



DEPARTMENT OF THE ARMY  
U.S. ARMY ENGINEER DISTRICT, LOUISVILLE  
CORPS OF ENGINEERS  
INDIANAPOLIS REGULATORY OFFICE  
9799 BILLINGS ROAD  
INDIANAPOLIS, INDIANA 46216-1055  
<http://www.lrl.usace.army.mil>

April 15, 2009

Operations Division  
Regulatory Branch (North)  
ID No. LRL-2009-271-djd

Mr. Robert Buskirk  
Indiana Department of Transportation  
100 North Senate Avenue, Room N642  
Indianapolis, IN 46204

Dear Mr. Buskirk:

This is in regard to your letter of January 22, 2009, concerning the proposed intersection improvements at State Route 332 and County Road 400 West intersection in Muncie, Delaware County, Indiana (Des. No. 0201140). We have reviewed the submitted data relative to Section 404 of the Clean Water Act.

The provided information indicates that a placement of dredged or fill material will not be required, permanently or temporarily, into any "waters of the United States". Therefore, a Department of the Army (DA) permit is not required.

Our comments on this project are limited to only those effects which may fall within our area of jurisdiction and thus does not obviate the need to obtain other permits from other Federal, state or local agencies. We urge you to contact the Indiana Department of Environmental Management, Office of Water Quality, 100 North Senate Avenue, Indianapolis, Indiana 46204 to determine the applicability of state law for the placement of fill material into the reported Wetland 1.

If you have any questions concerning this matter, please contact me by writing to the above address or by calling 317-532-4197. Any correspondence should reference our assigned Identification Number LRL-2009-271-djd.

Sincerely,

Deborah Duda Snyder  
Project Manager  
Indianapolis Regulatory Office

Copy furnished: IDEM (Sanders)