
A D D I T I O N A L I N F O R M A T I O N

DATE: January 5, 2022

TO: INDOT Environmental Services Division

FROM: Josh Iddings, American Structurepoint, Inc.

RE: Additional Information Document (Parent Des. Nos. 0901928/1173430),
Phase 1 (Des. Nos. 2101214 and 2101167) and Phase 2 (Des. No. 2100131) Central
Avenue Roadway Improvement Project, Portage, Porter County, Indiana

CC: Eric Wolverton and Greg Lorig, American Structurepoint, Inc.

This Additional Information (AI) Document addresses the modifications to the Central Avenue Roadway Improvement Project (Parent Des. Nos. 0901928/1173430) due to the proposed division of the project into phases for funding and construction purposes located in Portage, Porter County, Indiana. To date no portion of the project has been advanced in beyond preliminary planning seen in the 2012 CE3 and no construction has been commenced.

A Categorical Exclusion (CE) Level 3 was prepared for the overall project (County Line Road to Willowcreek Road, Des. No. 0901928) and approved by the Indiana Department of Transportation (INDOT) on February 27, 2012. For reference to the 2012 approved CE 3 please see Appendix J, page J-1 to J-27. Since the approval of the CE 3, no portion of the project has been constructed and the project has been phased for funding purposes. The following table summarizes the construction phases and the corresponding Des. Nos. A map containing the project phases can be found in Appendix A, page A-4.

Des. No.	Phase	Work Type	Limits	Status
0901928	Overall	Corridor Improvements	County Line Road to Willowcreek Road	Phased, see below
1173430	Overall	Right-of-way and Preliminary Engineering Funding	County Line Road to Willowcreek Road	Phased, see below
2101214	Phase 1	(Lead) Road Improvements	Central Avenue 100 feet north of Willowdale Road to 250 feet west of Swanson Road	Letting in 2022
2101167		Bridge Replacement	Porter County Bridge 1007	
2100131	Phase 2	Road Improvements	Central Avenue 100 feet west of Brandt Street to 100 feet north of Willowdale Road; Central Avenue 250 feet west of Swanson Road to 300 feet east of Peach Street	Letting in 2023
None Available*	Phase 3	Road Improvements	Central Avenue from Peach Street to Willowcreek Road	To be Determined
None Available*	Phase 4	Road Improvements	County Line Road to Brandt Street	To be Determined

* No Des. Nos. have been assigned for future phases of the proposed project. Additional information will be presented in subsequent project documentation as necessary.

As noted in the table above, no portion of the project has moved to construction and, up until the preparation for this Additional Information document, plans had not advanced from the preliminary set included in the 2012 CE 3. No right-of-way has been purchased on the 2012 CE 3. At the time of the approval of the CE 3, no portion of the project possessed funding for construction and the project was put on hold until further funding could be obtained. In late 2019, the City of Portage was notified of the availability of funds for right-of-way and construction beginning in 2022. This funding was evaluated and a decision was made to apply for funding for the first two phases (discussed in detail below) of the Central Avenue Roadway Improvement Project. Funding was originally allocated to the Des. No. 1173430 but following coordination with the Northwestern Indiana Regional Planning Commission (NIRPC) and INDOT, a decision was made that this designation number shall be used to track preliminary engineering and right-of-way funding for the overall corridor from County Line Road to Willowcreek Road. Additionally, separate Des. Nos. will be assigned to each individual phase of the project to track construction funding with Des. Nos. 210214 and 2101167 being assigned to Phase 1 and Des. No. 2100131 assigned to Phase 2 for construction funding. The City of Portage is currently engaged in discussion regarding potential funding sources for Phase 3 of the project which would begin at Peach Street and extend east to Willowcreek Road. As funding is secured for future phases, additional Des. Nos. will be assigned.

This AI is being prepared to re-evaluate environmental concerns and detail modifications to the design of Phase 1 and Phase 2 since the 2012 CE 3. Phase 1 and Phase 2 are located on the Portage United States Geological Survey (USGS) 7.5 Minute Topographic Quadrangle. Phase 1 is located in Section 14, and Phase 2 is located in Sections 14 and 15 of Township 36 North, Range 7 West. For reference to the location of the project, see Appendix A, page A-1 to A-4. Unless specifically discussed in this document, the impacts as identified in the approved 2012 CE 3 remain unchanged.

1.0 Project Overview

The purpose and need of the proposed project remains unchanged from the original approved CE. As defined in the 2012 CE, the purpose is to address inadequate safety conditions for both pedestrians and motorists along the project corridor, to address deteriorating infrastructure along Central Avenue, reduce congestion along the corridor, and to address stormwater drainage issues. The primary need for this project is to provide a safe roadway and a safe and continuous sidewalk/trail system with curb ramps for pedestrians. Currently, the existing roadway does not meet INDOT design standards, especially concerning sight distance at the Willow Creek Bridge (Porter County Bridge 1007) and with regards to the roadway width. The pavement condition is also deteriorating. Traffic congestion issues related to turning movements are present at a number of locations along Central Avenue, due to a lack of left-turn lanes at major intersections and the presence of a 3-leg intersection where the major traffic movement makes a 90-degree turn. Additionally, limited pedestrian facilities exist along the project corridor. A secondary need for this project is to address stormwater drainage within the project area and as it relates to the existing Willow Creek Bridge. The existing bridge is undersized and cannot handle significant stormwater events. Curb and gutter are not currently present within the project limits, and the existing stormwater management infrastructure consists of ditches which are incomplete or do not adequately drain the roadway and adjacent right-of-way. For reference to the original purpose and need and existing bridge and road conditions, see Appendix J, page J-3.

The 2012 CE 3 identified the preferred alternative which proposed the reconstruction and re-alignment of Central Avenue and the Willow Creek Bridge (Porter County Bridge 1007), which carries Central Avenue over Willow Creek. This project would involve roadway widening to meet INDOT Standards. Improvements would include reconstruction of the existing roadway including new pavement, curb and gutter, a five-foot wide concrete sidewalk on the south side of the roadway, an eight-foot wide asphalt multi-use trail on the north side of the roadway, storm sewers, roadway lighting at intersections as needed, left turn lanes at signalized intersections and new traffic signals. Improvements would also occur at the intersections of Dombey Road, Willowdale Road, and Swanson Road. Intersection improvements at Willowdale Road were anticipated to include the addition of a roundabout. Intersection improvements at Swanson Road would include re-alignment of Central Avenue to correct existing site distance deficiencies and the addition of an access road to accommodate existing access to parcels north of Central Avenue and west of Swanson Road.

As part of the proposed project, an enclosed stormwater system would be included. Stormwater would be conveyed through storm sewer to outlets at various points along the project, including: connection into existing City stormwater system at Blake Road, outlet into one or two detention ponds to be constructed as part of project, and outlets into Willow Creek and Crisman Ditch.

Due to drainage issues along Central Avenue, it was anticipated that one or two detention ponds would be required as part of this project. The first detention pond will be located on the north side of Central Avenue between Engle Street and Brown Street on a parcel currently owned by the City of Portage adjacent to Willow Creek. A second detention pond may be required south of Central Avenue, and west of Swanson Road adjacent to Willow Creek. Both detention ponds were to outlet to Willow Creek. Please note that the 2012 CE 3 discusses that stormwater outlets would also be needed elsewhere along the project, including to Crisman Ditch. However, no detention ponds were to be located near Crisman Ditch, which crosses Central Avenue approximately 0.30 mile east of the intersection of Swanson Road outside of both Phase 1 and Phase 2.

Additionally, due to sight distance concerns and the hydraulic capacity of the existing bridge over Willow Creek, this bridge would be replaced and re-aligned. The Central Avenue bridge approaches would also be re-aligned. (Appendix J, page J-4)

1.1 2021 Modified Design Plans

Since the approval of the 2012 CE 3, the scope of work proposed in what is now Phase 1 and Phase 2 of the project has been refined. In both phases, the proposed alignment and typical section of the roadway remain unchanged from the 2012 CE 3. Specifically, both phases will still include the following:

- The reconstruction of Central Avenue to include two 12-foot travel lanes (one in each direction) along with curb and gutter (Phase 1 and Phase 2)
- An 8-foot-wide multi-use path would be added along the north side of the roadway and be separated from the travel lanes by a 5-foot vegetated buffer strip (Phase 1 and Phase 2)
- An enclosed stormwater system will still be included and stormwater will be conveyed through storm sewer to Willow Creek (Phase 1 and Phase 2)
- The reconstruction and re-alignment of Willowcreek Bridge (Porter County Bridge 1007). Although the 2012 CE 3 reported the out to out coping width of the proposed bridge was 45 feet, plans included in the CE 3 note that it is 38-ft 11-in. Therefore, there have been no modifications in the bridge design. (Phase 1)
- Lighting will be provided at intersections of Peach Street, Willowdale Road, and Swanson Road. (Phase 2)
- The roadway alignment will still be shifted south at Swanson Road to correct the substandard existing geometry and address site distance concerns and Sand Avenue will still be reconstructed to provide local access to existing homes as originally proposed. (Phase 2)

Since the approval of the 2012 CE 3, it has been determined that the proposed single lane roundabout at Central Avenue and Willowdale Road - within what is now Phase 2 - will be modified to a three-way stop-controlled intersection. The intersection will still be shifted to the north, as originally planned in the 2012 CE 3. The typical section of this intersection will include two 12-foot wide travel lanes (one in each direction) along Central Avenue, and three 12-foot wide lanes on Willowdale composed of a single 12-foot wide southbound lane, a dedicated northbound right turn lane, and a dedicated northbound 12-foot wide left turn lane. Furthermore in the 2012 CE 3, it was anticipated that one detention pond could potentially be constructed south of Central Avenue, west of Swanson Road, and adjacent to Willow Creek within what is now a part of Phase 2. However, it has been determined that this pond will not be constructed. Both the modification of the intersection at Willowdale Road and removal of the detention pond result in a reduction in the proposed project footprint and minimization of project impacts when compared to the 2012 CE 3 which are further discussed in the sections below. Refer to Appendix B, page B-1 to B-28, for further details regarding the proposed plans for each phase of the project.

Independent Utility and Logical Termini

Each phase of construction has logical termini and independent utility. Phase 1 (Des. Nos. 2101167 and 2101214) consists of the replacement and realignment of Porter County Bridge No. 1007 along with the construction of new alignment roadway to tie back into the existing Central Avenue (Appendix B, page B-1 to B-12). Phase 2 (Des. No. 2100131) consists of two working areas on either end of Phase 1, which is located in the center of the project (Appendix A, page A-4 and Appendix B, page B-13 to B-28). The western project area for Phase 2 begins at the intersection of Brandt Street and extends east to the previously constructed western end of Phase 1. The western portion of Phase 2 consists of the reconstruction of the intersection of Central Avenue and Willowdale Road. The eastern project area for Phase 1 begins at the eastern end of Phase 1 and extends east to Peach Street. The eastern portion of Phase 2 consists of the realignment

and reconstruction of the intersecting roadways of Swanson Road, Sand Avenue, and Central Avenue. As each Phase of construction begins and ends on the existing alignment of Central Avenue, one phase could be removed without effecting the design or utility of the other. Furthermore, the termini demonstrate that each Phase could operate without the need for any future improvements or reliance on any other projects. Therefore, each project has independent utility and logical termini from each other and all other projects. Additionally, the phasing of the project has not altered the project's ability to meet the purpose and need as defined above. All future phases of this project will also have independent utility, beginning and ending on the existing alignment of Central Avenue and operating without the need for any future improvements or reliance on any other projects.

As noted in the table above, Phase 1 is scheduled to move to construction in 2022 and take approximately 1 year to construct. Phase 2 would move to construction in 2023 and partially overlap Phase 1 construction. As part of Phase 1, construction of the multiuse path is anticipated and would not appear to have logical termini for users. However, due to the overlap in construction of Phase 2 and planned maintenance of traffic as Phase 1 is completed (detailed below), the multi-use path constructed in Phase 1 would not be open for use until Phase 2 is complete. It is planned that barricades and Sidewalk Closed signage to avoid safety issues for pedestrians would be placed on the multi-use path until Phase 2 is complete and the entirety of the path from Brandt Street to Peach Street could be opened. These barricades will be included in the maintenance of traffic plans for the project. Therefore, the pedestrian facilities have logical termini due to the planned maintenance of traffic. If funding is delayed or there is modification to Phase 1 and Phase 2, re-evaluation of the pedestrian facilities logical termini as well as the project's ability to fulfill the purpose and need of the project shall be completed. This is a firm project commitment.

2.0 Public Involvement

2012 CE 3

Notice of Survey letters were mailed to adjoining property owners on February 19, 2010 and March 24, 2010, indicating that the City of Portage was initiating survey work for the proposed project. A public information meeting was held on June 21, 2010 at Willow Creek Middle School, located at 5962 Central Avenue, in order to introduce the project, outline the project goals, answer public questions, and gain information on the proposed project area from the affected community. Additionally, a public notice describing the project and the Section 106 finding of "No Adverse Effect" was advertised in the *Northwest Indiana Times* on April 6, 2011 and in the *Post Tribune of Northwest Indiana* on April 7, 2011. The opportunity to request a public hearing was also offered, and the draft CE 3 document was made available to the public. Comments were accepted for 30 days and, after reviewing the comments received, it was determined that no public hearing was necessary. The original CE 3 states that another public information meeting would be held prior to construction of the project. There is no known substantial public controversy concerning this project. Refer to Appendix J, page J-2, for more details regarding public involvement.

2021 AI

Notice of Survey letters were mailed to adjoining property owners on April 21, 2021 indicating that the City of Portage was initiating survey work for the proposed project (Appendix G, page G-1). To ensure the local community and adjacent properties owners are up to date regarding the planned improvements, the City of Portage will distribute project information and provide an opportunity to comment on the Phase 1 and Phase 2 undertakings prior to the project moving to construction. This shall include mailing notices to project stakeholders and adjacent property owners notifying them of the availability of project information for comment at least 2 months prior to the initiation of construction, which is anticipated to begin in Summer 2022 for Phase 1. This is a firm project commitment.

3.0 Maintenance of Traffic (MOT) During Construction

2012 CE 3

The 2012 CE 3 anticipated traffic to be maintained along the existing roadway during construction, through the use of phased construction. Temporary road closures or a one-lane signalized intersection may be required for the completion of some areas of the project. (Appendix J, page J-6)

2021 AI

The MOT for Phase 1 will consist of phased construction. Offline construction of the new bridge will keep Central Avenue and the existing Willowcreek bridge open until a full closure of Central Avenue is required while the existing bridge is

removed and roadway tie-in work is completed. An approximately 3.2-mile detour, which utilizes Willowdale Road, Stone Avenue, and Willowcreek Road, will be necessary at this stage of Phase 1 which is anticipated to last approximately 4 months (Appendix B, page B-4).

The MOT for Phase 2 (as described in the table above) consists of a full closure of Central Avenue from Brandt Street to Peach Street for the duration of the project, approximately 1 year. An approximately 4.95-mile detour, which utilizes County Line Road, Stone Avenue, and Willowcreek Road, will be necessary (Appendix B, page B-16). The multi-use path, constructed as part of Phase 1, will remain closed for the duration of Phase 2 construction. Access shall be maintained to all residences and businesses throughout construction.

The closures will pose a temporary inconvenience to traveling motorists (including school buses and emergency services); however, no significant delays are anticipated and all inconveniences will cease upon project completion. Delays may occur during construction but will cease upon project completion.

4.0 Right-of-Way

2012 CE 3

The existing right-of-way width varies along Central Avenue. Within the project limits, the minimum existing right-of-way width is 24 feet and the maximum width is 60 feet. The proposed right-of-way width was to vary through the project limits, but it was anticipated that the width would typically be 60 to 70 feet. Strip right-of-way was to be required from multiple parcels along Central Avenue. It was anticipated acquisition of up to three commercial properties and two residential properties would be required. A total of approximately 15.28 acres of additional permanent right-of-way was anticipated. This included 6.43 acres of residential right-of-way, 4.66 acres of commercial right-of-way, 2.88 acres of forested right-of-way, 0.22 acres of cemetery right-of-way, 0.76 acres of right-of-way from schools, 0.19 acres of right-of-way from churches, and 0.14 acres of right-of-way from privately owned recreational facilities. Approximately 0.12 acres of wetland right-of-way was included in the total forested right-of-way. (Appendix J, page J-7)

2021 AI

Since the 2012 CE 3, final right-of-way engineering has been completed for Phase 1 and Phase 2 of the project. This resulted in refinement of the existing parcel lines. The proposed right-of-way width will typically extend approximately 60-70 feet from the centerline of Central Avenue within Phase 1. At the intersection of Willowdale Road within Phase 2, the right-of-way will extend approximately 85-feet north of the existing centerline of Central Avenue. At the intersection of Swanson Road, also within Phase 2, the right-of-way will extend approximately 160-feet south of the existing centerline of Central Avenue. It is anticipated that Phase 1 of the proposed project will require approximately 1.77-acre of permanent right-of-way and no temporary right-of-way. Phase 2 will require approximately 2.97-acres of permanent right-of-way and 1.08-acre of temporary right-of-way. For land use information please see the table below. Due to the reduction in scope detailed above, permanent right-of-way has been reduced in Phase 2 by approximately 0.45 acre. There is no appreciable change in right-of-way for Phase 1. It should be noted, plans included in the 2012 CE 3 did not include proposed right-of-way. Therefore, an exact quantification of the reduction of right-of-way is not available. Due to the project schedule constraints, the City of Portage advanced at risk right-of-way acquisition in December 2021 prior to the approval of this AI. The early acquisition of right-of-way began following the completion of Section 106 documentation for the project, as discussed below, and initial reviews of the this AI document. The early acquisition of right-of-way has not influenced the environmental analysis contained in this AI and all right-of-way acquisition must comply with the Uniform Act 1970.

Land Use Impacts	Amount (acres)			
	Phase 1		Phase 2	
	Permanent	Temporary	Permanent	Temporary
Residential	0	0	0.37	0.02
Commercial	0	0	0.53	0.98
Agricultural	0	0	0	0
Forest	1.6	0	1.49	0
Wetlands	0.05	0	0	0
Other: Cemetery	0.12	0	0.51	0.08
Other: Private	0	0	0.07	0
TOTAL	1.77	0	2.97	1.08

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

5.0 Estimated Project Cost and Schedule

2012 CE

As documented in the 2012 CE 3, the total estimated cost of the project was \$12.84 million, with \$1.34 million for engineering, \$1.5 million for right of way, and \$10 million for construction. Construction was anticipated to begin in fall 2013 (Appendix J, page J-7).

2021 AI

Estimated Project Cost

Since the approval of the original CE 3 in 2012, no portion of this project has been constructed. The entire project is represented in the INDOT *2020-2024 State Transportation Improvement Program (STIP)* and the *2020- 2024 NIRPC Transportation Improvement Program (TIP)* and is currently listed under Des. No. 1173430 (Appendix H, page H-1 to H-2).

According to the *2020-2024 NIRPC TIP* the estimated cost for the overall project is \$8,627,500. This includes \$2,090,000 in preliminary engineering funding from prior fiscal year. Coordination with the NIRPC MPO was initiated on September 20, 2021 to ensure appropriate revisions to the STIP and TIP are made. Modifications of Phase 1 construction funds have been completed and can be found in the *2022-2026 NIRPC TIP Amendment #1* for Des. No. 2101167 and Amendment #2 for Des. No. 2101214. Modifications to update the project description and limits based on the phasing, as detailed in the table below for the remaining Des. Nos., have been coordinated with NIRPC and shall be published in an updated *NIRPC TIP #22-03* and the *2022-2026 STIP*, which is anticipated to be approved in early 2022.

Please note that \$187,500 of additional local funding has been added to the TIP for the bridge construction associated with Des. No. 2101167. The remainder of the modifications completed and pending are to move previously allocated funding to the appropriate Des. Nos. following the decision to utilize Des. No. 1173430 for right-of-way (RW) and preliminary engineering (PE), Des. No. 2101214 for construction (CN) funding for Phase 1, Des. No. 2101167 for CN funding for Porter County Bridge 1007 within Phase 1, and Des. No. 2100131 for CN funding for Phase 2.

Des. No.	FY2021	FY2022	FY2023	Total
1173430 (PE)				
Local	\$18,750	\$70,000	-	\$88,750
Federal	\$75,000	\$280,000	-	\$355,000
1173430 (RW)				
Local	-	\$100,000	-	\$100,000
Federal	-	\$400,000	-	\$400,000
Cont. Below				

Des. No.	FY2021	FY2022	FY2023	Total
2101214 (CN) (2022-2026 NIRPC TIP Amendment 1)				
Local	-	\$575,000	-	\$575,000
Federal	-	\$143,750	-	\$143,750
2101167 (CN) (2022-2026 NIRPC TIP Amendment 2)				
Local		\$398,472		\$398,472
Federal		\$726,528		\$726,528
2100131 (CN)				
Local	-	-	\$750,000	\$750,000
Federal	-	-	\$3,000,000	\$3,000,000
TOTAL	\$93,750	\$2,693,750	\$3,750,000	\$6,537,500

Schedule

The current proposed projects will be constructed in two consecutive phases. Phase 1 is expected to move to letting in Spring 2022 and Phase 2 is anticipated to move to letting the following year in Spring 2023. Phase 1 (Lead Des. No. 2101214), located in the center of the proposed project, would move to construction first. Phase 1 consists of the replacement and realignment of Willowcreek Bridge (Porter County Bridge 1007; Des. No. 2101167) as well as the construction of Central Avenue to the realigned bridge. Phase 2 (Des. No. 2100131) consists of two working areas on either end of Phase 1. The western portion of Phase 2 consists of the reconstruction of the intersection of Central Avenue and Willowdale Road. The eastern portion of Phase 2 consists of the realignment and reconstruction of the intersecting roadways of Swanson Road, Sand Avenue, and Central Avenue.

6.0 Re-coordination

Re-coordination letters were sent on August 24, 2021 (Appendix C, page C-1 to C-5).

<u>Agency</u>	<u>Date Sent</u>	<u>Date Response Received</u>	<u>Appendix</u>
US Natural Resources Conservation Service	August 24, 2021	No response received	N/A
Indiana Geological and Water Survey (IGWS)	August 24, 2021	August 24, 2021	Appendix C, page C-6 to C-7
INDOT, Office of Aviation	August 24, 2021	No response received	N/A
National Park Service – Midwest Regional Office	August 24, 2021	No response received	N/A
Federal Highway Administration	August 24, 2021	No response received	N/A
Indiana Department of Natural Resources (IDNR), Division of Fish and Wildlife (DFW)	August 24, 2021	September 23, 2021	Appendix C, page C-18 to C-21
U.S. Department of Housing and Urban Development	August 24, 2021	No response received	N/A
Indiana Department of Environmental Management (IDEM)	August 24, 2021	August 24, 2021	Appendix C, page C-8 to C-17
INDOT LaPorte District	August 24, 2021	No response received	N/A
Portage Department of Engineering	August 24, 2021	No response received	N/A
Department of the Army	August 24, 2021	No response received	N/A
Northwestern Indiana Regional Planning Commission (NIRPC)	August 24, 2021	September 24, 2021	Appendix C, page C-22

<u>Agency</u>	<u>Date Sent</u>	<u>Date Response Received</u>	<u>Appendix</u>
Porter County Highway Department	August 24, 2021	No response received	N/A
Porter County Drainage Board	August 24, 2021	No response received	N/A
Mayor of Portage	August 24, 2021	No response received	N/A
Porter County Sheriff	August 24, 2021	No response received	N/A
Porter County Surveyor	August 24, 2021	No response received	N/A
Portage Township Schools	August 24, 2021	No response received	N/A
Willowcreek Floodplain Administrator	August 24, 2021	No response received	N/A
Porter County MS4 Coordinator	August 24, 2021	No response received	N/A
INDOT Environmental Services	August 24, 2021	No response received	N/A
Porter County EMA	August 24, 2021	No response received	N/A
Portage City Council	August 24, 2021	No response received	N/A
Portage Stormwater Board	August 24, 2021	No response received	N/A
Portage Police Department	August 24, 2021	No response received	N/A
Lake Michigan Coastal Program	August 24, 2021	November 8, 2021	Appendix C, page C-48
Portage Fire Department	August 24, 2021	No response received	N/A

NIRPC responded to early coordination on September 24, 2021 with a request to include pedestrian facilities along the south side of Central Avenue within Phase 1 and Phase 2 (Appendix C, page C-22). This was taken into consideration by project designers but was ultimately dismissed. Construction of a sidewalk on the south side of Central Avenue would result in additional environmental impacts such as right-of-way, encroachment on the Calvary Cemetery Office Building (a National Register of Historic Places [NHRP] eligible property), and additional ecological impacts – such as floodways, stream, and wetlands. Additionally, the proposed design consisting of a single multi-use path on the north side of the roadway, remains consistent with that previously approved in the 2012 CE 3.

Based on an IDNR-DFW response dated September 23, 2021, the project falls within the Lake Michigan Coastal Program's boundary and therefore may be subject to Federal Consistency Review. The Lake Michigan Coastal Program did not respond within the 30-day timeframe for re-coordination. However, following subsequent coordination, the Program Director did note on October 18, 2021 that the project had been reviewed for consistency (Appendix C, page C-44 to C-47). In a response dated November 8, 2021, the project was found consistent with the laws of the State of Indiana. (Appendix C, page C-48)

It should be noted that final right-of-way engineering was completed for the project in late 2021 - after the distribution of re-coordination letters on August 23, 2021. This resulted in slight refinement of existing parcel lines throughout Phase 1 and Phase 2. This refinement did not result in any changes to the information presented in the August 23, 2021 re-coordination letter. Furthermore, this did not result in the need to adjust the proposed scope of work, right-of-way boundaries, or construction limits for the preferred alternative detailed above. Therefore, this refinement did not result in modified resource impacts and additional re-coordination was not completed.

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

7.0 Ecological Resources

7.1 Streams, Rivers, Watercourses & Jurisdictional Ditches

2012 CE 3

The 2012 CE 3 identified two jurisdictional waterways within the overall project area, totaling 1,200-linear feet. Based on the 2012 CE 3, one stream, Willow Creek, is located within Phase 1 of this project. Total impacts were anticipated to be minimal due to work not occurring in the streambed. Streambed and bank stabilization were anticipated to be completed as necessary but were not quantified (Appendix J, page J-8).

2021 AI

Based on a desktop review, the aerial map of the project area (Appendix A, page A-3), and the Red Flag Investigation (RFI) report (Appendix E, page E-1 to E-10), there are 3 streams within the 0.5-mile search radius. One stream was confirmed by the site visit on June 11, 2021 by American Structurepoint, Inc. There is one stream, Willow Creek, present within the project area.

The Federal Wild and Scenic Rivers listing; State Natural Scenic and Recreational Rivers listing; Outstanding Rivers List; Navigable Waterways List; and National Rivers Inventory list was researched by American Structurepoint, Inc. on September 1, 2021 to determine the possible presence of protected waterways in the project area. No listed waters were identified within or adjacent to the project area.

As the original *Wetland Delineation and Waters Report* for Central Avenue is older than 5 years of age, it was determined that Phase 1 and Phase 2 of this project needed to be re-examined for the presence of jurisdictional waterways. Therefore, a *Wetland Delineation and Waters Report* was completed for the project on August 26, 2021. Please refer to Appendix F, page F-1 to F-27 for the *Wetland Delineation and Waters Report*. It was determined that Willow Creek, identified in the 2012 Waters of the US Report, remains within the investigated area and is a likely waters of the U.S. The USACE makes all final determinations regarding jurisdiction.

Aquatic Resources Summary: Streams						
Delineated Resource	Lat/Long	OHWM	Narrative Quality	Length in Project Area (linear feet)	Length of Impacts (linear feet)	Area of Impacts (acres)
Willow Creek	41.576164/ -87.200521	25.5 feet wide by 1.9 feet deep	Fair	1,082	186	0.11
Total				1,082	186	0.11

It is anticipated that approximately 186-linear feet of Willow Creek will be permanently impacted due to the placement of riprap along its banks and the installation of new storm water outfalls during the construction of Phase 1. These impacts represent the same bank stabilization work which was mentioned but not quantified in the 2012 CE 3. No stream impacts will occur as a result of Phase 2 construction. Avoidance and minimization of impacts to jurisdictional waterways has been incorporated into the design to the maximum extent practical. Willow Creek is crossed by Porter County Bridge 1007 which is being demolished and replaced as a result of Phase 1 of this project, therefore there are no practical alternatives which avoid impacts to the jurisdictional waterway while meeting the purpose and need of the project.

Due to the total impacts of under 300-linear feet of stream for Phase 1 and no stream impacts in Phase 2, compensatory mitigation is not required for stream impacts.

The IDEM automated response to re-coordination was received on August 24, 2021 (Appendix C, page C-8 to C-17). Their response included standard recommendations regarding streams, rivers, and watercourses and permitting.

The IDNR-DFW response to re-coordination was received on September 23, 2021 with standard recommendations to avoid or minimize impacts to streams, rivers, and watercourses (Appendix C, page C-18 to C-21). Their response included recommendations regarding bank stabilization, wildlife passage, stream bank revegetation, in-channel work, placement of riprap, and timing restrictions on work in waterways.

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

7.2 Wetlands

2012 CE 3

The 2012 CE 3 identified five jurisdictional wetlands (Wetlands A-E) and one isolated wetland (Wetland F) totaling 31.08-acres within the overall project area. Impacts were anticipated to total 0.12-acre of permanent impacts to forested wetlands. Based on the 2012 CE, two wetlands (Wetland D and Wetland C) are located within Phase 1 and 2 of this project and a total of 0.10 acre of permanent impacts were anticipated. Since impacts were anticipated to be greater than 0.1-acre, a wetland mitigation and monitoring plan was going to be submitted along with the permits (Appendix J, page J-9 to J-10).

2021 AI

Based on a review of the National Wetland Inventory (NWI) online mapper, a site visit on June 11, 2021, the USGS Topographic map (Appendix A, page A-2), and the RFI Report (Appendix E, page E-1 to E-10) there are four wetlands located within the 0.5-mile search radius. One wetland is located adjacent to the project area.

As the original *Wetland Delineation and Waters Report* for Central Avenue is older than 5 years of age, it was determined that Phase 1 and Phase 2 would need to be re-examined for the presence of wetlands and other water resources. Therefore, a *Wetland Delineation and Waters Report* was completed for Phase 1 and 2 of the project on August 26, 2021. Please refer to Appendix F, page F-1 to F-27 for the *Wetland Delineation and Waters Report*. It was determined that one wetland was located within the project area. The USACE makes all final determinations regarding jurisdiction.

Wetland C (previously identified in the 2012 CE 3) was field verified not to be present during the June 11, 2021 site visit. Since the 2012 CE 3, an access road unassociated with this undertaking has been constructed along the north bank of Willow Creek, which appears to have affected the wetland.

Wetland A (identified as Wetland D in 2012 *Wetland Delineation and Waters Report*) is an emergent and forested wetland located in the northwest quadrant of the intersection of Central Avenue and Willow Creek on the 100-year floodplain of Willow Creek within Phase 1. Wetland A is approximately 0.469-acre in size. It is anticipated that approximately 0.04-acre of Wetland A will be permanently impacted during Phase 1 of construction due to the reconstruction and re-alignment of Central Avenue and replacement of Porter County Bridge 1007 over Willow Creek.

Within Phase 1, approximately 0.04-acre of wetland impacts are now anticipated to occur. No wetlands impacts are anticipated within Phase 2 as no wetlands were identified within the proposed construction limits for the project. This is a reduction of 0.08-acre of impacts when compared to the 2012 CE 3. A No Build alternative was considered as part of the 2012 CE 3 (Appendix J, page J-5). This alternative would avoid environmental impacts. However, the alternative does not meet the purpose and need of the proposed project as described above. Therefore, the alternative was eliminated. Mitigation is not anticipated for Phase 1 or 2 of the proposed project.

The IDNR-DFW responded on September 23, 2021 with recommendations to avoid or minimize impacts to wetlands. The response included recommendations regarding permitting and mitigation requirements as well as not excavating or placing fill in riparian wetlands (Appendix C, page C-18 to C-21).

The IDEM automated response with standard recommendations about wetlands was received on August 24, 2021 (Appendix C, page C-8 to C-17). Their response included standard recommendations regarding wetlands and permitting.

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

7.3 Terrestrial Habitat

2012 CE 3

According to the 2012 CE 3, land uses identified within the project area included commercial, residential, cemetery, educational, religious, forested, and recreational land uses. The majority of the project area was noted to be previously disturbed and as within an urbanized area. It was anticipated that approximately 2.88 acres of forested terrestrial habitat would be permanently impacted by tree removal activities. Approximately 0.12 acre of forested wetland and 2.76 acres of forested right-of-way would be permanently impacted (Appendix J, page J-10 to J-11). It should be noted that the plans included in the 2012 CE 3 did not include proposed construction limits or right-of-way. Therefore, an exact quantification of impacts within Phase 1 or Phase 2 cannot be provided.

2021 AI

Based on a desktop review, a site visit on June 11, 2021 by American Structurepoint, Inc. and the aerial map of the project area (Appendix A, page A-1) there are forests and maintained grassy right-of-way within Phase 1 and Phase 2 of the project area. Dominant herbaceous species in the area include reed canary grass (*Phalaris arundinacea*), phragmites (*Phragmites australis*), annual ryegrass (*Lolium multiflorum*), and garlic mustard (*Alliaria petiolate*). Dominant shrub species in the area included green ash (*Fraxinus pennsylvanica*). Dominant tree species in the area included black walnut (*Juglans nigra*), boxelder (*Acer negundo*), white mulberry (*Morus alba*), and silver maple (*Acer saccharinum*).

Based on the updated plans for Phase 1 and 2 (Appendix B, page B-1 to B-28), it is now anticipated that approximately 2.59 acres of permanent impacts to terrestrial habitats will occur as a result of Phase 1 and Phase 2 project. Approximately 0.96 acre of impacts to forested habitat would occur as a result of this project. Approximately 1.63 acre of maintained grassy right-of-way is also anticipated to be permanently impacted as a result of this project. Phase 1 would include 0.82 acre of tree clearing and Phase 2 would include 0.14 acre of tree clearing. Approximately 0.35 acre of impacts would occur to maintained grassy areas during the construction of Phase 1 and approximately 1.28 acre of impacts to grassy areas will occur as a result of Phase 2 construction. It should be noted that the 2013 CE 3 did not include impacts for terrestrial impacts beyond forested lands.

A no build alternative was considered as part of the 2012 CE which would eliminate environmental impacts (Appendix J, page J-5). However, the alternative does not meet the purpose and need of the proposed project as described above. Therefore, this alternative was eliminated. Mitigation for disturbance may be necessary and would be determined during the permitting process.

The IDNR-DFW responded on September 23, 2021 with recommendations to avoid or minimize impacts to terrestrial habitats. The response included recommendations regarding permitting and mitigation requirements, revegetation, and tree clearing (Appendix C, page C-18 to C-21).

The IDEM automate response with standard recommendations about terrestrial habitat was received on August 24, 2021 (Appendix C, page C-8 to C-17).

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

7.4 Threatened and Endangered Species

2012 CE 3

Coordination with the IDNR on September 9, 2010, confirmed that the Natural Heritage Database has been checked and to date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project's vicinity.

Coordination with the USFWS on July 27, 2010, indicated the proposed project is within the range of the Federally endangered Indiana bat (*Myotis sodalis*) and Karner blue butterfly (*Lycaeides melissa samuelis*), the threatened Pitcher's thistle (*Cirsium pitcheri*), and the candidate eastern massasauga rattlesnake (*Sistrurus catenatus*). There is no habitat in the proposed project area for the Karner blue butterfly, Pitcher's thistle, or eastern massasauga, but there is potential

summer nursery habitat for the Indiana bat along Willow Creek. USFWS requested a tree clearing restriction that will not allow the clearing of trees along in the vicinity of Willow Creek between October 1 and April 1. With the tree clearing restriction in place, USFWS concurs that the proposed project is not likely to adversely affect endangered, threatened, and candidate species (Appendix J, page J-11 to J-12).

2021 AI

Based on a desktop review and the RFI report (Appendix E, page E-1 to E-10), approved by INDOT Site Assessment Management (SAM) on July 30, 2021, the Porter County Endangered, Threatened and Rare (ETR) species list has been checked. According to the IDNR-DFW response on September 23, 2021 (Appendix C, page C-18 to C-21) the Natural Heritage Database has been checked and to date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur within the project vicinity.

Project information was submitted through the USFWS's Information for Planning and consultation (IPaC) portal on September 1, 2021, and an official species list was generated (Appendix C, page C-23 to C-28). The project is within range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*). No additional species were found within or adjacent to the project area other than the Indiana bat and the northern long-eared bat.

The project qualifies for the *Range-wide Programmatic Informal Consultation for the Indiana bat and northern long-eared bat*, dated May 2016 (revised February 2018), between the FHWA, Federal Railroad Administration, Federal Transit Administration, and the USFWS. An effect determination key was completed on September 1, 2021, and based on the responses provided the project was found to "may affect but not likely to adversely affect" the Indiana bat and or the NLEB. INDOT reviewed and verified the finding on September 10, 2021, and requested USFWS's review of the finding. The USFWS concurred with the finding on September 13, 2021 (Appendix C, page C-29 to C-42). Avoidance and Mitigation Measures (AMMs) are included as firm commitments in the Environmental Commitments section of this document.

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act, as amended. If new information on endangered species at the site becomes available, or of the project plans are changed, the USFWS will be contacted for consultation.

8.0 Cultural Resources

2012 CE 3

Area of Potential Effect

The Area of Potential Effects (APE) has been drawn to encompass properties on both sides of the undertaking. The APE was drawn to include those properties with a potential for viewshed impacts. (Appendix J, page J-14)

Coordination with Consulting Parties

An invitation to consulting parties and a request for participation in the Section 106 process was provided on July 6, 2010. For reference to the list of organizations and individuals invited to be consulting parties, see the 2012 CE (Appendix J, page J-14). A total of ten agencies were identified as having an interest in historic preservation in the project area. Of the ten agencies, one expressed an interest in being a consulting party, Indiana Landmarks, formerly Historic Landmarks Foundation of Indiana. Along with SHPO, this agency was provided with an opportunity to comment on the Historic Property Report (HPR) sent via mail. Following the 30-day comment period on the HPR, the Section 106 Determination and Finding was approved and provided to Consulting Parties for review. Additionally, a public notice placed in the local newspaper for a final opportunity to comment on the signed Section 106 Documentation and Findings.

Archaeology

A Phase Ia Archaeological Survey was finalized on July 6, 2010. Based on the findings of the report, one site (Site 12-Pr-0716) was documented within the investigated area. No archaeological sites were noted which were eligible for inclusion in the NRHP. Further archaeological investigation was not recommended for the project. The INDOT Environmental Services (ES) concurred with this determination on July 15, 2010, and Indiana SHPO concurred with the findings of the archaeology report on August 24, 2010. (Appendix J, page J-14)

Historic Properties

A Historic Property Report (HPR) was prepared in July 2010, and reviewed by INDOT ES on July 15, 2010. A revised copy of the HPR was prepared in August 2010, and mailed to INDOT ES on August 6, 2010. The revised HPR evaluated 96 properties more than 50 years of age. None of the properties are currently listed on the NRHP. Historians did recommend one property as eligible for listing in the NR; the office building at Calvary Cemetery. (Appendix J, page J-14)

Documentation Finding

SHPO determined that the office building at Calvary Cemetery is eligible for listing in the NRHP. The effect finding for the project determined that there will be "No Adverse Effect". The effect finding was signed by the INDOT Cultural Resources administration acting on behalf of the FHWA on March 28, 2011. The effect finding was concurred with by SHPO on May 04, 2011. (Appendix J, pages J-14 to J-15)

Public Involvement

A public notice was advertised in the Northwest Indiana Times on April 6, 2011, and the Post Tribune of Northwest Indiana on April 7, 2011, describing the "No Adverse Effect" finding. Furthermore, the effect finding document for the project was submitted to all consulting parties, including the SHPO for a final comment period. The public notice requested comments on this finding, and the public were given 30 days to provide their comments. There were no comments received. The Section 106 process has been completed and the responsibilities of the FHWA under Section 106 have been fulfilled. (Appendix J, page J-15)

Cemetery Development Plan

A Cemetery Development Plan (CDP) was prepared for the Calvary Cemetery and the Temple Beth-el Cemetery as roadway construction would occur within 100 feet of these cemeteries. No impacts were anticipated to the cemetery interment areas. (Appendix J, page J-15)

2021 AIArea of Potential Effect

Due to project phasing and scope modifications, the APE for Phase 1 and 2 has been reduced. Historians retained the width of the original APE utilized in the 2010 HPR, but the length was amended to reflect the limits of the current proposed undertaking. (Appendix D, page D-7)

Memorandum for Section 106 Resources

Based on the passage of time since the previous Section 106 documentation was completed, a *Memorandum* dated May 17, 2021 prepared by Weintraut and Associates to reassess above-ground resources within the APE to determine if there are any new properties that could be affected by the project and to determine if the Findings and Determinations signed on March 28, 2011 are still applicable. The document concluded that the Office Building at the Calvary Cemetery (IHSSI No. 127-520-10016) remains eligible for listing in the NHRP (Appendix D, page D-10). The document goes on to note that the historians believe the project will have "No Adverse Effect" on the Office Building at the Calvary Cemetery as originally documented in the 2011 Section 106 Finding. (Appendix J, page J-1 through J-44)

The *Memorandum* was distributed to Section 106 consulting parties from the list below on August 9, 2021. Of the fifteen agencies, SHPO, the Pokagon Band of Potawatomi Indians, and the Eastern Shawnee Tribe were the only three to respond.

Name	Organization	Response
Sir or Madam	Pokagon Band of Potawatomi Indians	09/09/2021
Sir or Madam	Eastern Shawnee Tribe	10/14/2021
Ms. Sue Lynch	Mayor of City of Portage	No Response
Mr. Jeff Good	Porter County Commissioner	No Response
Ms. Laura Blaney	Porter County Commissioner	No Response
Mr. Jim Biggs	Porter County Commissioner	No Response
Mr. Brad Miller	Indiana Landmarks Northwest Field Office	No Response
Mr. Kevin Matthew Pazour	Porter County Historian	No Response
Continued Below		

Name	Organization	Response
Ms. Donna Smith	Porter County Historical Society	No Response
Mr. Jeff Jacobs	Historic Preservation of Porter County, Inc.	No Response
Mr. Michael Brown	Indiana Jewish Historical Society	No Response
Robert McClory	The Roman Catholic Diocese of Gary	No Response
John Gerlach	Calvary Cemetery	No Response
Ms. Crystal Rehder	INDOT Office of Environmental Services	No Response
Ms. Beth McCord	IDNR Division of Historic Preservation and Archaeology	09/08/2021

The Pokagon Band of Potawatomi Indians responded to the distribution of the *Memorandum* on September 9, 2021 (Appendix D, page D-56) and noted that the project will occur within a mile of a known historic site or feature that is considered sensitive or recorded in the Pokagon Band Historic Inventory Database. The Tribal Historic Preservation Officer (THPO) determined that the project would have no adverse effect on any historic, religious, or culturally significant resources to the Pokagon Band of Potawatomi Indians. The Eastern Shawnee Tribe responded to the distribution of the *Memorandum* on October 14, 2021 (Appendix D, page D-57) and noted that, based upon research in their databases, the Eastern Shawnee Tribe had historically occupied this area. The THPO determined that this project would have no adverse effect on any known sites of interest to the Eastern Shawnee Tribe. Both the Pokagon Band of Potawatomi Indians and the Eastern Shawnee Tribe requested that they be contacted immediately if any artifacts or archaeological sites are uncovered during the construction of this project.

SHPO responded to the distribution of the *Memorandum* on September 8, 2021 noting that the APE appears to be adequately sized, agreeing with the historian's determination that the Office Building at the Calvary Cemetery is eligible for inclusion on the NHRP, and agreeing that the previous archaeological documentation remains appropriate. The letter goes on to confirm that cemetery development plans (CDP) will be necessary under Indiana Code 14-21-26.5 for work within 100 feet of the Beth-EI Cemetery (Temple of Israel of Gary) – Phase 2 – and the Calvary Cemetery – Phases 1 and 2. Additionally, the documentation goes on to state that a new Section 106 Finding for this federal undertaking would be appropriate but noted that a finding of “No Adverse Effect” would be applicable. (Appendix D, page D-53 to D-54)

Following receipt of the letter, INDOT CRO – acting on behalf of the Federal Highway Administration - completed additional coordination with SHPO. During follow up conversations with SHPO, INDOT explained the decision not to issue a new finding for the current undertaking and SHPO did not object. Therefore, no further Section 106 consultation is needed for the project unless there are project changes. The INDOT CRO coordination also determined that future phases of the originally proposed project – as documented in the 2012 CE 3 – may require additional Section 106 documentation. If those phases proceed, consultation with INDOT CRO will be necessary in order to determine the appropriate level of documentation. This is a firm project commitment. (Appendix D, page D-55)

Archaeology Coordination

Based on the reduction in scope of the proposed undertaking and the project footprint, no additional archaeological studies were completed. SHPO responded to the distribution of the May 17, 2021 *Memorandum* agreeing that no additional archaeological investigations appear necessary. (Appendix D, page D-53)

Note to File for Section 106

Since the distribution of the May 17, 2021 dated *Memorandum*, the project presented and discussed as Phase 1 in the memorandum has been further split for funding purposes into Phase 1 and Phase 2. Coordination was initiated with INDOT CRO on September 1, 2021 to determine if additional Section 106 documentation was needed due to the division of the project into further phases and addition of new Des. Nos. Based on a response dated September 2, 2021, INDOT CRO noted that assuming the SHPO concurs with the August 9, 2021 addendum materials, and does not request additional information, a note-to-file would be sufficient documenting these changes. The coordination goes on to note that the email can serve as the note-to-file. (Appendix D, page D-50 to D-52)

SHPO responded to the May 17, 2021 *Memorandum* on September 8, 2021 (Appendix D, page D-53 and D-54). INDOT CRO noted in a September 22, 2021 email that SHPO had agreed with the assessments completed for the project and

stated that INDOT CRO, on behalf of the FHWA, determined that the original finding would still be applicable. Therefore, no further Section 106 consultation is needed for the project unless there are project changes. (Appendix D, page D-55)

Cemetery Development Plan

A CDP will be prepared for Phase 1 and Phase 2 of the proposed undertaking due to work within 100 feet of the Calvary Cemetery. A separate CDP will also be prepared for the Phase 2 undertaking due to work within 100 feet of the Temple Beth-el Cemetery. No impacts are anticipated to the cemetery interment areas.

9.0 Section 4(f) Resources and Section 6(f) Resources

2012 CE 3

The 2012 CE 3 identified three 4(f) properties, the office building of Calvary Cemetery and recreational facilities at two schools. INDOT determined the appropriate Section 106 finding to be "No Adverse Effect" for the office building at Calvary Cemetery; therefore, no Section 4(f) evaluation was required.

No right-of-way was to be acquired from the recreational areas at either of the two schools (Willowcreek Middle School and The Adult Learning Center) or from within the historic boundary of the Calvary Cemetery office building. The project would not alter the environment in such a way as to constitute constructive use of these resources. The driving range along the south side of Central Avenue east of Peach Street is privately owned by the Calvary Cemetery and is therefore, not a Section 4(f) resource. (Appendix J, page J-15 to J-16)

2021 AI

Section 4(f) of the U.S. Department of Transportation Act of 1966 prohibits the use of certain public and historic lands for federally funded transportation facilities unless there is no feasible and prudent alternative. The law applies to significant publicly owned parks, recreation areas, wildlife / waterfowl refuges, and NRHP eligible or listed historic properties regardless of ownership. Lands subject to this law are considered Section 4(f) resources.

Due to project phasing and scope modifications, the recreational facilities associated with Willowcreek Middle School and The Adult Learning Center are no longer located within the project area of Phase 1 or Phase 2 of the proposed project. INDOT and the DHPA determined the Section 106 finding of "No Adverse Effect" for the office building at Calvary Cemetery was still valid. Right-of-way will be acquired from the cemetery adjacent to the historic boundary footprint, but no permanent or temporary right-of-way will be acquired from within the historic boundary footprint of the Calvary Cemetery, therefore, no Section 4(f) evaluation was required. Besides the Calvary Cemetery, which is adjacent to both Phase 1 and Phase 2, no other Section 4(f) resources are adjacent to or within the project areas.

10.0 Environmental Justice

2012 CE 3

An Environmental Justice (EJ) analysis was completed as part of the 2012 CE 3. The analysis concluded that the percentage of minority and low income populations within the affected community exceeded 125% of the City of Portage.

Data from Census Blocks 1, 2, and 3 of Census Tract 505.01 were evaluated for EJ concerns. According to the 2000 US Census, the percentage of the population which is low income in Block Groups 1 and 2 in Census Tract 505.01 and the percentage of the population which is a minority in Block Group 1 exceeds 125 percent of the City of Portage.

The project was intended to improve the safety of the roadway along Central Avenue in the City of Portage by reconstruction of the deteriorating roadway, correction of sight distance issues and substandard intersections, and providing turn lanes as appropriate. The project would increase pedestrian safety by the addition of sidewalks along the project corridor. The project would also address local drainage issues through the installation of storm sewers and detention ponds. The proposed project was expected to benefit the immediate project area, including Block Groups 1 and 2, through addition of pedestrian facilities, correction of drainage issues, and improvement of the existing roadway.

A Public Meeting was held at the Willow Creek Middle School on June 21, 2010 to provide information to the public regarding the project goals and to solicit comments from the affected community with regards to issues they would like

addressed as part of the project and information on the project area. No comments regarding environmental justice concerns were noted. For additional details regarding the 2012 Environmental Justice Analysis refer to Appendix J, page J-18 to J-21.

2021 AI

Under FHWA Order 6640.23A, FHWA and the project sponsor, as a recipient of funding from FHWA, are responsible to ensure that their programs, policies, and activities do not have a disproportionately high and adverse effect on minority or low-income populations. Per the current INDOT Categorical Exclusion Manual, an Environmental Justice (EJ) Analysis is required for any project that has two or more relocations or 0.5 acre of permanent right-of-way. Phase 1 and 2 of the project will require approximately 4.58-acre of permanent right of way and one relocation. Therefore, an EJ Analysis is required.

Potential EJ impacts are detected by locating minority and low-income populations relative to a reference population to determine if populations of EJ concern exists and whether there could be disproportionately high and adverse impacts to them. The reference population may be a county, city or town and is called the community of comparison (COC). In this project, the COC is Porter County. The community that overlaps the project area is called the affected community (AC). In this project, the ACs is Census Tract 505.01. An AC has a population of concern for EJ if the population is more than 50% minority or low-income or if the low income or minority population is 125% of the COC. Data from the 2015-2019 American Community Survey was obtained from the US Census Bureau Website (<https://data.census.gov/cedsci/>) on September 2, 2021 by American Structurepoint, Inc. The data collected for minority and low-income populations within the AC are summarized in the below table.

	COC	AC 1
	Porter County	Census Tract 505.01
LOW-INCOME POPULATION		
Total Population for Whom Poverty Status is Determined	36835	5486
Total Population Below Poverty Level	5990	1102
Percent Low-Income	16.26	20.09
125 Percent of COC	20.33	
AC Percent Low-Income Greater Than 125 Percent of COC?		N
AC Percent Low-Income Greater Than 50 Percent?		N
Population of EJ Concern?		N
MINORITY POPULATION		
Total Population	36648	6173
Minority Population	6007	1009
Percent Minority	16.39	16.35
125 Percent of COC	20.49	
AC Percent Minority Greater Than 125 Percent of COC?		N
AC Percent Minority Greater Than 50 Percent?		N
Population of EJ Concern?		N

Census Tract 505.01 has a percent low income population of 20.1%, which is below 50% and is below the 125% COC threshold. Therefore, Census Tract 505.01 does not contain low income populations of EJ concern.

Census Tract 505.01 has a percent minority population of 16.4%, which is below 50% and is below the 125% COC threshold. Therefore, Census Tract 505.01 does not contain minority populations of EJ concern.

The census data sheets and map can be found in Appendix I, page I-2 to I-7. No further environmental justice analysis is warranted.

11.0 Hazardous Materials and Regulated Substances

2012 CE 3

The preliminary Red Flag Investigation identified the existence of five (5) hazardous material sites within, or adjacent to the proposed project. Sites include: Dress Well Dry Cleaner located at 5160 Central Avenue, which is listed as an industrial waste site, Portage Marathon located at 6003 Central Avenue, which is also listed as an industrial waste site, T&M Union located at 5736 Central Avenue, which is listed as an active remediation LUST site affecting soils and groundwater, Marathon Unit 2397, located at 5500 Central Avenue, which is listed as a low priority LUST site affecting soils, and Mobile Oil Gilberts located at 5439 Central Avenue, which is listed as UST site containing five tanks currently in use. Additionally, one site, Portage Auto Clinic at 5680 Central Avenue, was identified with a recognized hazardous materials concern during the Red Flag Investigation, which did not warrant additional investigation. (Appendix J, page J-21 to J-23)

2021 AI

Based on a review of GIS and available public records, a RFI was approved by INDOT SAM on July 30, 2021 (Appendix E, page E-1 to E-10). Two UST sites, three LUST sites, one waste transfer station, and one NPDES facility were identified within 0.5-mile of the project area. Two LUST sites and one NPDES facility have the potential to affect the project area.

Edmond Auto Repair, 5500 Central Avenue, AI ID 50829, is located within the project area of Phase 2. IDEM issued a No Further Action (NFA) letter for the site on October 5, 2001; however, the NFA determination was based on TPH concentrations and residual petroleum contamination may still be present on site. If excavation occurs in this area, it is likely that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary.

Former T&M Union 76, 5736 Central Avenue, AI ID 51803, is located adjacent to the project area of Phase 2. A Request for NFA dated February 24, 2021 indicated that Benzene, Naphthalene, 1-Methylnaphthalene, and Xylene were present on site above their respective Remediation Closure Guide (RCG) Groundwater Tap Residential Screening Levels (GWRS�). Additionally, Benzene and Naphthalene were above their respective RCG Vapor Exposure Groundwater Industrial Screening Levels (VEGWISL). Contamination extends beneath Central Avenue and into the project area. Due to the groundwater contamination present on site, IDEM recommended an Environmental Restrictive Covenant (ERC) after additional investigation to confirm the contamination is limited to the site. If excavation occurs in this area, it is likely that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. Coordination will be conducted prior to the Ready for Contracts (RFC) date for Phase 2 with the IDEM Project Manager (Jeff Turley, Jturley@idem.in.gov) before further site activities occur.

Fire Station Demolition, 5615 Central Avenue, NDPEs Permit #INR10N783, is located within the Phase 2 project area. The permit is for discharge associated with the demolition of a former fire station and expires May 1, 2022. Coordination with the City of Portage will occur prior to the RFC date for Phase 2.

12.0 Displacement of People, Businesses, and Farms

2012 CE 3

The proposed project included 5 relocations of both commercial and residential properties located within Phase 2 of the current proposed project. Commercial properties that were to be relocated included one used car dealership, one tattoo parlor, and one vacant commercial fire house. Residential relocations were to include one residential home and one rental property owned by Calvary Cemetery. For more details regarding previously anticipated relocations refer to Appendix J, page J-21.

2021 AI

Due to project scope modifications detailed above, the number of relocations necessary to complete Phases 1 and 2 of the proposed project was reduced to one commercial relocation. The used car dealership (noted as Edmond Auto Repair, 5500 Central Avenue in the approved RFI) in the northwest quadrant of the intersection of Central Ave and Willowdale Road will still be relocated as a part of Phase 2 due to the realignment of the intersection. Additionally, three relocations (one commercial and two residential) at the intersection of Willowdale Road and Central Avenue have been eliminated due to the modification of the intersection from the single lane roundabout proposed in the 2012 CE 3 to a three-way stop controlled intersection. Finally, since the approval of the 2012 CE 3, one of the identified commercial relocations - the abandoned commercial fire station located south of Central Avenue and just west of the intersection of Swanson Road - was demolished by the City of Portage in 2017 and is therefore no longer identified as a relocation.

The acquisition and relocation program will be conducted in accordance with 49 CFR 24 and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Relocation resources are available to all residential and business relocatees without discrimination. No person displaced by this project will be required to move from a displaced dwelling unless comparable replacement housing is available to that person.

13.0 Permits**2012 CE 3**

It was anticipated that the overall project would require a Section 404 Regional General Permit (RGP) from the USACE, a Construction in a Floodway Permit from IDNR, and a Section 401 Water Quality Certificate (WQC) as well as a Rule 5 permit from IDEM (Appendix J, page J-23).

2021 AI

A 401/404 Regional General Permit from the USACE and IDEM will be required for unavoidable impacts to regulated waters within Phase 1. Phase 2 of the proposed undertaking does not require a 401/404 permit. As Phase 1 of the project includes work in the regulated floodplain of Willow Creek, a Construction in a Floodway permit from IDNR is anticipated. In addition, both Phase 1 and Phase 2 will require IDEM Rule 5 permits.

Applicable recommendations are included in the *Environmental Commitments* section of this document. If permits are found to be necessary, the conditions of the permit will be requirements of the project and will supersede these recommendations.

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

14.0 Commitments

All commitments made in the approved environmental document remain valid (Appendix J, page J-24 to J-25). As a result of coordination and modifications discussed within this AI, the following commitments shall be added.

Firm

1. If the scope of work or permanent or temporary right-of-way amounts change, the INDOT ESD and the INDOT District Environmental Section will be contacted immediately. (INDOT ESD)
2. It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access. (INDOT ESD)
3. Tree Removal AMM1: Modify all phases/aspects of the project to avoid tree removal. (USFWS)
4. Tree Removal AMM 2: Apply time of year restrictions (October 1 to March 31) 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 surveys must be conducted with no bats observed. (USFWS)
5. Tree Removal AMM 3: Ensure tree removal is limited to that specified in the project plans and ensure that contractors understand clearing limits and how they are marked in the field. (USFWS)
6. Tree Removal AMM 4: Do not remove documented Indiana bat or NLEB roosts that are still suitable for roosting or trees within 0.25-mile of roosts or documented foraging habitat any time of year. (USFWS)

7. Lighting AMM 2: When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights; 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 priority of "uplight" of 0 and "backlight" as low as practicable. (USFWS)
8. 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 environmental commitments, including all applicable AMMs. (USFWS)
9. If funding is delayed or the phasing of the project is modified, re-evaluation of the pedestrian facilities logical termini as well as the project's ability to fulfill the purpose and need of the project shall be completed. (INDOT ESD)
10. Former T&M Union 76, 5736 Central Avenue, AI ID 51803, is located adjacent to the project area of Phase 2. If excavation occurs in this area, it is likely that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. Coordination will be conducted prior to the RFC date for Phase 2 with the IDEM Project Manager (Jeff Turley, Jturley@idem.in.gov) before further site activities occur. (INDOT SAM)
11. Edmond Auto Repair, 5500 Central Avenue, AI ID 50829, is located within the project area of Phase 2. If excavation occurs in this area, it is likely that petroleum contamination will be encountered. Proper handling, removal, and disposal of soil and/or groundwater may be necessary. (INDOT SAM)
12. Fire Station Demolition, 5615 Central Avenue, Permit #INR10N783, is located within the Phase 2 project area. Coordination with the City of Portage will occur prior to the RFC date for Phase 2. (INDOT SAM)
13. Future phases (outside of Phase 1 and 2 discussed in this AI document) of the originally proposed project may require additional Section 106 documentation. If those phases proceed, consultation with INDOT CRO will be necessary in order to determine the appropriate level of documentation. (INDOT CRO)
14. For crossing replacements, the new structure must include wildlife passage appropriate for the type of replacement structure being proposed. All wildlife passage designs must include a smooth level pathway a minimum of 1-2 feet in width composed of natural substrate (soil, sand, gravel, etc.) or compacted aggregate fill over riprap (#2, #53, #73, etc.) tied into existing elevations both upstream and downstream. The stream crossing repairs or modifications, and any bank stabilization under or around the structure, must not create conditions that are less favorable for wildlife passage when compared to existing conditions. (IDNR-DFW)
15. Crossings must span the entire channel width (a minimum of 1.2 times the ordinary high water mark width). Crossings must maintain the natural stream substrate within the structure (natural stream substrate must be replaced in sumped box and pipe culverts up to the existing flowline). Scour protection at the inlet and outlet must not extend above the existing flowline elevation to maintain aquatic organism passage. Stream depth, channel width and water velocities in the crossing structure during low-flow conditions must approximate those in the natural stream channel. (IDNR-DFW)
16. Establishing vegetation along the banks is critical for stabilization and erosion control. In addition to vegetation, some other form of bank stabilization may be needed. While hard armoring alone (e.g. riprap or glacial stone) may be needed in certain instances, soft armoring and bioengineering techniques should be considered first. In many instances, one or more methods are necessary to increase the likelihood of vegetation establishment. Combining vegetation with most bank stabilization methods can provide additional bank protection and help reduce impacts upon fish and wildlife. (IDNR-DFW)
17. Riprap must not be placed in the active thalweg channel or placed in the streambed in a manner that precludes fish or aquatic organism passage (riprap must not be placed above the existing streambed elevation). Riprap may be used only at the toe of the sideslopes up to the ordinary high water mark (OHWM). The banks above the OHWM must be restored, stabilized, and revegetated using geotextiles and a mixture of grasses, sedges, wildflowers, shrubs, and trees native to Northern Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion. (IDNR-DFW)
18. Impacts to wetland habitat should be mitigated at the appropriate ratio according to the 1991 INDOT/IDNR/USFWS Memorandum of Understanding. (IDNR-DFW)
19. 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). (IDNR-DFW)

- 20. Do not construct any temporary runarounds, access bridges, causeways, cofferdams, diversions, or pumphouse. (IDNR-DFW)
- 21. Operate equipment used to replace the bridge from the existing roadway. (IDNR-DFW)
To ensure the local community and adjacent properties owners are up to date regarding the planned improvements, the City of Portage will distribute project information and provide an opportunity to comment on the Phase 1 and Phase 2 undertakings prior to the project moving to construction. This shall include mailing notices to project stakeholders and adjacent property owners notifying them of the availability of project information for comment at least 2 months prior to the initiation of construction, which is anticipated to begin in Summer 2022 for Phase 1. (City of Portage)

15.0 Conclusions

The revised project, as described in this AI, still meets the original purpose and need specified in the approved 2012 CE 3. The changes to the scope of the project are not anticipated to result in significant changes to the impacts on the environment outside of those previously documented in the approved 2012 CE 3. Unless specifically detailed in this document, the discussions and analysis of the environmental impacts in the approved 2012 CE 3 remain valid.

The following signature lines have been provided for approval of this document.



INDOT Environmental Services

01/05/2022

Approval Date