

**ENVIRONMENTAL ASSESSMENT
FOR
SECTION 219, WRDA 1992, as amended
ENVIRONMENTAL INFRASTRUCTURE PROJECT
SANITARY SEWER IMPROVEMENTS FOR
HERMIT LAKE, LAKE COUNTY, INDIANA**

2014

U.S. Army Corps of Engineers
Planning Branch
231 South LaSalle Street Suite 1500
Chicago, Illinois 60604

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SECTION 1 PURPOSE AND NEED

PURPOSE

The proposed project would improve the efficiency and capability of the storm sewer system to the residents of the Hermit Lake neighborhood located in unincorporated Lake County to the southwest of the City of Crown Point in Lake County, Indiana. The current storm sewer system is in need of improvements that would alleviate flooding currently caused by typical rainfall events, and eliminate potential sanitary sewer discharges into the waters of Foss Ditch, Lake Dalecarlia and the Kankakee River.

NEED FOR ACTION

The existing storm water system is antiquated and undersized and not properly designed for typical rainfall events; without improvements and increased capacity, storm water will further exceed the system's capacity, contributing to frequent flooding in residential areas with the potential for sanitary sewer discharges into the waters of Foss Ditch, Lake Dalecarlia, and the Kankakee River.

AUTHORITY

The study was authorized under Section 219 of the Water Resources Development Act (WRDA) of 1992, as amended by Section 504 of WRDA 1996, Section 504 of WRDA of 1999, Section 145, FY04 Energy and Water Appropriations Bill and Section 5075 WRDA 2007. Section 219 (F)(12) Calumet Region allows the Army Corps of Engineers to provide planning, design, and construction assistance for water-related environmental infrastructure projects.

LOCAL SPONSOR

The project's non-Federal sponsor is Lake County, Indiana.

SECTION 2 ALTERNATIVES, INCLUDING THE RECOMMENDED PLAN

There are 3 alternatives considered including No Action to address improvements to the storm sewer system in Hermit Lake, Lake County, Indiana.

1. No Action Plan-Under this alternative, no changes would be made to the Hermit Lake storm sewer system. The capacity would remain low for even minor rainfall episodes and street overflows and area flooding would continue to occur with potential sanitary sewer discharges into the waters of Foss Ditch, Lake Dalecarlio, and the Kankakee River.
2. Construction of a New Pumping Station - The existing antiquated pumping station would be demolished and a new regional pumping station constructed at the same location. The increase in pumping station capacity will alleviate area flooding, but overload the existing sewer lines resulting in potentially more sanitary sewer discharges into Foss Ditch, Lake Dalecarlio, and the Kankakee River.

- 3 Construction of a New Pumping Station and 3000 Feet of New Sanitary Sewer Force Main - The existing antiquated pumping station would be demolished and a new regional pumping station constructed at the same location. In addition approximately 3000 linear feet of new force main would be constructed along White Oak Avenue to connect the area sanitary sewer system to the City of Crown Points' collection system.

RECOMMENDED PLAN

Construction of a New Pumping Station and 3000 Feet of New Sanitary Sewer Force Main - The existing antiquated pumping station would be demolished and a new regional pumping station constructed at the same location. Additionally, approximately 3000 linear feet of new force main would be constructed along White Oak Avenue to connect the area sanitary sewer system to the City of Crown Point's collection system.

Portable water for the Hermit Lake community is obtained from private individual wells. This is the source of the water effluent currently processed through the existing Hermit Lake Waste Water Treatment Plant (WWTP) facility. Replacement of the current WWTP facility with a new regional pumping station and construction of a new force main connection would allow this material to be treated in the Crown Point Sanitary Sewer system.

During construction exposed soils will be stabilized with erosion control blankets or bonded hydromulch. These areas will later be stabilized with permanent vegetation. Soil and gravel piles will be stabilized and contained with silt fencing.

Benefits of the recommended alternative include a reduction in residential flooding as a result of increasing the capacity of the storm sewers and the elimination of potential sanitary sewer discharges into Foss Ditch, Lake Dalecarlio, and the Kankakee River.

Work would begin in late 2014 with completion anticipated approximately 12 months later.

COMPLIANCE WITH ENVIRONMENTAL PROTECTION STATUTES

The proposed action is in full compliance with appropriate statutes, executive orders and regulations, including the National Historic Preservation Act of 1966, as amended, Fish and Wildlife Coordination Act of 1958, as amended, Endangered Species Act of 1973, as amended, Section 10 of Rivers and Harbors Act of 1899, as amended, Clean Air Act, Indiana Endangered Species, National Environmental Policy Act of 1969, as amended, Executive Order 12898 (Environmental Justice), Executive Order 11990 (Protection of Wetlands), Executive Order 11988 (Floodplain Management), and the Clean Water Act, as amended.

SECTION 3 AFFECTED ENVIRONMENT

PROJECT AREA

The project area lies approximately 16 miles south of Lake Michigan, in the SW quarter of Section 18, T38N R8W of the 2nd principal meridian, and is shown on the St. John (Indiana) USGS 7.5" topographic quadrangle map.

The project area is located in unincorporated Lake County located to the southwest of Crown Point (Map 1). Traffic disruption should be temporary during sanitary sewer force main construction.

AIR AND WATER QUALITY

Air and water quality in the project area are typical of what would be expected in a densely populated area. Air quality is categorized as moderate to good. Most of the impacts to air quality in this area are due to the large number of cars and trucks driven on the extensive road system in the Chicago and, northwest Indiana metropolitan area. Water quality within the project area does not meet applicable water quality standards because of the continued combination of sanitary sewer leaks and overflows, and agricultural run-off affecting groundwater.

AQUATIC COMMUNITIES

There are no aquatic communities present in the construction zone. Hermit Lake is located to the east of the project area. To the south of the existing Hermit Lake pumping station is Foss Ditch which drains into Dalecarlio Lake and ultimately into the Kankakee River. Hermit Lake supports fish and amphibian species typical of lakes in northern Indiana. Foss Ditch supports a number of aquatic species including various types of crawfish, frogs and salamanders, and aquatic insects, which are typical to ditches in northern Indiana.

TERRESTRIAL COMMUNITIES

The Hermit Lake neighborhood provides suitable habitat for common “urban” wildlife species, including fox and gray squirrel, opossum, cottontail rabbit, striped skunk, mice, red fox, bats, and eastern moles. Typical resident birds include English sparrow, starling, robin, herring gull, Canada goose, mallard, pigeon, cardinal, chickadee, red winged blackbird, purple martin, grackle, and blue jay.

Vegetation within the Hermit Lake project area contains mowed grass lawns, shrubs, and a variety of tree species including maple, green ash, mulberry, box elder, honey locust, crabapple, and cottonwood.

The proposed construction zone contains no valuable wildlife habitat.

NATURAL AREAS

The project area lies approximately 1.5 miles to the northwest of Lemon Lake County Park. This park includes a number of protected vegetation zones, and provides a resting and feeding area for a variety of wildlife, including a large number of birds during spring and fall migrations.

THREATENED AND ENDANGERED SPECIES

The project area is suburban residential. It is within the range of the Federally endangered Indiana Bat (*Myotis sodalists*), the proposed endangered northern long-eared bat, the threatened Pitcher’s thistle (*Cirsium pitcheri*), and Mead’s Milkweed (*Asclepias meadii*). However, the project area contains no habitat likely to be used by threatened or endangered species with the possible exception of migratory avian species.

ARCHEOLOGICAL AND HISTORIC PROPERTIES

The Hermit Lake neighborhood is 45 miles southeast of Chicago and 30 minutes south of Lake Michigan in unincorporated Lake County, Indiana. Communities surrounding Hermit Lake

include Crown Point and Cedar Lake, Indiana. The Hermit Lake neighborhood is a residential community of about 1 square mile and approximately 500 residents. There are no structures in the Hermit Lake Neighborhood listed on the National Register of Historic Places.

However, in the adjacent City of Crown Point, there are 5 historic structures and one historic district within the City of Crown Point currently listed on the National Register of Historic Places. These are the Wellington Clark House (listed 2001), the Lake County Courthouse (listed 1973), the Lake County Sanitarium Nurses House (listed 2005), the Lake County Sheriffs' House and Jail (listed 1989), the William Whitaker House (listed 1999), and the Crown Point Courthouse Square Historic District (listed 2004). All of the listed properties are east of the project area.

The proposed project is within existing highway and utility right-of-way. It has been disturbed by filling, grading, and utility construction. It contains no intact archaeological material or deposits.

LAND USE HISTORY

The first settlers to the Crown Point area arrived in 1834. By 1837 Lake County had been established by the State of Indiana with Crown Point as the county seat. The community was incorporated in 1868 as the City of Crown Point. The Hermit Lake area was developed as an upscale residential suburb to Crown Point in the 1960s.

SOCIAL SETTING

Crown Point has recently been listed as one of the 100 best communities in the United States. The City of Crown Point has a racially and ethnically mixed population. Agriculture and county government are still the economic mainstays of Crown Point, although the city has also become a center for light industry. In recent years this portion of northern Indiana has become more integrated into the greater Chicago metropolitan area. In 2010 the median home value for Crown Point was \$217,450.00 and the median household income was approximately \$74,000.00. In contrast, the median home value for the Hermit Lake neighborhood is approximately \$342,450.00 (2014) and the median household income is \$143,500.00 (2014).

RECREATION

There are no public parks within the Hermit Lake neighborhood. Hermit Lake is a popular fishing and boating destination for residents of the surrounding area.

HAZARDOUS, TOXIC AND RADIOACTIVE WASTE (HTRW) INVESTIGATION

A Phase I HTRW investigation has been conducted, and has revealed that no known potential environmental issues exist within the project area.

SECTION 4 ENVIRONMENTAL CONSEQUENCES

IMPACTS OF "NO ACTION" PLAN

The "no action" plan could have significant long term impact on natural resources in west central Lake County because of the continual potential for sanitary sewer overflows into area

waterways. In addition, sanitary sewer drainage would remain inadequate and the continuation of periodic flooding would be detrimental to the local quality of life.

GENERAL IMPACTS (SECTION 122 OF PUBLIC LAW 91-611) OF THE PROPOSED PLAN

Section 122 of Public Law 91-611 identified 17 potential areas of impact that are required to be considered as part of an impact analysis of proposed projects. The proposed plan would not adversely affect community cohesion or growth, tax revenues, property values, or regional growth. No farms or people, businesses, or industry would be displaced. Impacts of the remaining 17 areas follow:

- **SOCIAL IMPACTS**

Project impacts on natural resources, man-made resources, and employment will be minor and temporary. Employment could increase slightly during construction, and the region's labor force should provide the necessary workers. There will be no significant adverse effect to public facilities or services. During construction, increased traffic congestion would be localized and intermittent. Any aesthetic degradation would be temporary. The project would have no significant adverse impact on human health or welfare or to municipal or private water supplies.

- **AIR QUALITY IMPACTS**

The proposed action would cause minor temporary increases in exhaust emissions from machinery and equipment used during construction. These impacts would be minimal because of emission and dust controls are required by the U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, and local restrictions. The Corps of Engineers specifications (CW-04130 Construction Specifications for Environmental Protection, July 1978) are included in contracts to provide protection for the local environment. Clean Air Act - Construction and operation of the project would not result in significant or long-term adverse impacts to air quality. The project would involve only a de minimis discharge of airborne pollutants, and is therefore in compliance with the Clean Air Act Conformity Rule.

- **NOISE IMPACTS**

The proposed action will cause minor temporary increases in noise from machinery and equipment during construction. These impacts will be temporary and will not result in significant or long-term adverse impacts.

- **WATER QUALITY IMPACTS**

The project will have no significant long-term impact on the quality of water in the community. Clean Water Act - The project will not involve any discharge to the waters of the United States, therefore Section 401 water quality certification is not required, and no Section 404(b)(1) evaluation has not been prepared. Section 10 of Rivers and Harbors Act of 1899-The project would not involve placement of fill in navigable waters.

Executive Order 11988 (Floodplain Management)-The project will not promote development in the floodplain. The project will have no significant long-term impact on the quality of water in any of the tributaries of the Kankakee River. The project would comply with all applicable water quality standards.

ENVIRONMENTAL JUSTICE

Executive Order 12898 (Environmental Justice)- The Environmental Protection Agency's Environmental Justice website was reviewed on May 10, 2014. The project will not have an adverse effect on any low-income populations or minority populations.

AQUATIC IMPACTS

Fish and Wildlife Coordination Act- The project will have no impact on aquatic wildlife or habitat. The U. S. Fish and Wildlife Service has been consulted (letter dated April 15, 2014) and has concurred with this determination (letter dated May 5, 2014). Indiana DNR has been consulted and has concurred with this determination (April 21, 2014)

Executive Order 11990 (Protection of Wetlands)-The project will not affect wetlands.

Executive Order 11988 (Floodplain Management)-The project will not promote development in the floodplain.

TERRESTRIAL IMPACTS

The project would not have an adverse impact on any valuable wildlife or habitat. The Indiana DNR has been consulted and has concurred with this determination (letter dated April 21, 2014). The U.S. Fish and Wildlife Service have been consulted and has concurred with this determination (letter dated May 5, 2014).

THREATENED AND ENDANGERED SPECIES IMPACTS

Indiana Endangered Species-The project would not affect state-listed threatened or endangered species, or habitat likely to be used by such species. The State of Indiana has been contacted and has concurred with this determination (letter dated April 24, 2014).

Endangered Species Act of 1973-The project will not affect Federal-listed, threatened, or endangered species, or habitat likely to be used by such species; the U. S. Fish and Wildlife Service has been consulted and has concurred with this determination (letter dated May 5, 2014).

ARCHAEOLOGICAL AND HISTORIC IMPACTS

National Historic Preservation Act of 1966, as amended -The proposed construction would have no impact on archaeological or historic properties. The Indiana SHPO has been contacted and has concurred with this determination (letter dated May 16, 2014).concur with this determination..

Native American groups having an interest in northwestern Indiana have been consulted (letters dated April 15, 2014) and are expected to concur with this determination.

HTRW IMPACTS

A Phase I HTRW investigation has been conducted, and has revealed that no known potential environmental issues exist within the project area.

CUMULATIVE EFFECTS

Assessment of Cumulative Effects

Consideration of cumulative effects requires a broader perspective than examining just the direct and indirect effects of a proposed action. It requires that reasonably foreseeable future impacts be assessed in the context of the past and present effects to importance resources. Often it requires consideration of a larger geographic area than just the immediate “project” area. One of the most important aspects of cumulative effects assessment is that it requires consideration of how actions by others (including those actions completely unrelated to the proposed action) have and will affect the same resources. In assessing cumulative effects, the key determinate of importance or significance is whether the incremental effects of the proposed action will alter the sustainability of resources when added to other present and reasonably foreseeable future actions.

Cumulative environmental effects for the proposed infrastructure project were assessed in accordance with guidance provided by the President’s Council on Environmental Quality (USEPA, EPA 315-R-99-002, May 1999). This guidance provides an eleven-step process for identifying and evaluating cumulative effects in NEPA analysis.

The overall cumulative impact of the project is considered to be beneficial environmentally, socially, and economically.

Scoping

In this environmental assessment, the cumulative effects issues and assessment goals are established, the spatial and temporal boundaries are determined, and reasonably foreseeable future actions are identified. Cumulative effects are assessed to determine if the sustainability of any of the resources is adversely affected with the goal of determining the incremental impact to key resources that would occur should the proposal be permitted.

The spatial boundary for the assessment encompasses the parkland and the associated facilities and surrounding streets served by the infrastructures to be improved. The temporal boundaries are:

1. Past-1834, when settlement and development of the area began.
2. Present-2014, when the selection plan was being developed.
3. Future-2064, the year used for determining project life end

Projecting reasonably foreseeable future actions is difficult at best. Clearly, the proposed action is reasonably foreseeable, however, the actions by others that may affect the same resources are not as clear. Projections of those actions must rely on judgment as to what are reasonable based on existing trends and where available, projections from qualified sources. Reasonably foreseeable does not include unfounded or speculative projections. In this case, reasonably foreseeable future actions include:

1. Increased growth in water consumption.
2. Continued urban land use surrounding the project area.
3. Continued application of environmental requirements.

Cumulative Effects on geology and soils

The topography and soils of the area has been affected by filling, excavations, construction, and the burial of utilities. The proposed project would not alter soil chemistry.

Cumulative Effects on Water Quality and Aquatic Communities

The project would have no adverse effects on water quality or aquatic communities Foss Ditch, Lake Dalecarlio, or the Kankakee River. Long term adverse impacts to significant resources are not expected to occur.

Cumulative Effect of Terrestrial Resources

Relatively small modifications for this project will have no long-term adverse or cumulative effects to terrestrial resources, plants or animals.

Cumulative Effects on Land Use

The project will have no cumulative effect on land use.

Cumulative Effects on Aesthetic Values

The project will have no cumulative adverse effects on the visual setting of the project area.

Cumulative effects on Public Facilities

The project will have no long-term adverse effects on public facilities.

Cumulative Effects Summary

Along with direct and indirect effects, cumulative effects of the proposed project were assessed following the guidance provided by the Presidents' Council on Environmental Quality (Table 1). There have been numerous effects to resources from past and present actions, and reasonably foreseeable future actions can also be expected to produce both beneficial and adverse effects. In this context, the effects of the proposed project are relatively minor.

Table 1 –Environmental Impact Summary

Potential Impact Area	Past Actions	Proposed Direct Impacts		Cumulative Impact
		Construction	Operation	
Geology & Soils	adverse	no impact	no impact	no impact
Hydrology	adverse	no impact	no impact	no impact
Water Quality	major adverse	Short term negative but long term beneficial impact	no impact	beneficial
Sediment Quality	major adverse	Minor improvement	no impact	no impact
Aquatic Resources	major adverse	no impact	no impact	no impact
Terrestrial Resources	adverse	minor negative impact	beneficial	no impact
Land Use	adverse	minor adverse	no impact	beneficial
Aesthetics	No impact	no impact	no impact	beneficial
Archaeology/Historic	no impact	no impact	no impact	no impact

SECTION 5 COORDINATION

During preparation of this environmental assessment the following state and federal agencies were consulted: U. S. Fish and Wildlife Service (USFWS), U. S. Environmental Protection Agency (USEPA), Indiana Department of Natural Resources, Indiana Department of Environmental Management, and the Indiana Historic Preservation Office (SHPO). Copies of coordination letters are attached to this assessment.

RECIPIENTS

The following agencies, groups, and individuals received a copy of this environmental assessment:

Senator Dan Coats
 United States Senate
 493 Russell Office Bldg
 Washington, DC, 20510

Senator Dan Coats
 1650 Market Tower
 10 West Market Street
 Indianapolis, IN, 46204

Senator Joe Donnelly
 720 Hart Senate Office Building
 Washington, D.C. 20510

Senator Joe Donnelly
5400 Federal Plaza, Suite 3200
Hammond, IN 46320

Congressman Peter Visclosky
2256 Rayburn House Office Building
Washington, D.C. 20515

Congressman Peter Visclosky
7895 Broadway, Suite A
Merrillville, Indiana 46410

Governor Mike Pence
Office of the Governor
Statehouse
Indianapolis, Indiana 46204-2797

Kenneth Westlake, Chief
Environmental Review Branch
U.S. EPA ME-19J
77 West Jackson
Chicago, IL 60604

U.S. Fish and Wildlife Service
620 S. Walker St.
Bloomington, IN 47403
ATTN: Scott Pruitt

U.S. Fish and Wildlife Service
P.O. Box 2616
Chesterton, IN 46304-2616
ATTN: Elizabeth McCloskey

Federal Aviation Administration
Chicago Airports District Office, CHI-ADO-600
2300 East Devon Avenue
Des Plaines, Illinois 60018
ATTN: Bobb A. Beauchamp
Environmental Program Manager

IDEM Northwest Regional Office
8380 Louisiana Street
Merrillville, IN 46410
ATTN: Hala Kuss

IDEM
100 N. Senate Ave.
Mail Code 61-50
Indianapolis, IN 46204-2251
ATTN: Marty Maupin

Indiana DNR
Division of Water
100 N. Water St.
Michigan City, IN 46360
ATTN: Steve Davis

Indiana DNR
Division of Fish and Wildlife
402 W. Washington Room W273
Indianapolis, IN 46204
ATTN: Christie Stanifer

Indiana DNR
Division of Historic Preservation and History
402 W. Washington, Room W274
Indianapolis, IN 46204
ATTN: James Glass

Indiana DNR
Lake Michigan Coastal Program
402 W. Washington, Room W274
Indianapolis, IN 46204
ATTN: Mike Molnar

LIBRARIES

Crown Point Public Library
214 South Court St.
Crown Point, IN 46301
ATTN: govt. publications

CORRESPONDENCE



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
231 SOUTH LA SALLE STREET, SUITE 1500
CHICAGO IL 60604

Planning Branch
Environmental Formulation Section

Pokagon Band of Band of Potawatomi Indians
P.O. Box 180
Dowagiac, MI 49047

Dear Sirs:

The Chicago District is preparing a National Environmental Policy Act (NEPA) document on impacts of a construction project involving the reconstruction of a section of existing sanitary sewer at Hermit Lake in Lake County, Indiana. As part of the scoping process the Chicago District would appreciate your comments on impacts or concerns associated with this project. A map of the project area is attached.

To remediate problems of sanitary sewer backup in homes in the Hermit Lake area and eliminate potential sanitary sewer discharges into the waters of Foss Ditch, Lake Dalecarlia and the Kankakee River, the current antiquated pumping station would be replaced with a new regional pumping station on the same site. In addition approximately 3000 linear feet of new force main would be constructed along White Oak Avenue to connect the area to the City of Crown Points' collection system.

All of the work will be within existing utility and highway right-of-way.

Comments must be received within 30 days and may be sent to Peter Bullock, U.S. Army Corps of Engineers, 231 South La Salle Street Suite 1500, Chicago, Illinois 60604, or by email at peter.y.bullock@usace.army.mil. Questions should be directed to Mr. Bullock at 312/846-5587.

Enclosure

Sincerely,

Susanne J. Davis, P. E.
Chief of Planning Branch

THIS IS NOT A PERMIT

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

DNR #: ER-17565

Request Received: April 21, 2014

Requestor: US Army Corps of Engineers, Chicago
District
Peter Bullock
231 South La Salle Street, Suite 1500
Chicago, IL 60604

Project: Reconstruction of a section of existing sanitary sewer at Hermit Lake consisting of replacement of the existing pumping station and installation of about 3000' of new force main along White Oak Avenue to connect with Crown Points' collection system

County/Site info: Lake

The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

If our agency has regulatory jurisdiction over the project, the recommendations contained in this letter may become requirements of any permit issued. If we do not have permitting authority, all recommendations are voluntary.

Regulatory Assessment: This proposal may require the formal approval of our agency pursuant to the Flood Control Act (IC 14-28-1) to construct, excavate, or fill in or on the floodway of a stream or other flowing waterbody which has a drainage area greater than one square mile, unless it qualifies for a general license under Administrative Rule 312 IAC 10-5 that applies to utility line crossings (see enclosure). Please submit more detailed plans to the Division of Water's Technical Services Section if you are unsure whether or not a permit will be required.

Natural Heritage Database: The Natural Heritage Program's data have been checked. To date, no plant or animal species listed as state or federally threatened, endangered, or rare have been reported to occur in the project vicinity.

Fish & Wildlife Comments: Avoid and minimize impacts to fish, wildlife, and botanical resources to the greatest extent possible, and compensate for impacts. The following are recommendations that address potential impacts identified in the proposed project area:

1) Riparian Habitat:

Install the new sanitary sewer force main under the existing roadway or along the east side of White Oak Avenue in order to reduce impacts to forested habitat.

We recommend a mitigation plan be developed (and submitted with the permit application, if required) if habitat impacts will occur. The DNR's Floodway Habitat Mitigation guidelines (and plant lists) can be found online at:
<http://www.in.gov/legislative/iac/20120801-IR-312120434NRA.xml.pdf>.

Impacts to non-wetland forest over one (1) acre 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).

Attachments: A - Utility Exemption Criteria

THIS IS NOT A PERMIT

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

2) Wetland Habitat:

Due to the presence or potential presence of wetlands on site, we recommend contacting and coordinating with the Indiana Department of Environmental Management (IDEM) 401 program and also the US Army Corps of Engineers (USACE) 404 program. Impacts to wetlands should be mitigated at the appropriate ratio (see guidelines above).

3) Exposed Soil:

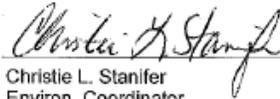
All exposed soil areas should be stabilized with temporary or permanent vegetation by November 1. Between November 1 and April 1, all exposed soils idle for longer than 7 days should be stabilized with erosion control blankets or with a bonded fiber matrix hydro-mulch. Sites should be protected from seasonal flooding by keeping traffic areas covered with stone and soil stockpiles seeded, stable and contained with silt fencing.

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

1. Revegetate all bare and disturbed areas with a mixture of grasses (excluding all varieties of tall fescue), legumes, and native shrub and hardwood tree species as soon as possible upon completion.
2. Minimize and contain within the project limits all tree and brush clearing.
3. Do not cut any trees suitable for Indiana bat roosting (greater than 3 inches dbh, living or dead, with loose hanging bark) from April 1 through September 30.
4. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from entering the stream or leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.
5. Seed and protect all disturbed streambanks and slopes that are 3:1 or steeper with erosion control blankets (follow manufacturer's recommendations for selection and installation); seed and apply mulch on all other disturbed areas.
6. Do not excavate or place fill in any riparian wetland.

Contact Staff:

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



Date: May 5, 2014

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



United States Department of the Interior
Fish and Wildlife Service



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

May 5, 2014

Mrs. Susanne J. Davis
Chief of Planning Branch
U.S. Army Corps of Engineers
231 South LaSalle Street, Suite 1500
Chicago, Illinois 60604

Attn: Peter Bullock, Environmental Formulation Section

Dear Mrs. Davis:

This responds to your letter dated April 15, 2014, requesting our comments on a proposed infrastructure improvement project in Hermit Lake, Lake County, Indiana. The proposed project consists of the construction of approximately 3,000 linear feet of sanitary sewer force main and a new sanitary sewer pumping station.

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

The proposed project addresses sanitary sewer backup issues in the Hermit Lake area on the southwest side of Crown Point. Currently, sanitary effluent is treated at an obsolete waste water treatment plant that discharges into Foss Ditch, which flows south to Lake Dalecarlia and Cedar Creek, a tributary of Singleton Ditch and ultimately the Kankakee River. The old WWTP will be abandoned, although the existing flow equalization and sludge basins at the site will be upgraded. A new regional pumping station will be constructed at the WWTP site and will pump the effluent north through a new force main along White Oak Avenue to 121st Avenue, where it will discharge into an existing 12-inch sanitary sewer serving Crown Point.

Our only concern is that Hermit Lake is on the divide between the Lake Michigan/Great Lakes and Illinois River/Mississippi River watersheds and its current WWTP discharges to the Kankakee River Watershed, while the Crown Point WWTP discharges to Main Beaver Dam Ditch, a tributary of Deep River, which flows north to Burns Ditch and Lake Michigan. The

Great Lakes-St. Lawrence River Basin Water Resources Compact was developed to address water diversions from the Great Lakes Basin to other watersheds. Additions of water from outside the Basin into the Great Lakes may also require review. Therefore, your environmental document will need to address the source of potable water used at the Hermit Lake community, which is ultimately the source of the water/effluent that ends up at the WWTP. The Hermit Lake community may currently be diverting water from the Great Lakes Basin, in which case this reversal of the effluent flow back to the Great Lakes would address that issue.

ENDANGERED SPECIES

The proposed project is within the range of the Federally endangered Indiana bat (*Myotis sodalis*) and Karner blue butterfly (*Lyciaides melissa samuelis*), the proposed endangered northern long-eared bat (*Myotis septentrionalis*), and the threatened Pitcher's thistle (*Cirsium pitcheri*) and Mead's milkweed (*Asclepias meadii*). There is no habitat for any of these species within the proposed project area. Therefore, we agree that the proposed project is not likely to adversely affect these endangered, proposed endangered, and threatened species.

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

We appreciate the opportunity to comment at this early stage of project planning. For further discussion, please contact Elizabeth McCloskey at (219) 983-9753 or elizabeth_mccloskey@fws.gov.

Sincerely yours,

/s/ Elizabeth S. McCloskey

for Scott E. Pruitt
Supervisor

Sent via email May 5, 2014; no hard copy to follow.

cc: Christie Stanifer, Environmental Coordinator, Division of Water, Indianapolis, IN
USEPA, NEPA Implementation Section, Chicago, IL
IDEM, NPDES Permit Program, Indianapolis, IN

DNR Indiana Department of Natural Resources

Michael R. Pence, Governor
Cameron F. Clark, Director



Division of Historic Preservation & Archaeology-402 W. Washington Street, W274-Indianapolis, IN 46204-2739
Phone 317-232-1646 Fax 317-232-0693 dhpa@dnr.IN.gov

May 16, 2014

Susanne J. Davis, P. E.
Chief of Planning Branch
Department of the Army
Chicago District, U. S. Army Corps of Engineers
231 South LaSalle Street, Suite 1500
Chicago, Illinois 60604

Federal Agency: U.S. Army Corps of Engineers

Re: Project information concerning the reconstruction of a section of existing sanitary sewer at Hermit Lake (DHPA No. 16101)

Dear Ms. Davis:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f) and 36 C.F.R. Part 800, the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has conducted an analysis of the materials dated April 15, 2014, and received on April 21, 2014, for the above indicated project in the City of Crown Point, Lake County, Indiana.

In regard to buildings and structures, we have not identified any historic buildings, structures, districts, or objects listed in or eligible for inclusion in the National Register of Historic Places within the probable area of potential effects.

Additionally, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places ("NRHP") within the proposed project area. However, this identification is subject to the project activities remaining within areas disturbed by previous construction of a recent and non-historical nature. If archaeological deposits are encountered from the post-contact period, they will be evaluated regarding their eligibility for the NRHP in consultation with the staff of the Indiana SHPO. Please contact our office if such deposits are encountered. The archaeological recording must be done in accordance with the Secretary of the Interior's "Standards and Guidelines for Archaeology and Historic Preservation" (48 F.R. 44716) and a report of the archaeological documentation must be submitted to our office for review and comment.

If any archaeological artifacts or human remains are uncovered during construction, demolition, or earthmoving activities, state law (Indiana Code 14-21-1-27 and 29) requires that the discovery must be reported to the Department of Natural Resources within two (2) business days. In that event, please call (317) 232-1646. Be advised that adherence to Indiana Code 14-21-1-27 and 29 does not obviate the need to adhere to applicable federal statutes and regulations.

If you have questions about archaeological issues please contact Wade T. Tharp at (317) 232-1650 or wtharp1@dnr.IN.gov. If you have questions about buildings or structures please contact Kim Marie Padgett at (317) 234-6705 or kpadgett@dnr.IN.gov.

Very truly yours,

Mitchell K. Zoll
Deputy State Historic Preservation Officer

MKZ:WTT:wt

enc: Peter Bullock, U.S. Army Corps of Engineers

DISTRIBUTION

Kickapoo of Oklahoma Bus. Committee
P.O. Box 70
McCloud, OK 74851

Kickapoo of Kansas Tribal Council
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Horton, KS 66439

Kickapoo Traditional Tribe of Texas
Box HC 1 9700
Eagle Pass, TX 78853

Miami Nation in Indiana
P.O. Box 41
Peru, IN 46970

Miami Tribe of Oklahoma
P.O. Box 1326
Miami, OK 74355
ATTN: Mr. Joshua Sutterfield

Citizen Potawatomi Nation
1901 S. Gordon Cooper Dr.
Shawnee, OK 74801

Forest County Potawatomi Exec. Council
P.O. Box 340
Crandon, WI 54520

Huron Potawatomi Tribal Office
2221 One-and-a-half Mile Rd.
Fulton, MI 49052
Chairman

Hannahville Potawatomi Comm. Council
N 14911 Hannahville B1 Rd.
Wilson, MI 49896-9728

Prairie Band Potawatomi Tribal Council
16281 Q Rd.
Mayetta, KS 66509

Pokagon Band of Potawatomi Indians
P.O. Box 180
Dowagiac, MI 49047

APPENDIX 1, MAP



DRAFT
FINDING OF NO SIGNIFICANT IMPACT
SECTION 219
ENVIRONMENTAL INFRASTRUCTURE PROJECT
SANITARY SEWER IMPROVEMENTS FOR
HERMIT LAKE, LAKE COUNTY, INDIANA

PURPOSE

The proposed project would improve the efficiency and capability of the storm sewer system to the residents of the Hermit Lake neighborhood located in unincorporated Lake County to the southwest of the City of Crown Point in Lake County, Indiana. The current storm sewer system is in need of improvements that would alleviate flooding currently caused by typical rainfall events and eliminate potential sanitary sewer discharges into the waters of Foss Ditch, Lake Dalecarlia and the Kankakee River.

AUTHORITY AND BACKGROUND

Water Resource Development Act, 1992 SEC. 219, Environmental Infrastructure, as amended. The Secretary of the Army may provide technical planning, design and construction assistance to non-Federal interests having environmental infrastructure needs in the 5 county Calumet Region of northwest Indiana. Such needs include development and protection of water supply and wastewater systems, and combined sewer overflows, Cost Sharing.-Non-Federal interests shall provide 25 percent of the cost of construction of any project carried out under this section, including provision of all lands, easements, rights-of-way, and necessary relocations.

Agreements-Construction of a project under this section shall be initiated only after a non-Federal interest has entered into a binding agreement with the Secretary to pay the non-Federal share of the costs of the project and to pay 100 percent of any operation, maintenance, replacement and rehabilitation costs.

Funding - There is authorized \$100,000,000 to be appropriated to carry out this program.

PROJECT AREA

The project area lies approximately 16 miles south of Lake Michigan, in the SW quarter of Section 18, T38N R8W of the 2nd principal meridian, and is shown on the St. John (Indiana) USGS 7.5" topographic quadrangle map. The project area is in unincorporated Lake County, Indiana, just to the southwest of the City of Crown Point.

ALTERNATIVE S CONSIDERED

There are 3 alternatives considered including No Action to address improvements to the storm sewer system in Hermit Lake, Lake County, Indiana.

1. No Action Plan-Under this alternative, no changes would be made to the Hermit Lake storm sewer system. The capacity would remain low for even minor rainfall episodes and street overflows and area flooding would continue to occur with potential sanitary sewer discharges into the waters of Foss Ditch, Lake Dalecarlio, and the Kankakee River.
2. Construction of a New Pumping Station - The existing antiquated pumping station would be demolished and a new regional pumping station constructed at the same location. The increase in pumping station capacity will alleviate area flooding, but overload the existing sewer lines resulting in potentially more sanitary sewer discharges into Foss Ditch, Lake Dalecarlio, and the Kankakee River.
3. Construction of a New Pumping Station and 3000 Feet of New Sanitary Sewer Force Main - The existing antiquated pumping station would be demolished and a new regional pumping station constructed at the same location. In addition approximately 3000 linear feet of new force main would be constructed along White Oak Avenue to connect the area sanitary sewer system to the City of Crown Points' collection system.

RECOMMENDED PLAN

Construction of a New Pumping Station and 3000 Feet of New Sanitary Sewer Force Main - The existing antiquated pumping station would be demolished and a new regional pumping station constructed at the same location. Additionally, approximately 3000 linear feet of new force main would be constructed along White Oak Avenue to connect the area sanitary sewer system to the City of Crown Point's collection system.

Benefits of the recommended alternative include a reduction in residential flooding as a result of increasing the capacity of the storm sewers and the elimination of potential sanitary sewer discharges into Foss Ditch, Lake Dalecarlio, and the Kankakee River.

ENVIRONMENTAL COMPLIANCE

An Environmental Assessment was prepared for the proposed environmental infrastructure project at Hermit Lake and sent to Federal and State agencies, and posted on our web page.. A 30-day Public Review period for the Environmental Assessment was held from June 6 to July 7, 2014. The proposed project is in full compliance with appropriate statutes and executive orders including the National Environmental Policy Act, the Endangered Species Act, the Fish and Wildlife Coordination Act, the National Historic Preservation Act, the Clean Air Act, Executive Order 12898 (Environmental Justice), Sections 401 and 404 of the Clean Water Act, and the Corps of Engineers Operational and Management regulations .

CONCLUSION

In accordance with the National Environmental Policy Act of 1969 and Section 122 of the Rivers and Harbors and Flood Control Act of 1970, the U. S. Army Corps of Engineers, Chicago District, has assessed the environmental impacts associated with the proposed infrastructure improvements at Hermits Lake, Indiana. The assessment process indicates that this project would not cause any significant effects on the quality of the human environment. Therefore, I have determined that an Environmental Impact Statement is not required.

Christopher T. Drew
Colonel, U.S. Army
District Commander

DATE OF EXECUTION