ENVIRONMENTAL ASSESSMENT
FOR
SECTION 219, WRDA 1992
ENVIRONMENTAL INFRASTRUCTURE PROJECT
SANITARY SEWER IMPROVEMENTS FOR
LAKE STATION, LAKE COUNTY, INDIANA

2014

U.S. Army Corps of Engineers
Planning Branch
231 South LaSalle Street Suite 1500
Chicago, Illinois 60606

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SECTION 1
PURPOSE AND NEED

PURPOSE

The proposed project would remove and replace in kind a deteriorated 2900 foot long section of the 18 inch sanitary sewer force main along Elkhart Street within the City of Lake Station in Lake County, Indiana. Sanitary sewer system construction improvements would alleviate the commonly occurring leakage and cases of sewer backup affecting residents in the area.

NEED FOR ACTION

The deteriorating condition of the 18 inch sanitary sewer force main makes sanitary sewer flow in Lake Station unreliable. Leakage along the line is a common occurrence. The resulting inability to handle even moderate increases in sewer flow results in sewer backup and flooding

AUTHORITY

The study was authorized under Section 219 of the Water Resources Development Act (WRDA) of 1992, as amended by Section 504 of WRDA of 1996; Section 502 of WRDA of 1999; Section 145 of the Energy and Water Appropriations Act of 2004; and Section 5075 of 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 the Lake Station Sanitary District.

SECTION 2
ALTERNATIVES,
INCLUDING THE RECOMMENDED PLAN

There are 3 alternative measures considered to address the sanitary system problems in Lake Station, Indiana.

1. **No Action Plan**-Under this alternative, no changes would be made to repair the sanitary sewer force main in this area of Lake Station. The deteriorating pipe will continue to leak, and the commonly reoccurring cases of sanitary sewer backup will continue in this area.

2. **Limited Installation of New Sanitary Sewers**- A new 12 inch sanitary sewer force main would be installed for 2,900 linear feet in Lake Station along Elkhart Street between the Deep River and 15th Avenue. This would be installed in the existing utility easement within the highway right-of-way. The new force main

would address the commonly occurring leaking, but the 12 inch force main would not provide the needed capacity and occurrences of sanitary sewer backup would continue.

3. **Installation of New Sanitary Sewers**- 2,900 feet of new 18 inch sanitary sewer force main would be installed in Lake Station along Elkhart Road between the Deep River and 15th Avenue, in the existing utility easement within the existing highway right-of-way. This would alleviate both the commonly occurring sanitary sewer leaking and backup in the area.

RECOMMENDED PLAN

Installation of New Sanitary Sewers- 2,900 feet of new 18 inch sanitary sewer force main would be installed in Lake Station along Elkhart Road between the Deep River and 15th Avenue, in the existing utility easement within the existing raised highway right-of-way. This would alleviate both the commonly occurring sanitary sewer leaking and backup in the area.

A formal wetland delineation has been conducted to determine the presence and extent of any wetland habitat within the project limits in order to avoid or minimize impacts to the greatest extent possible. Although a wetland mitigation bank is on both sides of Elkhart Road,, no wetlands are present within the existing utility easement and highway right-of-way where the project will be constructed. During construction exposed soils will be stabilized with erosion control blankets or bonded hydromulch. These areas will later be stabilized with permanent vegetation. In addition soil and gravel piles will be stabilized and contained with silt fencing.

Benefits of the recommended alternative include a reduction of potential groundwater pollution from the leaking 18 inch force main, as well as a reduction of the recurring cases of sanitary sewer backups. The recommended plan is the only alternative that prevents both sanitary sewer leaking and sewer backup

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

COMPLIANCE WITH ENVIRONMENTAL PROTECTION STATUTES

The proposed action is in full compliance with appropriate statues, executive orders and regulations, including the National Historic Preservation Act of 1966, Fish and Wildlife Coordination Act, Endangered Species Act of 1973, Section 10 of Rivers and Harbors Act of 1899, 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.

SECTION 3
AFFECTED ENVIRONMENT

PROJECT AREA

The project area (Map 1) lies approximately 2 miles south of Lake Michigan, at S1/2 of Sec 7, T 36N &R 7W of the 2nd principal meridian, and is shown on the Gary (Indiana) USGS 7.5' topographic quadrangle map.

The proposed project will replace an existing 18 sanitary sewer in the existing utility easement. The utility easement crosses the Lake Station Wetland Mitigation Bank operated by Lake Erie Land Company. The wetland mitigation bank is approximately 220 acres in size, running from 15th Avenue in the north to Burns Ditch in the south, and from Clay Street in the west to just west of Lake Street in the east.

To avoid negative impacts to the mitigation bank placement of the new 18 inch sanitary sewer force main will be restricted to the existing utility easement within the raised Elkhart Road right-of-way. Project construction will be designed to avoid adversely affecting the mitigation banks' hydrology, and to avoid the introduction of invasive species. Staging areas will be set up along 15th Avenue outside of the mitigation bank.

The project is located in the northern section of Lake Station, south of 15th Avenue and east of Clay Street. Traffic disruption should be minimal with most construction occurring within the existing Elkhart Road right-of-way allowing most area roads to remain open to local traffic.

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, northern 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.

AQUATIC COMMUNITIES

There are aquatic communities present in the planned project area. Burns Ditch is directly to the south of the project area. This waterway supports a number of species typical of rivers in northern Indiana.

TERRESTRIAL COMMUNITIES

Lake Station 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 geese, mallard, pigeon, cardinal, chickadee, red winged blackbird, purple martin, grackle, and blue jay.

Vegetation within Lake Station project area contains mowed grass lawns, shrubs, and a variety of tree species include maple, green ash, mulberry, box elder, honey locust, crabapple, and cottonwood, as well as some remaining agricultural land.

NATURAL AREAS

The project area lies directly north of the Deep River. Indiana National Lakeshore is located approximately 1 mile to the north. Directly to the east is the Deep River Conservation Area. These open space areas provide a range of vegetation zones, along with resting and feeding areas for a variety of wildlife, including a large number of migratory birds during spring and fall migrations.

THREATENED AND ENDANGERED SPECIES

The project area is suburban commercial. It is within the range of the federally endangered Indiana Bat (*Myotis sodalist),*the proposed endangered northern long-eared bat (*myotis septentrionalis)* the Karner blue butterfly (*Lycaeides Melissa samuelis),* the threatened Pitcher's thistle (*Cirsium pitcheri*), and Mead's milkweed (*Asclepias meadii).*. However, as existing highway right-of-way, the project area itself contains no habitat likely to be used by threatened or endangered species with the possible exception of migratory avian species.

ARCHAEOLOGICAL AND HISTORIC PROPERTIES

The City of Lake Station is located approximately 5 miles south and east of Chicago, Illinois in Lake County, Indiana. Surrounding communities include the towns of Gary, Hobart, and Portage

No structures within the City of Lake Station are listed on the National Register of Historic Places.

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

LAND USE HISTORY

The Lake Station area was first platted as a town in 1852 by the Michigan Central Railroad. The community became a shipping hub for agricultural products. The area became a residential suburb of Gary and was incorporated in 1907 as the town of East Gary. The name was changed to Lake Station in 1977. The town has since developed into more of a commuter community for people employed in Chicago and the other surrounding towns.

SOCIAL SETTING

Lake Station has a ethnically and racially diverse population of approximately 14,000 (2014). Median household income is $36,984.00 (2014). Median home value is $49,900.00 (2014).

RECREATION

There are 10 parks in the Lake Station park system. These parks provide baseball diamonds, soccer fields, basketball and tennis courts. Picnic shelters, jogging and hiking trails, and fishing areas are also provided by the Lake Station park system.

HAZARDOUS, TOXIC AND RADIOACTIVE WASTE (HTRW) INVESTIGATION

A Phase IHTRW 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 would have no impact on natural resources in Lake Station. However the sanitary sewer would remain inadequate, and the continuation of sanitary sewer backups would be detrimental to the local quality of life.

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

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, growth, tax revenues, property values, public services, or regional growth. No farms or people, or businesses would be displaced. Impacts of the remaining areas follow:

SOCIAL IMPACTS

Project impacts on natural resources, man-made resources, and employment will be temporary. Employment could increase slightly during construction, and the region's labor force should be sufficient to 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 temporary increases in exhaust emissions from machinery and equipment during construction. These impacts would be minimal

because of emission and dust controls 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. In regard to the 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 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. Section 10 of the Rivers and Harbors Act of 1899 does not apply since there is no construction or placement of fill within navigable waters. 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 pursuant to the Clean Water Act.

Executive Order 11988 (Floodplain Management)-The project is not located within the floodplain, and 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 to Lake Michigan. The project would comply will all applicable water quality standards.

Although this project is located within the boundaries of the Lake Michigan Coastal Program (LMCP), it is exempt from Federal Consistency (FC) review under Section D, Exempt Activities as defined by the Indiana LMCP FC Nonrule Policy Document.

ENVIRONMENTAL JUSTICE

Executive Order 12898 (Environmental Justice) - An investigation of the Environmental Protection Agency website (January 23, 2014) indicates that although minority and low-income populations are near the project area, this project will not have an adverse effect on any low-income populations or minority populations in Lake Station.

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 have concurred with this determination

in a letter dated February 26, 2014. The Indiana DNR has also concurred with this determination in a letter dated February 5, 2014.

Executive Order 11990 (Protection of Wetlands)-The project area has had a formal wetland delineation conducted and has determined that there is wetland habitat within the project limits..

Executive Order 11988 (Floodplain Management)- The project area is not located within in the flood plain and 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 concurred with this determination (February 5, 2014). The U.S. Fish and Wildlife Service has concurred with this determination (February 26, 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 February 5, 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 concurred with this determination (letter dated February 26, 2014).

ARCHAEOLOGICAL AND HISTORIC IMPACTS

National Historic Preservation Act of 1966-The proposed construction would have no impact on archaeological or historic properties. The Indiana SHPO has concurred with this determination (letter dated March 4, 2014).

Native American groups having an interest in northwestern Indiana have been consulted (letters dated January 31, 2014). The Pokagon Band of Potawatomi Indians indicated (letter of February 19, 2014) that they had no issues with the project.

HTRW IMPACTS

A Phase I HTRW investigation has been conducted by the sponsor and has revealed that no known potential environmental issues or recognized concerns 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 are 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-1851, 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 and increased sanitary sewer discharge.
2. Continued conversion of agricultural and natural land to urban land use.
3. Continued application of environmental requirements such as the Clean Water Act.

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 in Deep River or any of its tributaries. 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	no impact	no impact	no impact

Sediment Quality	major adverse	no impact	no impact	no impact
Aquatic Resources	major adverse	no impact	no impact	no impact
Terrestrial Resources	adverse	Minor temporary negative impact	no impact	no impact
Land Use	adverse	no impact	no impact	beneficial
Aesthetics	no impact	no impact	no impact	no impact
Archaeology/Historic	no impact	no impact	no impact	no impact

SECTION 5
COORDINATION

During preparation of this environmental assessment the following Federal and state agencies were consulted: U. S. Fish and Wildlife Service (USFWS), U. S. Environmental Protection Agency (USEPA), Indiana Department of Natural Resources (IDNR), Indiana Department of Environmental Management (IDEM), 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

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

REPLY TO ATTENTION OF

Planning Branch
Environmental Formulation Section

31 JAN 2014

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

Dear Mr. Westlake:

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 in Lake Station, Indiana. As part of the scoping process the Chicago District would appreciate your comments on impacts associated with this project. A map of the project area is attached.

To remediate problems of sanitary sewer backup in Lake Station, approximately 2,900 linear feet of existing deteriorating 18 inch sanitary sewer force main are to be replaced. All of the project area is in existing utility and road 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.

Sincerely,

/S/

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

Bullock-PM-PL-E 1/22/14
Fleming ~~PM-PL-E~~ 1/22/14
Samara PM-PM
Davis ~~PM-PL~~

Pokégnek Bodéwadmik • Pokagon Band of Potawatomi
Department of Language and Culture

32142 Edwards Street • Dowagiac, MI 49047 • www.PokagonBand-nsn.gov
(269) 462-4325 • (269) 783-0452 fax

February 19, 2014

Peter Bullock
U.S. Army Corps of Engineers
231 South La Salle Street, Suite 1500
Chicago, IL 60604

RE: Reconstruction of Sewer in Lake Station, Indiana

Dear Mr. Bullock:

My name is Marcus Winchester and I am the Tribal Historic Preservation Officer for the Pokagon Band of Potawatomi Indians. I am writing to inform you that after reviewing the Reconstruction of Sewer in Lake Station, Indiana project details, we determined that we are unaware of any historical or culturally significant resources to the Pokagon Band of Potawatomi Indians in the vicinity of the project area. However, if any archaeological resources are uncovered during this undertaking, please contact me immediately. Should you have any other questions, please don't hesitate to contact me at your earliest convenience.

Sincerely,

Marcus Winchester
Tribal Historic Preservation Officer
Pokagon Band of Potawatomi Indians
Office: (269) 462-4224
Cell: (269) 783-9269
marcus.winchester@pokagonband-nsn.gov

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

February 26, 2014

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

Attn: Mr. Peter Bullock, Environmental Formulation Section

Dear Mrs. Davis:

This responds to your letter dated January 31, 2014, requesting our comments on a proposed infrastructure improvement project in Lake Station, Lake County, Indiana. The proposed project consists of the replacement of approximately 2,900 linear feet of an existing sanitary sewer force main with a similar force main parallel to the current pipeline.

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 existing 18-inch diameter pipeline follows a private roadway between 15th Avenue and Burns Ditch. This roadway divides the Lake Station Wetland Mitigation Bank, owned and operated by the Lake Erie Land Company (LEL), into the Western Sector and the Central/Eastern Sector. The Mitigation Bank operates under the Lake Station Wetland Mitigation Banking Instrument approved by the Interagency Review Team in October 2001, with sales of credits beginning in December 2001. Although originally approved under the Detroit District U.S. Army Corps of Engineers, the Bank is now within the Chicago District.

Restoration of the site, which was long used for agriculture, began in 1998 with a goal of 202 acres of wetlands ultimately to be available within the 223-acre site. There have been problems reestablishing hydrology across the site, and invasive plant species have also been a management

issue. The 2013 Monitoring Report (Cardno JFNew January 31, 2014) indicates that approximately 151 acres of wetland are present, and that invasive species and hydrology performance standards have not yet been met in their entirety, although 6 of the 10 vegetation and 9 of the 11 hydrology monitoring well performance standards have been met.

Given these remaining issues with vegetation and hydrology, it must be ensured that this proposed force main replacement project through the Mitigation Bank does not exacerbate the problems by adversely affecting the hydrology (monitoring well "Res:" is adjacent to the roadway/force main) or introducing additional invasive plant species. We therefore recommend that the Corps work closely with LEL to ensure no adverse impacts to the Lake Station Wetland Mitigation Bank.

ENDANGERED SPECIES

The proposed project is within the range of the Federally endangered Indiana bat (Myotis sodalis) and Karner blue butterfly (Lycaeides 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 at the proposed project site. Therefore, we agree that this proposed project is not likely to adversely affect, or to enhance, 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,

Elizabeth S McCloskey

for Scott E. Pruitt
Supervisor

cc: Christie Stanifer, Environmental Coordinator, Division of Water, Indianapolis, IN
Marty Maupin, IDEM, Office of Water Management, Indianapolis, IN
Liz Pelloso, USEPA, NEPA Implementation Section, Chicago, IL

THIS IS NOT A PERMIT

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

DNR #: ER-17420 **Request Received:** February 5, 2014

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

Project: Replacement of about 2900' of existing 18' sanitary sewer force main, Lake Station

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 will require the formal approval for construction in a floodway under the Flood Control Act, IC 14-28-1, unless it qualifies for a general license under Administrative Rule 312 IAC 10-5 that applies to utility line crossings (see enclosure). Please include a copy of this letter with the permit application if the project does not meet the general license criteria.

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) Directional Boring:
Directional boring is the recommended method for crossing wetlands, streams, forest or other blocks of habitat with utility lines, though the Division of Fish Wildlife understands directional boring is not always an option. Contain directional drilling pits with erosion controls such as silt fencing or other appropriate devices such that drilling mud does not leave the immediate area of the pit or enter the stream.

2) Wetland Habitat:
A formal wetland delineation should be conducted to determine the presence and extent of any wetland habitat located within the project limits in order to avoid or minimize impacts to the greatest extent possible. We also 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 http://www.in.gov/legislative/iac/20120801-IR-312120434NRA.xml.pdf).

3) Exposed Soils:
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

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

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. Plant five native trees, at least 2 inches in diameter-at-breast height, for each tree which is removed that is ten inches or greater in diameter-at-breast height.

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: March 7, 2014

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

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

DNR Indiana Department of Natural Resources

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Phone 317-232-1646•Fax 317-232-0693 - dhpa@dnr.IN.gov

March 4, 2014

Peter Bullock
U.S. Army Corps of Engineers
231 South La Salle 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 (DHPA #15797)

Dear Mr. Bullock:

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 January 31, 2014 and received on February 5, 2014, for the above indicated project in Lake Station, Lake County, Indiana.

Based upon the documentation available to the staff of the Indiana SHPO, 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. In addition, we have not identified any currently known archaeological resources listed in or eligible for the National Register of Historic Places within the proposed project area.

This identification is subject to the following condition:

- The project activities remain within areas disturbed by previous construction.

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.

At this time, it would be appropriate for the U.S. Army Corps of Engineers to analyze the information that has been gathered from the Indiana SHPO, the general public, and any other consulting parties and make the necessary determinations and findings. Please refer to the following comments for guidance:

1) If the U.S. Army Corps of Engineers believes that a determination of "no historic properties affected" accurately reflects its assessment, then it shall provide documentation of its finding as set forth in 36 C.F.R. § 800.11 to the Indiana SHPO, notify all consulting parties, and make the documentation available for public inspection (36 C.F.R. §§ 800.4[d][1] and 800.2[d][2]).

2) If, on the other hand, the U.S. Army Corps of Engineers finds that an historic property may be affected, then it shall notify the Indiana SHPO, the public and all consulting parties of its finding and seek views on effects in accordance with 36 C.F.R. §§ 800.4(d)(2) and 800.2(d)(2). Thereafter, the U.S. Army Corps of Engineers may proceed to apply the criteria of adverse effect and determine whether the project will result in a "no adverse effect" or an "adverse effect" in accordance with 36 C.F.R. § 800.5.

A copy of the revised 36 C.F.R. Part 800 that went into effect on August 5, 2004, may be found on the Internet at www.achp.gov for your reference. If you have questions about archaeological issues please contact Amy Johnson at (317) 232-6982 or ajohnson@dnr.IN.gov. If you have questions about buildings or structures please contact Ashley Thomas at (317) 234-7034 or asthomas@dnr.IN.gov. Additionally, in all future correspondence regarding the above indicated project, please refer to DHPA #15797.

Very truly yours,

Chad W. Slider

Mitchell K. Zoll
Deputy State Historic Preservation Officer

MKZ:ADT:ALJ:aj

eme: Peter Bullock, U.S. Army Corps of Engineers, Chicago District

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. George Strack

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

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

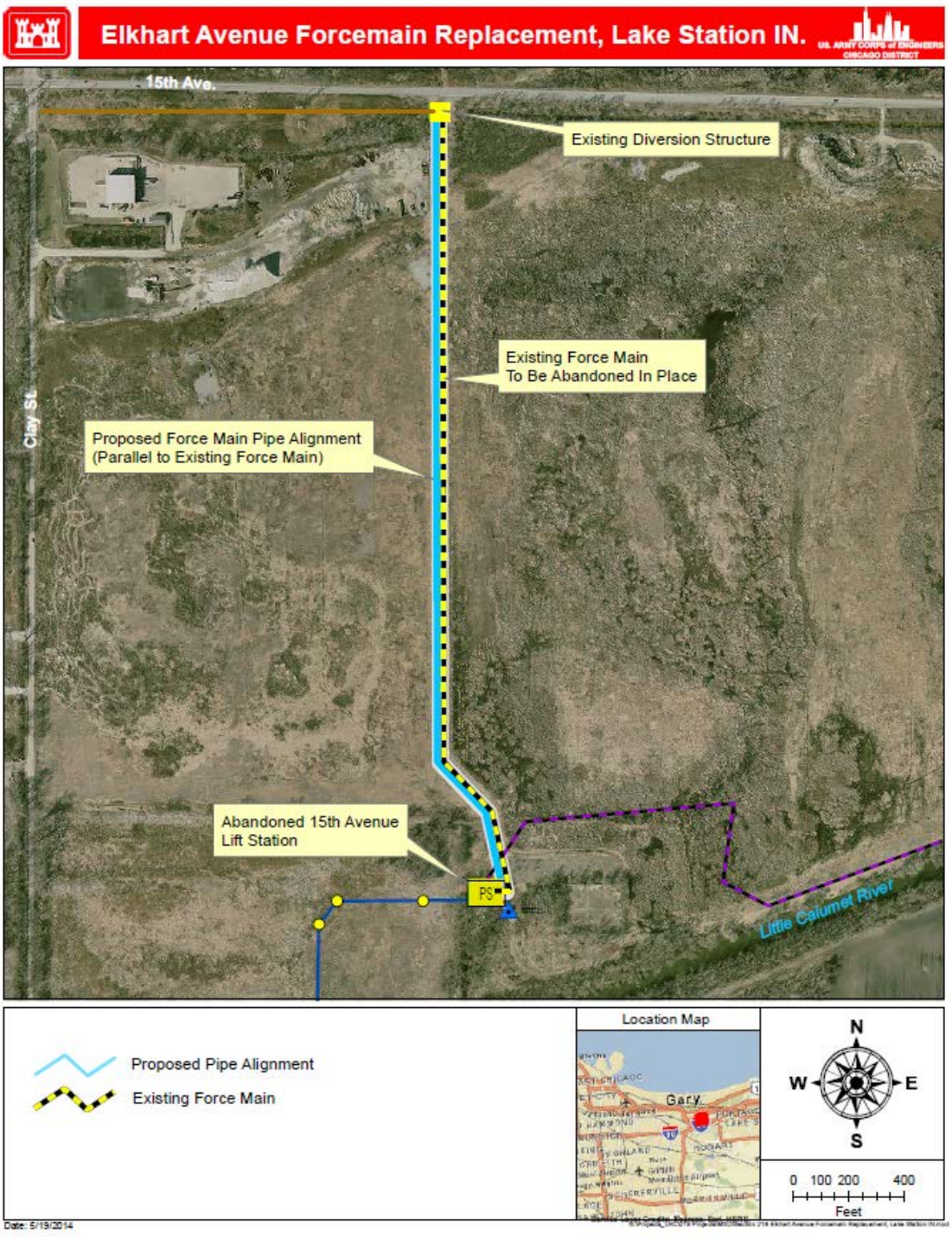
Huron Potawatomi Tribal Office
2221 One-and-a-half Mile Rd.
Fulton, MI 49052

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
Project Map


Elkhart Avenue Forcemain Replacement, Lake Station IN.
US. ARMY CORPS of ENGINEERS
CHICAGO DISTRICT
15th Ave.
Existing Diversion Structure
Existing Force Main
To Be Abandoned In Place
Clay St.
Proposed Force Main Pipe Alignment
(Parallel to Existing Force Main)
Abandoned 15th Avenue
Lift Station
PS
Little Calumet River
Proposed Pipe Alignment
Existing Force Main
Location Map
Gary
N
W
E
S
0 100 200 400
Feet
Date: 5/19/2014

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

PURPOSE

The proposed project would remove and replace in kind a deteriorated 2900 foot long section of the 18 inch sanitary sewer force main along Elkhart Street within the City of Lake Station in Lake County, Indiana. Sanitary sewer system construction improvements would alleviate the commonly occurring cases of sewer leaking and backup affecting the area.

AUTHORITY

The study was authorized under Section 219 of the Water Resources Development Act (WRDA) of 1992, as amended by Section 504 of WRDA of 1996, Section 502 of WRDA of 1999, Section 145 of the Energy and Water Appropriations Act of 2004, and Section 5075 of 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.

PROJECT AREA

The project area lies approximately 2 miles south of Lake Michigan, in the S1/2 of Sec 7, T 36N &R 7W of the 2nd principal meridian, and is shown on the Gary (Indiana) USGS 7.5' topographic quadrangle map. The project is located in the northern section of Lake Station, south of 15th Avenue and east of Clay Street.

ALTERNATIVES CONSIDERED

There are 3 alternative measures considered to address the sanitary system problems in Lake Station, Indiana.

1. **No Action Plan**-Under this alternative, no changes would be made to repair the sanitary sewer force main system in this area of Lake Station. The deteriorating pipe will continue to leak, and the commonly reoccurring cases of sanitary sewer backup will continue in this area.

2. **Limited Installation of New Sanitary Sewers**- New 12 inch sanitary sewer force main would be installed for 2,900 linear feet in Lake Station along Elkhart Street between the Deep River and 15th Avenue. The new force main would be installed within the existing utility easement within the raised Elkhart Street

right-of-way. This would address the commonly occurring leaking, but occurrences of sanitary sewer backup would continue.

3. **Installation of New Sanitary Sewers**- 2,900 feet of new 18 inch sanitary sewer force main would be installed in Lake Station along Elkhart Road between the Deep River and 15th Avenue, within the existing utility easement within the existing raised Elkhart Street right-of-way. This would alleviate both the commonly occurring sanitary sewer leaking and backup in the area.

RECOMMENDED PLAN

Installation of New Sanitary Sewers- 2,900 feet of new 18 inch sanitary sewer force main would be installed in Lake Station along Elkhart Road between the Deep River and 15th Avenue, within the existing utility easement within the existing raised Elkhart Street right-of-way. This would alleviate both the commonly occurring sanitary sewer leaking and backup in the area.

Benefits of the recommended alternative include a reduction of potential groundwater pollution from the leaking deteriorated 18 inch pipe, as well as a reduction of the recurring cases of sanitary sewer backups. The recommended plan is also currently the most cost effective plan because of the amount of carrying capacity provided by the 18 inch pipe.

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

ENVIRONMENTAL COMPLIANCE

An Environmental Assessment was completed for the proposed environmental infrastructure project in Lake Station. A 30-day Public Review period for the Environmental Assessment was held from May 21, 2014 to June 22, 2014. The proposed project is in full compliance with appropriate statues 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 (33CFR 200, 335-338).

Along with direct and indirect effects, cumulative effects were assessed following the guidance provided by the Presidents' Council on Environmental Quality. The increment of effect from the proposed 219 project when compared to cumulative effects of past, present, and reasonably foreseeable future actions is considered minor.

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 in Lake Station, 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.

Fredric A. Drummond Jr.
Colonel, U.S. Army
District Commander

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DATE OF EXECUTION