

**US Army Corps
of Engineers**

Louisville District ®

Public Notice

Public Notice No.
LRL-2023-00077

Date:
26 Jan 2024

Closing Date:
25 Feb 2024

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Indianapolis Regulatory Office
ATTN: Deborah Duda Snyder, CELRL-RDN,
8902 Otis Avenue, Suite S106B
Indianapolis, Indiana 46216

Phone: 317-543-9424

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act (CWA).

APPLICANT: Indiana Department of Transportation
100 North Senate Avenue, Room 758-ES
Indianapolis, Indiana 46204

AGENT: CHA Consulting
201 North Illinois Street, Suite 800
Indianapolis, Indiana 46204

LOCATION: Whitewater River and Wetland 5, Wayne County, Indiana

Latitude: 39.853226
Longitude: -85.168487
7.5 Minute Quad: Hagerstown, Indiana

PURPOSE: To widen two bridges on Interstate 70

DESCRIPTION OF WORK: The applicant proposes to discharge 507.2 cubic yards (cys) of fill material below the Ordinary High Water Mark (OHWM) of 180 linear feet (0.078 acre) of the Whitewater River and a total of 2,824.3 cys of fill material into 1.05 acres of emergent Wetland 5 and 0.43 acre of forested Wetland 5 for the widening of two I-70 bridges as part of the Revive I-70 project.

AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES: As part of the National Environmental Policy Act (NEPA) process, the applicant prepared a Level 4 Categorical Exclusion which considered impacts for three alternative configurations for the entire Revive I-70 project. The preferred alternative for the Whitewater River and the Whitewater River overflow bridges had the same impacts to streams and wetlands as the other alternatives.

Mitigation would be required to compensate the proposed impacts to the streams and wetlands. The proposed project would impact a total of 180 linear feet of perennial stream, 1.05 acres of emergent wetland, and 0.43 acre of forested wetland. The applicant proposes to mitigate for the

proposed impacts from through the purchase 2.52 acres of emergent wetland credits and 1.55 acres of forested wetland credits from the Indiana Stream and Wetland Mitigation Program.

It is noted that this proposed mitigation plan is open to comment and subject to change. The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied.

A DA Permit, if otherwise warranted, will not be issued on this project until a State of Indiana Section 401 Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM) is on file in this office or it is considered waived. In order to comply with Section 401 of the Clean Water Act, the applicant must apply for State certification from IDEM. IDEM can be contacted at the following address: IDEM, Office of Water Quality, Section 401 WQC Program, 100 N. Senate Avenue Room N1255, Indianapolis, Indiana 46204. The applicant is responsible for obtaining the certification from IDEM.

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. The USFWS concurred with the applicant's determination, on behalf FHWA, that the proposed project may affect, but is not likely to adversely affect the federally listed Indiana bat (*Myotis sodalis*) and/or northern long-eared bat (*Myotis septentrionalis*).

Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The applicant, on behalf of FHWA, has determined that the proposed project falls within the guidelines of Categories A-2, A-3, A-4, A-5, A-6, and B-12 of the Minor Projects Programmatic Agreement between INDOT, FHWA, and the Indiana State Historic Preservation Office. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality,

energy needs, safety, food production, and in general, the needs and welfare of the public. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines (40 CFR Part 230) promulgated by the Administrator, United States Environmental Protection Agency, under authority of Section 404(b) of the CWA.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory/Public-Notices/>. All comments regarding this proposal should be addressed to Ms. Deborah Duda Snyder, CELRL-RDN at the address noted above and should refer to the Public Notice Number No. LRL-2023-00077.

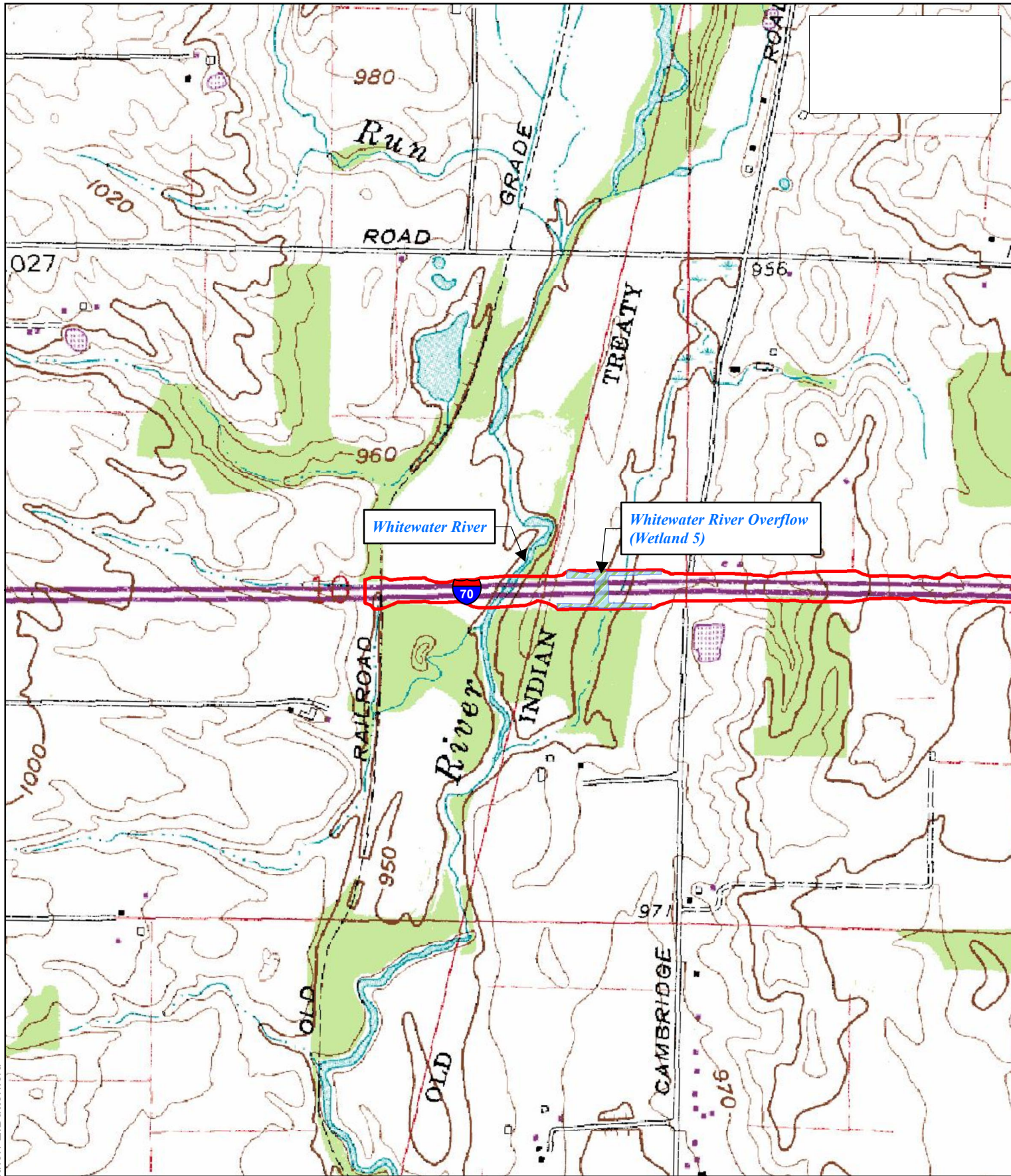
If you desire to submit your comments by email, you must comply with the following:

- a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2023-00077.

Example:

Subject: LRL-2023-00077

- b) Provide your physical mailing address and telephone number.
- c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil
- d) If you are sending attachments greater than 10 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.



Indiana Department of Transportation



I-70 bridge widening
Wayne County, Indiana
Project Location
Corps ID No. LRL-2023-77-dds
Page 1 of 3

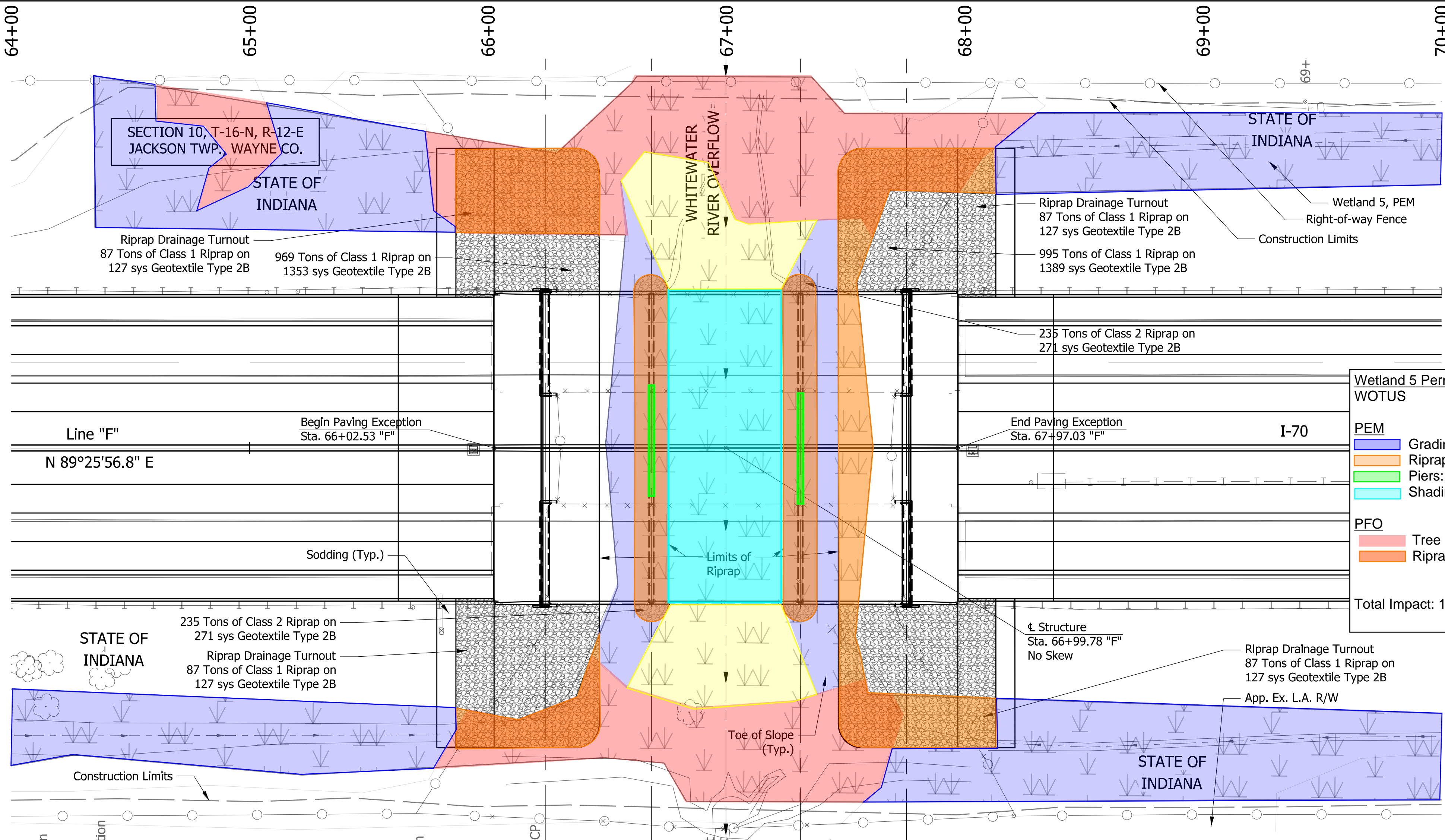


Scale 1" = 1000'

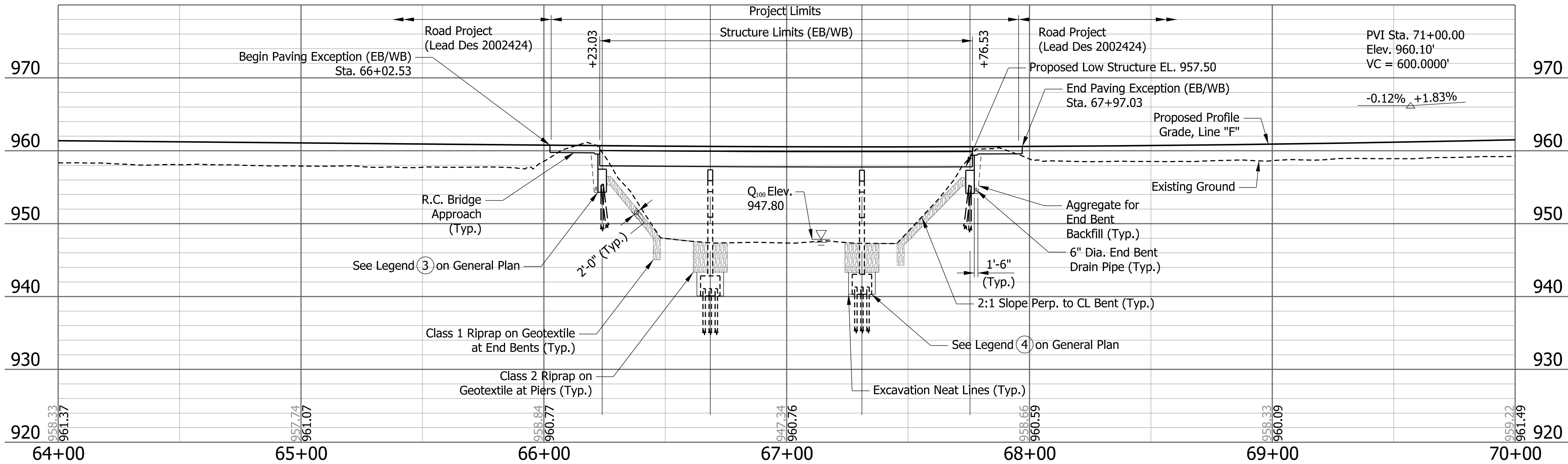
DES Nos.
2002424, 2200762-3,
2002426, 2002434

Service Layer Credits
Copyright: © 2013 National Geographic Society,
I-cubed Cambridge City (1982) USGS Quadrangle

PATH AND FILENAME: V:\Projects\ANY\K6\068590.000\09_Design\Drawings\Tr_Struct\Projectwise_01_16_2023\Layout\Layout- Whitewater River Overflow.dgn
MODEL NAME: Sheet
DATE PLOTTED: 1/15/2024
TIME PLOTTED: 8:58:35 AM



SITUATION PLAN



EXISTING STRUCTURE

The existing twin bridge structures are Reinforced Concrete Girder Bridges built in 1965 under contract B-6731 (Str. Nos. 043320 and 043330 for EB and WB respectively). They were overlaid in 1983 and concrete barriers were added under contract B-13921. They were re-overlaid in 1995 under contract R-21201. The existing superstructure is to be replaced and the twin bridges are to be widened, with barriers and an open joint separating the shoulders of the EB and WB lanes. Substructure units will also be widened to support the portion of the superstructure between the existing twin bridges.

HYDRAULIC DATA

Drainage Area =	65.4	SQ MILES
Q 100 Discharge =	959	CFS
Q 100 Elevation =	947.8	FT
Skew =	0	DEGREES

SCOUR DATA

Q 100 Discharge	959	CFS
Q 100 Contraction Scour =	3.6	FT
Q 100 Total Scour =	10.5	FT
Q 100 Low Scour Elevation (Existing WB bridge) =	932.36	FT
Q 100 Low Scour Elevation (Existing EB bridge) =	935.52	FT
Q 100 Max Velocity =	7.4	FT / SEC
Q 100 Average Velocity =	6.7	FT / SEC
Flowline Elevation (Existing WB bridge) =	942.86	FT
Flowline Elevation (Existing EB bridge) =	946.02	FT

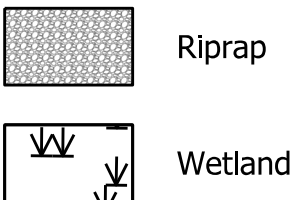
UTILITIES

See Index, Sheet 2.

NOTES

- All Topo based on Line "F" unless noted otherwise.
- See Roadway Plans For Utilities, Bench Marks, Ditches, guardrail limits, earthwork and MOT, Des. 2002424.

LEGEND



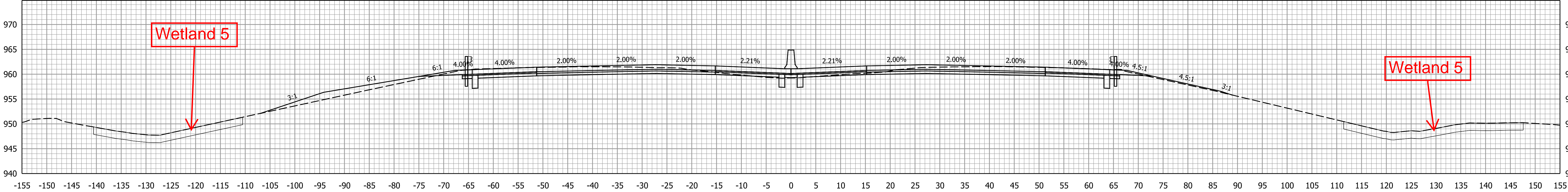
CONTINUOUS COMPOSITE STEEL BEAM BRIDGES
3 SPANS: 44'-6", 62'-6", 44'-6"
CLEAR ROADWAY: 62'-10½" EB, 62'-10½" WB
SKEW: SQUARE
I-70 OVER WHITEWATER RIVER OVERFLOW
WAYNE COUNTY

I-70 bridge widening
Wayne County, Indiana
Plan view
Corps ID No. LRL-2023-77-dds
Page 2 of 3

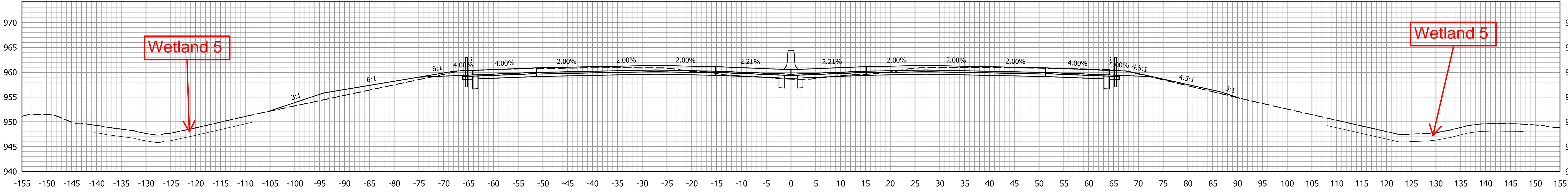
RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: VS	DRAWN: VS	
CHECKED: CECH	CHECKED: CECH	

LAYOUT

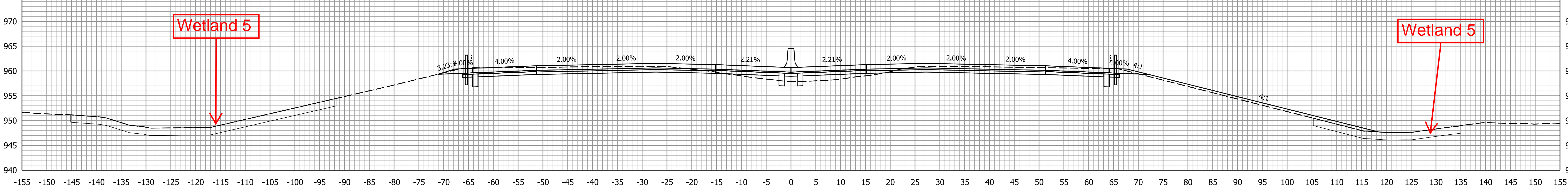
HORIZONTAL SCALE	BRIDGE FILE
1" = 30'	I70-136-05252D
VERTICAL SCALE	DESIGNATION
1" = 10'	2002426/2002434
SURVEY BOOK	SHEET
ELECTRONIC	4 of 8
CONTRACT	PROJECT
R-43375	2002426/2002434



70+00.00



69+00.00



65+00.00

I-70 bridge widening
Wayne County, Indiana
Cross Section Wetland 5 impacts
Corps ID No. LRL-2023-77-dds
Page 3 of 3

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	DATE
DESIGNED: MJS	DRAWN: MJS	
CHECKED: JMM	CHECKED: JMM	

INDIANA
DEPARTMENT OF TRANSPORTATION

CROSS SECTIONS
Line "F"

SCALE 1" = 10'	BRIDGE FILE N/A
	DESIGNATION 2002424
SURVEY BOOK	SHEETS of
CONTRACT R-43375	PROJECT projno