

**Lead Des 1801915**

**Appendix C**

**Coordination**



## INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue  
Room N642  
Indianapolis, Indiana 46204

Eric Holcomb, Governor  
Joe McGuinness, Commissioner

### Sample Early Coordination Letter

January 26, 2022

Re: Des. No. 1801915, N. East Street over Norfolk Southern Railroad, 0.08 miles north of E. Hill Street, Wabash County, Indiana

Environmental Reviewer,

The Indiana Department of Transportation (INDOT) with funding from the Federal Highway Administration (FHWA) intend to proceed with a project involving the section of N. East Street which intersects Norfolk Southern Railroad in Section 11, Township 27 North, Range 6 East, Noble Township, Wabash County, Indiana. 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 designation number and description in your reply.** We will incorporate your comments into a study of the project's environmental impacts.

This project is located on N. East Street, approximately 0.08 mile north of E. Hill Street in the City of Wabash, Indiana. East Street is an urban major collector. N. East Street consists of two (2) 11-foot travel lanes that run north-south with a 2.5-foot curb and gutter on each side of the street, and a 6-foot sidewalk is present on the east side of the street. The need for this project is due to the lack of uninterrupted access over the Norfolk Southern Railroad, which traverses east and west through the City of Wabash, generally along E. Hill Street, and bisects the city. The Norfolk Southern Railroad tracks intersect with city streets, and all street crossings in the city are at-grade, including N. East Street. The closest detours around the stopped trains are on Lagro Road approximately 5.5 miles east of the city and US Business Route 24 approximately four miles west of the city. The purpose of the project is to improve access to all parts of the city when trains on the Norfolk Southern Railroad line stop within the city limits, which prevents traffic, including emergency services in route to and from Parkview Wabash Hospital on the north side of the city, from accessing parts of the city.

The preferred alternative is to construct a composite steel plate girder bridge. This bridge will be a single span bridge with a 127-foot length. The bridge will consist of a 26-foot, 4-inch clear roadway with a 24-degree skew. It will also provide two (2) 11-foot travel lanes with a 2-foot, 4-inch shoulder on the west side of N. East Street. The east side of N. East Street will have a 2-foot shoulder with a 6-foot, 4-inch sidewalk for pedestrian traffic. The profile grade of the site will be raised in order to construct the bridge above the existing railroad track. A drainage pipe extension may be required along the railroad corridor, which will convey stormwater into Hanna Park, a Section 4(f) resource adjacent to residences on the east side of N. East Street. It is expected that 2.14 acres of new permanent right-of-way and 0.06 acre of temporary right-of-way will be required for this project. At this time, it is anticipated that 10 residences will be relocated to construct the project. This project will require a road closure, and traffic will be maintained through the use of a detour utilizing Hill Street, Elm Street, and Wabash Street. Specific detour routes will be selected by the City of Wabash to minimize the duration, distance, and traffic volume impact. It is expected that 0.6301 acre of tree removal will be needed to complete this project. Letting is scheduled for Spring 2023, with construction anticipated to begin in Summer 2023.

Land use in the vicinity is urban with level terrain. SJCA Inc. has completed a Waters of the US Determination/Wetland Delineation Report to identify water resources that may be present in the vicinity of the project, and coordination will occur with the INDOT Ecology and Waterway Permitting Office to determine the required waterway permits. This project is anticipated to qualify for the Range-wide Programmatic Agreement for the Indiana bat and northern long-eared bat by completing the Information for Planning and Consultation (IPaC). Coordination is ongoing with the INDOT Cultural Resources Office (CRO) to evaluate the project area for archaeological and historic resources and for Section 106 compliance.

**Please respond with comments, questions, and concerns within thirty (30) calendar days from the date of this letter.** If no response is received, it will be assumed that your agency feels that there are no adverse effects incurred as a result of this 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 matter, please feel free to contact me at **emulryan@sjcainc.com** or INDOT Project Manager Jason Springer at **jspringer@indot.in.gov**. Thank you in advance for your input on this project.

Sincerely,

Erin Mulryan

SJCA Inc.

Enclosures:

Mailing List

Project Maps

Project Area Photographs

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

**East Hill Street over Norfolk Southern Railroad, Des 1801915**  
**Early Coordination Letter sent to the Following Agencies:**

Federal Highway Administration  
[k.carmanygeorge@dot.gov](mailto:k.carmanygeorge@dot.gov)

Indiana Geological and Water Survey  
<https://igws.indiana.edu/eAssessment>

Indiana Dept. of Natural Resources  
[environmentalreview@dnr.in.gov](mailto:environmentalreview@dnr.in.gov)

Indiana Dept. of Environmental  
Management (IDEM), Wetland and  
Stormwater Section  
[JTurner2@idem.in.gov](mailto:JTurner2@idem.in.gov)  
[rbraun@idem.in.gov](mailto:rbraun@idem.in.gov)

IDEM, Office of Land Quality  
[kvedder@idem.in.gov](mailto:kvedder@idem.in.gov)

IDEM Wellhead Proximity Locator  
Accessed September 29, 2021  
[https://www.in.gov/idem/clean/water/pages/  
wellhead/](https://www.in.gov/idem/clean/water/pages/wellhead/)  
(no WHPAs or SWAs in project area)

US Dept. of Housing and Urban  
Development  
[erik.r.sandstedt@hud.gov](mailto:erik.r.sandstedt@hud.gov)

INDOT ESD  
[rbales@indot.in.gov](mailto:rbales@indot.in.gov)  
[bramiller1@indot.in.gov](mailto:bramiller1@indot.in.gov)  
[Knovak@indot.in.gov](mailto:Knovak@indot.in.gov)

INDOT Project Managers  
[jspringer@indot.in.gov](mailto:jspringer@indot.in.gov)  
[jholder@indot.in.gov](mailto:jholder@indot.in.gov)

U.S. Fish and Wildlife Service  
Indiana Office  
[elizabeth\\_mccloskey@fws.gov](mailto:elizabeth_mccloskey@fws.gov)

INDOT Office of Aviation  
[JCourtade@indot.in.gov](mailto:JCourtade@indot.in.gov)

INDOT Railroad and Utilities  
[wplant@indot.in.gov](mailto:wplant@indot.in.gov)

State Conservationist NRCS  
[rick.neilson@in.usda.gov](mailto:rick.neilson@in.usda.gov)  
Chief, Environmental Resources

Department of the Army  
Louisville District, Corps of Engineers  
[RegulatoryApplicationsLRL@usace.army.  
mil](mailto:RegulatoryApplicationsLRL@usace.army.mil)

Wabash Mayor's Office  
[cityofwabash@cityofwabash.com](mailto:cityofwabash@cityofwabash.com)

Wabash City Council  
Doug Adams, District 5  
[DougAdamsPSD@Hotmail.com](mailto:DougAdamsPSD@Hotmail.com)  
Susan Bonfitto, District 4  
[citycouncil4@cityofwabash.com](mailto:citycouncil4@cityofwabash.com)  
Terry Brewer, District 3  
[citycouncil3@cityofwabash.com](mailto:citycouncil3@cityofwabash.com)  
Dave Monroe, District 2  
[Citycouncil2@cityofwabash.com](mailto:Citycouncil2@cityofwabash.com)  
Wade Weaver, District 1  
[citycouncil1@cityofwabash.com](mailto:citycouncil1@cityofwabash.com)

Wabash Ambulance Department  
[ambulanceAR@cityofwabash.com](mailto:ambulanceAR@cityofwabash.com)

Wabash Building Department  
[buildingdept@cityofwabash.com](mailto:buildingdept@cityofwabash.com)

Wabash Fire Department  
[bstroup@wabashfire.com](mailto:bstroup@wabashfire.com)

Wabash Parks Department  
[parkdept@cityofwabash.com](mailto:parkdept@cityofwabash.com)

Wabash Police Department  
[mbruss@wabashpolice.com](mailto:mbruss@wabashpolice.com)

Wabash Street Department  
[streetdept@cityofwabash.com](mailto:streetdept@cityofwabash.com)

Wabash City Schools  
[info@apaches.k12.in.us](mailto:info@apaches.k12.in.us)

Wabash Wastewater Department  
[wwtpwabash@cinergymetro.net](mailto:wwtpwabash@cinergymetro.net)

IDNR Division of Outdoor Recreation

Bob Bronson, Grants Chief; [bbronson@dnr.in.gov](mailto:bbronson@dnr.in.gov)

Lesa Herber, Grants Coordinator; [lherber1@dnr.in.gov](mailto:lherber1@dnr.in.gov)

Parkview Wabash Hospital

Deb Potempa, President

[debra.potempa@parkview.com](mailto:debra.potempa@parkview.com)

**Subject:** RE: Des 1801915, E. Hill St. over Norfolk Southern Railroad, City of Wabash- Early Coordination  
**Date:** Wednesday, October 6, 2021 at 4:06:48 PM Eastern Daylight Time  
**From:** Herber, Lisa  
**To:** Erin Mulryan, Bronson, Bob  
**Attachments:** image001.png, image002.png, image003.png, image004.png, image005.png, image006.png, image007.png, image008.png, image009.png, image010.png, image011.png, image012.png, image013.png, image014.png, image015.png, image016.png

Erin—Hanna Park is not a LWCF site so no coordination with us on that is needed.

**Sincerely,**

**Lisa Herber**

Grants Coordinator  
Indiana Department of Natural Resources  
Division of State Parks  
402 W. Washington Street, Room W298  
Indianapolis, Indiana 46204  
Phone: 317-232-4074  
Email: [LHerber1@dnr.IN.gov](mailto:LHerber1@dnr.IN.gov)

*\* Please let us know about the quality of our service by taking this [brief customer survey](#).*

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**From:** Erin Mulryan <emulryan@sjcainc.com>  
**Sent:** Tuesday, October 05, 2021 6:55 PM  
**To:** Bronson, Bob <bbronson@dnr.IN.gov>; Herber, Lisa <LHerber1@dnr.IN.gov>  
**Subject:** Des 1801915, E. Hill St. over Norfolk Southern Railroad, City of Wabash- Early Coordination

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

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Hi Bob and Lesa, I hope you are doing well. We are working on the attached project, which is adjacent to Hanna Park. The project will include installation of a pipe to convey stormwater into the park. I want to verify whether Hanna Park is an LWCF/6f resource (list attached- it is noted that names may change), so I am including you in the early coordination mailing so you can provide comment if Hanna Park is an LWCF property. Feel free to call or email if you have any additional questions about the project. Thanks!

**Erin Mulryan**

**Subject:** RE: Des 1801915, E. Hill St. over Norfolk Southern Railroad, City of Wabash- Early Coordination  
**Date:** Wednesday, October 6, 2021 at 7:42:12 AM Eastern Daylight Time  
**From:** Courtade, Julian  
**To:** Erin Mulryan  
**Attachments:** image001.png, image002.png, image003.png, image004.png, image005.png, image006.png, image007.png, image008.png, image009.png, image010.png, image011.png, image012.png, image013.png, image014.png, image015.png, image016.png, image017.png, image018.png, image019.png, image020.png, image021.png, image022.png

Erin –

I reviewed the Early Coordination Letter and found no issues with any surrounding airspace or public-use airports. This is due to the project meeting the required glideslope criteria from the nearest public-use facility according to 14 CFR Part 77 – Safe, efficient use, and preservation of the navigable airspace.

If any object will exceed 200 ft in height regardless of location, the object will need to be airspaced with the FAA 45 days prior to construction through the OEAAA portal below.

<https://oeaaa.faa.gov/oeaaa/external/searchAction.jsp>

Please let me know if you have any questions!

Thanks,

**Julian L. Courtade**

*Chief Airport Inspector*

100 North Senate Ave, N758-MM

Indianapolis, IN 46204

**Cell:** (317) 954-7385

**Email:** [jcourtade@indot.in.gov](mailto:jcourtade@indot.in.gov)



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**From:** Erin Mulryan <emulryan@sjcainc.com>  
**Sent:** Tuesday, October 5, 2021 6:25 PM  
**To:** Courtade, Julian <JCourtade@indot.IN.gov>  
**Subject:** Des 1801915, E. Hill St. over Norfolk Southern Railroad, City of Wabash- Early Coordination

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

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October 14, 2021

Erin Mulryan  
SJCA  
9201 North Meridian Street, Suite 200  
Indianapolis, Indiana 46260  
[emulryan@sjcainc.com](mailto:emulryan@sjcainc.com)

Dear Ms. Mulryan:

The proposed project to proceed with bridge construction to address the lack of uninterrupted access over the Norfolk Southern Railroad along Northeast Street in Wabash County, Indiana, (Des No 1801915) as referred to in your letters received October 5, 2021, will not cause a conversion of prime farmland.

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

Sincerely,

**RICHARD**  
**NEILSON**

Digitally signed by  
RICHARD NEILSON  
Date: 2021.10.20  
15:01:12 -04'00'

RICK NEILSON  
State Soil Scientist







## United States Department of the Interior Fish and Wildlife Service



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

October 26, 2021

Ms. Erin Mulryan

SJCA, Inc.

c/o Indiana Department of Transportation  
100 North Senate Avenue, Room N642  
Indianapolis, Indiana 46204

Project No.: Des. 1801915

Project: North East Street over Norfolk Southern Railroad

Location: Wabash, Wabash County

Dear Ms. Mulryan:

This responds to your letter dated October 5, 2021, requesting our comments on the aforementioned project.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

The proposed project consists of the construction of a grade separation structure on North East Street over the Norfolk Southern Railroad on the east side of the City of Wabash. All of the railroad crossings within Wabash are at grade, so this would be the only bridge over the railroad within the city. Although SR 15 is the major highway through Wabash from north to south, construction of an overpass on or near that roadway would require removal of commercial and/or municipal buildings in the central city. North East Street is a significant roadway connecting East Hill Street/Old US 24 and Manchester Avenue/Alternate US 24, so a bridge at this site will provide connectivity within the city. Residential properties and urban shade trees will need to be removed within about 2.14 acres of new permanent right-of-way.

Your letter indicates that storm water would be conveyed “into Hanna Park”, a city park on the east side of North East Street adjacent to houses that would be removed. However, there is no storm water basin in the park, and no further explanation of the handling of the storm water is provided in your letter. Hanna Park is a Section 4(f) recreation facility that may also have received funds from the Land and Water Conservation Fund, which would make it a Section 6(f) property. The environmental document must address the possible impacts on Hanna Park, including any Section 4(f) and Section 6(f) conversions.

## ENDANGERED SPECIES

The proposed project is within the range of the Federally endangered Indiana bat (Myotis sodalis), fanshell mussel (Cyprogenia stegaria), and sheepnose mussel (Plethobasus cyphus), and the threatened northern long-eared bat (Myotis septentrionalis). The impacts on the 2 bat species will be evaluated utilizing the Section 7 Range-wide Programmatic Consultation process. The mussel species are present in the Wabash River in the vicinity of the City of Wabash. Therefore, protecting water quality in the Wabash River is vital for the conservation of these species. Strict erosion control measures will be needed at the construction site. Because of these mussel species, it is imperative that no pollutants of any kind reach the Wabash River due to this project. This includes spilling of petroleum products or other chemicals from the machinery/equipment being used. Emergency response equipment and spill containment materials must be maintained at the project site.

These endangered species comments constitute informal consultation only. They do not fulfill the requirements of Section 7 of the Endangered Species Act of 1973, as amended. Please re-coordinate with us about the mussels when project planning is more advanced.

We appreciate the opportunity to comment on this proposed project. For further discussion, please contact Elizabeth McCloskey at [elizabeth\\_mccloskey@fws.gov](mailto:elizabeth_mccloskey@fws.gov).

Sincerely yours,

/s/ *Elizabeth S. McCloskey*

for Scott E. Pruitt  
Supervisor

Sent via email October 26, 2021; no hard copy to follow.

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

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**DNR #:** ER-24104

**Request Received:** October 5, 2021

**Requestor:** SJCA Inc  
Erin Mulryan  
1028 Virginia Avenue, Suite 201  
Indianapolis, IN 46203

**Project:** North East Street new grade separation bridge over Norfolk Southern Railroad, 0.08 mile north of E. Hill Street; Des #1801915

**County/Site info:** Wabash

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:** Formal approval by the Department of Natural Resources under the regulatory programs administered by the Division of Water is not required for this project.

**Natural Heritage Database:** The Natural Heritage Program's data have been checked. The mussel species below have been documented in the Wabash River within 1/2 mile of the project area.

1. Fanshell (*Cyprogenia stegaria*); fed. & state endangered
2. Snuffbox (*Epioblasma triquetra*); fed. & state endangered
3. Rayed Bean (*Villosa fabalis*); fed. & state endangered
4. Round Hickorynut (*Obovaria subrotunda*); state endangered
5. Black Sandshell (*Ligumia recta*); state special concern
6. Ohio Pigtoe (*Pleurobema cordatum*); state special concern

**Fish & Wildlife Comments:** We do not foresee any impacts to the mussel species above as a result of this project.

The Division of Fish & Wildlife recommends avoiding removing urban trees to the greatest extent possible and replacing trees that must be removed. Street trees are important to fish and wildlife resources in urban areas. Indiana's street trees also provide millions of dollars of tangible benefits to Indiana communities by their presence in the urban environment. Their shade and beauty contribute to the quality of life. They provide significant increases in real estate values, create attractive settings for commercial businesses, and improve community neighborhood appeal. Trees decrease energy consumption by providing shade and acting as windbreaks. They reduce water treatment costs and impede soil erosion by slowing the runoff of stormwater. Trees also cool the air temperature, cleanse pollutants from the air, and produce oxygen while absorbing carbon dioxide. Trees are an integral component of the urban environment. Proactively managing and maintaining a street tree population will ultimately maximize the benefits afforded by their aesthetic and ecological functions. The following links give a good overview of the benefits of a street tree program and how to select the right species to avoid the negative impacts of non-native invasive species such as the common and popular Bradford pear: <https://www.in.gov/dnr/forestry/3605.htm> > Community & Urban Forestry > Tree Species Lists.

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

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We recommend a mitigation plan be developed for any unavoidable habitat impacts that will occur. The DNR's Habitat Mitigation guidelines (and plant lists) can be found online at: <http://iac.iga.in.gov/iac/20200527-IR-312200284NRA.xml.pdf>.

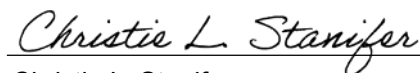
Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to non-wetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, at least 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10" dbh or greater (5:1 mitigation based on the number of large trees) or by using the 1:1 replacement ratio based on area depending on the type of habitat impacted (individual canopy tree removal in an urban streetscape or park-like environment versus removal of habitat supporting a tree canopy, woody understory, and herbaceous layer). Impacts under 0.10 acre in an urban area may still involve the replacement of large diameter trees but typically do not require any additional mitigation or additional plantings beyond seeding and stabilizing disturbed areas. There are exceptions for high quality habitat sites however.

The additional measures listed below should be implemented to avoid, minimize, or compensate for impacts to fish, wildlife, and botanical resources:

1. Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue) and legumes as soon as possible upon completion; low endophyte tall fescue may be used in the ditch bottom and side slopes only.
2. Minimize and contain within the project limits all tree and brush clearing.
3. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.
4. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
5. 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.

**Contact Staff:**

Christie L. Stanifer, Environ. Coordinator, Fish & Wildlife  
Our agency appreciates this opportunity to be of service. Please contact the above staff member at (317) 232-4080 if we can be of further assistance.



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

**Date:** November 1, 2021

## **Organization and Project Information**

**Project ID:**  
**Des. ID:** 1801915  
**Project Title:** Wabash Local Trax Project  
**Name of Organization:** SJCA Inc.  
**Requested by:** Wanda Gaines

## **Environmental Assessment Report**

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

\*All map layers from Indiana Map ([maps.indiana.edu](https://maps.indiana.edu))

### **DISCLAIMER:**

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

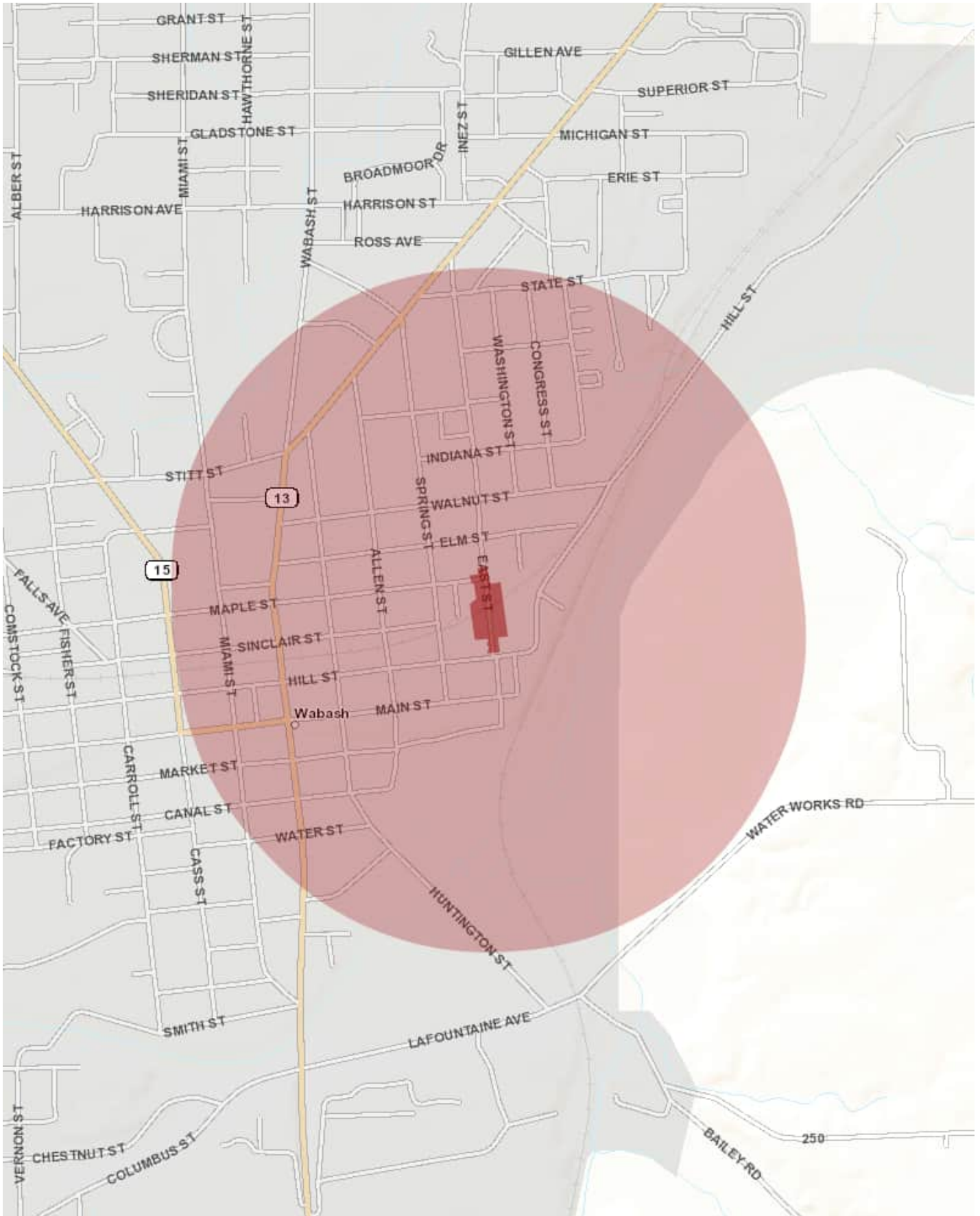
This information was furnished by Indiana Geological Survey

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

Email: [IGSEnvir@indiana.edu](mailto:IGSEnvir@indiana.edu)

Phone: 812 855-7428

Date: January 25, 2022



# Metadata:

- [https://maps.indiana.edu/metadata/Geology/Petroleum\\_Wells.html](https://maps.indiana.edu/metadata/Geology/Petroleum_Wells.html)
- [https://maps.indiana.edu/metadata/Geology/Seismic\\_Earthquake\\_Liquefaction\\_Potential.html](https://maps.indiana.edu/metadata/Geology/Seismic_Earthquake_Liquefaction_Potential.html)
- [https://maps.indiana.edu/metadata/Geology/Industrial\\_Minerals\\_Sand\\_Gravel\\_Resources.html](https://maps.indiana.edu/metadata/Geology/Industrial_Minerals_Sand_Gravel_Resources.html)
- [https://maps.indiana.edu/metadata/Hydrology/Floodplains\\_FIRM.html](https://maps.indiana.edu/metadata/Hydrology/Floodplains_FIRM.html)
- [https://maps.indiana.edu/metadata/Geology/Bedrock\\_Geology.html](https://maps.indiana.edu/metadata/Geology/Bedrock_Geology.html)

## Victoria Veach

---

**From:** VEDDER, KIM <KVEDDER@idem.IN.gov>  
**Sent:** Thursday, February 3, 2022 3:30 PM  
**To:** Wanda Gaines, CFM  
**Cc:** Drury, Paige  
**Subject:** RE: Early Coordination Packet for Wabash Local Trax Project, Des. 1801915

Wanda,

We determined the work will not impact the landfill. Based on the information provided,

- in the memo titled "Des. No. 1801915 N. East Street over Norfolk Southern Railroad, 0.08 miles north of E. Hill Street, Wabash County, Indiana" and dated January 25, 2022

and

- in the map from January 16, 1989 (VFC #[45449977](#)) demonstrating the site boundary

the proposed construction activity is not within the landfill boundary and will not impact the landfill. However, in the future, if construction activities are proposed closer to the landfill, please consult IDEM for further comments.

Thank you for reaching out to us.

### COVID-19 Resources:

- **Indiana State Dept. of Health (ISDH) COVID-19 Call Center:** Call 877-826-0011 (available 8:00 am-5:00 pm daily).
- **Anthem NurseLine:** Call 800-337-4770 or visit the [Anthem NurseLine](#) online for a FREE symptom screening. Available to anyone with an Anthem health plan (this includes State of IN employees)
- **Anthem Employee Assistance Program (EAP):** Available to ALL state employees and adults in household regardless of health plan participation. Call 800-223-7723 or visit [anthemeap.com](#) (enter State of Indiana) for crisis counseling, help finding child/elder care, legal/financial consultation and much more.



**Kim Vedder**

Geologist | Antique Landfill Coordinator  
Permits Geology Section | Office of Land Quality  
Indiana Department of Environmental Management

---

(317) 232-8714 | [kvedder@idem.IN.gov](mailto:kvedder@idem.IN.gov)



---

**From:** Wanda Gaines, CFM <wgaines@sjcainc.com>  
**Sent:** Tuesday, January 25, 2022 12:21 PM  
**To:** VEDDER, KIM <KVEDDER@idem.IN.gov>  
**Subject:** Early Coordination Packet for Wabash Local Trax Project, Des. 1801915





## United States Department of the Interior Fish and Wildlife Service



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

November 28, 2022

Ms. Victoria Veach  
SJCA, Inc.  
1028 Virginia Avenue, Suite 201  
Indianapolis, Indiana 46203

Project No.: Des. 1801915  
Project: North East Street over Norfolk Southern Railroad  
Location: Wabash, Wabash County

Dear Ms. Veach:

This responds to your emails of November 7 and November 28, 2022, providing additional information about this proposed project. The U.S. Fish and Wildlife Service previously provided comments on October 26, 2021.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

The proposed project consists of the construction of a grade separation structure on North East Street over the Norfolk Southern Railroad on the east side of the City of Wabash. The original Early Coordination indicated that adjacent Hanna Park might be impacted by stormwater drainage from the new bridge and modified roadway. However, the current plan does not impact the park, so our concerns about that public resource have been addressed. The information you provided indicates that a new storm sewer will connect with the existing storm sewer system along East Hill Street, and that erosion control measures will be in place during construction to protect water quality and discharges to the Wabash River.

## ENDANGERED SPECIES

The proposed project is within the range of the Federally endangered Indiana bat (*Myotis sodalis*) and fanshell mussel (*Cyprogenia stegaria*), and the threatened/proposed endangered northern long-eared bat (*Myotis septentrionalis*). The impacts on the 2 bat species will be evaluated utilizing the Section 7 Range-wide Programmatic Consultation process. Our previous letter also listed the endangered sheepsnose mussel (*Plethobasus cyphus*) as being present in the Wabash area; however, it has been determined that the identification of the specimen was incorrect, so this species has been removed from the USFWS data base.

We believe that the project as currently planned will be sufficiently protective of the endangered fanshell mussel. Therefore, the USFWS agrees that the proposed project is not likely to adversely affect the fanshell mussel.

This precludes the need for further consultation on the fanshell mussel as required under Section 7 of the Endangered Species Act of 1973, as amended. However, should new information arise pertaining to project plans or a revised species list be published, it will be necessary for the Federal agency to reinitiate consultation.

We appreciate the opportunity to again comment on this proposed project. For further discussion, please contact Elizabeth McCloskey at [elizabeth\\_mccloskey@fws.gov](mailto:elizabeth_mccloskey@fws.gov).

Sincerely yours,

/s/ *Elizabeth S. McCloskey*

for Scott E. Pruitt  
Supervisor

Sent via email November 28, 2022; no hard copy to follow.

## Victoria Veach

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**From:** Terry Engstrand <Terry.Engstrand@parkview.com>  
**Sent:** Friday, June 17, 2022 4:30 PM  
**To:** Watson, George C.  
**Cc:** Jason Sluss  
**Subject:** RE: following up

George,

I followed up with our EMS manager and was advised there isn't any contingency/action plans for the EMS ambulances on direction of travel if a train is parked on the tracks. The route of travel is determined on the driver's best judgment. Wabash EMS responds to 98% of the EMS calls in the Wabash City limits. You might want to reach out to the Chief of Wabash EMS/Fire to see if they have a plan or policy.

Chief Barry Stroup ,Wabash Fire 260-563-3521, [bstroup@cityofwabash.com](mailto:bstroup@cityofwabash.com)

If you have any additional questions, please let me know.

Thank you,

**Terry S. Engstrand | Wabash Safety Coordinator**

Office: 260-569-2489

Cell/Text: 574-371-5949

Email: [Terry.Engstrand@parkview.com](mailto:Terry.Engstrand@parkview.com)



Parkview Wabash Hospital  
10 John Kissinger Drive  
Wabash, IN 46992

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**From:** Watson, George C. <George.Watson@wsp.com>  
**Sent:** Monday, June 13, 2022 1:54 PM  
**To:** Terry Engstrand <Terry.Engstrand@parkview.com>  
**Subject:** RE: following up

**WARNING: This email came from an external source outside of Parkview Health.**  
**DO NOT CLICK** on links or attachments from unknown senders or unexpected emails.

<http://www.nscorp.com/content/nscorp/en/about-ns/frequently-askedquestions.html>



## 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:

March 31, 2023

Project Code: 2022-0075996

Project Name: Des 1801915, N. East Street over Norfolk Southern Railroad

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 ECOS-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 ECOS-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:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.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/birds/policies-and-regulations.php>.

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/birds/bird-enthusiasts/threats-to-birds.php>.

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/birds/policies-and-regulations/executive-orders/e0-13186.php>.

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
- 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: 2022-0075996  
Project Name: Des 1801915, N. East Street over Norfolk Southern Railroad  
Project Type: Bridge - New Construction  
Project Description: The City of Wabash, with administrative oversight from the Indiana Department of Transportation (INDOT), proposes to proceed with the N. East Street Railroad Grade Separation project, Des 1801915. The project, which is part of INDOT's Local Trax program, may receive funding from the Federal Highway Administration (FHWA) in the future. The proposed undertaking is on East Street extending north of Maple Street and south to Hill Street in Wabash, Wabash County, Indiana. The project is within Noble Township, USGS Wabash Topographic Quadrangle in Section 11, Township 27 North, Range 6 East.

N. East St travels north-south and has an at-grade crossing with the Norfolk Southern Railroad traveling east-west through the City of Wabash. The preferred alternative is to construct a composite steel plate girder bridge on N. East St to elevate the crossing above the railroad. The new bridge will be a single span bridge with a length of 129 feet, a total width of 35 feet, 4 inches, and a clear roadway width of 25 feet, 8 inches. Mechanically stabilized earth (MSE) walls will be constructed on both ends of the new bridge. The new bridge will accommodate a 6-foot, 4-inch wide sidewalk. The minimum clearance over the railroad will be 23 feet, 6 1/4 inches. The profile grade of N. East St will be raised in order to construct the bridge above the existing railroad track. Concrete sidewalks and curb ramps meeting current Americans with Disabilities Act (ADA) standards will be installed in the project area as necessary. New drop inlets will be installed along N. East St south of the new bridge and a new section of storm sewer will be installed under Hill St east of N. East St. The new section of storm sewer will tie into the existing storm sewer under Hill St.

ROW amounts were updated during the design process. This project will acquire 1.898 acre of permanent ROW and 0.055 acre of temporary ROW.

It is expected that 1.17 acres of new permanent right-of-way and 0.06 acre of temporary right-of-way will be required for this project. At this time, it is anticipated that 10 residences will be relocated to construct the project. An inspection of the residences and any other structures associated with them (i.e. garages/sheds) were inspected on July 21, 2021. No bats or signs of bats were identified during the inspection.

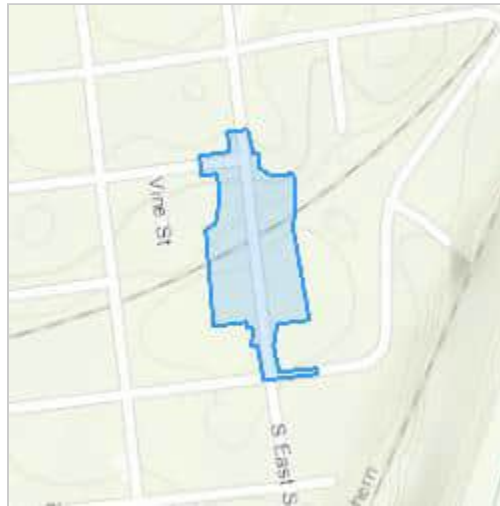
Trees are present in residential yards, along N. East St, and along the railroad corridor within the project area. Approximately 0.63 acre of trees will be removed in order to complete this project. The USFWS database for protected bat species was reviewed by INDOT Environmental staff on April 1, 2021. The review did not indicate the presence of endangered bat



species in or within a 0.5 mile search radius of the project. Construction is expected to begin in the summer of 2023, and tree clearing will occur during the inactive season for bats ahead of the start of construction. New permanent lighting will be installed as part of this project. Temporary lighting may be used during construction.

**Project Location:**

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@40.8003078,-85.81432895078595,14z>



Counties: Wabash County, Indiana

## ENDANGERED SPECIES ACT SPECIES

There is a total of 5 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.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

## MAMMALS

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/5949">https://ecos.fws.gov/ecp/species/5949</a>	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9045">https://ecos.fws.gov/ecp/species/9045</a>	Threatened

## BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/758">https://ecos.fws.gov/ecp/species/758</a>	Experimental Population, Non-Essential

## CLAMS

NAME	STATUS
Fanshell <i>Cyprogenia stegaria</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/4822">https://ecos.fws.gov/ecp/species/4822</a>	Endangered

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**INSECTS**

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

**CRITICAL HABITATS**

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

# MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

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

**The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern \(BCC\)](#) list or warrant special attention in your project location.** To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list 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 and Alaska.	Breeds elsewhere
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.	Breeds Oct 15 to Aug 31

NAME	BREEDING SEASON
<b>Cerulean Warbler <i>Dendroica cerulea</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/2974">https://ecos.fws.gov/ecp/species/2974</a>	Breeds Apr 21 to Jul 20
<b>Chimney Swift <i>Chaetura pelagica</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25
<b>Golden Eagle <i>Aquila chrysaetos</i></b> 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. <a href="https://ecos.fws.gov/ecp/species/1680">https://ecos.fws.gov/ecp/species/1680</a>	Breeds elsewhere
<b>Henslow's Sparrow <i>Ammodramus henslowii</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/3941">https://ecos.fws.gov/ecp/species/3941</a>	Breeds May 1 to Aug 31
<b>Kentucky Warbler <i>Oporornis formosus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Apr 20 to Aug 20
<b>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10
<b>Wood Thrush <i>Hylocichla mustelina</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	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 and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

### Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

### Survey Effort (|)

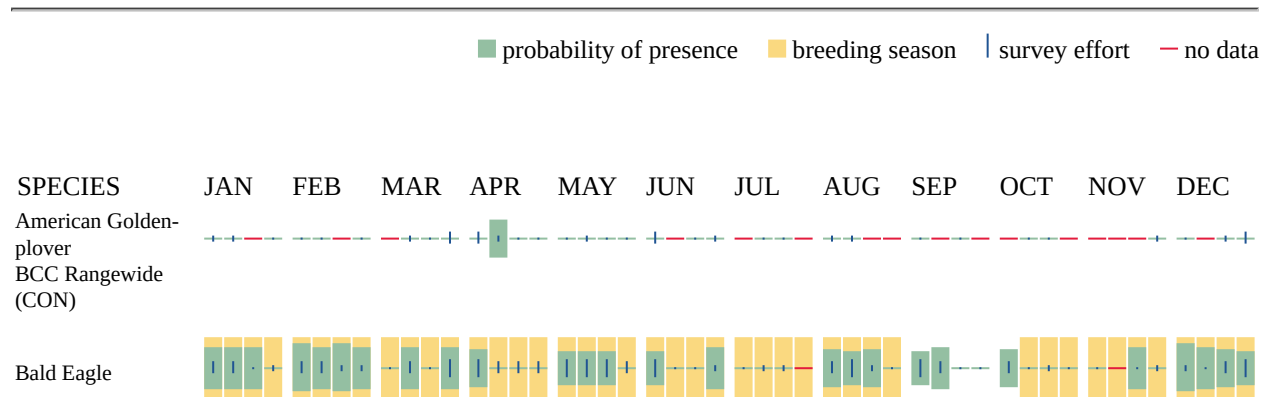
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

### No Data (—)

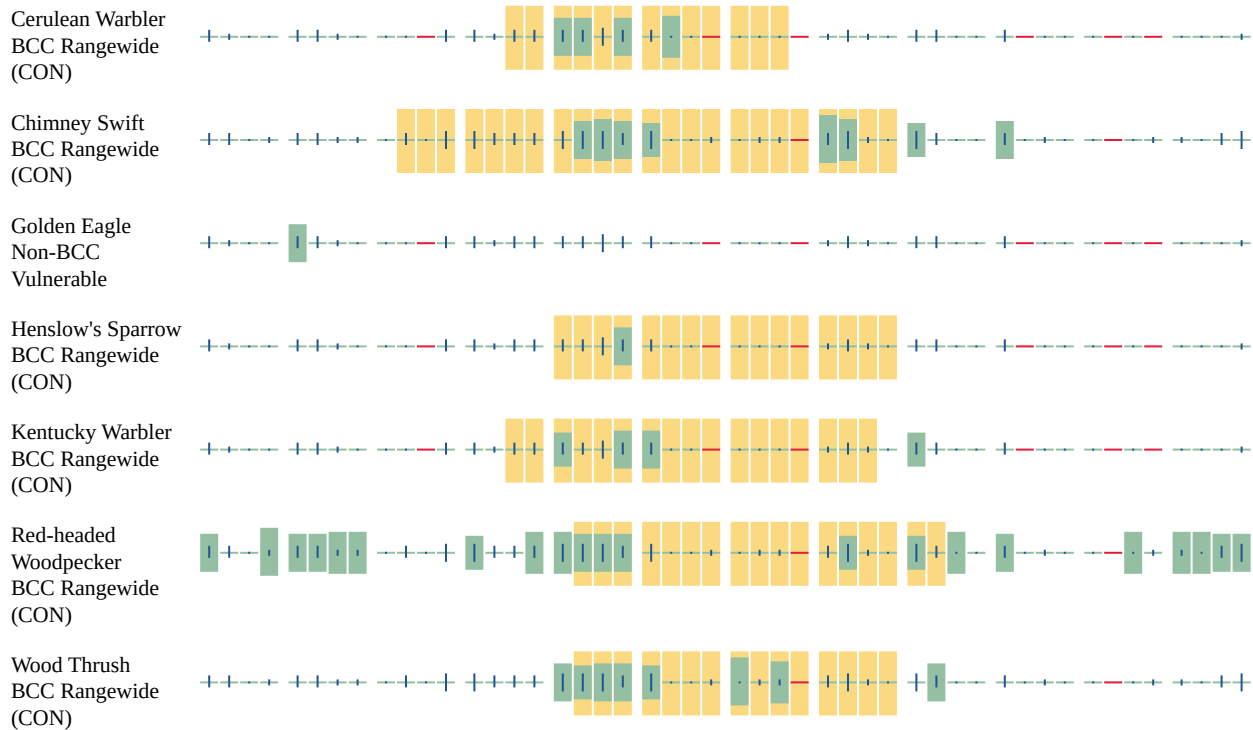
A week is marked as having no data if there were no survey events for that week.

### Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Non-BCC  
Vulnerable



Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- 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>

## MIGRATORY BIRDS FAQ

**Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles)



potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

## WETLANDS

Impacts to [NWI wetlands](#) 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.S. Army Corps of Engineers District](#).

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.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

**IPAC USER CONTACT INFORMATION**

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**LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Wabash city



## 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:

September 23, 2022

Project code: 2022-0075996

Project Name: Des 1801915, N. East Street over Norfolk Southern Railroad

Subject: Concurrence verification letter for the 'Des 1801915, N. East Street over Norfolk Southern Railroad' project under the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated September 23, 2022 to verify that the **Des 1801915, N. East Street over Norfolk Southern Railroad** (Proposed Action) may rely on the concurrence provided in the February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion 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, and may affect, but is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the threatened Northern long-eared bat (*Myotis septentrionalis*). Consultation with the 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.

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances, Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

**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 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. If the Proposed Action may affect any other federally-listed or proposed species, and/or any 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 contact this Service Office.

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

- Fanshell *Cyprogenia stegaria* Endangered
- Monarch Butterfly *Danaus plexippus* Candidate

## Project Description

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

### **Name**

Des 1801915, N. East Street over Norfolk Southern Railroad

### **Description**

The City of Wabash, with administrative oversight from the Indiana Department of Transportation (INDOT), proposes to proceed with the N. East Street Railroad Grade Separation project, Des 1801915. The project, which is part of INDOT's Local Trax program, may receive funding from the Federal Highway Administration (FHWA) in the future. The proposed undertaking is on East Street extending north of Maple Street and south to Hill Street in Wabash, Wabash County, Indiana. The project is within Noble Township, USGS Wabash Topographic Quadrangle in Section 11, Township 27 North, Range 6 East.

N. East St travels north-south and has an at-grade crossing with the Norfolk Southern Railroad traveling east-west through the City of Wabash. The preferred alternative is to construct a composite steel plate girder bridge on N. East St to elevate the crossing above the railroad. The new bridge will be a single span bridge with a length of 129 feet, a total width of 35 feet, 4 inches, and a clear roadway width of 25 feet, 8 inches. Mechanically stabilized earth (MSE) walls will be constructed on both ends of the new bridge. The new bridge will accommodate a 6-foot, 4-inch wide sidewalk. The minimum clearance over the railroad will be 23 feet, 6 1/4 inches. The profile grade of N. East St will be raised in order to construct the bridge above the existing railroad track. Concrete sidewalks and curb ramps meeting current Americans with Disabilities Act (ADA) standards will be installed in the project area as necessary. New drop inlets will be installed along N. East St south of the new bridge and a new section of storm sewer will be installed under Hill St east of N. East St. The new section of storm sewer will tie into the existing storm sewer under Hill St.

It is expected that 1.17 acres of new permanent right-of-way and 0.06 acre of temporary right-of-way will be required for this project. At this time, it is anticipated that 10 residences will be relocated to construct the project. An inspection of the residences and any other structures associated with them (i.e. garages/sheds) were inspected on July 21, 2021. No bats or signs of bats were identified during the inspection.

Trees are present in residential yards, along N. East St, and along the railroad corridor within the project area. Approximately 0.63 acre of trees will be removed in order to complete this project. The USFWS database for protected bat species was reviewed by INDOT Environmental staff on April 1, 2021. The review did not indicate the presence of endangered bat species in or within a 0.5 mile search radius of the project. Construction is expected to begin in the summer of 2023, and tree clearing will occur during the inactive season for bats ahead of the start of construction. New permanent lighting will be installed as part of this project. Temporary lighting may be used during construction.

## Determination Key Result

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the threatened 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 concurrence provided in the revised February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

## Qualification Interview

1. Is the project within the range of the Indiana bat<sup>[1]</sup>?

[1] See [Indiana bat species profile](#)

**Automatically answered**

Yes

2. Is the project within the range of the Northern long-eared bat<sup>[1]</sup>?

[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<sup>[1]</sup> activities only? (examples of non-construction 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<sup>[1]</sup>?

[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<sup>[1]</sup>?

[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

7. Is the project located **within** a karst area?

No

8. Is there *any* suitable<sup>[1]</sup> summer habitat for Indiana Bat or NLEB **within** the project action area<sup>[2]</sup>? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

[1] See the Service's [summer survey guidance](#) 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 [User's Guide for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat](#).

Yes

9. Will the project remove *any* suitable summer habitat<sup>[1]</sup> and/or remove/trim any existing trees **within** suitable summer habitat?

[1] See the Service's [summer survey guidance](#) 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?

No

11. Have presence/probable absence (P/A) summer surveys<sup>[1][2]</sup> been conducted<sup>[3][4]</sup> **within** the suitable habitat located within your project action area?

[1] See the Service's [summer survey guidance](#) 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 [summer survey guidance](#) 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



12. Does the project include activities **within documented Indiana bat habitat**<sup>[1][2]</sup>?

[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<sup>[1]</sup>?

[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**<sup>[1][2]</sup>?

[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?

*No*

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?  
Yes
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)?  
No
25. 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.)  
Yes
26. Is there *any* suitable habitat<sup>[1]</sup> for Indiana bat or NLEB **within** 1,000 feet of the structure? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)
- [1] See the Service's current [summer survey guidance](#) for our current definitions of suitable habitat.
- Yes
27. Has a structure assessment<sup>[1]</sup> been conducted **within** the last 24 months<sup>[2]</sup> to determine if bats are using the structure(s)?

[1] Structure assessment for occupied buildings means a cursory inspection for bat use. For abandoned buildings a more thorough evaluation is required (See [User Guide Appendix D](#) for bridge/abandoned structure assessment guidance).

[2] Assessments must be completed no more than 2 years prior to conducting any work on the structures, 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 structure in subsequent years.

Yes

#### **SUBMITTED DOCUMENTS**

- *Des 1801915 Structure Inspection Packet.pdf* <https://ipac.ecosphere.fws.gov/project/TVA4KVSJZVANJOTJLPQTG3SUNE/projectDocuments/116161853>

28. Did the structure assessment detect *any* signs of Indiana bats and/or NLEBs roosting in/under the structure (bats, guano, etc.)<sup>[1]</sup>?

[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.

No

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

Yes

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 *any* new or replace any existing **permanent** lighting in addition to the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities?

Yes

33. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **permanent** lighting (other than the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities) will be installed or replaced?

Yes

34. 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

35. 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

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

No

37. 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*

38. 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.*

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 structure removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

**Automatically answered**

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

41. **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*

42. **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<sup>[1]</sup> 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

43. **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

44. **Tree Removal AMM 4**

Can the project avoid cutting down/removal of *all* (1) **documented**<sup>[1]</sup> Indiana bat or NLEB roosts<sup>[2]</sup> (that are still suitable for roosting), (2) trees **within** 0.25 miles of roosts, and (3) documented foraging habitat any time of year?

[1] The word documented means habitat where bats have actually been captured and/or tracked.

[2] 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 triangulation/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.)

Yes

45. **Lighting AMM 2**

Does the lead agency use the BUG (Backlight, Uplight, and Glare) system developed by the Illuminating Engineering Society<sup>[1]</sup> to rate the amount of light emitted in unwanted directions?

[1] Refer to [The BUG System—A New Way To Control Stray Light](#)

Yes

46. **Lighting AMM 2**

Will the **permanent** lighting used during removal of suitable habitat and/or the removal/trimming of trees within suitable habitat be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?

Yes

47. **Lighting AMM 1**

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

Yes

48. **Lighting AMM 2**

Does the lead agency use the BUG (Backlight, Uplight, and Glare) system developed by the Illuminating Engineering Society<sup>[1]</sup> to rate the amount of light emitted in unwanted directions?

[1] Refer to [The BUG System—A New Way To Control Stray Light](#)

Yes

49. **Lighting AMM 2**

Will the **permanent** lighting (other than any lighting already indicated for tree clearing or bridge/structure removal, replacement or maintenance activities) be designed to be as close to 0 for all three BUG ratings as possible, with a priority of "uplight" of 0 and "backlight" as low as practicable?

Yes

## Project Questionnaire

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

Yes

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

No

3. How many acres<sup>[1]</sup> 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.

0.63

4. Please describe the proposed structure work:

*A new bridge will be built on N. East St over the Norfolk Southern Railroad in order to separate the grade crossing.*

5. Please state the timing of all proposed structure work:

*Construction is scheduled to begin in summer of 2023*

6. Please enter the date of the structure assessment:

*July 21, 2021*

## Avoidance And Minimization Measures (AMMs)

This determination key result includes the commitment 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 2**

Apply time of year restrictions for tree removal when bats are not likely to be present, or limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/rail surface and **outside of documented** roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed.

**LIGHTING AMM 2**

When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.

**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).

**TREE REMOVAL AMM 4**

Do not remove **documented** Indiana bat or NLEB roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or **documented** foraging habitat any time of year.

**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.

## Determination Key Description: FHWA, FRA, FTA Programmatic Consultation For Transportation Projects Affecting NLEB Or Indiana Bat

This key was last updated in IPaC on April 28, 2022. 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 threatened **Northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's [February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects](#). 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 not 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.



**IPaC User Contact Information**

Agency: Indiana Department of Transportation  
Name: Jessica Poiry  
Address: 5333 Hatfield Road  
City: Fort Wayne  
State: IN  
Zip: 46808  
Email: jpoiry@indot.in.gov  
Phone: 2603997348

**Lead Agency Contact Information**

Lead Agency: Wabash city

# **INDOT Building Bat Inspection Data Sheet (Rev. 4/29/2016)**

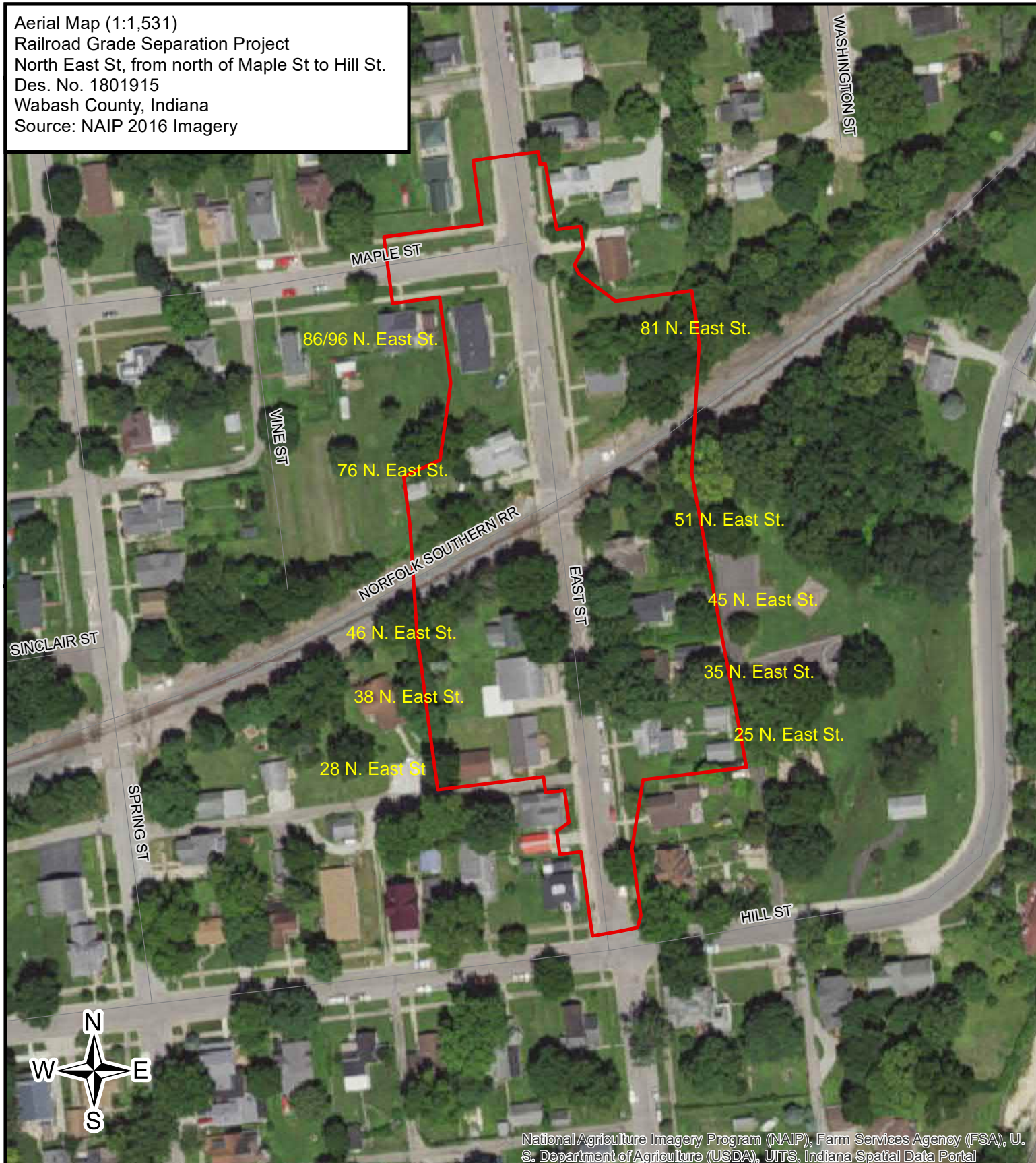
General Information		
Date of Inspection: July 21, 2021 Time of Inspection: 11:30AM-1:30PM	Initial Inspection <input checked="" type="checkbox"/> Follow-up Inspection <input type="checkbox"/>	Temp: 75 F Wind: NNE 3 mph Precip: N/A
County: Wabash		Sunrise: 6:29AM Sunset: 9:09PM
Inspected by: Victoria Veach, Jeegar Panchel		
GPS Northing: Easting: UTM Zone: 16	Contract Number:  B-41854	Scheduled Demolition Date: Letting: 3.15.2023/Construction Start: Summer 2023
Street Address See Attached Table	LA Code	State Parcel ID

Draw the position of each building on the parcel and give each building a number. Indicate North. A labeled aerial may be used instead—attach.

See attached aerial map

Building Number:	
Type of Structure: <input type="checkbox"/> Residence <input type="checkbox"/> Detached garage <input type="checkbox"/> Metal pole barn <input type="checkbox"/> Wood sided barn <input type="checkbox"/> Shed <input type="checkbox"/> Open-sided shelter <input type="checkbox"/> Commercial Bldg <input type="checkbox"/> Industrial Bldg <input type="checkbox"/> Other (describe):	
Check: loose siding, shutters, eaves, interior and exterior gaps between building components, and attic.	
Estimated building height: 1-2 story residential homes	Location of bats or signs of use (w/drawing and photos):
Searched entire building? If not, why not? <input type="checkbox"/> Yes	
Bats Present? <input type="checkbox"/> Seen? <input type="checkbox"/> Heard? <input type="checkbox"/> No	
In Clusters? Number of clusters:	
Number of bats in largest cluster:	
Approximate total number of bats found:	
Signs of bat use? <input type="checkbox"/> Guano <input type="checkbox"/> Staining <input type="checkbox"/> No	

Aerial Map (1:1,531)  
Railroad Grade Separation Project  
North East St, from north of Maple St to Hill St.  
Des. No. 1801915  
Wabash County, Indiana  
Source: NAIP 2016 Imagery



National Agriculture Imagery Program (NAIP), Farm Services Agency (FSA), U. S. Department of Agriculture (USDA), UITS, Indiana Spatial Data Portal

0 90 180  
Feet

Investigated Area



7/20/2021

Property Address	Building Type	Entire Structure Checked	Signs of Bats	Notes
25 N. East St. <i>3 Structures</i>	House, Shed, Detached Garage	Yes	No	Backyard is fenced. Back of house and front of both outbuildings could be checked from distance only.
35 N. East St. <i>2 structures</i>	House, Shed	Yes	No	
45 N. East St. <i>2 Structures</i>	House, Shed	Yes	No	
51 N. East St. <i>2 Structures</i>	House, Shed	Yes	No	
81 N. East St. <i>2 Structures</i>	House, Shed	Yes	No	
28 N. East St. <i>2 Structures</i>	House, Shed	Yes	No	
38 N. East St. <i>1 Structure</i>	House	Yes	No	Attached garage
46 N. East St. <i>1 Structure</i>	House	Yes	No	
76 N. East St. <i>1 Structure</i>	House	Yes	No	
86/96 N. East St. <i>2 Structures</i>	Multi-Unit Residence, Shed	Yes	No	