



# INDIANA DEPARTMENT OF TRANSPORTATION

Date: Tuesday, June 7, 2022

Greeting: Welcome Local Resident, Interested Citizen, and Elected / Local Public Official:

## **Welcome to the Indiana Department of Transportation's (INDOT) public hearing regarding proposed access improvements along SR 45/46 in Monrow County (Des. Nos. 1700198).**

The purpose of this public hearing is to offer all interested persons an opportunity to comment on current design plans and the environmental document for this project.

There are several ways your comments may be presented this evening and following tonight's public hearing. You may submit comments in the following manner:

1. **Complete** a comment form and return it to American Structurepoint, Inc. Comment forms are available at the sign-in table and also included in your information packet. Comment forms are also available at the INDOT Seymour District website ([seymour.indot.in.gov](http://seymour.indot.in.gov)) and the project website ([www.structurepointpublic.com/sr46-46access](http://www.structurepointpublic.com/sr46-46access)).
2. **Complete** the digital comment box on the project website or within the virtual open house at [www.structurepointpublic.com/sr46-46access](http://www.structurepointpublic.com/sr46-46access)
3. **Participate** as speaker during the comment session following tonight's presentation
4. **E-mail** comments to Kaitlynn Walker of American Structurepoint, Inc. at [kawalker@structurepoint.com](mailto:kawalker@structurepoint.com).
5. **Mail** comments to Kaitlynn Walker at American Structurepoint, Inc., 9025 River Road, Suite 200, Indianapolis, Indiana 46240.
6. **Submit** comments (or have comments postmarked by) **June 21, 2022**. Comments will be reviewed and considered as part of the INDOT decision making process
7. **Questions?** Contact Kaitlynn Walker of American Structurepoint, Inc. at (317) 547-5580 or [kawalker@structurepoint.com](mailto:kawalker@structurepoint.com) or INDOT Customer Service 1-855-463-6848 (1-855-INDOT4U) [INDOT@indot.in.gov](mailto:INDOT@indot.in.gov)

The Seymour District is responsible for maintaining 4,675 lane miles of state roads, 755 lane miles of interstate, 1,910 large culverts, 943 state bridges, 163 snow routes, 355 traffic signals, 187 flashers, 52,094 road signs, and 1,424 panel signs.

There are five sub-districts (Aurora, Bloomington, Columbus, Falls City, and Madison) and 18 counties (Bartholomew, Brown, Clark, Dearborn, Decatur, Floyd, Franklin, Harrison, Jackson, Jefferson, Jennings, Johnson, Monroe, Ohio, Ripley, Scott, Switzerland and Washington) in this southeast Indiana district.

## **Public Hearing Agenda**

- Meeting Called to Order
- Formal presentation
- Public Comment Session
- Project Open House

All substantive comments received prior to, during and following the public hearing will be evaluated and responded to in writing within subsequent project documentation. The documentation will address concerns presented during the public hearing process and describe project decisions reached following careful consideration of the views and concerns of the public.

**The project team will be available in the display area to explain project details and address questions prior to and following the public hearing.**

The draft environmental document is available for public review and inspection at the following locations:

1. Monroe County Public Library, 303 East Kirkwood Avenue, Bloomington, Indiana
2. American Structurepoint, Inc. webpage [www.structurepointpublic.com/sr46-46access](http://www.structurepointpublic.com/sr46-46access)
3. INDOT Seymour District webpage: [seymour.indot.in.gov](http://seymour.indot.in.gov)

Questions: Contact Kaitlynn Walker of American Structurepoint, Inc. at (317) 547-5580 or [kawalker@structurepoint.com](mailto:kawalker@structurepoint.com) or INDOT Customer Service 1-855-463-6848 (1-855-INDOT4U) [INDOT@indot.in.gov](mailto:INDOT@indot.in.gov)

**Thank you for attending tonight's public hearing.**



## **Project Description**

INDOT, in partnership with the Federal Highway Administration (FHWA), is developing a federal-aid road project to improve access along SR 45/46 to the existing intersections of West (W) Stonelake Drive and North (N) Monroe Street, as well as access modifications to W Arlington Road within the project area. The proposed undertaking begins 0.2 mile east of I-69 and extends east for 0.48 mile along SR 45/46 before terminating.

The need for the proposed project is a result of the number of crashes occurring along this stretch of SR 45/46 which includes the intersections of W Stonelake Drive/N Monroe Street as well as limited local connectivity to areas north of SR 45/46 due to the conversion of SR 37 to a limited access interstate highway (I-69).

The purpose of the proposed project is to reduce the likelihood of more severe right-angle and left turn crashes by reducing the number of crossing conflict points along this stretch of SR 45/46 between W Stonelake Drive/N Monroe Street and to restore local connectivity to areas north of SR 45/46.

The current preferred alternative would include access modifications along SR 45/46 to the existing intersections of W Stonelake Drive and N Monroe Street, as well as at the SR 45/46 overpass of W Arlington Road. The project would modify the intersection of N Monroe Street/W Stonelake Drive and SR 45/46 utilizing a reduced conflict intersection concept. Additionally, a new off ramp will be constructed for westbound traffic on SR 45/46 to W Arlington Road in the northeast quadrant of the W Arlington Road and SR 45/46 overpass.

### N Monroe Street and N Stonelake Drive – Reduced Conflict Intersection

To accomplish these improvements, the existing access point of W Stonelake Drive and SR 45/46 would be permanently removed. A new access point on SR 45/46 would be constructed approximately 600 feet east of the existing W Stonelake Drive and SR 45/46 intersection and align with N Stonelake Drive. The typical section of N Stonelake Drive would include two 12-foot travel lanes with 6-foot shoulders. The typical section of N Monroe street would also include two 12-foot travel lanes with 6-foot shoulders. A reduced conflict intersection concept would be developed at the new access point of N Stonelake Drive, the existing access point of N Monroe Street, and SR 45/46 that would allow only right turns from the minor approaches and would force the direct left-turn and through movements to indirect U-Turn movements along the major roadway (SR45/46). Additionally, a 5-foot sidewalk will be constructed to connect the existing sidewalk at the north end of the pedestrian bridge (P(45)46-53-06239) to the existing sidewalk located along the north shoulder of W Stonelake Drive, and a crosswalk will be constructed across W Stonelake Drive.

### Modifications to SR 45/46

Auxiliary left- and right-turn lanes would be added to SR 45/46 to accommodate the new traffic pattern at N Stonelake Drive and an auxiliary right-turn lane would be added to SR 45/46 to accommodate the new traffic pattern at N Monroe Street. The typical section along SR 45/46 would include four 12-foot travel lanes (two in each direction) as well as two 12-foot left-turn lanes (one eastbound and one westbound) with 5-foot inside shoulders and 10-foot outside shoulders. Loons will be added at the minor approaches to allow for U-turns along SR 45/46. The loons are bump outs along the roadway, which will be constructed by widening the pavement of SR 45/46 to provide additional room for vehicles to complete the U-turn maneuver. The U-turn will be yield controlled; therefore, the loon has been designed to provide for an acceleration area before traffic merges onto SR 45/46. Impacts to existing roadside lighting along SR 45/46 and at W Stonelake Drive/N Monroe Street are anticipated, and impacted lighting will be replaced. Impacts to the existing storm sewer in the SR 45/46 median are anticipated and new storm sewer will be designed per INDOT guidelines.

Additionally, in response to comments received during public involvement and subsequent review, the speed limit along SR 45/46 will be lowered from 50 mph to 45 mph and the pavement marking and signage will be updated within the project area. A special guide sign will be posted at the intersection of SR 45/46 and W Stonelake Drive/N Monroe Street illustrating the traffic pattern for the reduced conflict intersection. Additionally, left-turn and U-turn only signs will be posted along SR 45/46 (westbound and eastbound) for the left lane and a sign will be posted along SR 45/46 westbound for the new off ramp at W Arlington Road.

### SR 45/46 Westbound Off ramp for W Arlington Road

Additionally, a new off ramp will be constructed for westbound traffic on SR 45/46 to W Arlington Road in the northeast quadrant of the W Arlington Road overpass of SR 45/46. The typical section along the SR 45/46 westbound off ramp for W Arlington Road will include one 16-foot ramp lane with a 4-foot inside shoulder and 10-foot outside shoulder. A Mechanically Stabilized Earth (MSE) wall will be used to minimize environmental impacts and right-of-way necessary for the project. It should be noted that no work will occur on the W Arlington Road overpass, Bridge Number: (45)46-53-05993 B.

### **Right-of-Way**

It is anticipated that work along SR 45/46 will require the acquisition of 1.36 acres of additional permanent right-of-way and 0.027 acre of temporary right-of-way as a result of the off ramp to W Arlington Road. No right-of-way acquisition is anticipated for the construction of the reduced conflict intersection. An additional 0.003 acres of temporary right-of-way was added to the project after the CE document was released for public involvement in order to install a disc golf tee pad impacted by construction of the new sidewalk connection from the Pedestrian Bridge to Stonelake Drive.

Land Use Impacts	Amount (acres)	
	Permanent	Temporary
Residential	0.989	0.024
Commercial	0.372	0.003
Agricultural	-	-
Forest	-	-
Wetlands	-	-
Other:	-	-
Other:	-	-
TOTAL	1.361	0.027

### **Maintenance of Traffic**

Traffic on SR 45/46 will be maintained on the existing roadway during construction through lane restrictions. A local detour is expected for N Monroe Street during reconstruction of the approach and the SR 45/46 median. Access to W Stone Lake Drive will be maintained at all times. Traffic will be maintained by means of traffic control devices in concurrence with the current INDOT Design Manual and standard specifications. As project plans develop, further coordination regarding maintenance of traffic will be conducted with adjacent commercial and industrial properties regarding maintaining operational access during construction.

### **Project Schedule**

<b>Milestone</b>	<b>Expected Dates</b>
Categorical Exclusion Released for Public Involvement	April 29, 2022
Public Comment Opportunity	June 7 <sup>th</sup> – June 21 <sup>st</sup> , 2022
Real Estate Acquisition	Late Summer 2022
Proposed Construction	Anticipated Winter 2023

### **Estimated Project Cost Summary**

The estimated cost for this project is \$7,200,000 which includes design, land acquisition and construction. Both federal and state funding will be used. The project is included in the 2020-2024 Statewide Transportation Improvement Program.

### **Environmental Documentation**

The INDOT and FHWA have reviewed the Categorical Exclusion (CE) Document prepared by American Structurepoint, Inc. for this project and released the document for public involvement on April 29, 2022. The CE evaluates the impact of the SR 45/46 Access Improvements project on the natural and human environment. No areas of potentially significant impacts have been identified.

## **Water Resources**

The proposed project area was examined for the presence of wetlands and “waters of the U.S.” One stream and six wetlands and one stream were identified within the project area as potentially regulated resources. It is anticipated that the preferred alternative will not impact the streams or the wetlands.

Karst features including one sinkhole (S-1) and one (1) spring (SP-1) were observed within the proposed construction limits, and one (1) sinkhole (S-2) was observed north of the construction limits during a site visit conducted on May 19, 2020 by American Structurepoint, Inc. One (1) sinkhole (S-1) is anticipated to be impacted due to the proposed construction of a 48-inch culvert and MSE wall; therefore, a concrete cap sinkhole treatment is recommended to minimize the potential for settlement under and adjacent to the sinkhole

## **Cultural Resources**

Section 106 of the National Historic Preservation Act requires that all above ground structures 50 years old or older be evaluated for eligibility for the National Register of Historic Places. It also requires below ground, or archaeological investigation, to look for things that people have made, used, or left behind. One new archaeological site was recorded within the Area of Potential Effect. However, it was not determined to be eligible for listing on the Indiana Register of Historic Sites and Structures or the National Register of Historic Places.

A historic properties report was also completed and the Reed Historic Landscape District was determined to be eligible for listing in the National Register of Historic Places (NRHP); however, a finding of “No Adverse Effect” was determined.

## **Endangered Species and Terrestrial Habitat**

Project information was submitted through the USFWS’s Information for Planning and Consultation (IPaC) portal, and an official species list was generated. The project is within range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (NLEB) (*Myotis septentrionalis*). No additional species were generated in the IPaC species list other than the Indiana bat and northern long-eared bat.

The project qualified and completed *Limited Formal Programmatic Consultation* for the Indiana bat and northern long-eared bat (NLEB) due to tree clearing 100-300 feet from the existing roadway and the proposed relocation of a house located within the project area. An inspection of the exterior of the house, the pedestrian bridge (Bridge Number: P(45)46-53-06239), and the overpass (Bridge Number: (45)46-53-05993 B) occurred on September 30, 2021 and no bats or signs of bats were observed. The interior of the house was not accessed since the house was occupied by tenants. An effect determination key was completed on August 20, 2021, and based on the responses provided, the project was found to “Likely Adversely Affect” the Indiana bat and/or NLEB. Proposed impacts have been minimized and cannot be avoided due to the proposed off ramp from SR 45/46 to W Arlington Road.

INDOT verified the effect finding and submitted to USFWS on July 23, 2021. On September 16, 2021, USFWS issued a concurrence letter with the “likely to adversely affect” finding. The AMMs indicate temporary lighting should be directed away from suitable habitat during the active season, best management practices will be used to prevent spills and avoid impacts to possible hibernacula, avoid tree removal, and ensure tree removal is limited to that specified in project plans. USFWS also stated that the proposed project’s effects are consistent with those listed in the Programmatic Biological Opinion (BO), and projects consistent with the conservation measures and scope of the program analyzed in the BO are not likely to jeopardize the continued existence of the Indiana bat and/or the NLEB. Avoidance and Minimization Measures (AMMs) and/or commitments are included as firm commitments in the *Environmental Commitments* section of this document.

Additionally, a “Re-initiation Notice” is required if: more than 0.923 acre of suitable habitat is to be cleared; new information about listed species is encountered; the project is modified in a manner that causes an effect to the listed species; or a new species or critical habitat is listed that the project may affect. These requirements, and the Avoidance and Minimization Measures (AMMs) from the Project Submittal Form, are included as firm commitments for this project.

INDOT shall satisfy the compensatory mitigation requirements of the formal consultation with USFWS through one of the conservation options outlined on page 41 of the May 20, 2016 *Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana bat and NLEB*. The amount to be paid to the Range-wide In-lieu Fee Program, to be administered by the Conservation Fund, shall be \$12,950.61. This amount was determined by the Habitat Block Method. The area of suitable habitat to be cleared, multiplied by the mitigation ratio for inactive season tree clearing for Monroe County, and the compensatory price per acre; 0.923 acre x 1.50 x \$9,354 per acre.

#### **Section 4(f) Resources**

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.

There is one 4(f) resource located within the project area and one 4(f) resource located adjacent to the project area. Reed Historic Landscape District, located within the project area, was determined eligible for listing in the NRHP. On June 24, 2021, INDOT CRO determined that this project will result in a Section 4(f) de minimis use of the Reed Historic Landscape District. This project fulfills the requirements of the Section 4(f) MOU (MOU between FHWA, the Indiana SHPO, and INDOT regarding Section 4(f) of the US DOT Act of 1996 and notification requirements of the intent to make de minimis determinations for historic resources), executed on June 8, 2020.

Gourley Pike-Kinser Pike to W Arlington Road is a recreational trail planned to be located within the project along West Gourley Pike. The project will not use the trail by taking permanent or temporary right-of-way and will not indirectly use these resource in such a way that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired.

Arlington Heights Elementary School is adjacent to the eastern portion of the project area. The proposed project will require the use of existing right of way south of Arlington Heights Elementary School. A disc golf tee is currently located within existing Indiana Department of Transportation right of way and will need to be removed for the construction of a proposed sidewalk and cross walk connecting the pedestrian bridge to the existing sidewalk along the north shoulder of W Stonelake Drive. The disc golf tee will be replaced in the same condition and in a similar setting by the INDOT. A 4-foot by 4-foot concrete pad will be poured outside of the right of way to replace the existing disc golf tee as shown on the included plans.

Land use from a Section 4(f) resource may be used directly by permanent or temporary occupancy or indirectly through temporary use. The project will not use this resource by taking permanent right of way and will not indirectly use the resource in such a way that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired. This project is exempt from the requirement of section 4(f) approval based on the definition of temporary occupancy defined in 23 CFR 774.13(d) which states: "Temporary occupancies of land that are so minimal as to not constitute a use within the meaning of Section 4(f). The following conditions must be satisfied:

- (1) Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;
- (2) Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;
- (3) There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either or temporary or permanent basis;
- (4) The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and
- (5) There must be documented agreement of the official (s) with jurisdiction over the Section 4(f) resource regarding the above conditions."

In a letter dated February 1, 2022, the Monroe County School Corporation, Official with Jurisdiction (OWJ), agreed that the temporary occupancy constitutes a no use under Section 4(f), as described in the FHWA's Section 4(f) Policy Paper (dated July 20, 2012), for the following reasons which satisfy the conditions listed above:

- The disc golf tee is currently located within existing right of way;
- The length of closure of the disc golf tee will be temporary and the proposed replacement will be less than the time anticipated for construction (1);

- Temporary right of way will be acquired from Monroe County School Corporation; however, there will be no change in ownership (2);
- Work will occur during the summer months while school is out of session (June-July) (3);
- It is proposed the disc golf tee will be replaced in the same condition and in a similar setting as prior to the project but outside of existing right of way (4); and
- The OWJ agreed to the above conditions in a letter dated February 1, 2022 (5)

The project meets all of the above requirements. Because this meets the definition of temporary occupancy, there is no use of a Section 4(f) property and thus, no further Section 4(f) evaluation for this trail is required.

### **Community Impacts**

The proposed project would include access modifications along SR 45/46 to the existing intersections of W Stonelake Drive and N Monroe Street, as well as the addition of an off ramp to W Arlington Road within the project area. The current proposed project would modify the intersection of N Monroe Street/W Stonelake Drive and SR 45/46 utilizing a reduced conflict intersection concept. Additionally, a new off ramp will be constructed for westbound traffic on SR 45/46 to W Arlington Road. This will improve local connectivity and reduce the number of conflict points and likelihood of crashes. Therefore, it is considered a net benefit for the community. Temporary negative socioeconomic impacts the project will have on the community include temporary inconveniences commonly associated with construction such as noise, fugitive dust, increased travel delay, and potential utility disruptions. However, these impacts are temporary and will cease upon completion of the project. These temporary inconveniences do not outweigh the benefits of the project.

Permanent socioeconomic effects include the relocation of one residence. However, the proposed project is not anticipated to negatively affect community cohesion. Minimal impacts are anticipated to the local tax base, property value, and community events.

The City of Bloomington visitor's website (<https://www.visitbloomington.com/>) was checked. Multiple events are scheduled in Bloomington including events held at Indiana University. However, due to the proposed maintenance of traffic (See the *Maintenance of Traffic* section of this document for details), no impacts to future events or festivals are anticipated.

### **Environmental Justice (EJ)**

Under FHWA Order 6640.23A, FHWA and INDOT, 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 EJ Analysis is required for any project that has two or more relocations or 0.5 acre of additional permanent right-of-way. The project will require 1.36 acres of additional permanent right-of-way, and will require 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 exist and whether there could be disproportionately high and adverse impacts to them. The reference population may be a county, city, or town and is called the community of comparison (COC). In this project, the COC is Monroe County, Indiana since the project area is not entirely located within the City of Bloomington COC. The community that overlaps the project limits is called the affected community (AC). In this project, AC 1 is Census Tract 2.01 and AC 2 is Census Tract 8. 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 2019 American Community Survey 5-Year Estimates was obtained from the US Census Bureau Website <https://data.census.gov/cedsci/> on June 4, 2021 by American Structurepoint staff. Census Tract 2.01 was identified as a minority population of EJ concern, and Census Tract 8 was identified as a low income population of EJ concern.

The purpose of the proposed project is to improve local connectivity and reduce the number of crashes on minor roadways within the project limits. The improvement of local connectivity and the reduction of crashes is a net benefit to all users including the low income and minority populations. The proposed project will not disrupt community cohesion or create a physical barrier, and will reduce the number of crashes and left turn congestion along SR 45/46. Therefore, the identified populations will not experience a disproportionately high and adverse impact from the project.