falls fully outside the railroad right-of-way. The preliminary engineering fees for utility coordination do not include fees for utility coordination and would require a supplement if additional coordination tasks are deemed necessary. Preliminary engineering fees to manage the utility coordination process through design and construction are estimated at \$10,000.

Cost Estimate

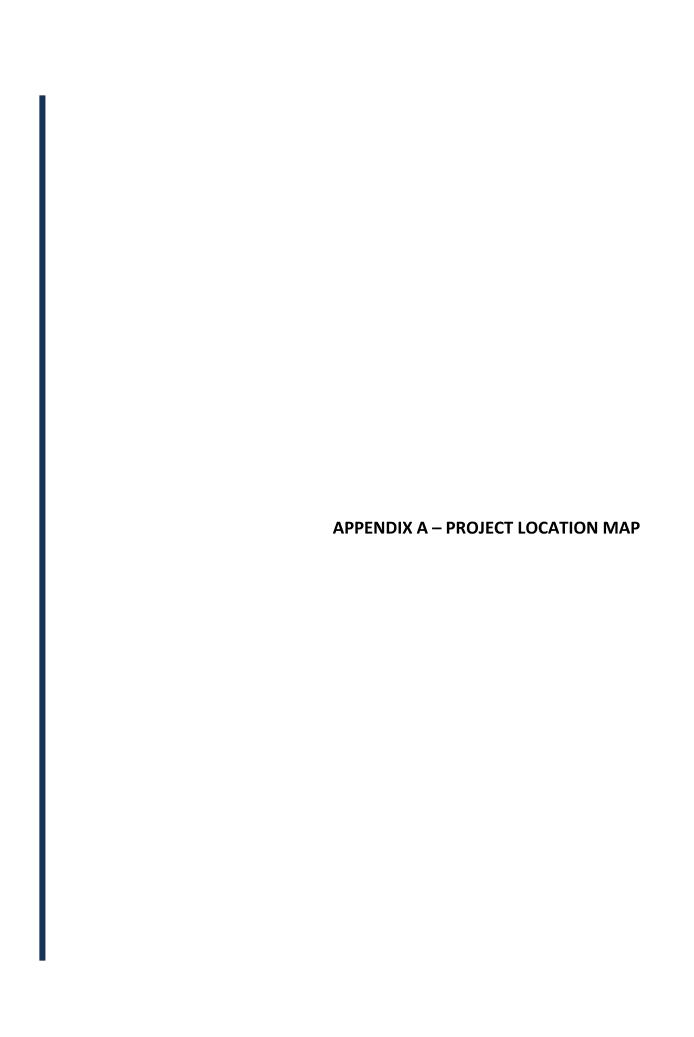
The following table summarized the estimated costs for this trail alignment:

Cost Estimate Summary Table					
Phase	Trail Alignment 1				
Preliminary Engineering	\$265,000				
Construction Cost	\$1,020,000				
R/W Costs	\$275,000				
Potential Utility Relocation Cost	\$50,000				
Construction Inspection	\$153,000				
Estimate Total:	\$1,763,000				

A detailed, itemized construction cost estimate is available in Appendix D for reference.

Conclusion >>

This concludes the trail feasibility study for the multi-use trail alignment connecting 1st Street to Waubee Lake, performed for the Town of Milford. It is the intent of the information provided within this report to assist the Town of Milford in evaluating the project situation, and to provide an alignment recommendation and a preliminary cost estimate for the project. Any questions or concerns with the information provided may be sent by email to whuber@usiconsultants.com or by phone to (317) 544-4996.



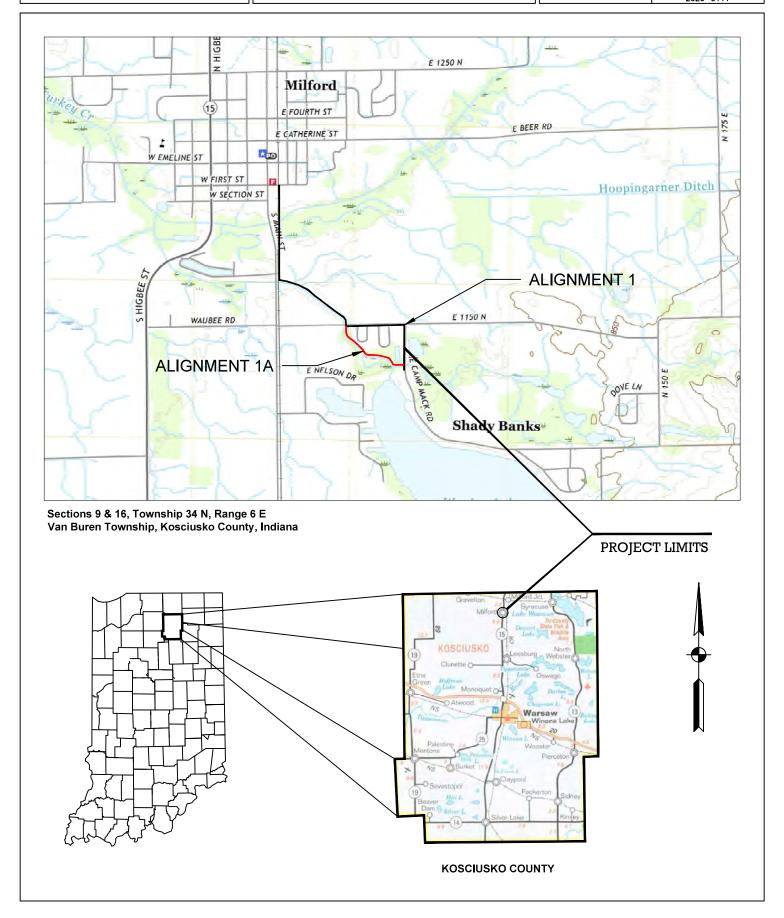


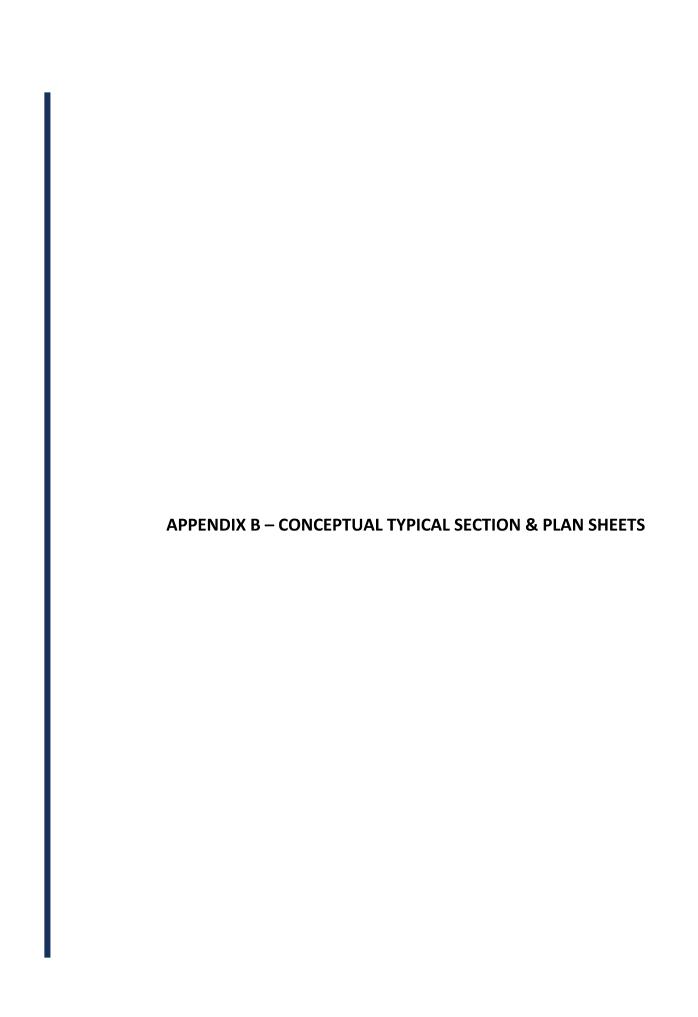
8415 E. 56th Street Indianapolis, Indiana 46216 Phone: (317) 544-4996 Fax: (317) 544-4997

TOWN OF MILFORD TRAIL FEASIBILITY STUDY

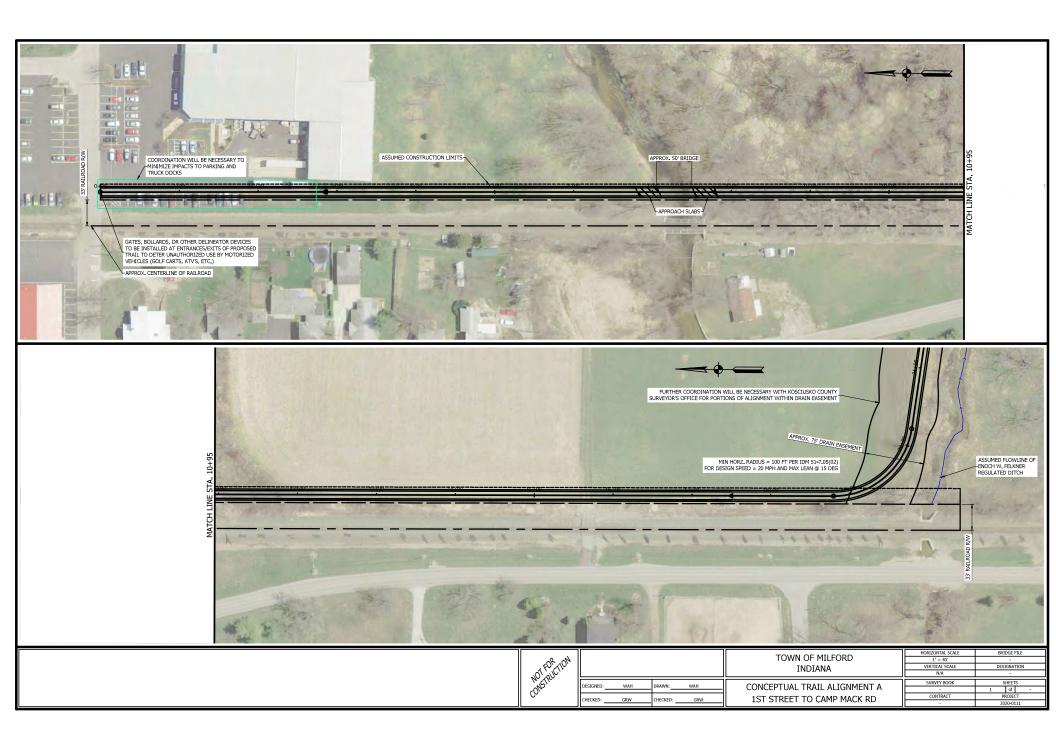
1ST STREET TO CAMP MACK RD PROJECT LOCATION MAP

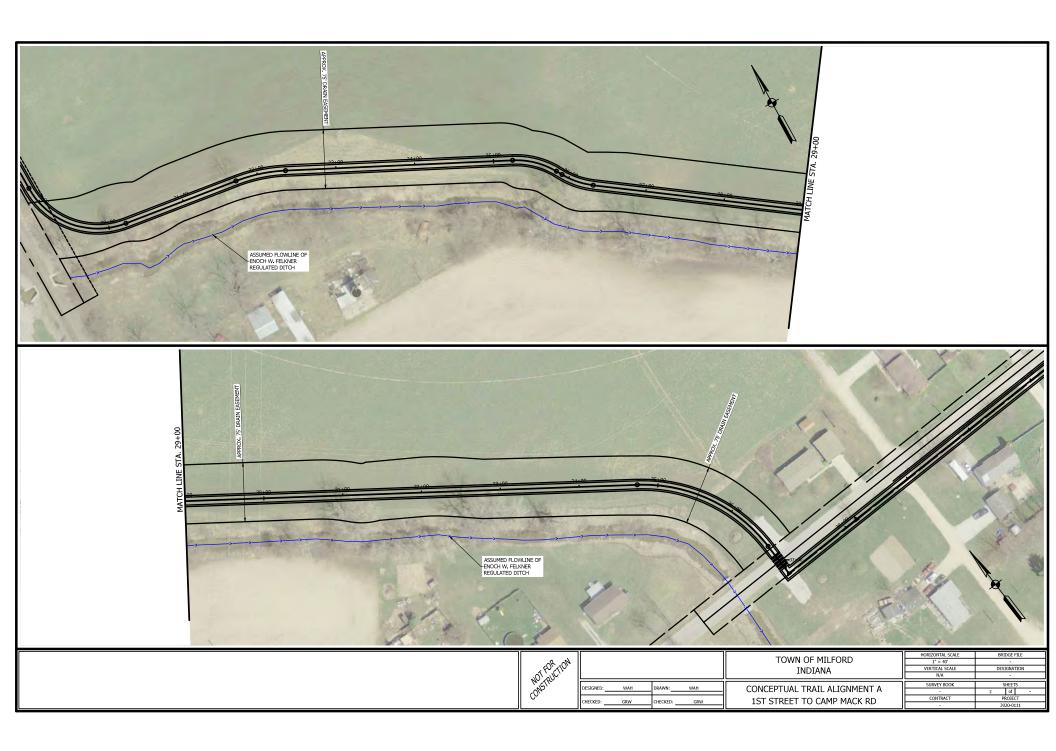
HORIZONTAL SCALE	BRIDGE FILE		
1" = 2000'	n/a		
VERTICAL SCALE	DESIGNATION		
n/a	n/a		
SURVEY BOOK	SHEETS		
	1	of	1
CONTRACT	PROJECT		
	2020-0111		

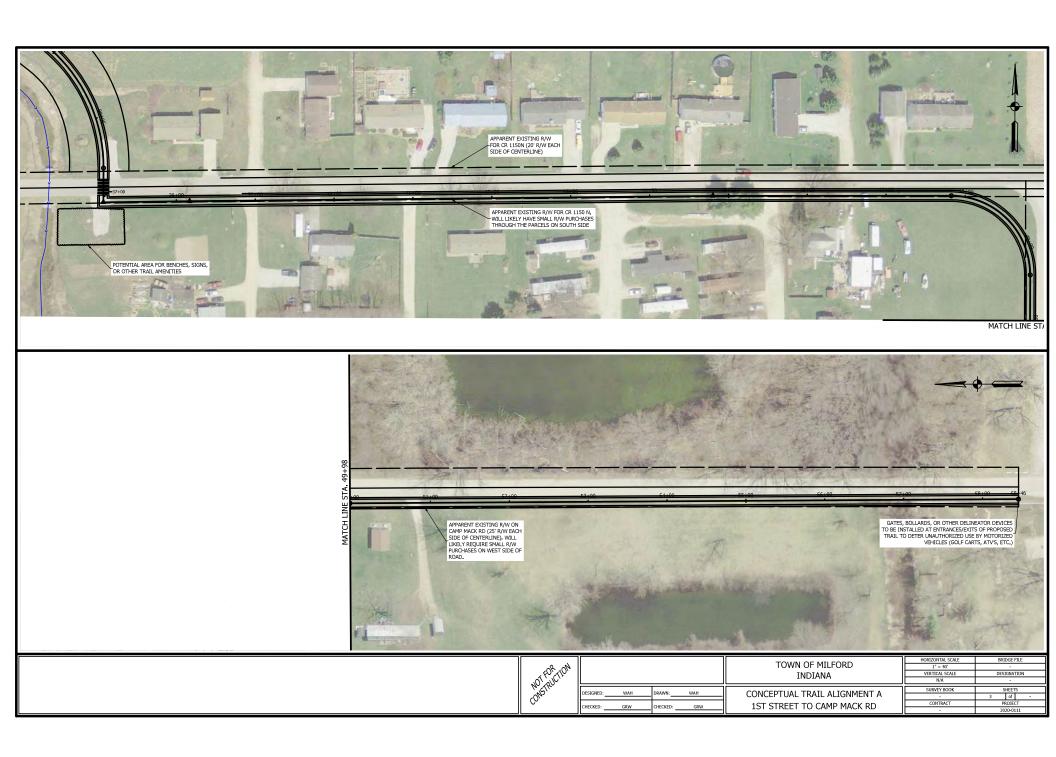


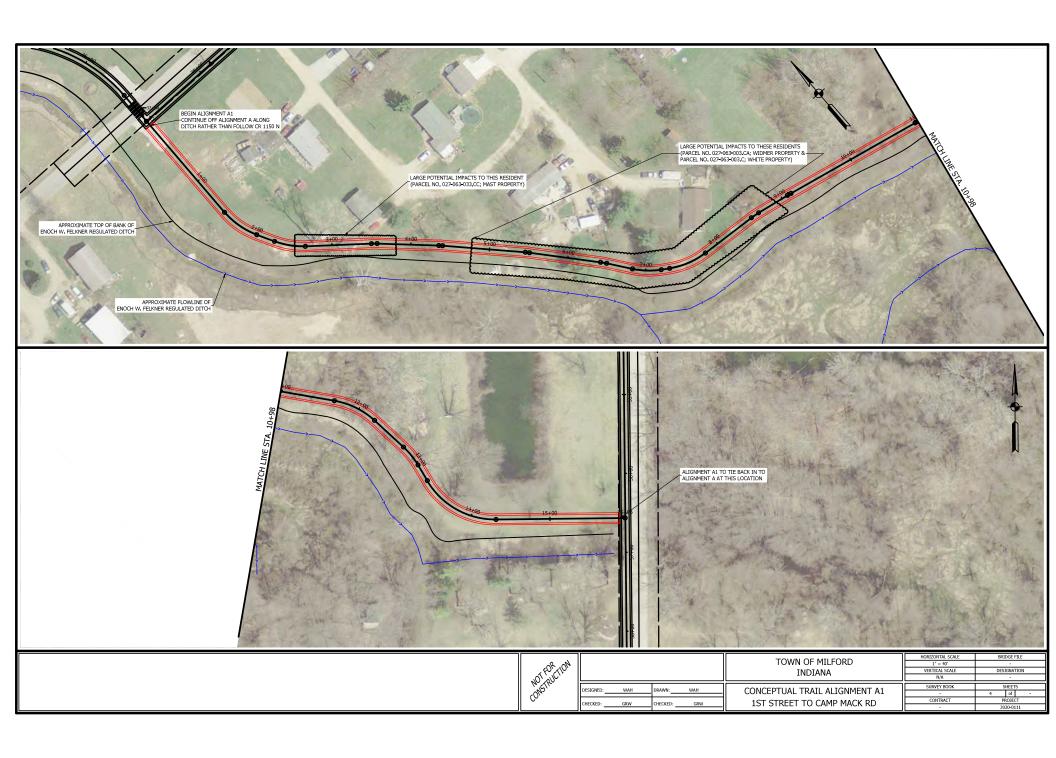


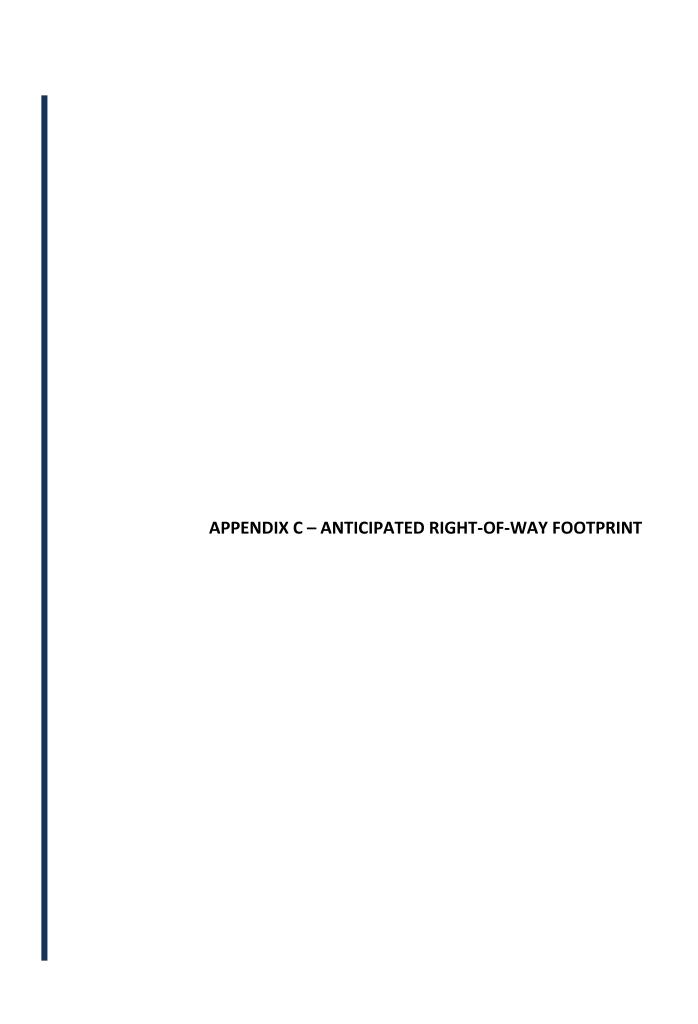
LEGEND K HMA FOR SIDEWALK 140 #/SYS HMA SURFACE, TYPE B, ON 220 #/SYS HMA INTERMEDIATE, TYPE B, ON 6" OF COMPACTED AGGREGATE NO. 53, ON SUBGRADE TREATMENT, TYPE III AGGREGATE FOR SHOULDER NOTE: CROSS SLOPE OF TRAIL TO BE ADJUSTED AS REQUIRED TO MEET DESIGN SPEED AND ENSURE POSITIVE DRAINAGE 10'-0" RECOMMENDED WIDTH 2'-0" SHOULDER 2'-0" SHOULDER Æ) LIMITS OF SUBGRADE TREATMENT (TYPE III) TOWN OF MILFORD 1" = 1' (34X22 INDIANA CONCEPTUAL TRAIL TYPICAL SECTION of 1ST STREET TO CAMP MACK RD

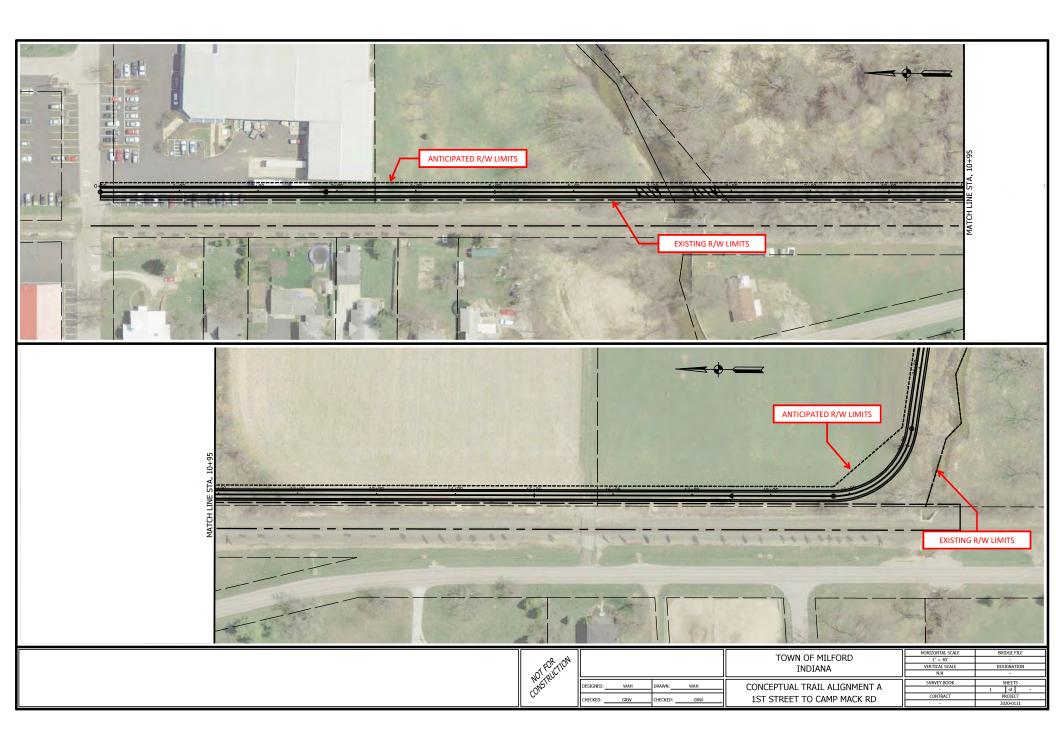


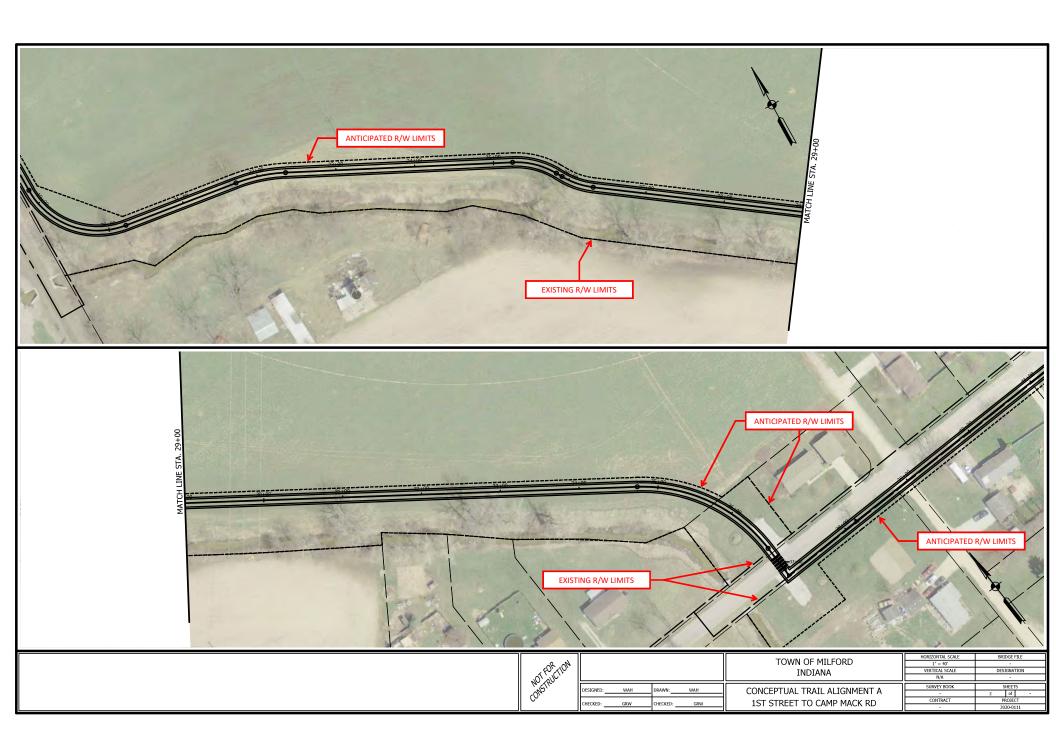


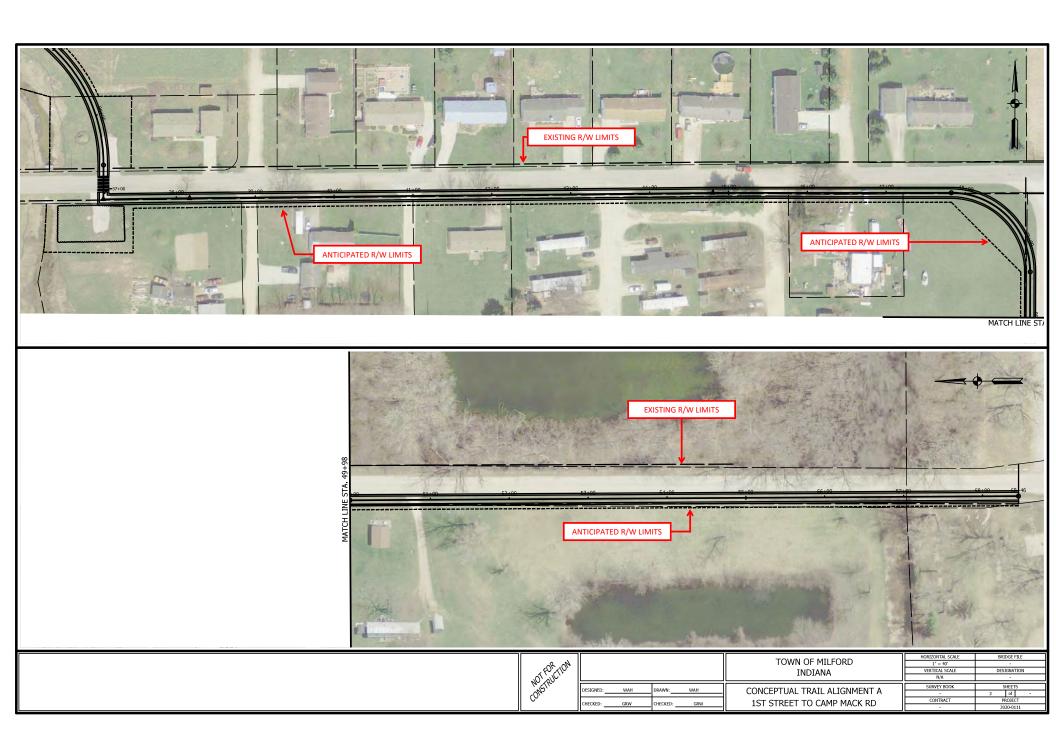


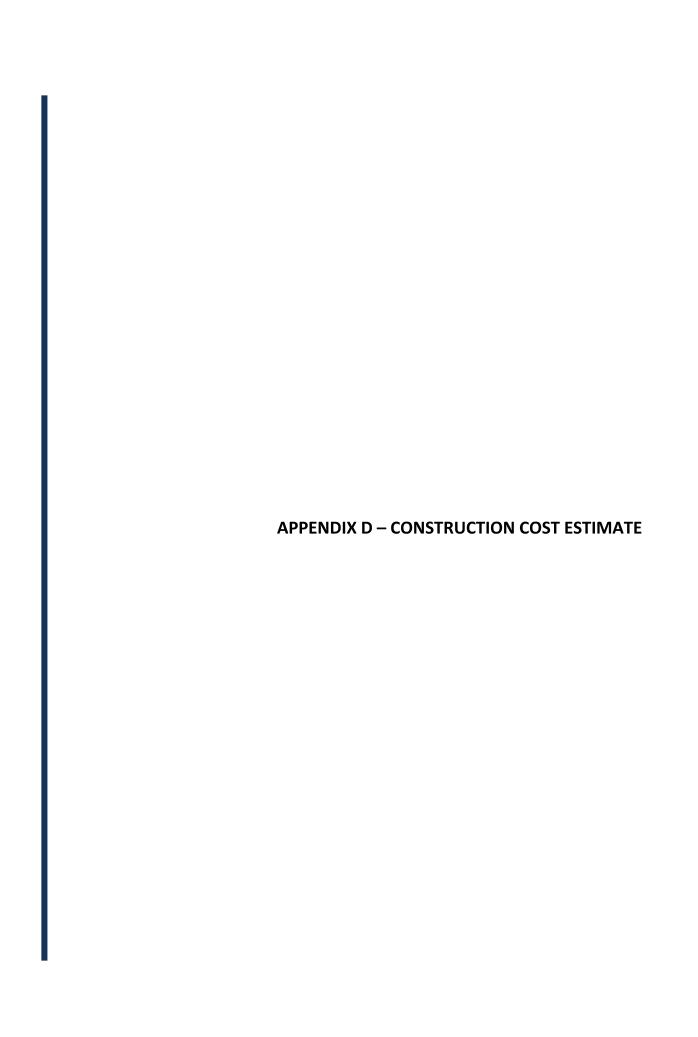












Project: Trail Feasibility Study

Job Number: 2020-0111

Bid Date: 12/01/2021

State: IN

Location: 1st Street to Camp Mack Road

Pay Item	Description	Quantity Unit	Unit Price	Extension
105-06845	CONSTRUCTION ENGINEERING	1.000 L.S.	21,500.00	\$21,500.00
110-01001	MOBILIZATION AND DEMOBILIZATION	1.000 L.S.	37,000.00	\$37,000.00
201-52370	CLEARING RIGHT OF WAY	1.000 L.S.	25,000.00	\$25,000.00
205-06937	TEMPORARY SILT FENCE	12,000.000 L.F.	2.00	\$24,000.00
205-09387	TEMPORARY TURBIDITY CURTAIN	300.000 L.F.	75.00	\$22,500.00
207-08266	SUBGRADE TREATMENT, TYPE III	9,095.000 S.Y.	3.50	\$31,832.50
301-12234	COMPACTED AGGREGATE NO. 53	670.000 C.Y.	50.00	\$33,500.00
303-01180	COMPACTED AGGREGATE NO. 53	2,455.000 TON	30.00	\$73,650.00
401-07321	QC/QA-HMA, 2, 64, SURFACE, 9.5 mm	455.000 TON	110.00	\$50,050.00
401-07390	QC/QA-HMA, 2, 64, INTERMEDIATE, 19.0 mm	751.000 TON	95.00	\$71,345.00
406-05520	ASPHALT FOR TACK COAT	4.000 TON	650.00	\$2,600.00
621-01004	MOBILIZATION AND DEMOBILIZATION FOR SEEDING	1.000 EACH	600.00	\$600.00
621-06559	MULCHED SEEDING R	6,500.000 S.Y.	1.25	\$8,125.00
712-03862	PREFABRICATED BRIDGE	1.000 L.S.	350,000.00	\$350,000.00
801-06640	CONSTRUCTION SIGN, A	4.000 EACH	175.00	\$700.00
801-06775	MAINTAINING TRAFFIC	1.000 L.S.	5,000.00	\$5,000.00
801-07118	BARRICADE, III-A	48.000 L.F.	15.00	\$720.00
801-07119	BARRICADE, III-B	48.000 L.F.	15.00	\$720.00
802-03896	BOLLARD	12.000 EACH	1,500.00	\$18,000.00

Total: \$776,842.50

Project 2020-0111 - Trail Feasibility Study
Comparison Bid Price

+10% Contingency: \$77,684.25 <u>Subtotal:</u> \$854,526.75

Adjusted for Inflation (3% per Year): \$1,020,349.63

USE: \$1,020,000.00

- Coed Volleyball, and Indoor Soccer. Portions of the Chinworth Bridge Trail (approximately 0.3 miles) run through the Athletic Complex.
- IDNR Public Access Sites The Division of Fish & Wildlife manages public lands so Indiana's fish, wildlife, and habitats can thrive and benefit the present and future generations of Hoosiers. These public lands provide excellent opportunities for hunting, fishing, and shooting sports. Wildlife viewing, walking, and enjoying scenic views are other ways to enjoy your visit. Several sites in the County include the Tri-County Fish and Wildlife Area, the Durham Lake Wetland Conservation Area, and the Deniston Resource Area as well as over 30 public access sites on the County's many lakes and waterways.

TRAILS

One of the largest draws to the County is accessing the same high-quality amenities found in urbanized areas but in a rural setting and opportunities to enjoy the County's bountiful natural resources. Trails are a great asset to allow people to enjoy the great outdoors, interact with nature, and view scenic landscapes and wildlife. These aspects are some of the highlights of living in Kosciusko County. Kosciusko County is home to a variety of freshwater lakes, waterways, preserves, recreational destinations, and other natural resources.

Trails can be one way that residents can access and enjoy these aspects of the County. The inclusion of trails can enrich the livability of a community to provide not only recreation options but transportation as well and be usable by nearly all residents. Trails also play a major role in the quality of life enhancing a community's appeal and economic vitality in that trails have become a hot commodity to attract and retain residents and businesses.

Planning for a comprehensive, connected trail system has been an initiative throughout the County for over 10 years. However, the inclusion of trails has primarily been accomplished at the local level in three Kosciusko County communities. Warsaw, Winona Lake, and Syracuse were amongst the first to construct local trail networks. These communities understood the value and appeal trails have in a community and have formed advisory committees to lead the inclusion of trails in their local communities. The City of Warsaw and the Town of Winona Lake partnered to establish the Ride Walk Advisory Committee and have a Trails Master Plan that proposes 87 miles of multi-use trails, greenways, and on-road bicycle facilities to make it easier to bike and walk and enhance the quality of life. The Town of Syracuse also formed its own advisory committee called Syracuse-Wawasee Trails aimed to achieve similar goals and recently created a Trails Feasibility Study in 2021. This Study builds upon the local success by evaluating options to expand the Town's trail network and linking to regional trail connections like linking to the Town of North Webster and to the Town of Milford. Soon the Town of Milford will have its first trail from downtown to Waubee Lake Park. The Town of North Webster is also planning for a trail to connect to Syracuse and other destinations.

In addition to these local trails, there are many opportunities for residents and visitors to enjoy trails in a number of recreational areas (nature preserves

27 Kosciusko County 2023-2027 Parks Master Plan

Des. No. 2101778
East 1st Street to Waubee Lake Park
Milford Trail Project
Milford, Kosciusko County, Indiana

Environmental Justice Analysis

Project Location: The project is located within the Town of Milford from East 1st Street to the Waubee Lake beachfront within Waubee Lake Park in Sections 9 & 16, Township 34 North, Range 6 East, in Van Buren township, as depicted on the Milford U.S. Geological Survey (USGS) Quadrangle. The existing and adjacent land use within and around the corridor consists of residential, multi-use commercial, recreational, and agricultural properties.

Environmental Justice Analysis: Under FHWA Order 6640.23A, FHWA and the project sponsor, as a recipient of funding from FHWA, are responsible to ensure that their programs, policies, and activities do not have a disproportionately high and adverse effect on minority or low-income populations. Per the current INDOT Categorical Exclusion Manual, an Environmental Justice (EJ) Analysis is required for any project that has two or more relocations or 0.5 acre of additional permanent right-of-way (ROW). The project will require 5.77 acres of new permanent ROW. Therefore, an EJ Analysis is required.

Potential EJ impacts are detected by locating minority and low-income populations relative to a reference population to determine if populations of EJ concern exist and whether there could be disproportionately high and adverse impacts to them. The reference population may be a county, city or town and is called the community of comparison (COC). In this project, the COC is Kosciusko County. The community that overlaps the project area is called the affected community (AC). In this project, the AC is Census Tract 9611. An AC has a population of concern for EJ if the population is more than 50% minority or low-income or if the low-income or minority population is 125% of the COC. Data from the US Census Bureau was obtained from https://data.census.gov/ on August 5, 2024, by USI Consultants. The data collected for minority and low-income populations within the AC are summarized in the below table.

	сос	AC			
	Kosciusko County	Census Tract 9611			
LOW-INCOME POPU	LOW-INCOME POPULATION				
Total Population for Whom Poverty Status is Determined	78,834	6,210			
Total Population Below Poverty Level	7,023	421			
Percent Low-Income	8.9%	6.8%			
125 Percent of COC	11.1%				
AC Percent Low-Income Greater Than 125 Percent of COC?		No			
AC Percent Low-Income Greater Than 50 Percent?		No			
Population of EJ Concern?		NO			
MINORITY POPULA	ATION				
Total Population	80,442	6,272			
White Alone	69,605	5,180			
Minority Population	10,837	1,092			
Percent Minority	13.5%	17.4%			
125 Percent of COC	16.8%				
AC Percent Minority Greater Than 125 Percent of COC?		Yes			
AC Percent Minority Greater Than 50 Percent?		No			
Population of EJ Concern?		YES			

AC, Census Tract 9611, has a percent low-income of 6.8% which is below 50% and is below the 125% COC threshold. Therefore, the AC does not have a low income population of EJ concern.

AC, Census Tract 9611, has a percent minority of 17.4% which is below 50% but is above the 125% COC threshold. Therefore, the AC does have a minority population of EJ concern.

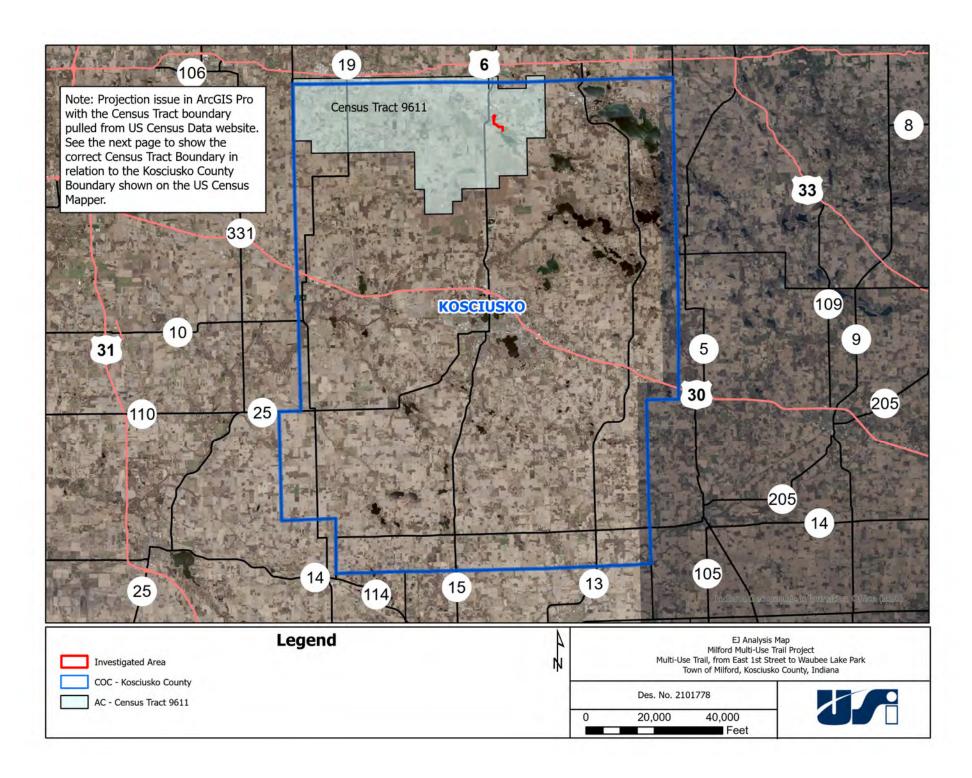
The proposed project is expected to require the acquisition of 5.77 acres of permanent ROW and 0.001 acre of temporary ROW. Land use within the proposed ROW consists of primarily agricultural property, as well as minimal amounts of multi-use commercial and residential. No relocations are anticipated. ROW acquisition from the residential properties is primarily strip ROW along E CR 1150 N and E Camp Mack Road that will be used for the creation of the trail and driveway reconstruction. ROW acquisition from agricultural properties follows primarily along the agricultural field edges for the creation of the trail. The ROW required for the project from all property types has been reduced to the greatest extent possible and was specifically designed in order to minimize impacts.

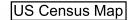
The ROW to be acquired will not substantially diminish the existing use of the properties by the property owners. All agricultural properties will still be able to be in production as ROW required is along field edges and has been minimized to the greatest extent possible. ROW required from residences has been minimized to the greatest extent possible and does not alter the use of the remaining property. The only Maintenance of Traffic (MOT) required by the project will involve short-term flagging operations to maintain traffic along E CR 1150 N and E Camp Mack Road when construction reaches the location where

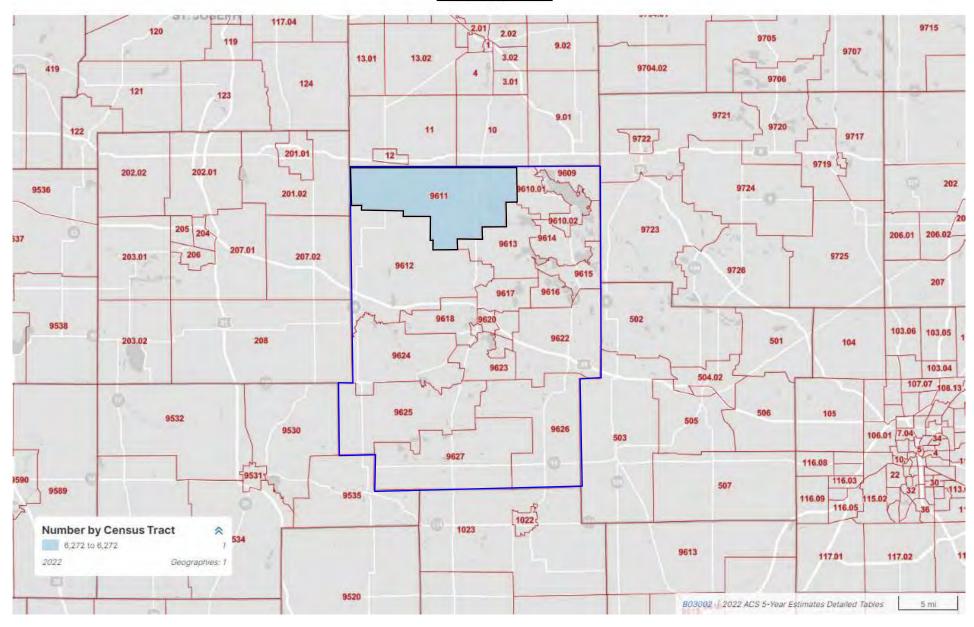
the multi-use trail will cross E CR 1150 N for pavement marking. Flagging operations may also be used periodically through construction of the multi-use trail where it is constructed along E CR 1150 N and E Camp Mack Road, but both E CR 1150 N and E Camp Mack Road will remain open to traffic throughout construction. As there are no existing sidewalks or non-vehicular facilities within the project area, no disruptions to pedestrian or other non-vehicular traffic are anticipated either.

The proposed project is a trail project that aims to improve the pedestrian and non-vehicular connectivity of the Town of Milford with the nearby recreational Waubee Lake Park. Waubee Lake Park is the primary recreational resource in the area surrounding the Town of Milford. The creation of the multi-use trail will provide a public, designated pedestrian and non-vehicular route to Waubee Lake Park, which will increase public access to the recreational resource.

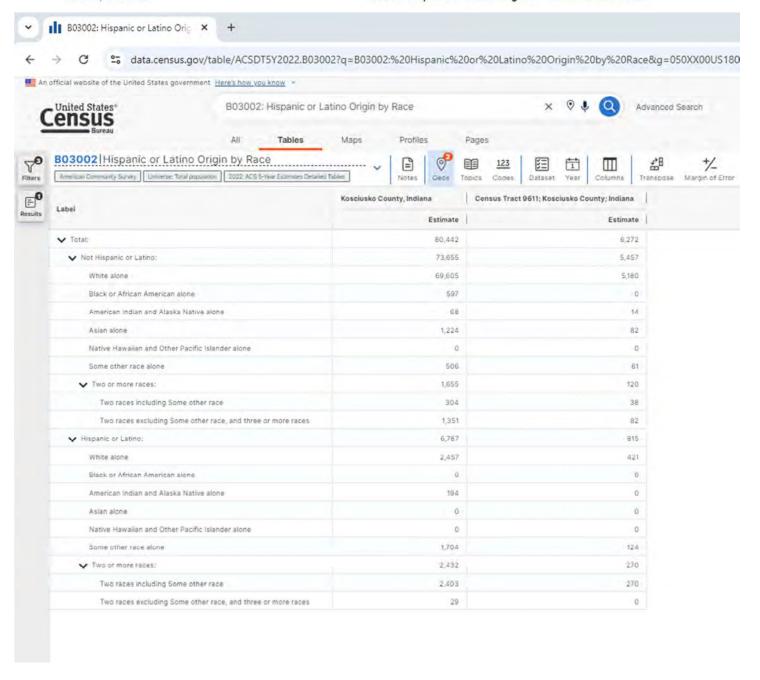
Impacts from the project to any EJ community in this area will be beneficial due to the improved connectivity between the Town of Milford and Lake Waubee Park and resulting increase in access to recreational facilities. It is expected that the project will not have a disproportionately high and adverse environmental or health impact on the minority population of EJ concern when compared to non-EJ populations.

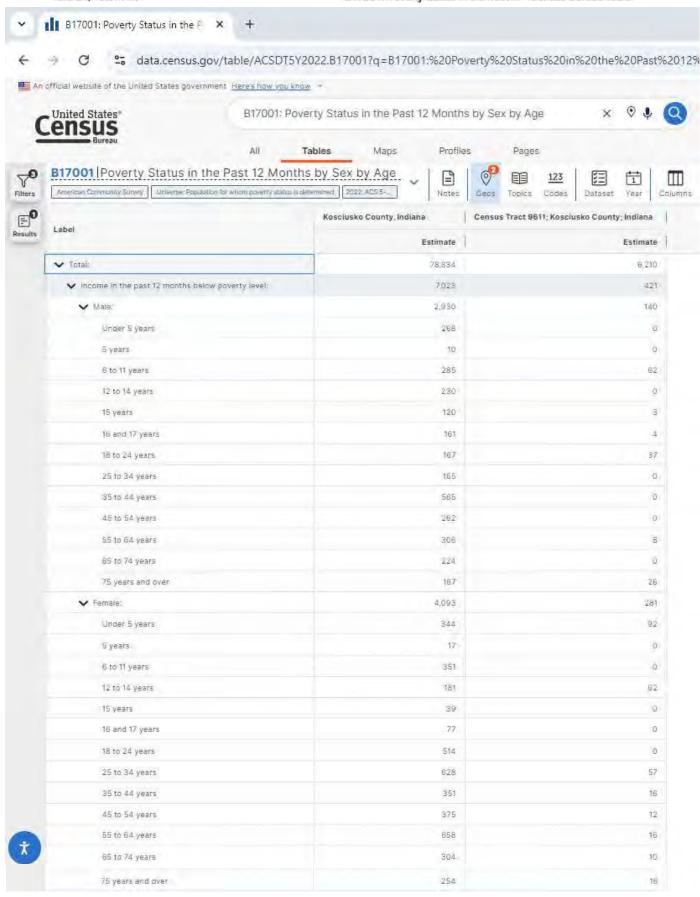




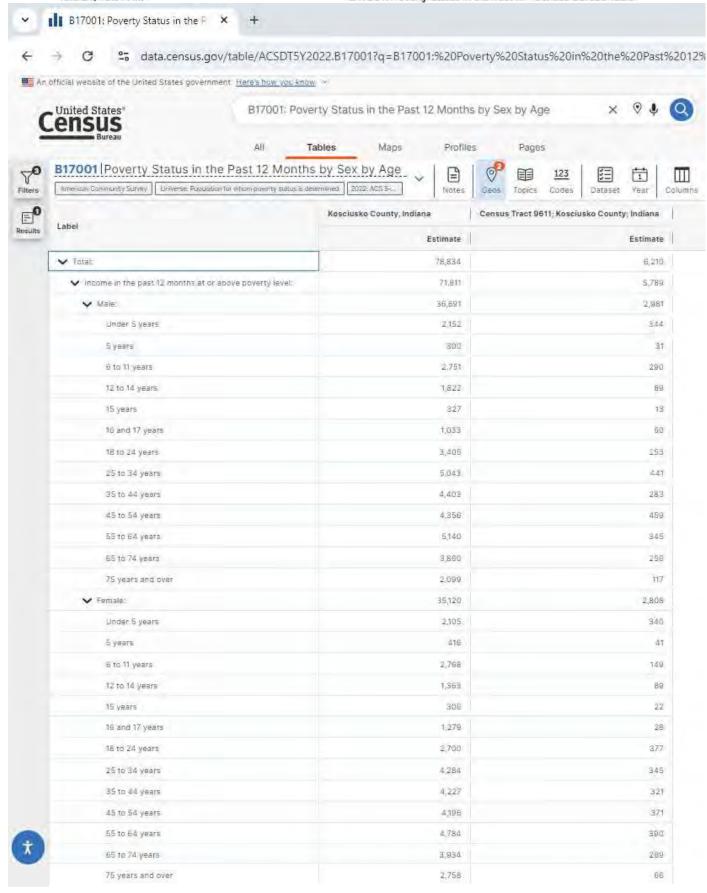


- COC Kosciusko County
- AC Census Tract 9611





https://data.census.gov/table/ACSDT5Y2022.B17001?q=B17001: Poverty Status in the Past 12 Months by Sex by Age&g=050XX00US18085_140000...



https://data.census.gov/table/ACSDT5Y2022.B17001?q=B17001: Poverty Status in the Past 12 Months by Sex by Age&g=050XX00US18085_140000....

Courtney Haverbusch

From: Fair, Terri <TFair@indot.IN.gov>
Sent: Thursday, October 3, 2024 2:59 PM

To: Courtney Haverbusch

Subject: Des. No. 2101778 - Milford Trail Project - Environmental Justice Analysis **Attachments:** Des2101778_Milford Trail Project_EJAnalysis_10.03.2024 Updated.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

INDOT-Environmental Services Division (ESD) has reviewed the project information along with the Environmental Justice (EJ) Analysis for the above referenced project. With the information provided, the project may require right-of-way, requires no relocations, and would not disrupt community cohesion or create a physical barrier. With the information provided, INDOT-ESD would not consider the impacts associated with this project as causing a disproportionately high and adverse effect on minority and/or low-income populations of EJ concern relative to non-EJ populations in accordance with the provisions of Executive Order 12898 and FHWA Order 6640.23a. No further EJ Analysis is required.



June 14, 2024

Courtney Haverbusch USI Consultants, Inc 8415 E 56th Street Indianapolis, IN 46216

Re: Section 4(f) Coordination

Des. No. 2101778 Milford Trail Project – Waubee Lake Park Milford, Kosciusko County, Indiana

Dear Ms. Haverbusch:

I understand that the Milford Trail Project will affect Waubee Lake Park, a park owned and maintained by the Town of Milford Council. Approximately 200 feet of the trail will be located within Waubee Lake Park. It is my understanding that in order to improve pedestrian and bicycle access to the park and provide connectivity to downtown Milford, a new 10-ft wide multi-use path will be constructed. The park will remain open during construction and access to Waubee Lake Park and its facilities will be maintained.

As the official with jurisdiction (OWJ) over Waubee Lake Park, I agree that the proposed project provides an enhancement of Waubee Lake Park, and therefore would qualify for a Section 4(f) exception as defined in 23 CFR 774.13(g). This exception applies to transportation enhancement projects where:

- The use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for protection, and
- The OWJ agrees in writing to the previous condition.



Once constructed, the proposed Milford Trail will provide an enhancement to Waubee Lake Park by expanding pedestrian and bicycle facilities and by connecting the park to downtown Milford. Therefore, I agree the project will not adversely affect the recreational activities, features, and attributes that qualify Waubee Lake Park for protection under Section 4(f) of the U.S. Department of Transportation Act.

Respectfully,

Douglas Ruch Town of Milford

Council President