

US Army Corps
of Engineers

Detroit District

Applicant: Marshall County Highway Department



In Reply Refer To: Corps File No. LRE-2010-00788-150-S13

Date: January 24, 2013

Expires: February 22, 2013

Proposed 7th Road Extension from Pine Road to Linden Road at Plymouth, Indiana

Applicant: Neal Haeck
Marshall County Highway Superintendent
9675 King Road
Plymouth, IN 46563

Project Location: The proposed extension consists of a 3.9 mile corridor from Pine Road to Linden Road, approximately 0.66 miles north of the US 30 access ramp at Michigan Road in Plymouth, Indiana (Section 25, Township 34 North, Range 1 East, and Sections 11, 13, 21, 22, 26, 27, 28, 29, and 30, Township 34, North, Range 2 East, Marshall County). The proposed mitigation site is located approximately 0.7 miles east of the intersection of Michigan Road and 6th Road in Plymouth, Indiana (Section 10, Township 34 North, Range 2 East, Marshall County).

Federal Authority: The applicant has applied for a Department of the Army permit under Section 404 of the Clean Water Act.

State Authority: A DA permit, if otherwise warranted, will not be issued for this project until a Section 401 Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM) is on file in this office or is considered waived. The applicant is responsible for obtaining the certification from IDEM.

Project Description: As shown on the attached plans, the applicant proposes to discharge 3,710 cubic yards of fill into six wetlands totaling 2.3 acres (0.72 acres of forested wetland and 1.58 acres of emergent wetland) within Federal jurisdiction. The project would also impact a total of 0.96 acres in five isolated wetlands. Table 1 lists specific wetland impacts. In addition, the applicant proposes to discharge 290 cubic yards of material into 1,064 linear feet of stream at six locations to replace 2 existing structures and to install 4 new crossings. Approximately 184 and 13 cubic yards of that total would be discharged as backfill in association with the relocation of 414 and 160 foot segments of James Marvin and Zimmer Ditch, respectively. Table 2 lists specific stream discharges. The purpose of the proposed work is to improve local and regional connectivity through the extension of 7th Road from Linden Road to Pine Road and provide access to US 31.

Table 1

Wetland Impact Table			
Waters of the US (wetlands within Federal jurisdiction)			
Wetland Identifier	Wetland Type	Fill Area (acre)	Fill Quantity (cubic yards)
WL9E	Forested	0.36	581
WL9A	Forested	0.36	581
WL1C	Emergent	0.04	65
WL2C	Emergent	0.04	65
WL2B	Emergent	0.01	10
WL5F	Emergent	1.49	2404
Non-waters of the US (isolated wetlands)			
WL3A	Forested	0.17	274
WL10D	Forested	0.06	97
WL2A	Non-forested	0.64	1033
WL5C	Non-forested	0.004	7
WL9F	Non-forested	0.09*	0

*164 cubic yards of soil to be excavated from WL9F

Table 2

Stream Impact Table				
Stream	Impact		Linear Feet of Impact	Fill Quantity (cubic yards)
	crossing	type		
Tributary of James Marvin Ditch	concrete box culvert	pipe replacement	70	20
Tributary of James Marvin Ditch	concrete box culvert	pipe replacement	90	9.9
Ernest Rightley Ditch	concrete box culvert	new	120	40
Elmer Selteneright Ditch	single span bridge	new	110	24
James Marvin Ditch	concrete box culvert	new with stream relocation	414	184
Zimmer Ditch	concrete box culvert	new with stream relocation	260	13

Avoidance & Minimization: The applicant has stated the following concerning avoidance and minimization of impacts to Waters of the United States: An EA was completed and a FONSI was issued on August 13, 2012. Four alternative corridors were examined for all NEPA related impacts in addition to the “do nothing” alternative. While alternative B had the least wetland impacts, it was highest in displacements and noise impacts and was opposed strongly during a public information meeting. Alternative A (Preferred) was modified to accommodate public

opinion and also comments received during a site investigation with IDEM and USACE. Roadside ditches were eliminated through the largest wetland impact area, thereby reducing the construction footprint and likely secondary impacts.

The Corps has not verified the adequacy of the applicant's avoidance and minimization statement at this time.

Compensatory Mitigation: The applicant has stated the following concerning compensatory mitigation for unavoidable impacts to Waters of the United States: A total of 11 wetlands and 5 streams will be impacted. The project's wetland impacts total 3.26 acres and stream impacts total 1,064 feet. On-site mitigation includes 480 and 160 feet of relocated James Marvin Ditch and Zimmer Ditch, respectively. Off-Site mitigation will include 5.67 acres of wetland and 960 feet of stream. Mitigation for stream and wetland impacts will be completed at a location just north of the new alignment in Indiana Technology and Manufacturing Companies' (ITAMCO) property. At the mitigation site, 1,650 feet of stream will be restored from historically enclosed drain pipe and 110 feet will be enhanced. The stream mitigation includes a 100 foot riparian buffer totaling 5.07 acres including contingency. A minimum of 1.87 acres of forested wetland and 3.80 acres emergent wetland mitigation is proposed to compensate for wetland impacts. An additional 3.50 acres of emergent and forested wetland will be constructed for contingency. The wetland and stream mitigation will be buffered by 5.19 acres of prairie. This mitigation provides a continuous corridor upstream from the proposed impacts increasing valuable functions associated with stream corridors in the immediate vicinity.

The Corps has not verified the adequacy of this mitigation proposal at this time.

Other Authorizations: The applicant has either received or requested the following governmental authorization: IDEM 401 WQC and Indiana Department of Natural Resources Construction in a Floodway.

Comments: We are publishing this notice in compliance with Title 33 Code of Federal Regulations Parts 320-332 and the Indiana statutes listed above. Comments on the project should be submitted in writing and postmarked or delivered by the expiration date of this public notice. Comments of a positive or negative nature may be submitted. All responses must refer to file number LRE-2010-00788-150-S13. We will interpret a lack of response as meaning that there is no objection to the permit application. Comments should be filed with:

Aaron Damrill
Chief, Michiana Branch
Detroit District, Corps of Engineers
2422 Viridian Drive, Suite 200
South Bend, Indiana 46628-3561

Comments may be e-mailed to: Allison.M.Klement@usace.army.mil, but must include the name and mailing address of the commenter.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Evaluation: The decision whether to issue the Department of the Army permit will be based on evaluation of the probable impacts of the proposed activity on the public interest. That decision will reflect the national concerns for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

This activity involves the discharge of dredged or fill material into waters of the United States. Therefore, the U.S. Army Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator of the Federal Environmental Protection Agency, under the authority of Section 404(b)(1) of the Clean Water Act.

Endangered Species: We will review this application for the potential impact on threatened or endangered species pursuant to Section 7 of the Endangered Species Act as amended. The proposed project is within the range of the Federally endangered Indiana bat (*Myotis sodalis*), clubshell mussel (*Pleurobema clava*), rayed bean mussel (*Villosa fabilis*), and sheepnose mussel (*Plethobasus cyphus*). Suitable habitat for the Indiana bat is present, or is potentially present at the project site or vicinity. We invite information and/or comments regarding the potential presence of, or impacts to, any listed species or critical habitat.

Cultural Resources: The District Staff has reviewed existing information on historic properties potentially affected by the proposed project, including the National Register of Historic Places. A historic properties investigation has been conducted within the permit area. No sites eligible for or listed on the National Register of Historic Places were found to exist within the permit area. The District Engineer invites responses to this public notice from federal, state and local agencies, historical and archaeological societies, Indian tribes, and other parties likely to have knowledge of or concerns with historic properties in the area.

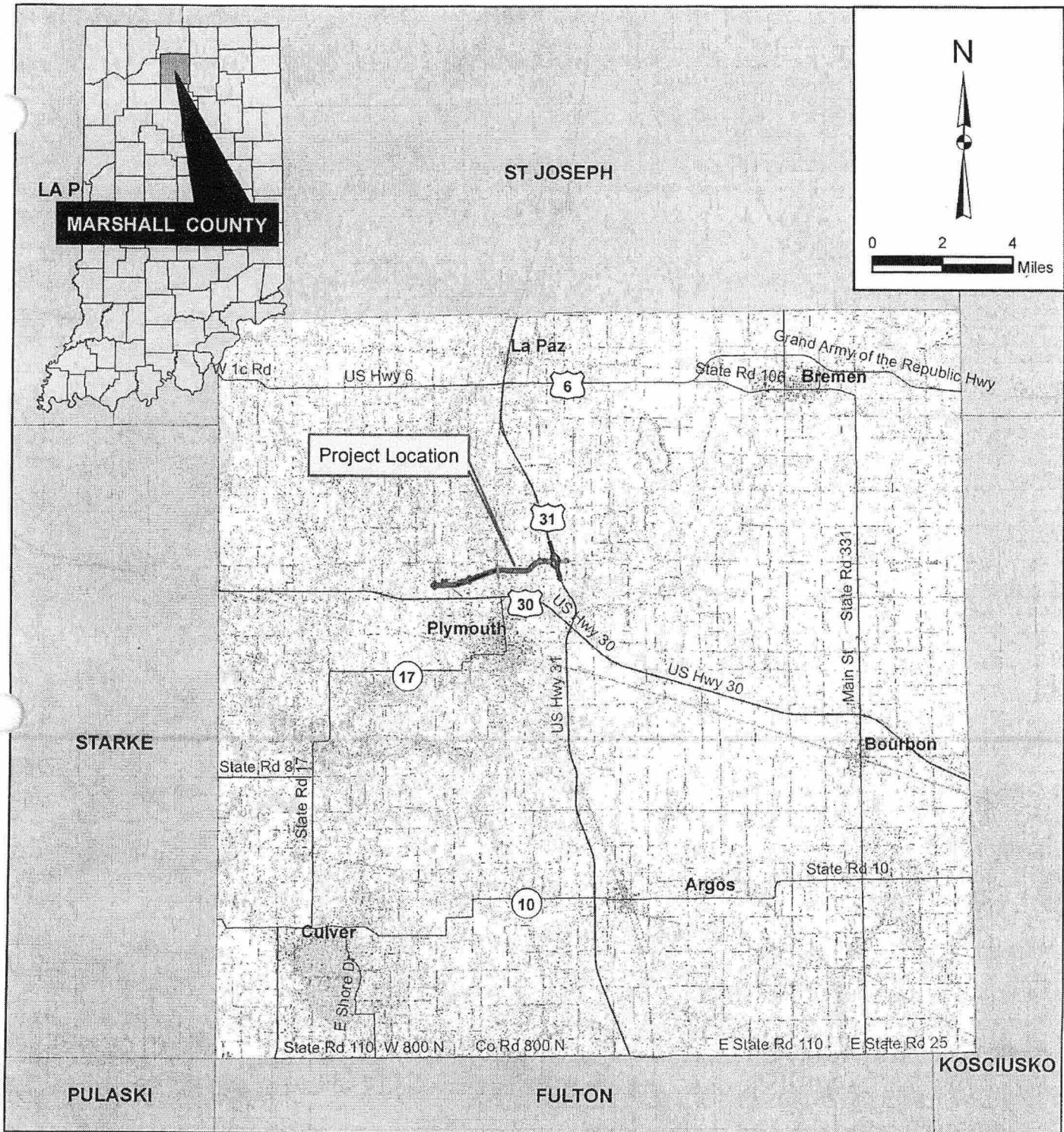
Additional Information: This public notice and drawings are also available for viewing/printing at: <http://www.lre.usace.army.mil/functions/rf/html/pncur.htm>. Questions concerning this application may be directed to Allison Klement at the Corps of Engineers address listed above, or telephone number (574) 232-1952 ext. 21965.

FOR THE DISTRICT ENGINEER:

Aaron Damrill
Chief, Michiana Branch
Regulatory Office

NOTICE TO POSTMASTERS:

We request that the above notice be conspicuously and continuously posted for the time period of this notice.



Union Station / 300 South Meridian Street
Indianapolis, IN 46225

PH 317.786.0461 // FX 317.788.0957
rwArmstrong.com

7TH ROAD EXTENSION MARSHALL COUNTY, INDIANA

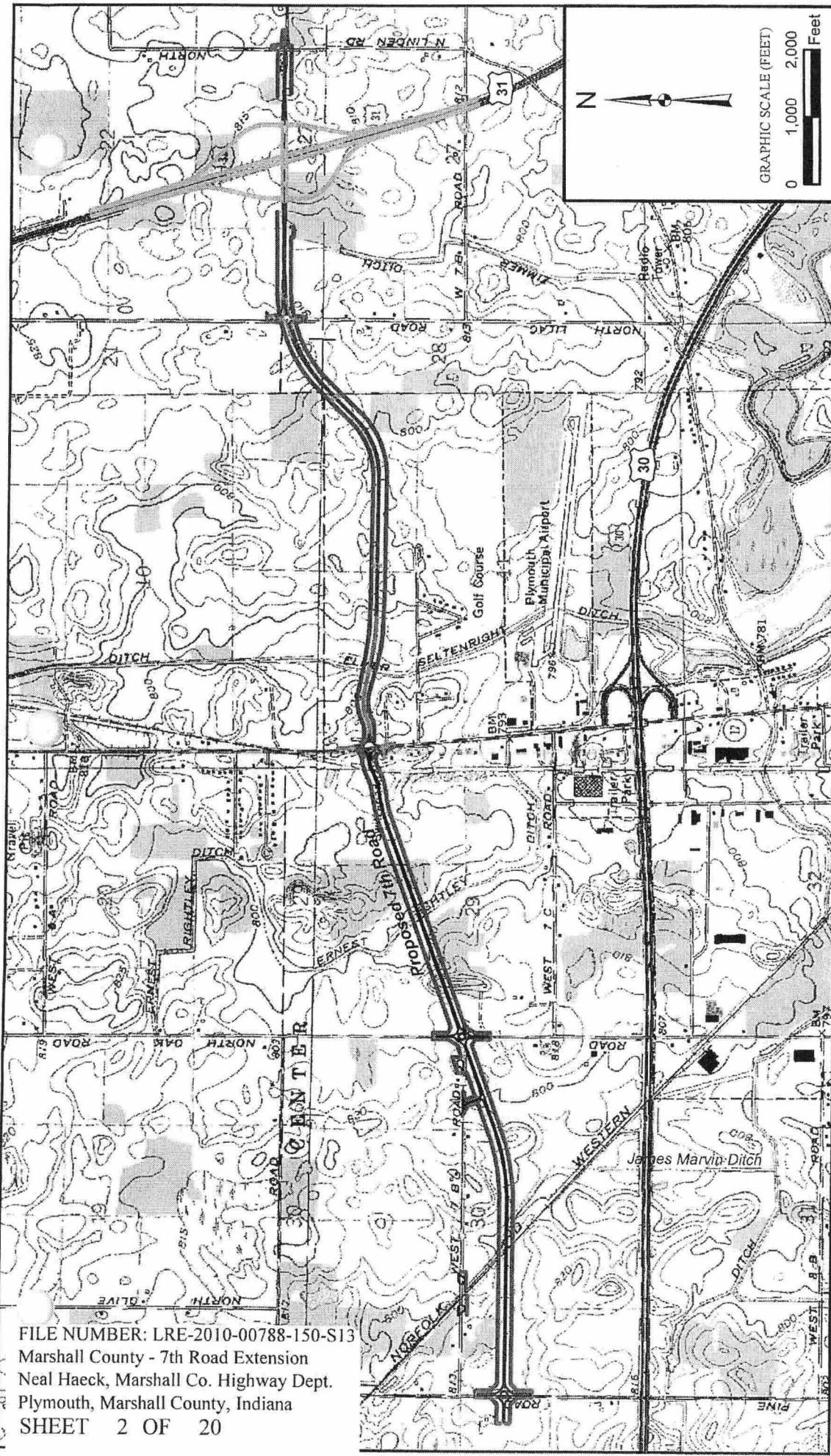
NRCS GEOSPATIAL DATA GATEWAY
1:24K TOPO - INDIANA SPATIAL DATA PORTAL

FILE NUMBER: LRE-2010-00788-150-S13
Marshall County - 7th Road Extension

Neal Haeck, Marshall Co. Highway Dept.
Plymouth, Marshall County, Indiana

SHEET 1 OF 20

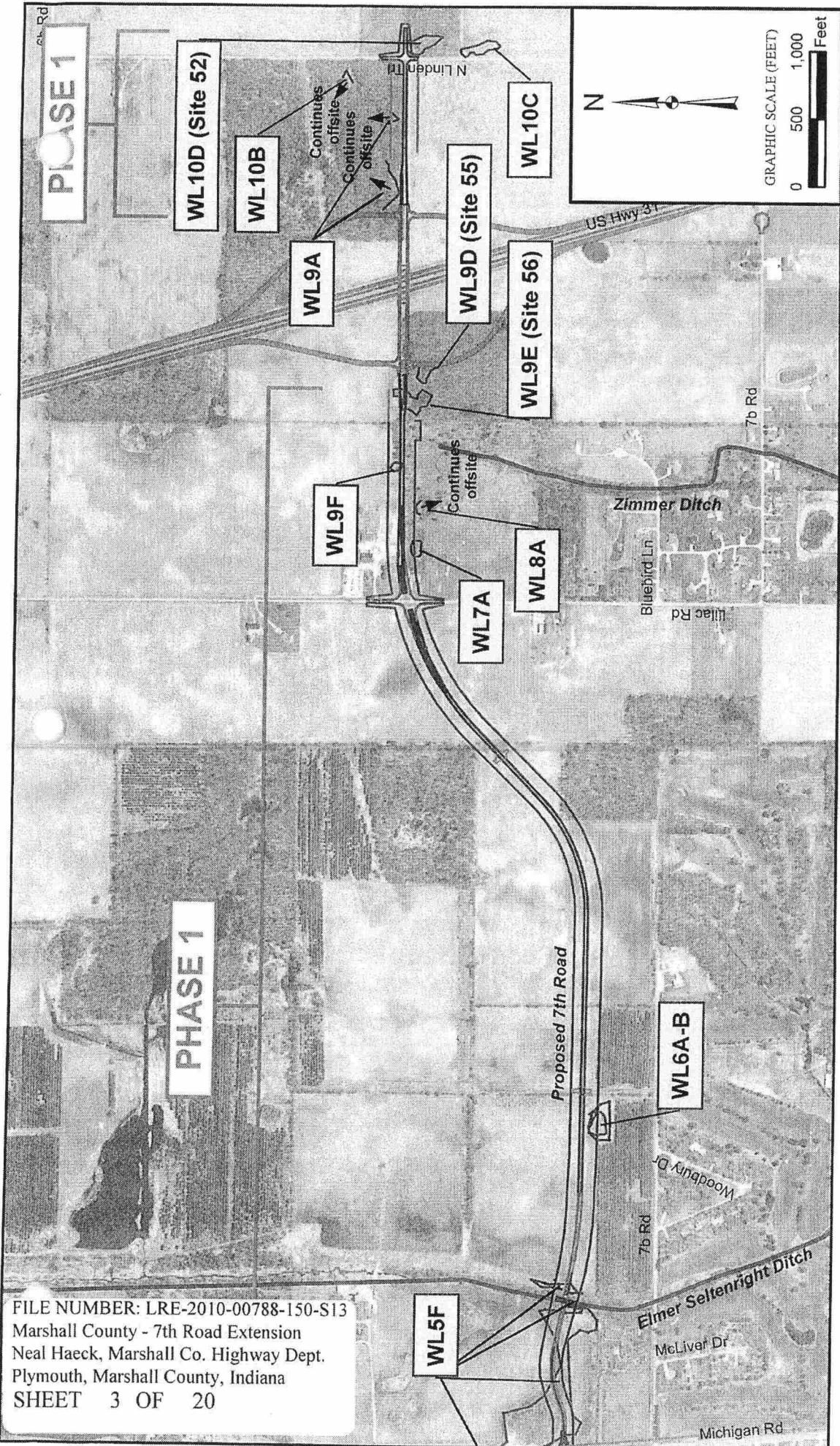
LOCATION MAP



7TH ROAD EXTENSION
 MARSHALL COUNTY, INDIANA

INDIANA SPATIAL DATA PORTAL
MODIFIED ALT A (REVISED)
 USGS MAP

rwARMSTRONG[™]
Inspiration to reality.
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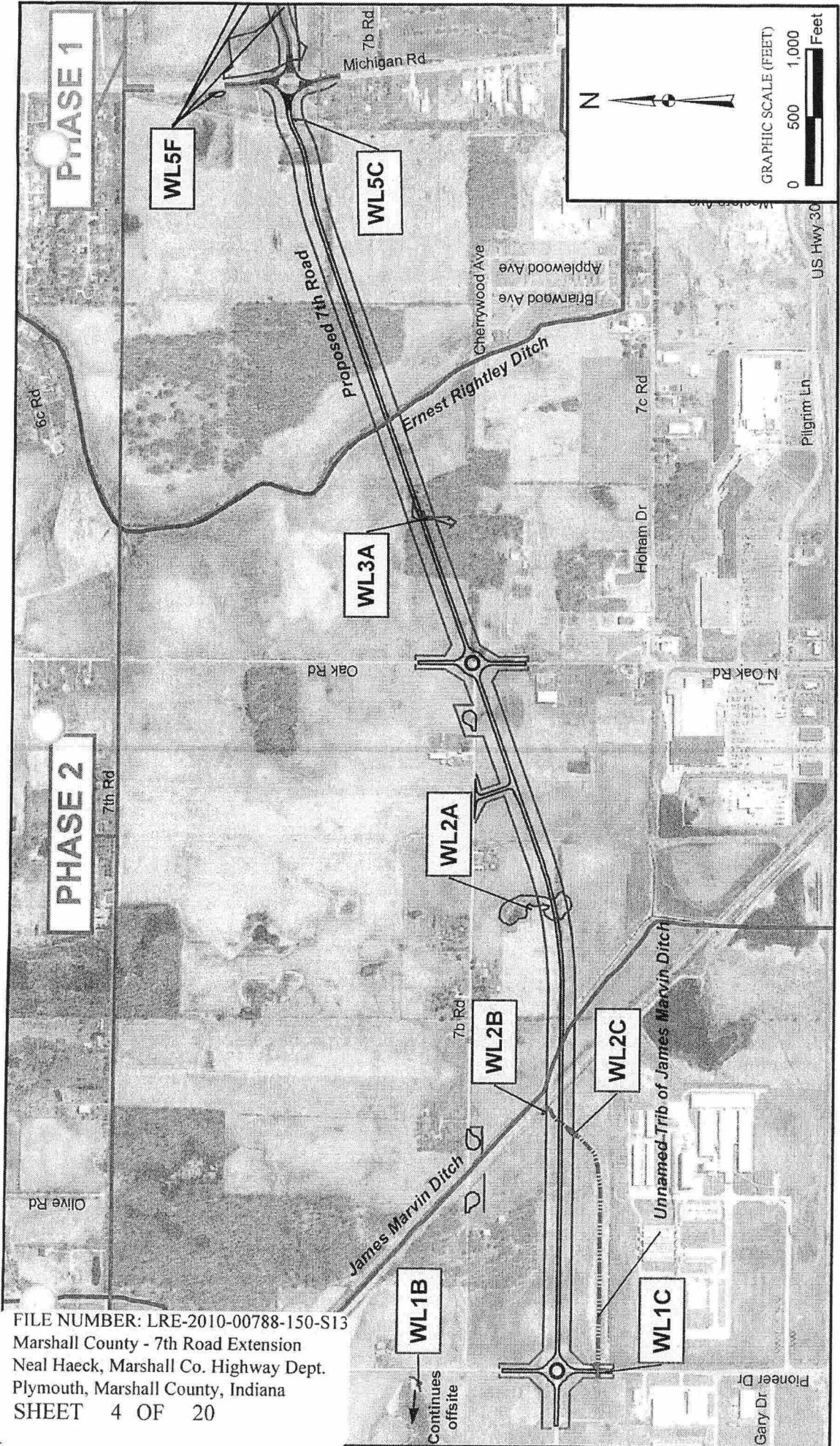


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2011 AERIAL - INDIANA SPATIAL DATA PORTAL

MODIFIED ALT A (REVISED)
 WETLAND IMPACT OVERVIEW MAP (2 OF 2)

7TH ROAD EXTENSION
 MARSHALL COUNTY, INDIANA



**7TH ROAD EXTENSION
MARSHALL COUNTY, INDIANA**

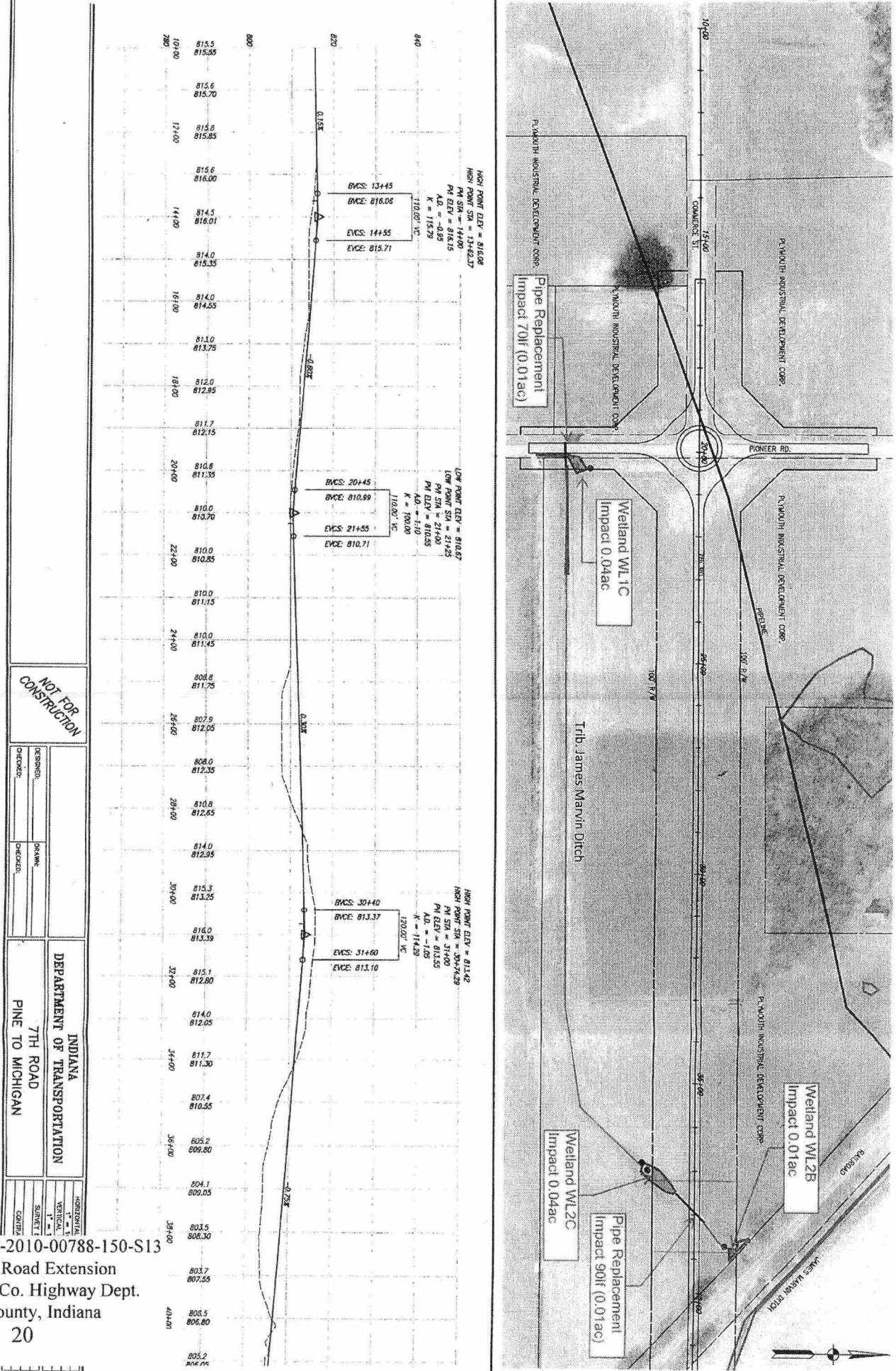
2011 AERIAL - INDIANA SPATIAL DATA PORTAL

MODIFIED ALT A (REVISED)

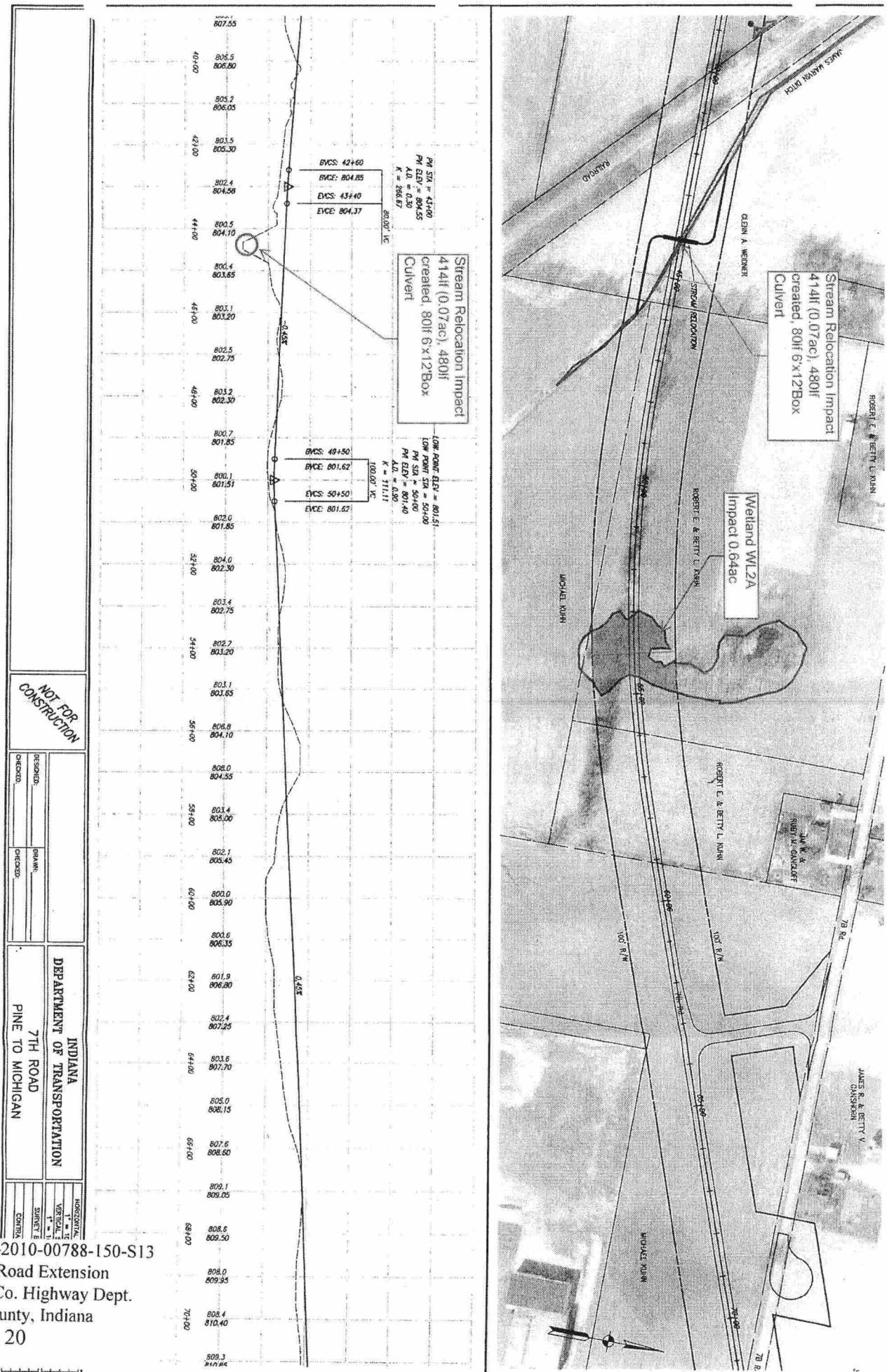
WETLAND IMPACT OVERVIEW MAP (1 OF 2)

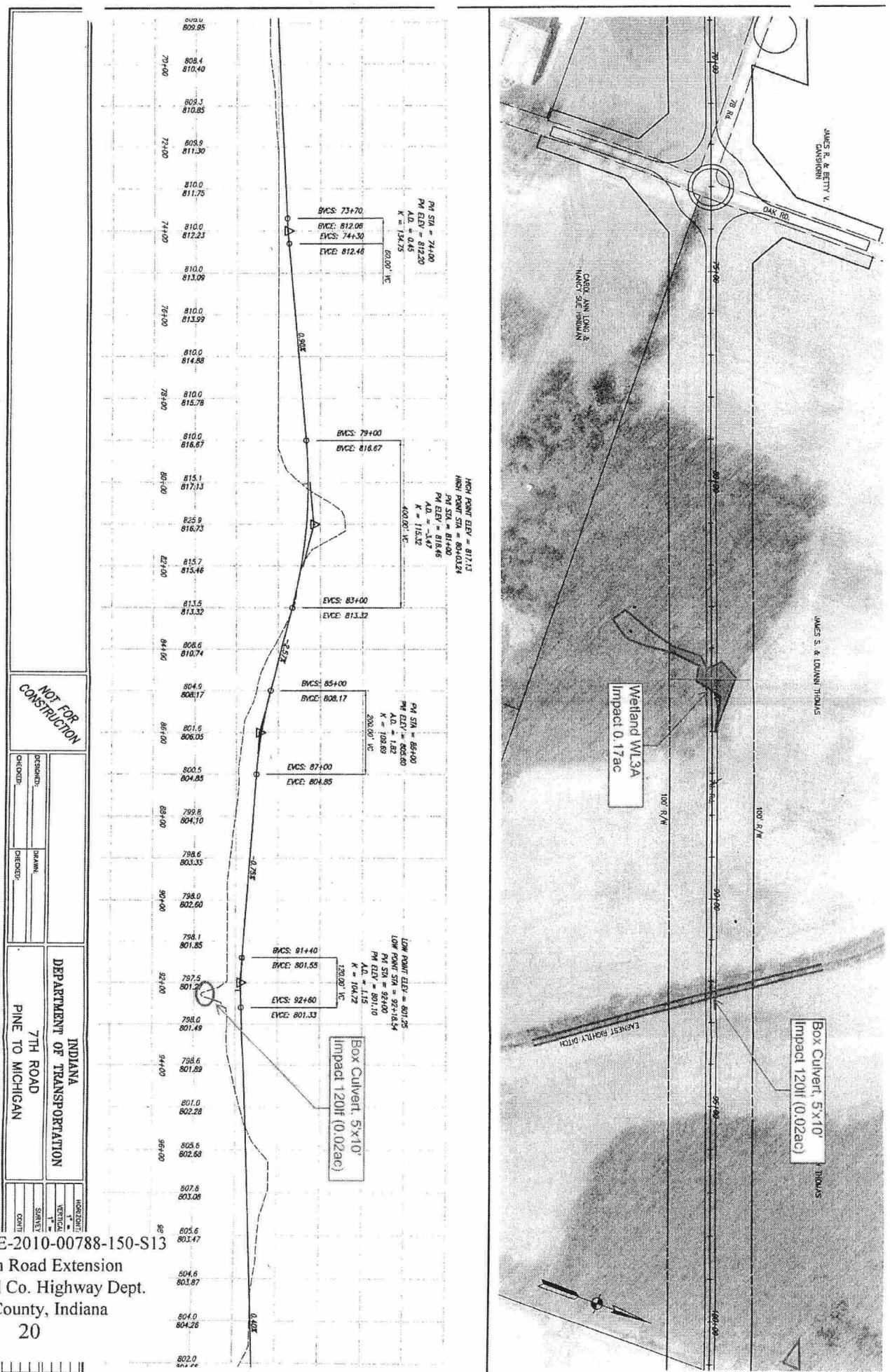


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FILE NUMBER: LRE-2010-00788-150-S13
 Marshall County - 7th Road Extension
 Neal Haeck, Marshall Co. Highway Dept.
 Plymouth, Marshall County, Indiana
 SHEET 5 OF 20





JAMES S. & LOUANN THOMAS

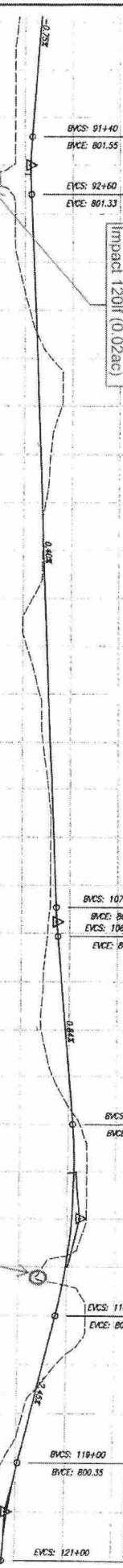
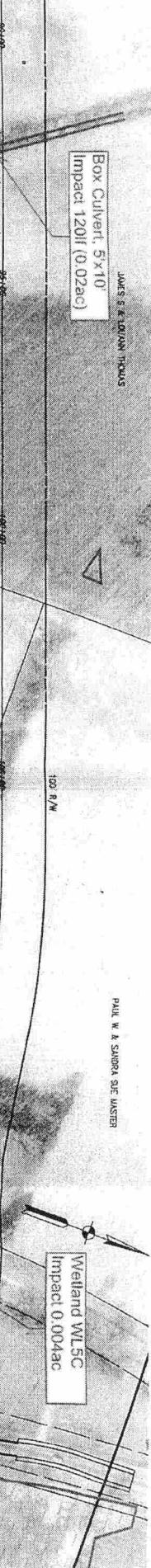
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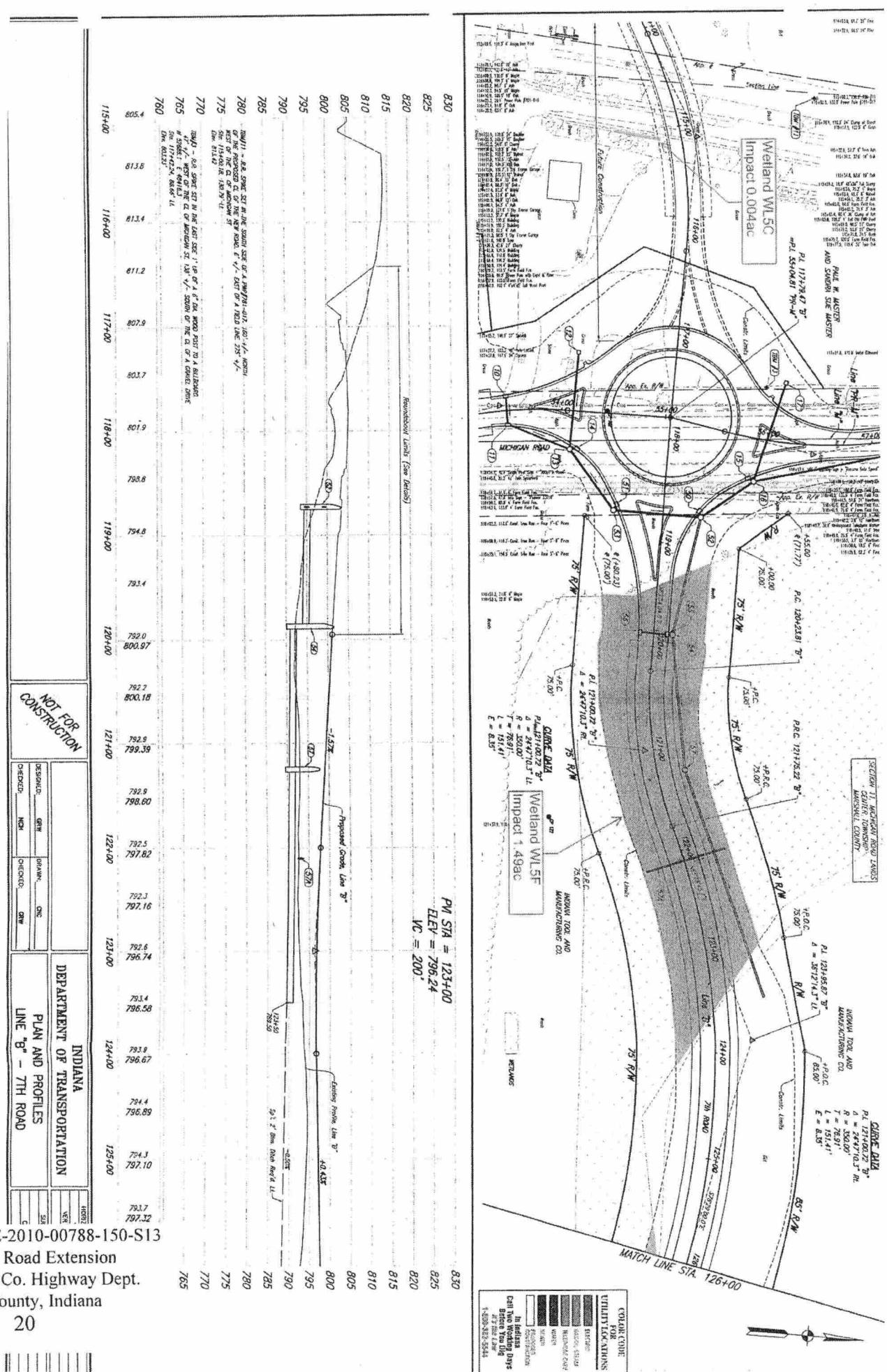
PAUL W. & SANDRA SUE MASTER

Wetland WL5C
Impact: 0.004ac

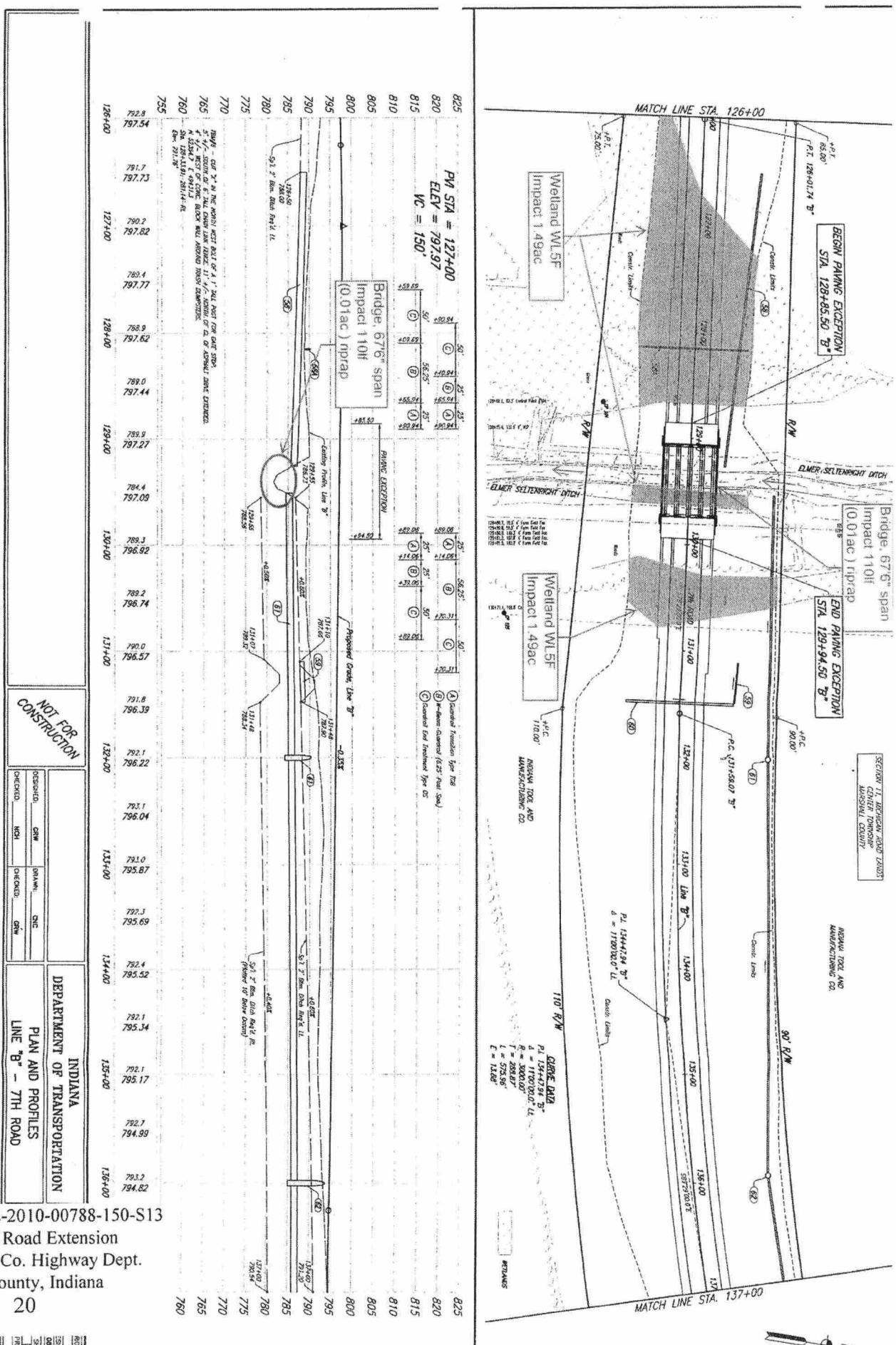
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Wetland WL5F
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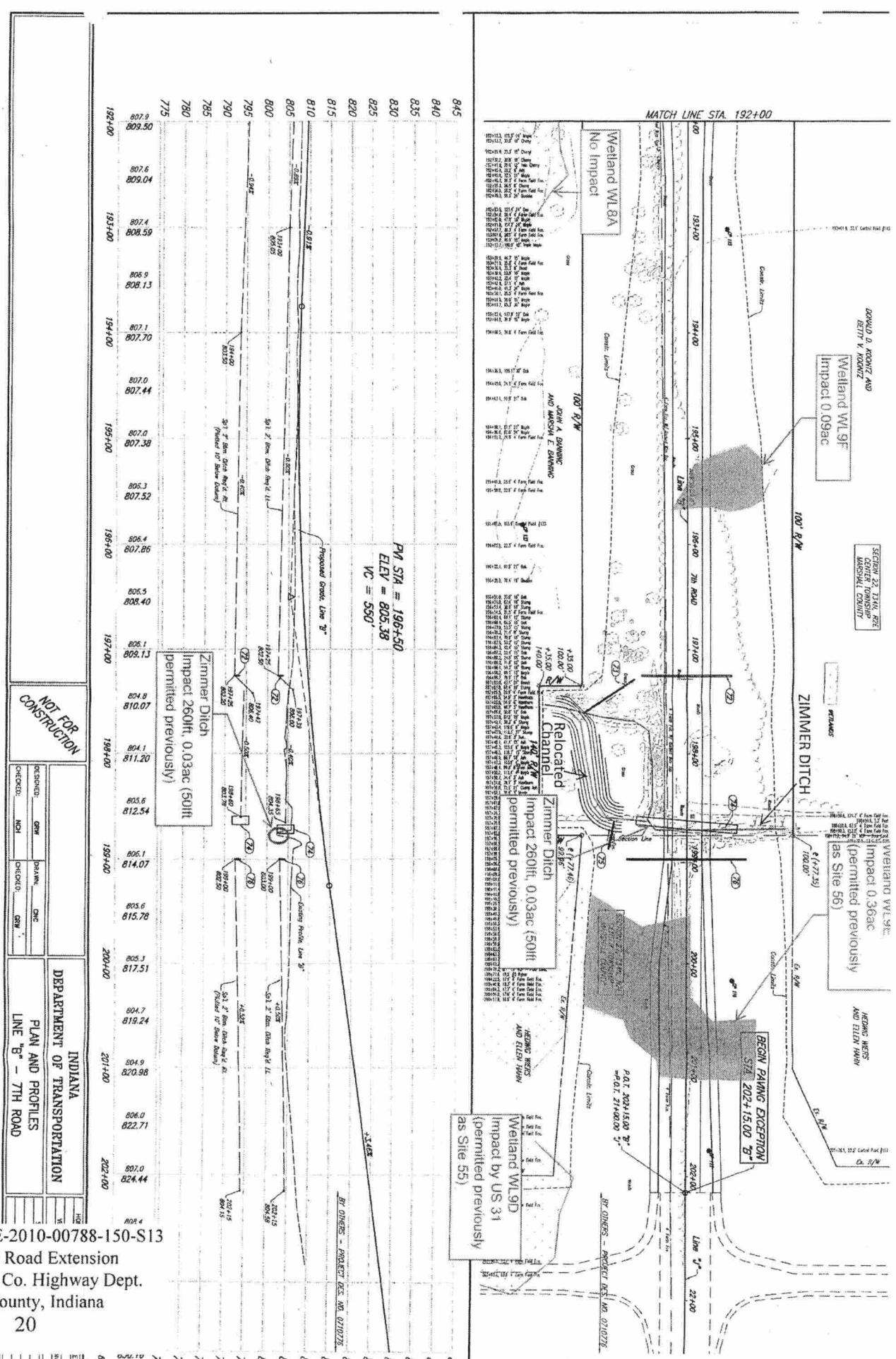




FILE NUMBER: LRE-2010-00788-150-S13
Marshall County - 7th Road Extension
Neal Haeck, Marshall Co. Highway Dept.
Plymouth, Marshall County, Indiana
SHEET 9 OF 20



FILE NUMBER: LRE-2010-00788-150-S13
Marshall County - 7th Road Extension
Neal Haeck, Marshall Co. Highway Dept.
Plymouth, Marshall County, Indiana
SHEET 10 OF 20



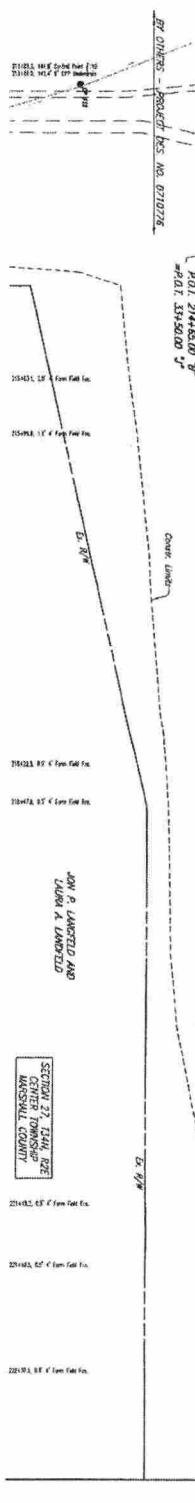
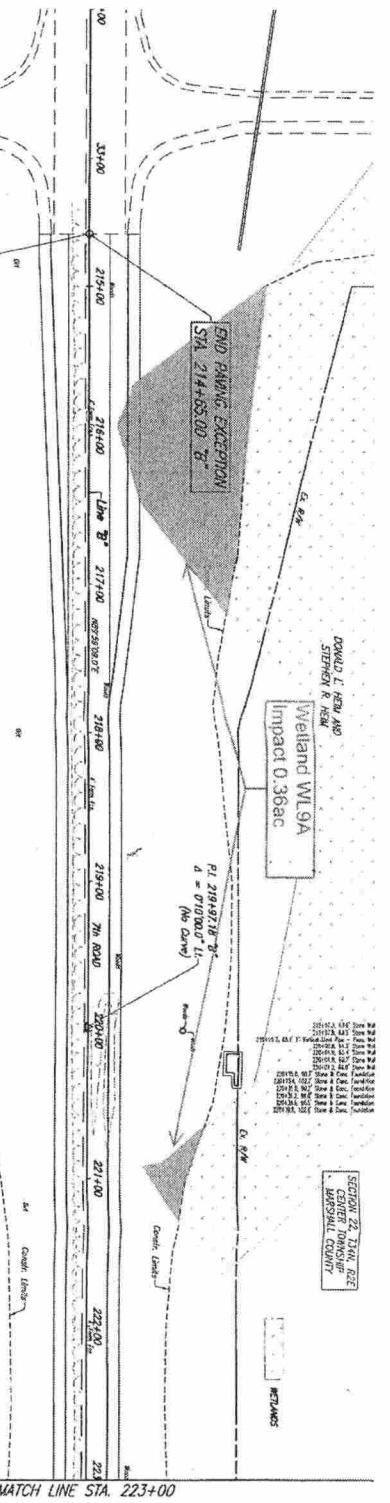
FILE NUMBER: LRE-2010-00788-150-S13
Marshall County - 7th Road Extension
Neal Haeck, Marshall Co. Highway Dept.
Plymouth, Marshall County, Indiana
SHEET 11 OF 20

DONALD L. NEAL AND
STEPHEN R. NEAL

Wetland WL9A
Impact 0.36ac

SECTION 22, T1N, R1E
MARSHALL COUNTY

SECTION 22, T1N, R1E
MARSHALL COUNTY



JOHN P. LANDFORD AND
JAMES A. LANDFIELD

SECTION 22, T1N, R1E
MARRSHALL COUNTY

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VC = 325

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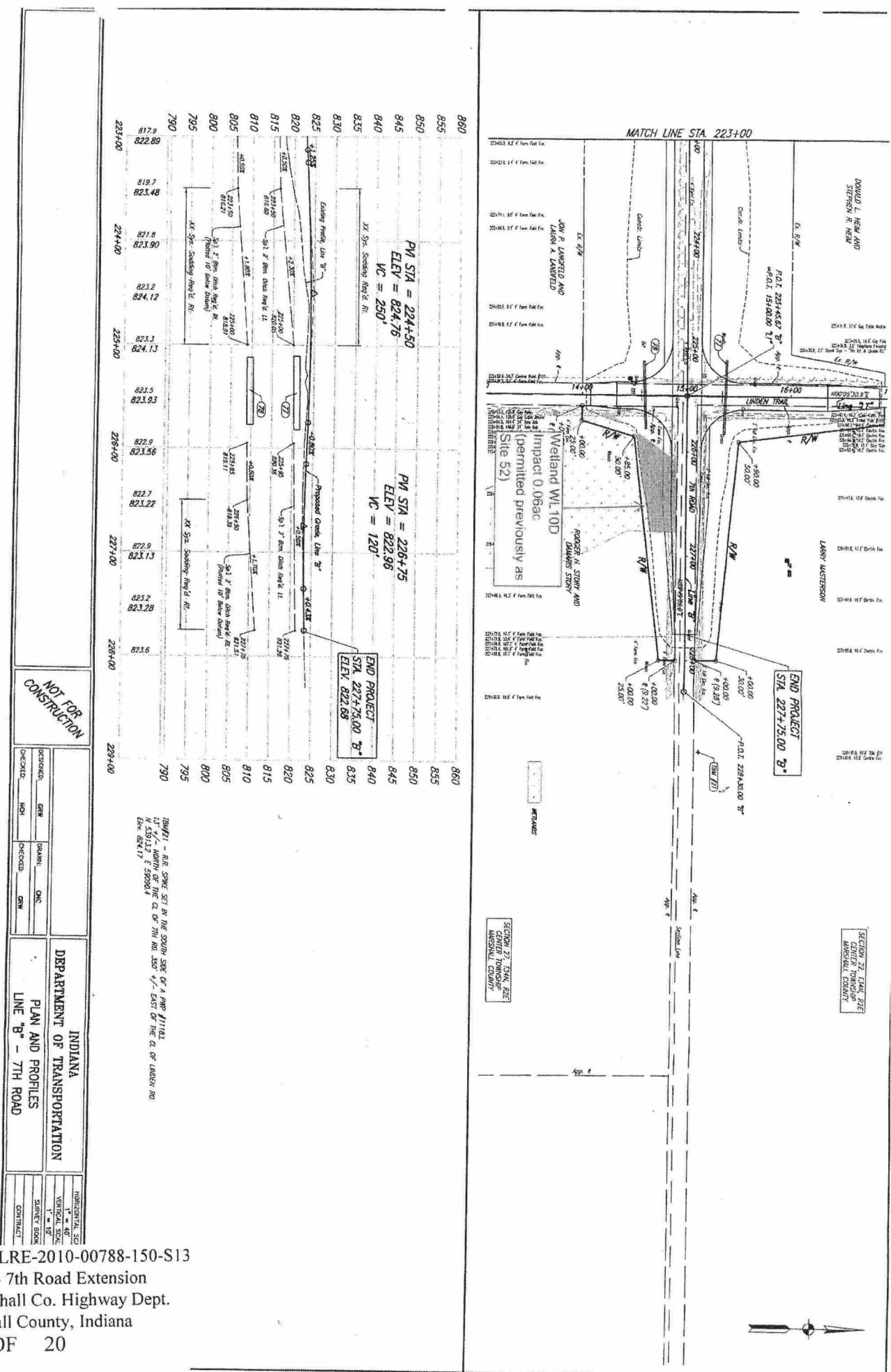
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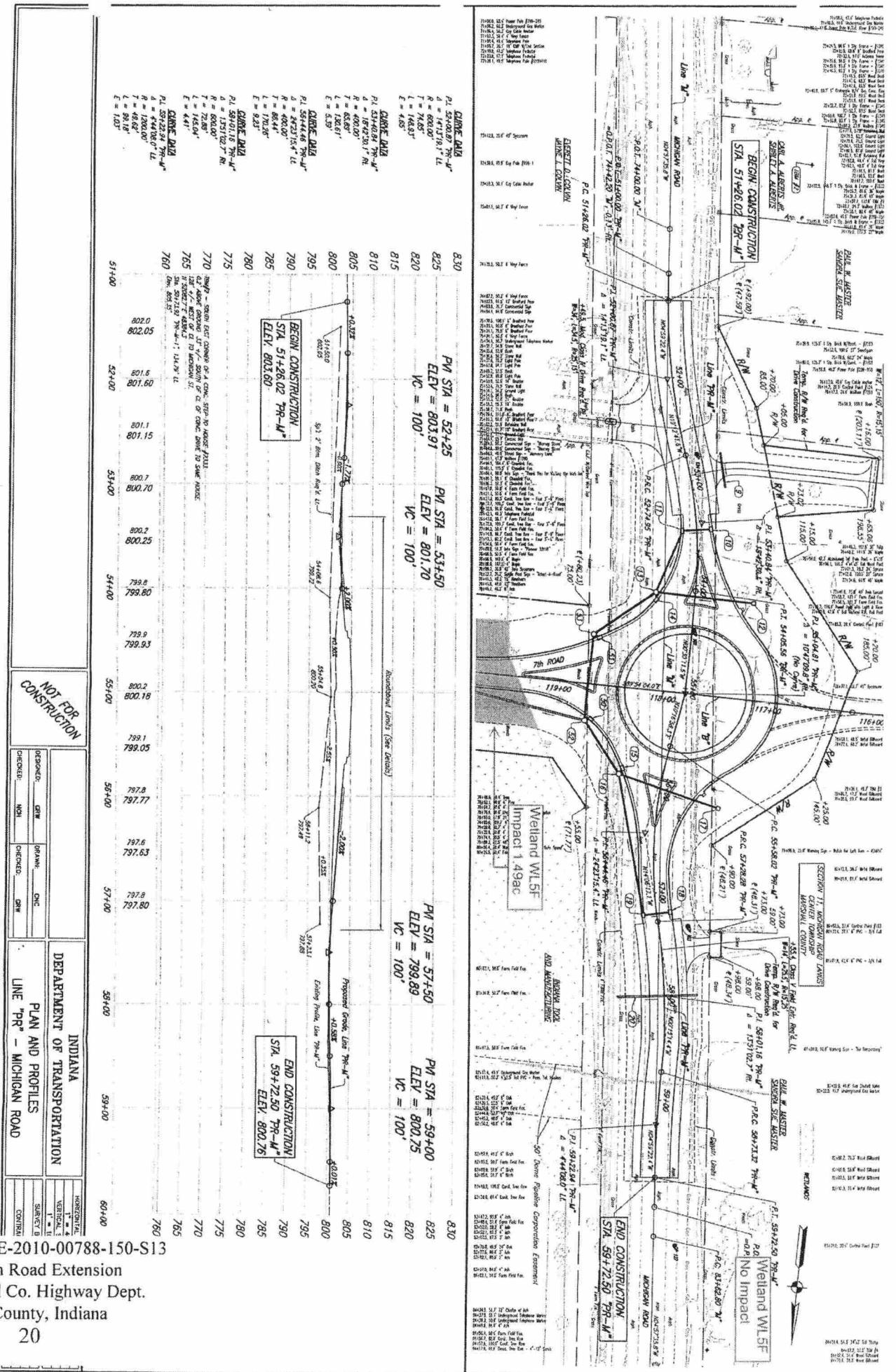
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NOT FOR CONSTRUCTION		DEPARTMENT OF TRANSPORTATION		INDIANA	
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FILE NUMBER: LRE-2010-00788-150-S13
Marshall County - 7th Road Extension
Neal Haeck, Marshall Co. Highway Dept.
Plymouth, Marshall County, Indiana
SHEET 13 OF 20



FILE NUMBER: LRE-2010-00788-150-S13
 Marshall County - 7th Road Extension
 Neal Haeck, Marshall Co. Highway Dept.
 Plymouth, Marshall County, Indiana
 SHEET 14 OF 20

SECTION 27, TOWN R27
MARSHALL COUNTY

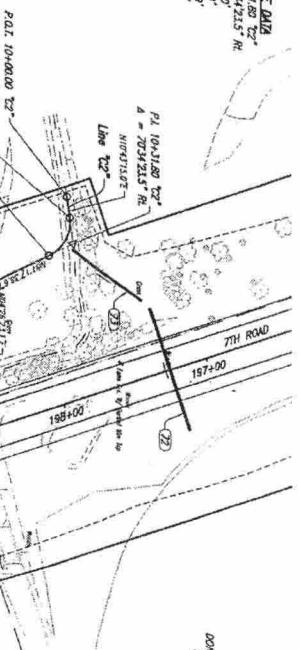
PL. 104-11.80 72°
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L = 30.53'

JOHN A. DAWING
AND MARSHA E. DAWING

DONALD D. KORNZ AND
BETTY V. KORNZ

SECTION 27, TOWN R27
MARSHALL COUNTY

PL. 104-11.80 72°
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R = 25.00'
T = 12.89'
L = 30.53'

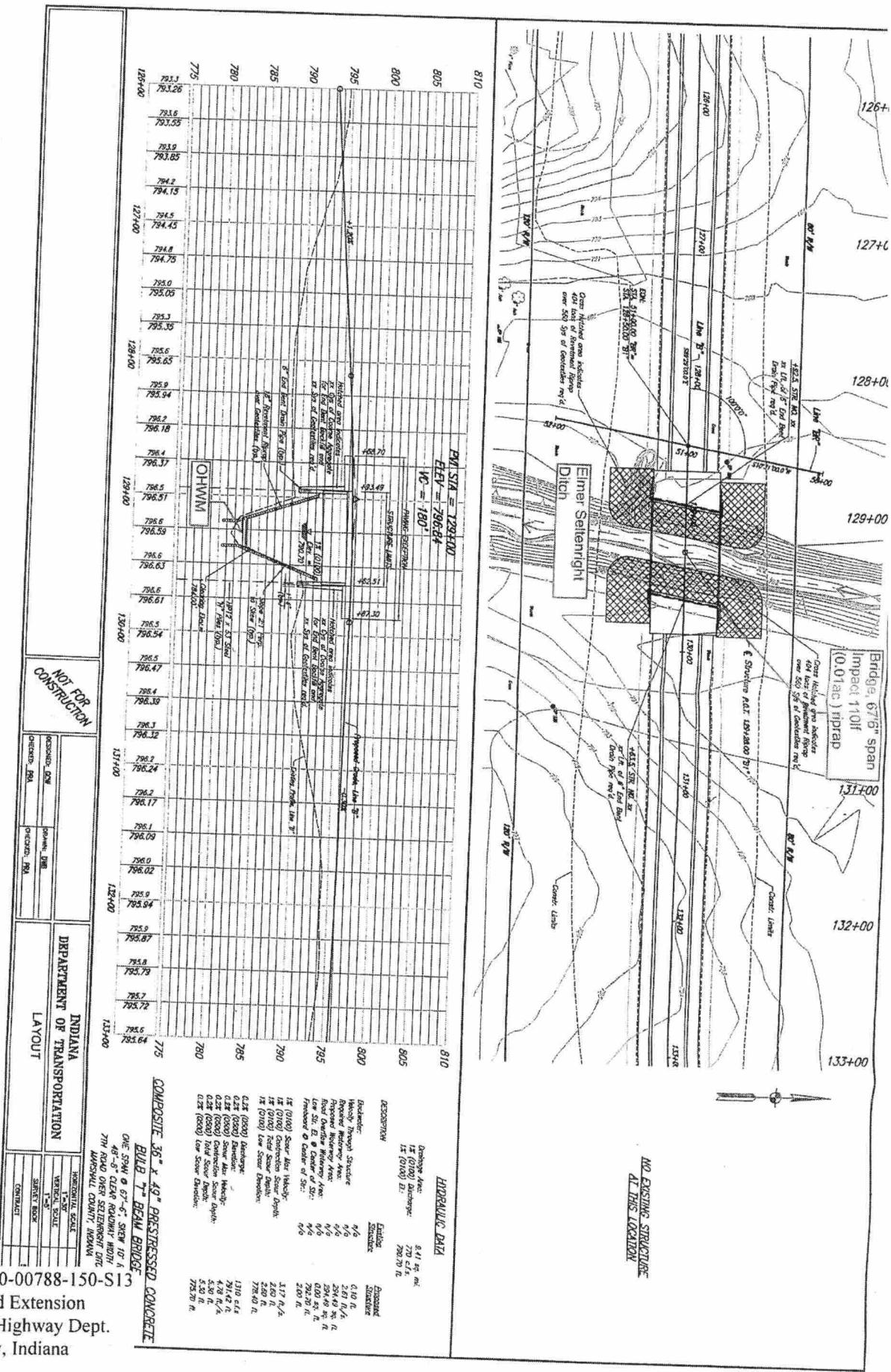


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AND ELLEN HAWK

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CHECKED: NCH	LINe "02" - OUTLET CHANNEL



FILE NUMBER: LRE-2010-00788-150-S13

Marshall County - 7th Road Extension

Neal Haeck, Marshall Co. Highway Dept.

Plymouth, Marshall County, Indiana

SHEET 16 OF 20

Marshall County Commissioners

Environmental Mitigation at ITAMCO for 7th Road Extension Des. No. 1297268

401/404 PERMIT SET

SHEET NO.	SHEET INDEX	DESCRIPTION
1	1	401/404 PERMIT SET
2	2	PROJECT SITE
3	3	TESTING PROGRAM
4	4	CLEARING PLAN
5	5	PLANNING PLAN
6	6	DETAILS
7	7	MAP OF INDIANA
8	8	COUNTY MAP
9	9	VICINITY MAP
10	10	MARSHALL COUNTY COMMISSIONERS

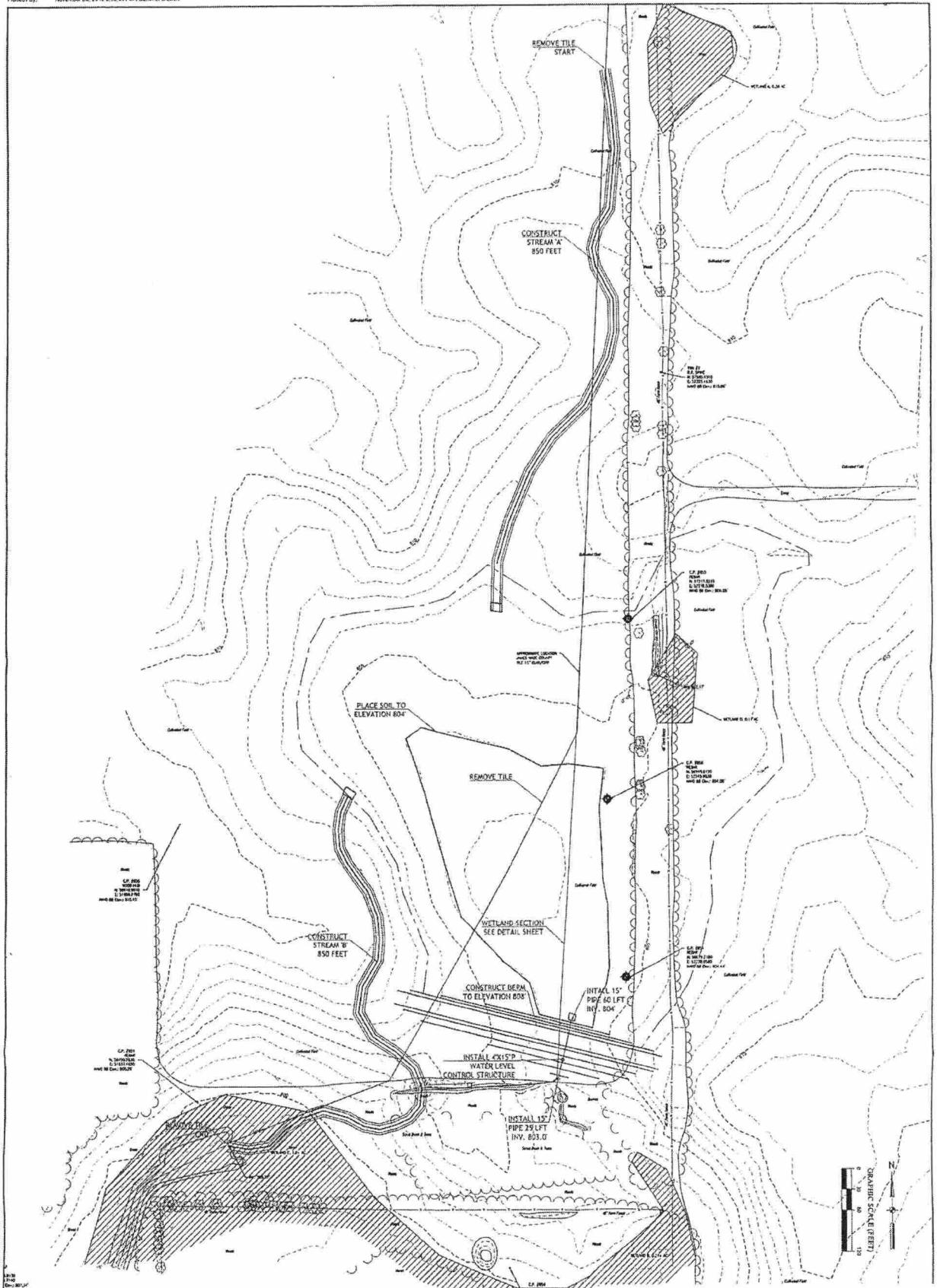


MAP OF INDIANA

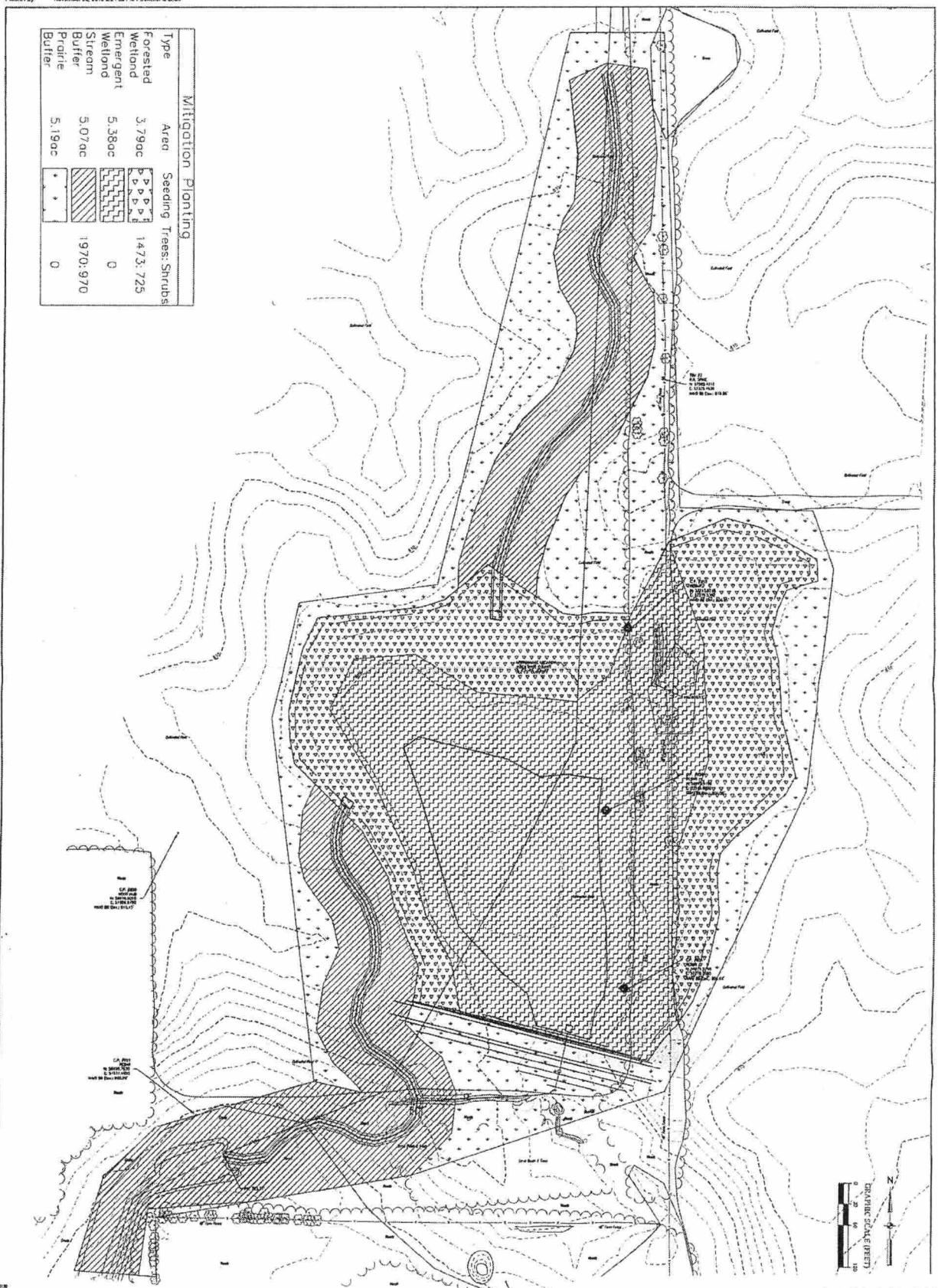
VICINITY MAP

MARSHALL COUNTY COMMISSIONERS	
APPROVED <i>[Signature]</i>	DATE <i>[Signature]</i>
PLANS PREPARED BY:	
ARMSTRONG WATER, WASTE & ENVIRONMENTAL CONSULTANTS 1001 N. Zeeb Rd., Suite 200 • Indianapolis, IN 46256 (317) 843-7200 • FAX (317) 843-7244	

FILE NUMBER: LRE-2010-00788-150-S13
Marshall County - 7th Road Extension
Neal Haack, Marshall Co. Highway Dept.
Plymouth, Marshall County, Indiana
SHEET 17 OF 20



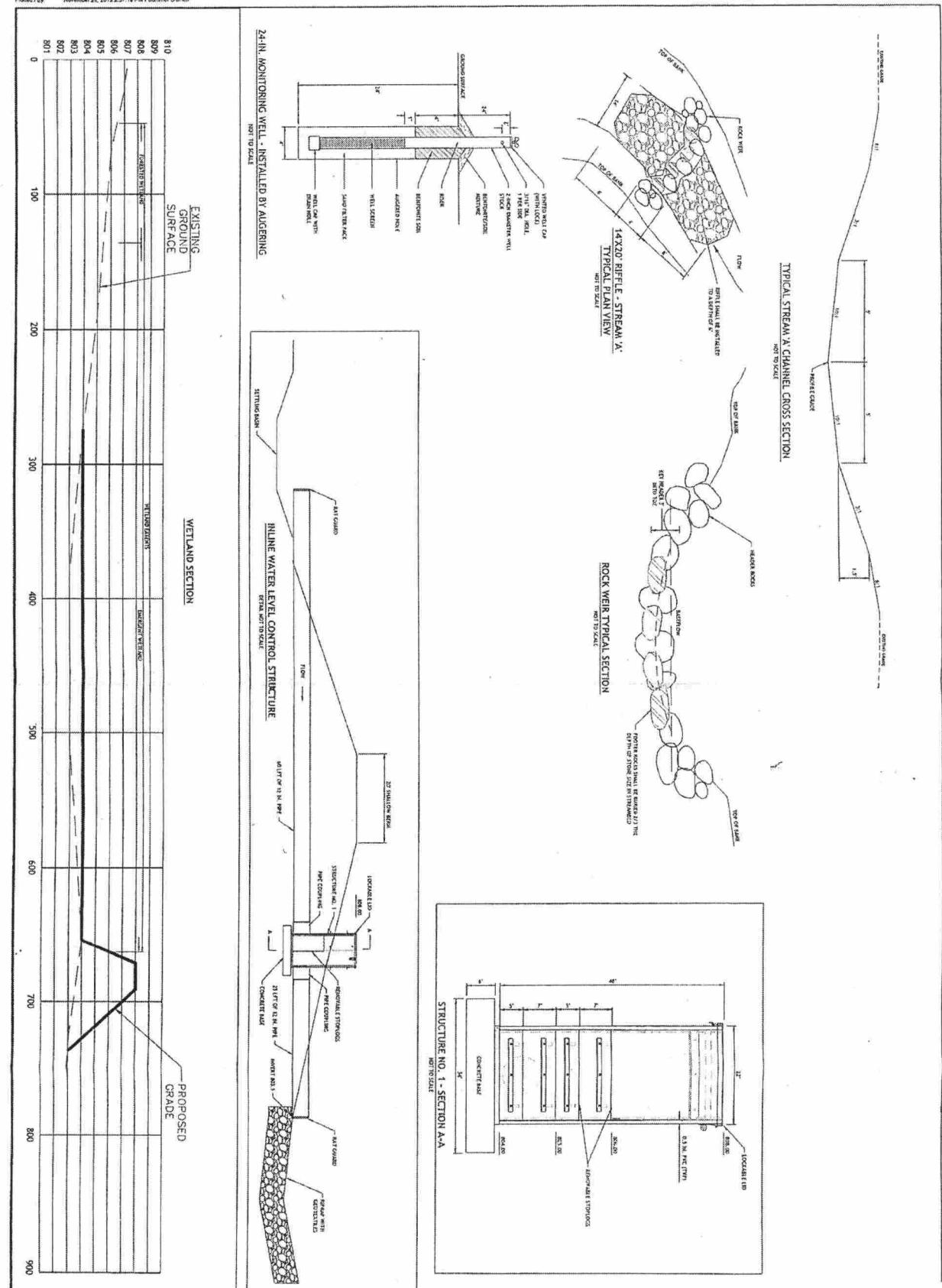
 Marshall County Commissioners PROJECT NO: 20116105 DRAWN BY: PHANNARIA DESIGNED BY: SHO REVIEWED BY: AMMAMAH APPROVED BY: PHANNARIA DATE: 09/29/09	GRADING PLAN Plymouth, IN	ARMSTRONG. Union Station / 300 S. Meridian St. Indianapolis, IN 46225 Ph: 317.788.0601 // Fx: 317.788.0557 www.armstrong.com	FILE NUMBER: LRE-2010-00788-150-S1 DESIGN REVIEW NOT FOR CONSTRUCTION
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4	7th Road Mitigation Site PLANTING PLAN						Plymouth, IN	ARMSTRONG. <small>Union Station / 300 S. Meridian St. Indianapolis, IN 46225 Ph 317.781.0141 / Fx 317.781.0152 FAX@ARMSTRONG.COM</small>
5	Marshall County Commissioners	PROJECT NO:	DRAWSH	DESIGNED BY:	REVIEWED BY:	APPROVED BY:	DATE:	
Z119185 7TH RD 00-00-00								

90%
DESIGN REVIEW
NOT FOR
CONSTRUCTION

FILE NUMBER: LRE-2010-00788-150-S13
 Marshall County - 7th Road Extension
 Neal Haeck, Marshall Co. Highway Dept.
 Plymouth, Marshall County, Indiana
 SHEET 19 OF 20



7th Road Mitigation Site		DETAILS		ARMSTRONG		90% DESIGN REVIEW NOT FOR CONSTRUCTION	
Marshall County Commissioners							
PROJECT ID:	20115163	ORIGIN:	Marshall Co.	COOLED:	SDG	REVIEWED:	Plymouth, IN
APPROVED:	Marshall Co.	DATE:	09-09-09	Union Station / P.O. Box 6, Hagerstown, Indiana 46743-0006 // 217.782.0451 // 217.782.0517 rwArmstrong.com			

FILE NUMBER: LRE-2010-00788-150-S1
 Marshall County - 7th Road Extension
 Neal Haeck, Marshall Co. Highway Dept.
 Plymouth, Marshall County, Indiana
 SHEET 20 OF 20