


FHWA-Indiana Environmental Document
CATEGORICAL EXCLUSION / ENVIRONMENTAL ASSESSMENT FORM
 GENERAL PROJECT INFORMATION

Road No./County:	Freedom Trail / Lake County
Designation Number(s):	1802920
Project Description/Termini:	Multi-use Trail/Beginning at the terminus of an existing trail within Freedom Park and ending at the intersection of West Main Street and North Liberty Street

	Categorical Exclusion, Level 2 – Required Signatories: INDOT DE and/or INDOT ESD
X	Categorical Exclusion, Level 3 – Required Signatories: INDOT ESD
	Categorical Exclusion, Level 4 – Required Signatories: INDOT ESD and FHWA
	Environmental Assessment (EA) – Required Signatories: INDOT ESD and FHWA
	Additional Investigation (AI) – The proposed action included a design change from the original approved environmental document. Required Signatories must include the appropriate environmental approval authority

Approval

N/A _____ INDOT DE Signature and Date	 March 20, 2024 _____ INDOT ESD Signature and Date
N/A _____ FHWA Signature and Date	

Release for Public Involvement

N/A _____ INDOT DE Initials and Date	ADWP February 16, 2023 _____ INDOT ESD Initials and Date
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Certification of Public Involvement

 _____ INDOT Consultant Services Signature and Date	2/16/24
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INDOT DE/ESD Reviewer Signature and Date:

 _____	March 20, 2024
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Name and Organization of CE/EA Preparer:

_____ Tamara Miller, Cardno

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Note: Refer to the most current INDOT CE Manual, guidance language, and other ESD resources for further guidance regarding any section of this form.

Part I – Public Involvement

Every Federal action requires some level of public involvement, providing for early and continuous opportunities throughout the project development process. **The level of public involvement should be commensurate with the proposed action.**

Does the project have a historic bridge processed under the Historic Bridges PA*?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If No, then: Opportunity for a Public Hearing Required?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*A public hearing is required for all historic bridges processed under the Historic Bridges Programmatic Agreement between INDOT, FHWA, SHPO, and the ACHP.

Discuss what public involvement activities (legal notices, letters to affected property owners and residents (i.e. notice of entry), meetings, special purpose meetings, newspaper articles, etc.) have occurred for this project.

Notice of Entry letters were mailed to potentially affected property owners near the project area on September 9th, 2020, notifying them about the project and that individuals responsible for land surveying and field activities may be seen in the area. A sample copy of the Notice of Entry letter is included in Appendix G, page G-1.

The first public discussion of the project that was documented occurred during a Town Council meeting on September 28, 2020. The meeting agenda and minutes, as well as a response that one of the Town Councilors wrote in response to public comments made during the Town Council meeting, are included in Appendix G, page G-3.

The project met the minimum requirements described in the current Indiana Department of Transportation (INDOT) Public Involvement Manual, which requires the project sponsor to offer the public an opportunity to submit comments and/or request a public hearing. Therefore, a legal notice was published in a local publication, *The Lowell Tribune*, on March 8 and 15, 2023. Notice was also posted on the Town's website. A copy of the notice is included in Appendix G, page G-14.

Comments were received based on the public notice, and the project was also discussed during a Town Council meeting on March 27, 2023. Information on this meeting is included in Appendix G, page G-28.

Several residents requested a public hearing be held for the project during this comment period, and INDOT subsequently indicated that a public hearing was warranted for the project (Appendix G, pages G-20 to G-23, G-25, G-38, G-39).

Additional comments were received based on the public notice. Comments included concern from property owners who are directly along the proposed alignment. Residents are concerned that their property, which they purchased for the seclusion of the backyard and the natural environment of the field and pond, is going to be taken away by the trail as well as the potential to decrease safety. One concern was that the trail itself will encroach onto residents' properties. Additional concerns were with safety, trail upkeep and maintenance, trail alignment, privacy, school bus stops, parking on the neighborhood street, and impacts to the natural environment. Comments and responses have been provided in Appendix G, page G-175. Regarding safety, there have been studies performed in other communities around the nation and lower crime rates have been reported for houses adjacent to trails. The current trail alignment does not take any permanent right-of-way (ROW) from residents' backyards in the Timber Springs neighborhood.

The project was also discussed during a Town Council meeting on March 27, 2023. The same general comments and requests to have a public hearing were received at the Town Council meeting (Appendix G, page G-28).

Notice of the public hearing was published in the Times of Northwest Indiana on August 7 and 14, 2023; and also posted to the town's website. A copy of the notice is included in Appendix G, page G-73. A public hearing was held on August 22, 2023, and a hearing transcript is included in Appendix G, page G-86. Slides that were presented during the meeting are included in Appendix G, page G-81. Attendees of the public hearing had available for viewing the comment procedure for the public hearing, project descriptions, a plan set, exhibits, and comment forms (Appendix G, pages G-78 to G-80). The meeting was recorded, and a copy of the meeting video and/or audio is available upon request and also posted on the Town's website.

Residents are concerned that their property, which they purchased for the seclusion of the backyard and the natural environment of

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the field and pond, is going to be taken away by the trail. One concern was that the trail itself will encroach onto residents' properties. This however would require permanent ROW from the residents and no permanent ROW is proposed in residents' backyards in the Timber Springs subdivision. Additional concerns were with safety, parking, trail upkeep and maintenance, trail alignment, privacy, and impacts to the natural environment.

All of the public comments received on the project are included in Appendix G, in chronological order in which they were received. The project team put together a summary of all comments received on the project, as well as responses to each comment received, which is included in Appendix G, page G-175.

Due to no permanent ROW being removed from residents' backyards in the Timber Springs subdivision, the project scope did not need modification. All impacts have been minimized.

This NEPA environmental document received Certification of Public Involvement by INDOT LaPorte District on February 6, 2024.

Public Controversy on Environmental Grounds

Discuss public controversy concerning community and/or natural resource impacts, including what is being done during the project to minimize impacts.

There were a number of items brought up during public involvement for the project, with some items that directly pertain to the project's environmental document. The primary public comment on the project was related to how the project will impact property owners who are directly along the proposed alignment. Residents are concerned that their property, which they purchased for the seclusion of the backyard and the natural environment of the field and pond, is going to be taken away by the trail. One concern was that the trail itself will encroach onto residents' properties. This however would require permanent ROW from the residents and no permanent ROW is proposed in residents' backyards in the Timber Springs subdivision. Additional concerns were with safety, parking, trail upkeep and maintenance, trail alignment, privacy, and impacts to the natural environment. Specific responses to each comment received were assembled and are included in Appendix G, page G-175.

Part II - General Project Identification, Description, and Design Information

Sponsor of the Project: Town of Lowell INDOT District: LaPorte

Local Name of the Facility: Freedom Trail

Funding Source (mark all that apply): Federal State Local Other*

*If other is selected, please identify the funding source: _____

PURPOSE AND NEED:

The need should describe the specific transportation problem or deficiency that the project will address. The purpose should describe the goal or objective of the project. The solution to the traffic problem should NOT be discussed in this section.

Need

The Town of Lowell Comprehensive Plan (March 2009) includes a goal to improve parks and trails in Lowell and provide more recreational opportunities. One strategy to achieve this goal is to develop pedestrian infrastructure throughout Lowell to encourage use and provide improved access to all parks. There is no direct, non-motorized, vehicle separated connection between Freedom Park and Liberty Park. Freedom Park is in the northwest corner of Lowell's town limits. This 114-acre property includes parking, playground, sports fields, and picnic shelters. Freedom Park has little connectivity except by vehicle. There are limited sidewalks connecting surrounding residential areas to the park. Liberty Park is located on a four-acre parcel in the downtown area. Recreation facilities located within this park include playground equipment and picnic shelters.

(During project development Liberty Park was renamed as Nassau Park. For this document and evaluation, the Liberty Park name has been retained for consistency but is used interchangeably in some materials produced recently.)

Purpose

The purpose of this project is to provide a direct, non-motorized link for pedestrians and bicycles between Liberty Park and Freedom

This is page 3 of 26 Project name: Freedom Trail Bike/Pedestrian Facility Date: March 6, 2024

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Park.

PROJECT DESCRIPTION (PREFERRED ALTERNATIVE):

County: Lake Municipality: Town of Lowell

Limits of Proposed Work: Beginning at the intersection of West Main Street and North Liberty Street and ending at an existing path in Freedom Park

Total Work Length: 1.2 Mile(s) Total Work Area: 3.0 Acre(s)

Is an Interstate Access Document (IAD)¹ required?
 If yes, when did the FHWA provide a Determination of Engineering and Operational Acceptability?

Yes ¹	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date: <input style="width: 100%;" type="text"/>	

¹If an IAD is required; a copy of the approved CE/EA document must be submitted to the FHWA with a request for final approval of the IAD.

Describe location of project including township, range, city, county, roads, etc. Existing conditions should include current conditions, current deficiencies, roadway description, surrounding features, etc. Preferred alternative should include the scope of work, anticipated impacts, and how the project will meet the Purpose and Need. Logical termini and independent utility also need discussed.

The Town of Lowell with funding from the Federal Highway Administration (FHWA) intends to proceed with a project to construct a multi-use trail between Liberty Park and Freedom Park.

Location

The project is located within Section 24 Township 33 North, Range 9 West, beginning at the intersection of West Main Street and Liberty Park and ending at the southern terminus of an existing trail in Freedom Park, in Lowell, Cedar Creek Township, Lake County, Indiana (Appendix B, page B-1).

Existing Conditions

Land use within and adjacent to the proposed project area includes residential homes, local streets, municipal parks, forest, wetlands, and agricultural fields. There are sidewalks along the local roadways, but the central portion of the project does not contain any pedestrian facilities or recreational opportunities. The southern edge of the project area is located adjacent to Liberty Park and in the southeastern quadrant of North Liberty Street and West Main Street, where there is an existing sidewalk. The project also includes North Liberty Street where there are no pedestrian facilities. The middle section of the project area includes a forested area and wetlands. This natural area is surrounded by residential subdivisions but there are no pedestrian or bicycle facilities. The northern portion of the project area includes Timber Springs Road and Redbud Lane. Both roadways are residential streets that are 30 ft wide with 2 ft shoulders and 5 ft sidewalks on both sides of the road. The project area also includes continues an agricultural field and a narrow band of shrub scrub forest. The northern edge of the project is within Freedom Park, which includes a mowed grass and an existing 5-ft wide trail. There are no bicycle facilities, including pavement markings, trails, or signage throughout the project area.

Preferred Alternative

The proposed project will construct an Americans with Disability Act (ADA)-compliant, multi-use trail connecting Liberty Park to Freedom Park in the Town of Lowell. This trail will be comprised of both off-road and on-road segments. Where feasible, existing dedicated rights-of-way, as well as open spaces will be utilized. Trail surfaces will vary based on location. Through subdivisions, the trail will be concrete to match existing sidewalks and, in some areas, will replace the existing sidewalk, in off-road areas, the trail will be asphalt. The entire trail will be 10-ft to 12-ft wide with 2-ft shoulders. Two boardwalk sections will be constructed to minimize impacts to Wetland 03, the large wetland in the center of the project. One section of boardwalk will be 100-ft long and the other section will be 450-ft long. The topography in the project area requires retaining walls in one location to limit the construction footprint to avoid impacts to environmental resources. The approximate length of the proposed project will be 1.2 miles. Plans are provided in Appendix B, beginning on page B-6.

The proposed trail alignment will cross two wetlands and avoid an open water wetland and one stream. One wetland is located immediately south of Freedom Park and will be filled by construction of the trail. The second wetland that will be impacted is a large wetland located in the center of the project area. A 100-ft long and a 450-foot long boardwalk section will be constructed through the

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wettest area of this wetland to minimize impacts. Two additional trail alignments that follow the higher ground to the west were considered to cross this wetland at its narrowest point; however, the steep topography would not allow for ADA-compliance. The placement of the trail in steeper terrain would require significant use of retaining walls as well as increase the risk of erosion. The project will clear approximately 0.64 acres of trees to construct the trail. Tree clearing will be restricted to the minimum needed to construct the trail and impacts will be mitigated as directed by U.S. Fish and Wildlife (USFWS), U.S. Army Corps of Engineers (USACE), and Indiana Department of Environmental Management (IDEM).

Much of the project will be constructed in Town of Lowell (Town) rights-of-way. Proposed ROW widths along the trail will be 20 ft. from centerline. The section of the trail through the center portion of the project is currently through private land and will require the acquisition of approximately 3.76 acre of new ROW including 3 acres of wetlands and 0.76 acre of existing forest primarily located between North Liberty Street and Timber Lake Drive. Grading and driveway improvements along Timber Springs Road, Redbud Lane, and North Liberty Street will require the acquisition of approximately 0.5 acres of temporary ROW. No road closures or detours are anticipated for this project. There will be temporary sidewalk closures along the existing sidewalks, but there are sidewalks on both sides of the roads to allow for pedestrian traffic during construction. Construction is anticipated to begin in November 2025, ending in June 2025.

Logical Termini/Independent Utility

The project begins at the intersection of West Main Street and North Liberty Street at the entrance of Liberty Park and ends at an existing path within Freedom Park, which make these locations the logical termini for the project. The project has independent utility as it does not rely on other future trail projects or infrastructure improvements to be constructed and utilized. The project meets the purpose and need of the project by providing a direct bicycle and pedestrian connection from Liberty Park to Freedom Park.

OTHER ALTERNATIVES CONSIDERED:

Provide a header for each alternative. Describe all discarded alternatives, including the No Build Alternative. Explain why each discarded alternative was not selected. Make sure to state how each alternative meets or does not meet the Purpose and Need and why.

No Build

Under the No Build alternative, the trail would not be constructed. This alternative does not meet the purpose and need of the project because it does not provide a direct, non-motorized link for pedestrians and bicycles between Liberty Park and Freedom Park. Therefore, this alternative was dismissed from further consideration.

Alternative Alignments

Two alternative alignments through the southern portion of the project were considered to avoid wetland impacts (Appendix B, Page B-5). Both routes followed a similar alignment which travelled west from the open water to traverse the steeper area and cross the large wetland (Wetland 03) at its most narrow point. This alignment would have impacted less of the forested wetland. The placement of the trail in steeper terrain would require significant use of retaining walls as well as increase the risk of erosion. These alignments were not feasible because the steep topography to the west would not allow the trail to be ADA-compliant. Therefore, this alternative was dismissed from further consideration.

Other alignments were considered, including a route along Nichols Street. In 2016, the Lower Town Council submitted an application to INDOT requesting grant funding for a trail alignment that followed a path along Main and Nichols Streets. The application was unsuccessful. INDOT did not provide reasons for why the project was not selected, however, the project was expensive and would have required the acquisition of nearly 30 parcels. Due to the previous rejection of an alignment along Nichols Street and Main was not developed as an additional alternative.

The No Build Alternative is not feasible, prudent or practicable because (Mark all that apply):

- It would not correct existing capacity deficiencies;
- It would not correct existing safety hazards;
- It would not correct the existing roadway geometric deficiencies;
- It would not correct existing deteriorated conditions and maintenance problems; or
- It would result in serious impacts to the motoring public and general welfare of the economy.
- Other (Would not meet the purpose and need of the project):

ROADWAY CHARACTER:

If the proposed action includes multiple roadways, complete and duplicate for each roadway.

Name of Roadway West Main Street

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Functional Classification: Major Collector
 Current ADT: 2,000 VPD (2021) Design Year ADT: N/A VPD (20--)
 Design Hour Volume (DHV): N/A Truck Percentage (%) 10
 Designed Speed (mph): N/A Legal Speed (mph): 20 mph

	Existing	Proposed
Number of Lanes:	Two	N/A
Type of Lanes:	One Travel Lane Each Direction	N/A
Pavement Width:	22 ft.	N/A ft.
Shoulder Width:	1 ft.	N/A ft.
Median Width:	0 ft.	N/A ft.
Sidewalk Width:	5 ft.	N/A ft.

Setting: Urban Suburban Rural
 Topography: Level Rolling Hilly

Name of Roadway North Liberty
 Functional Classification: Local
 Current ADT: 20 VPD (2021) Design Year ADT: N/A VPD (20--)
 Design Hour Volume (DHV): N/A Truck Percentage (%) 0
 Designed Speed (mph): N/A Legal Speed (mph): 15 mph

	Existing	Proposed
Number of Lanes:	One	N/A
Type of Lanes:	One Travel Lane	N/A
Pavement Width:	12 ft.	N/A ft.
Shoulder Width:	0 ft.	N/A ft.
Median Width:	0 ft.	N/A ft.
Sidewalk Width:	0 ft.	N/A ft.

Setting: Urban Suburban Rural
 Topography: Level Rolling Hilly

Name of Roadway Timber Springs Road
 Functional Classification: Local
 Current ADT: 100 VPD (2021) Design Year ADT: N/A VPD (20--)
 Design Hour Volume (DHV): N/A Truck Percentage (%) 0
 Designed Speed (mph): 20 mph Legal Speed (mph): 20 mph

	Existing	Proposed
Number of Lanes:	2	N/A
Type of Lanes:	1 Travel Lane Each Direction	N/A
Pavement Width:	30 ft.	N/A ft.
Shoulder Width:	0 ft.	N/A ft.
Median Width:	0 ft.	N/A ft.
Sidewalk Width:	5 ft.	N/A ft.

Setting: Urban Suburban Rural
 Topography: Level Rolling Hilly

Name of Roadway Redbud Lane
 Functional Classification: Local
 Current ADT: 100 VPD (2021) Design Year ADT: N/A VPD (20--)
 Design Hour Volume (DHV): N/A Truck Percentage (%) 10
 Designed Speed (mph): 20 mph Legal Speed (mph): 20 mph

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	Existing	Proposed
Number of Lanes:	2	N/A
Type of Lanes:	One Travel Lane Each Direction	N/A
Pavement Width:	30	N/A
Shoulder Width:	0	N/A
Median Width:	0	N/A
Sidewalk Width:	5	N/A

Setting: Urban Suburban Rural
 Topography: Level Rolling Hilly

BRIDGES AND/OR SMALL STRUCTURE(S):

If the proposed action includes multiple structures, complete and duplicate for each bridge and/or small structure. Include both existing and proposed bridge(s) and/or small structure(s) in this section.

Structure/NBI Number(s): N/A Sufficiency Rating: N/A
 (Rating, Source of Information)

	Existing	Proposed
Bridge/Structure Type:	N/A	N/A
Number of Spans:	N/A	N/A
Weight Restrictions:	N/A	N/A
Height Restrictions:	N/A	N/A
Curb to Curb Width:	N/A	N/A
Outside to Outside Width:	N/A	N/A
Shoulder Width:	N/A	N/A

Describe impacts and work involving bridge(s), culvert(s), pipe(s), and small structure(s). Provide details for small structure(s): structure number, type, size (length and dia.), location and impacts to water. Use a table if the number of small structures becomes large. If the table exceeds a complete page, put it in the appendix and summarize the information below with a citation to the table.

No bridges or small structures are located within the project area.

MAINTENANCE OF TRAFFIC (MOT) DURING CONSTRUCTION:

	Yes	No
Is a temporary bridge proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is a temporary roadway proposed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project involve the use of a detour or require a ramp closure? (describe below)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Provisions will be made for access by local traffic and so posted.	<input type="checkbox"/>	<input type="checkbox"/>
Provisions will be made for through-traffic dependent businesses.	<input type="checkbox"/>	<input type="checkbox"/>
Provisions will be made to accommodate any local special events or festivals.	<input type="checkbox"/>	<input type="checkbox"/>
Will the proposed MOT substantially change the environmental consequences of the action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there substantial controversy associated with the proposed method for MOT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project require a sidewalk, curb ramp, and/or bicycle lane closure? (describe below)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Provisions will be made for access by pedestrians and/or bicyclist and so posted (describe below).	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discuss closures, detours, and/or facilities (if any) that will be provided for maintenance of traffic. Any known impacts from these temporary measures should be quantified to the extent possible, particularly with respect to properties such as Section 4(f) resources and wetlands. Discuss any pedestrian/bicycle closures. Any local concerns about access and traffic flow should be detailed as well.

The project will require the closure of the sidewalks along the southside of Timber Lake Drive and on the east side of Redbud Lane to convert them to the multi-use trail. The project will also require the closure of the existing sidewalk in the southeast corner of the intersection of West Main Street and North Liberty Street. The Town will utilize signage to direct pedestrians to the opposite side of the roadway. Work within roadways is not anticipated and disruption of traffic is not anticipated. The sidewalk closures will pose a temporary inconvenience to traveling pedestrians; however, no significant delays are anticipated, and all inconveniences and delays will cease upon project completion.

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ESTIMATED PROJECT COST AND SCHEDULE:

Engineering: \$ 183,625 (2020) Right-of-Way: \$ 108,500 (2024) Construction: \$ 1,872,975 (2025)

Anticipated Start Date of Construction: November 2025

RIGHT OF WAY:

Land Use Impacts	Amount (acres)	
	Permanent	Temporary
Residential	0.50	0.50
Commercial	0.00	0.00
Agricultural	0.00	0.00
Forest	0.84	0.00
Wetlands	3.33	0.00
Other: Turf/Lawn	0.09	0.00
Other:	0.00	0.00
TOTAL	4.76	0.50

Describe both Permanent and Temporary right-of-way and describe their current use. Typical and Maximum right-of-way widths (existing and proposed) should also be discussed. Any advance acquisition, reacquisition or easements, either known or suspected, and their impacts on the environmental analysis should be discussed.

The existing ROW width along the roadways within the project area is 60 ft and consists of roadside vegetation/grass, sidewalks, In addition to ROW along the roadways, the Town owns the land within Freedom Park and Liberty Park.

The project requires the acquisition of approximately 4.76 acres of permanent ROW and 0.5 acre of temporary ROW. However, 3.76 acres of permanent ROW is Uneconomic Remnant and will not be disturbed or impacted. The Uneconomic Remnant includes 3.0 acres of wetlands and 0.76 acre of forest. The remaining ROW needs to construct the trail total 1.0 acre of permanent ROW and 0.5 acre of temporary ROW. The new, permanent ROW is located within the southern section of the trail that travels through the undeveloped portion of the project. This land includes forested areas and wetland. A second location of permanent ROW acquisition consists of 0.5 acre of residential ROW along N Liberty Street. The project also requires the acquisition of approximately 0.5 acres of temporary ROW within Timber Springs Subdivision for the purposes of grading and driveway replacement. This temporary ROW consists of residential lawn and driveways.

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

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Part III – Identification and Evaluation of Impacts of the Proposed Action

SECTION A - EARLY COORDINATION:

List the date(s) coordination was sent and all resource agencies that were contacted as a part of the development of this Environmental Study. Also, include the date of their response or indicate that no response was received.

Early coordination letters were sent on July 8th, 2021, and January 28, 2022 (Appendix C, page C-1).

Coordination with agencies was completed early in project development to obtain input prior to determining the preferred alignment and final ROW requirements. The project study area submitted to agencies was much larger than the construction footprint to allow for shifts in the alignment and impacts to resources were estimated based on this larger study area. The alignment has been adjusted over the course of project development to work within existing town ROW, minimize wetland impacts, and meet standard geometric and safety design criteria of the Indiana Design Manual. The final adjustments in the trail's construction footprint were made after early coordination was completed with agencies. Once the construction footprint was narrowed to the actual width of disturbance, permanent ROW limits decreased from 7 acres to 4.76 acres with 3.76 acres consisting of Uneconomic Remanent. Tree clearing limits decreased from 1.49 acres to 0.64 acres and wetland impacts decreased from 1.34 acres to 0.36 acre. Since construction impacts and ROW requirements were reduced and the proposed alignment is contained within the original study area, coordination was not reinitiated with agencies.

<u>Agency</u>	<u>Division</u>	<u>Date Sent</u>	<u>Date Response Received</u>	<u>Appendix</u>
Indiana Department of Natural Resources	Division of Fish and Wildlife	July 8, 2021	August 6, 2021	Appendix C, page C-18
Federal Highway Administration		July 8, 2021	No Response	N/A
Natural Resources Conservation Service		July 8, 2021	July 29, 2021	Appendix C, page C-16
US Department of Housing and Urban Development	Chicago Regional Office	July 8, 2021	No Response	N/A
U.S. Army Corps of Engineers	Chicago District	July 8, 2021	No Response	N/A
U.S. Army Corps of Engineers-Chicago District	Planning, Programs and Project Management Division, Planning Branch	July 8, 2021	July 8, 2021	Appendix C, page C-15
National Park Service	Midwest Regional Office	July 8, 2021	No Response	N/A
Indiana Department of Transportation	LaPorte District	July 8, 2021	July 16, 2021	Appendix C, page C-14
Town of Lowell	MS4 Stormwater	July 8, 2021	No Response	N/A
Town of Lowell	Lowell Parks and Recreation	July 8, 2021	No Response	N/A
Town of Lowell	Town Manager	July 8, 2021	No Response	N/A
Town of Lowell	Street Department	July 8, 2021	No Response	N/A
Town of Lowell	Town Council	July 8, 2021	No Response	N/A
Town of Lowell	Street Department	July 8, 2021	No Response	N/A
Northwest Indiana Regional Planning Commission		July 8, 2021	No Response	N/A
Indiana Department of Environmental Management	Wetlands and Stormwater Programs	January 28, 2022	No Response	N/A
Indiana Department of Environmental Management	Online Environmental Review	December 9, 2021	December 9, 2021	Appendix C, page C-7
Indiana Geological & Water Survey (IGWS)	Online Environmental Assessment Report	June 28, 2021	June 28, 2021	Appendix C, page C-4

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

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SECTION B – ECOLOGICAL RESOURCES:

Streams, Rivers, Watercourses & Other Jurisdictional Features

- Federal Wild and Scenic Rivers
- State Natural, Scenic or Recreational Rivers
- Nationwide Rivers Inventory (NRI) listed
- Outstanding Rivers List for Indiana
- Navigable Waterways

Presence

X

Impacts

Yes	No
	X

Total stream(s) in project area: 335 Linear feet Total impacted stream(s): 0 Linear feet

Stream Name	Classification	Total Size in Project Area (linear feet)	Impacted linear feet	Comments (i.e. location, flow direction, likely Water of the US, appendix reference)
Unnamed Tributary 01	Ephemeral	335 linear feet	0	Flows south from Wetland 02 into Wetland 03, along proposed trail alignment.

Describe all streams, rivers, watercourses and other jurisdictional features adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if the streams or rivers are listed on any federal or state lists for Indiana. Include if features are likely subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.

Based on the desktop review, the aerial map of the project area, and the RFI (Appendix E, page E-1) there are nine streams, rivers, watercourse or other jurisdictional features within the 0.5-mile search radius. This number was updated to one stream within the project area, based on the site visit conducted on October 15, 2020, by Cardno.

Waters Report

A Wetland Delineation Report was completed for the project on October 15, 2020 (Appendix F, page F-2). One unnamed tributary (UNT) was identified within the project area by Cardno during field investigations. This feature, identified as UNT01 in the wetland delineation report, is a small ephemeral waterway, which connects two wetlands located within the project area. These wetlands are hydrologically connected to Cedar Creek. Cedar Creek is a named waterway with connection to the Kankakee River, a Traditional Navigable Waterway (TNW). This connection most likely makes Cedar Creek a “waters of the U.S.” (WOTUS). Therefore, this also likely makes UNT01 a WOTUS. The USACE makes all final determinations regarding jurisdiction.

UNT01

UNT01 is a small, ephemeral stream leading from the outlet of an excavated open-water wetland (Wetland 02) toward a large forested/emergent wetland complex (Wetland 03). The stream is approximately two feet in width at the ordinary high water mark (OHWM) and six inches in depth. The stream was dry at the time of the survey but showed signs of flowing water earlier in the year. The substrate of the stream is silt and clay with some sand and gravel riffles. The riparian corridor of UNT01 is mature forest dominated by hickory (*Carya* spp.) species and American basswood (*Tilia americana*). This stream flows along the proposed alignment and direct or indirect impacts from construction are not anticipated. UNT01 will be labeled in the project plans as “Do Not Disturb”. This measure is included in the Commitments section of this CE Document.

Early Coordination

Indiana Department of Natural Resources (IDNR) Division Fish and Wildlife (DFW) responded on August 6, 2021, with recommendations to minimize impacts of the construction of trails in the vicinity of streams by avoiding unnecessary stream crossings, utilizing bridge crossings, and aligning the trail outside the riparian buffer and off the top of bank (Appendix C, page C-18). All applicable recommendations are included in the Environmental Commitments section of this CE document.

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Open Water Feature(s)	Presence	Impacts	
		Yes	No
Reservoirs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lakes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Farm Ponds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Retention/Detention Basin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Storm Water Management Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other: <u>Impoundment</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Describe all open water feature(s) identified adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if features are likely subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.

Based on the desktop review, the aerial map of the project area, and the RFI (Appendix E, page E-1) there seven open water features within the 0.5-mile search radius. That number was updated to one open water feature present within the project area by the site visit conducted on October 15, 2020, by Cardno.

Waters Report

A Wetland Delineation Report was completed for the project on October 15, 2020 (Appendix F, page F-2). Cardno recorded one open water feature was recorded within the project area during the field investigation. This feature, identified as Wetland 02 in the wetland delineation report, is a small open water feature, which is connected to Wetland 03 via an unnamed tributary. This wetland is hydrologically connected to Cedar Creek, a likely WOTUS. This connection likely makes Wetland 02 a "waters of the U.S.". The USACE makes all final determinations regarding jurisdiction.

Wetland 02

Wetland 02 is a small open-water feature located south of Timber Springs Road, west of Timber Lake Drive, and east of Timberwood Lane. This open water feature is situated in a low depression between residential housing and may be an impoundment of an original stream. Wetland 02 feeds water into UNT01 to the south from a 12-inch outlet culvert outside of the Study Area. This open water feature had little to no vegetation growing within its boundaries except for Sandbar Willow (*Salix interior*) and Eastern Cottonwood (*Populus deltoides*). The proposed alignment is adjacent to this feature and direct or indirect impacts from construction are not anticipated. Wetland 02 will be labeled in the project plans as "Do Not Disturb". This measure is included in the Commitments section of this CE Document.

Wetlands	Presence	Impacts	
		Yes	No
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Total wetland area: 1.25 Acre(s) Total wetland area impacted: 0.36 Acre(s)

(If a determination has not been made for non-isolated/isolated wetlands, fill in the total wetland area impacted above.)

Wetland No.	Classification	Total Size (Acres)	Impacted Acres	Comments (i.e., location, likely Water of the US, appendix reference)
Wetland 01	Scrub-shrub	0.18 acres	0.03 acres	likely "waters of the U.S."
Wetland 03	Forested	1.07 acres	0.33 acres	likely "waters of the U.S."

Wetlands (Mark all that apply)	Documentation	ESD Approval Dates
Wetland Determination	<input type="checkbox"/>	<input type="checkbox"/>
Wetland Delineation	<input checked="" type="checkbox"/>	N/A
USACE Isolated Waters Determination	<input type="checkbox"/>	<input type="checkbox"/>

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Improvements that will not result in any wetland impacts are not practicable because such avoidance would result in (Mark all that apply and explain):

- Substantial adverse impacts to adjacent homes, business or other improved properties;
- Substantially increased project costs;
- Unique engineering, traffic, maintenance, or safety problems;
- Substantial adverse social, economic, or environmental impacts, or
- The project not meeting the identified needs.

X
X
X

Describe all wetlands identified adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if features are likely subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.

Based on the desktop review, the aerial map of the project area, and the RFI (Appendix E, page E-1) there are 32 wetlands within the 0.5-mile search radius. That number was updated to three wetlands within the project area by the site visit completed on October 15, 2020, by Cardno.

Waters Report

A Wetland Delineation Report was completed for the project on October 15, 2020 (Appendix F, page F-2). Cardno documented two wetlands within the project area during the field investigation. These wetlands are hydrologically connected to Cedar Creek, a likely WOTUS. As such these wetlands are likely “waters of the U.S.” and are subject to regulation under Sections 401 and 404 of the Clean Water Act (CWA). The USACE makes all final determinations regarding jurisdiction.

Wetland 01

Wetland 01 is a scrub shrub wetland located south of Freedom Park and north of Redbud Lane. The wetland is in a small valley between the park and residential housing where the wetland slopes gradually to the south boundary of the wetland. Vegetation in Wetland 01 consists mostly of gray dogwood (*Cornus racemosa*) and a mix of native herbaceous species. The proposed trail alignment bisects this wetland. Permanent impacts to Wetland 01 total 0.03 acre, as this area will be filled to construct the trail (Appendix B, page B-28). Temporary impacts from access are not anticipated. The Compliance with Section 401 and 404 CWA permitting will be required. Mitigation for impacts to this wetland likely be required and will be determined during permitting.

Wetland 03

Wetland 03 is a forested wetland located north of West Main Street at Liberty Park and west of Grant Street. This large wetland consists of dense canopy at its boundaries, gradually opening to an open area with standing water in its center and extends past the surveyed project limits. This wetland receives water from UNT01. The center of the wetland is mucky with large hummocks of vegetation, consistent with permanent surface water. The canopy trees of Wetland 03 are mostly silver maple (*Acer saccharinum*), cottonwood, and black willow (*Salix nigra*) with an understory of willows, dogwoods, and rambler rose (*Rosa* sp.). The herbaceous layer dominant species include blue joint grass (*Calamagrostis canadensis*), lake sedge (*Carex lacustris*) and bur reed (*Sparganium eurycarpum*). The proposed trail alignment will cross this wetland. Permanent impacts to Wetland 03 total of 0.33 acres, as this area will be cleared and filled to construct the proposed trail (Appendix B, page B-23 and B-24). Two boardwalk sections, one 100-ft long and a second 450-ft section will be constructed through the wettest area of this wetland to minimize impacts. Temporary impacts from access are not anticipated. Two additional trail alignments were considered to cross this wetland at its narrowest point; however, the steep topography to the west would not allow for ADA-compliance. The placement of the trail in steeper terrain would also require significant use of retaining walls, significantly increasing the cost of the project, as well as increasing the risk of erosion. Compliance with Section 401 and 404 CWA permitting will be required. Mitigation for impacts to this wetland likely be required and will be determined during permitting.

Early Coordination

IDNR - DFW responded on August 6, 2021, with standard recommendations to minimize impacts to wetlands by applying the appropriate mitigation ratio, utilizing raised boardwalk with composite decking, avoiding natural areas, and avoiding the placement of fill in riparian wetlands (Appendix C, page C-18). USFWS responded to information coordination that it will be necessary to mitigate for wetland impacts with the standard 4:1 ratio for forested wetlands (Appendix C, page C-33). All applicable recommendations are included in the Environmental Commitments section of this CE document.

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Terrestrial Habitat

Presence

Impacts

Yes NO

Total terrestrial habitat in project area: 1.45 acres Acre(s) Total tree clearing: 0.64 Acre(s)

Describe types of terrestrial habitat (i.e., forested, grassland, farmland, lawn, etc.) adjacent or within the project area. Include whether or not impacts will occur to habitat identified. Include total terrestrial habitat impacted and total tree clearing that will occur. Discuss measure to avoid, minimize, and mitigate if impacts will occur.

Based on a desktop review, a site visit on October 15, 2020, by Cardno, and the aerial map of the project area (Appendix B, page B-2), terrestrial habitat within the project area includes maintained turf within residential yards and parks, agriculture, upland forest, wetland forest, and emergent wetland. The upland forest tree species consist of American basswood, shingle oak (*Quercus imbricaria*), shag-bark hickory (*Carya ovata*), and green ash (*Fraxinus pennsylvanica*) with a midstory of morrow's honeysuckle (*Lonicera morrowii*) and common red raspberry (*Rubus idaeus*). The project will require approximately 0.64 acres of tree removal (Appendix B, page B-35). This total includes 0.33 acres of forested wetland impacts. The proposed alignment was selected based on matching the safety and design constraints with the topography, while minimizing impacts to environmental resources.

Other terrestrial habitat impacts include the conversion of the following habitat to paved trail:

- Agriculture – 0.16 acres; and
- Turf and roadside vegetation – 0.65 acres.

These land uses offer minimal habitat due to their proximity to roads and lack of vegetative diversity and coverage.

Early Coordination

IDNR - DFW responded on August 6, 2021, with standard recommendations to minimize impacts to terrestrial habitat including developing a mitigation plan, utilizing existing ROW for the trail alignment, constructing the shoulders from unconsolidated materials, revegetating disturbed areas with native seed mixes, planting a buffer of native vegetation along natural areas, and minimizing the width of the trail as much as possible (Appendix C, page C-18). All applicable recommendations are included in the Environmental Commitments section of this CE document.

Protected Species

Federally Listed Bats

Information for Planning and Consultation (IPaC) determination key completed
 Section 7 informal consultation completed (IPaC cannot be completed)
 Section 7 formal consultation Biological Assessment (BA) required

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Determination Received for Listed Bats from USFWS: NE NLAA LAA

Other Species not included in IPaC

Additional federal species found in project area (based on IPaC species list)
 State species (not bird) found in project area (based upon consultation with IDNR)

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Migratory Birds

Known usage or presence of birds (i.e. nests)
 State bird species based upon coordination with IDNR

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discuss IDNR coordination and species identified. Describe USFWS Section 7 consultation and determination received for Indiana bat and northern long-eared bat impacts. Discuss if other federally listed species were identified. If so, include consultation that has occurred and the determination that was received. Discuss if migratory birds have been observed and any impacts.

Based on a desktop review and the RFI report (Appendix E, page E-1) completed by Cardno on November 5, 2020, the IDNR Lake County Endangered, Threatened and Rare (ETR) Species List has been checked. According to the IDNR-DFW early coordination response letter dated August 6, 2021 (Appendix C, page C-18), the Natural Heritage Program's Database has been checked and the American badger (*Taxidea taxus*), a state species of special concern, has been documented within 0.5 mile of the project area. Badgers are a wide-ranging species that prefer an open, prairie-type habitat, with Indiana being at the eastern edge of their natural range. Impacts to the American badger or its preferred habitat are unlikely as a result of this project. IDNR - DFW also included standard recommendations to minimize impacts to wildlife and protected species by minimizing the use of lighting and implementing tree clearing time of year restrictions. An INDOT 0.5-mile bat review occurred on October 14, 2020, and no records of

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bat captures, roosts, or hibernacula were found.

Indiana Bat and Northern Long-Eared Bat

Project information was submitted through the USFWS’s Information for Planning and Consultation (IPaC) portal, and an official species list was generated (Appendix C, page C-22). The project is within range of the federally endangered Indiana bat (*Myotis sodalis*) and the federally endangered northern long-eared bat (NLEB) (*Myotis septentrionalis*).

Based on tree clearing occurring greater than 300-ft from a roadway, this project does not qualify for the Rangewide Programmatic Informal Consultation for the Indiana bat and northern long-eared bat (NLEB). A standard coordination letter was prepared and submitted for INDOT review on November 23, 2021. INDOT reviewed the standard coordination letter and submitted to USFWS for review on December 1, 2021. On December 14, 2021, USFWS issued a concurrence letter with the “not likely to adversely affect” finding (Appendix C, page C-33). The determination is contingent upon avoidance and minimization measures (AMMs) that include notifying contractors of restrictions and commitments, avoiding tree removal more than what is required, applying time of year restrictions for tree removal, and clear marking of tree clearing limits on plans and in the field. These AMMs and/or commitments are included as firm commitments in the Environmental Commitments section of this document.

Additionally, a “Reinitiation Notice” is required if: more than 1.49 acres of suitable habitat is to be cleared; new information about listed species is encountered; the project is modified in a manner that causes an effect to the listed species; or a new species or critical habitat is listed that the project may affect. These requirements, and the AMMs from the informal coordination with USFWS, are included as firm commitments for this project.

INDOT shall satisfy the compensatory mitigation requirements of the informal consultation with USFWS through one of the conservation options outlined on page 41 of the May 20, 2016, Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana bat and NLEB. The amount to be paid to the Range-wide In-lieu Fee Program, to be administered by The Conservation Fund, shall be \$7,857.36. This amount was determined by the Habitat Block Method. The area of suitable habitat to be cleared (between 100-300 ft from the road), multiplied by the mitigation ratio for inactive season tree clearing for Lake County, and the compensatory price per acre; 0.48 acre X 1.75 X \$9,354.

Other Federally Listed Species

The official species list generated from IPaC indicated one other species, the Monarch butterfly (*Danaus plexippus*), present within the project area. The project qualifies for the most current INDOT/USFWS agreement. USFWS responded on December 14, 2021, that although the Monarch butterfly is a candidate species and is not afforded legal protection, it would be helpful to plant milkweed and nectar plants at appropriate locations along the trail. Further coordination with USFWS is not needed.

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

Geological and Mineral Resources

- Project located within the Indiana Karst Region
- Karst features identified within or adjacent to the project area
- Oil/gas or exploration/abandoned wells identified in the project area

Yes	No
	X
	X
	X

Date Karst Evaluation reviewed by INDOT EWPO (if applicable): N/A

Discuss if project is located in the Indiana Karst Region and if any karst features have been identified in the project area (from RFI). Discuss response received from IGWS coordination. Discuss if any mines, oil/gas, or exploration/abandoned wells were identified and if impacts will occur. Include discussion of karst study/report was completed and results. (Karst investigation must comply with the current Protection of Karst Features during Planning and Construction guidance and coordinated and reviewed by INDOT EWPO)

Based on a desktop review, the project is located outside the designated karst region of Indiana as outlined in the October 13, 1993, Karst Memorandum of Understanding (MOU). According to the topo map of the project area (Appendix B, page B-1) and the RFI report (Appendix E, page E-1) there are no karst features identified within or adjacent to the project area. The early coordination response from the Indiana Geological and Water Survey (IGWS) did not indicate that karst features exist in the project area (Appendix C, page C-4) The IGWS report identified the following features within the 0.5-mile search radius:

- Geological Hazards - moderate liquefaction potential; and
- Mineral Resources - high potential bedrock resources.

The response from IGWS was communicated to the designer on May 10, 2022. The designer is aware of the potential for geological

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and mineral resources within the project area, and no impacts are expected.

SECTION C – OTHER RESOURCES

Drinking Water Resources

- Wellhead Protection Area(s)
- Source Water Protection Area(s)
- Water Well(s)
- Urbanized Area Boundary
- Public Water System(s)

Presence

X
X
X

Impacts

Yes	No
	X
	X
	X

Is the project located in the St. Joseph Sole Source Aquifer (SSA):

If Yes, is the FHWA/EPA SSA MOU Applicable?

If Yes, is a Groundwater Assessment Required?

Yes	No
	X

Check the appropriate boxes and discuss each topic below. Provide details about impacts and summarize resource-specific coordination responses and any mitigation commitments. Reference responses in the Appendix.

Sole Source Aquifer

The project is in Lake County, which is not located within the area of the St. Joseph Sole Source Aquifer, the only legally designated sole source aquifer in the state of Indiana. Therefore, the FHWA/EPA Sole Source Aquifer Memorandum of Understanding (MOU) is not applicable to this project, a detailed groundwater assessment is not needed, and no impacts are expected.

Wellhead Protection Area and Source Water Area

The Indiana Department of Environmental Management's Wellhead Proximity Determinator website (<http://www.in.gov/idem/cleanwater/pages/wellhead/>) was accessed on December 14, 2021, by Cardno. This project is not located within a Wellhead Protection Area or Source Water Area. No impacts are expected.

Water Wells

The Indiana Department of Natural Resources Water Well Record Database website (<https://www.in.gov/dnr/water/3595.htm>) was accessed on December 14, 2021, by Cardno. The nearest well is in Liberty Park and is owned by the Town of Lowell. This well will not be affected because it is outside the construction footprint and no discharges into the groundwater are anticipated. Therefore, no impacts are expected. Should it be determined during the ROW phase that this well will be affected, a cost to cure will likely be included in the appraisal to restore the wells.

Urban Area Boundary

Based on a desktop review of INDOT Municipal Separate Storm Sewer System (MS4) website (<https://entapps.indot.in.gov/MS4/>) by Cardno on July 6, 2021, this project is in an Urban Area Boundary (UAB). An early coordination letter was sent on July 8, 2021, to the Town of Lowell Stormwater Management Department MS4 Coordinator. The MS4 coordinator did not respond within the 30-day time frame. No Impacts are expected.

Public Water System

Based on a desktop review, a site visit completed by Cardno on October 15, 2021 and the aerial map of the project area (Appendix B, page B-2), this project is located where there is a public water system. The project engineer, Short Elliot Hendrickson, Inc., has completed initial utility coordination and there are no conflicts. Utility coordination is ongoing.

Floodplains

- Project located within a regulated floodplain
- Longitudinal encroachment
- Transverse encroachment
- Homes located in floodplain within 1000' up/downstream from project

Presence

Impacts

Yes	No

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If applicable, indicate the Floodplain Level?

Level 1 Level 2 Level 3 Level 4 Level 5

Use the IDNR Floodway Information Portal to help determine potential impacts. Include floodplain map in appendix. Discuss impacts according to the classification system. If encroachment on a flood plain will occur, coordinate with the Local Flood Plain Administrator during design to insure consistency with the local flood plain planning.

The Indiana Department of Natural Resources Indiana Floodway Information Portal website (<http://dnrmmaps.dnr.in.gov/appsph/fdms/>) was accessed on December 14, 2021, by Cardno. This project is not located in a regulatory floodplain as determined from approved IDNR floodplain maps (Appendix F, page F-1). Therefore, it does not fall within the guidelines for the implementation of 23 CFR 650, 23 CFR 771, and 44 CFR. No impacts are expected.

Farmland	Presence	Impacts				
		Yes	No			
Agricultural Lands	<table border="1" style="width: 40px; height: 20px; margin: auto;"><tr><td style="text-align: center;">X</td></tr></table>	X	<table border="1" style="width: 40px; height: 20px; margin: auto;"><tr><td style="text-align: center;">X</td></tr></table>	X	<table border="1" style="width: 40px; height: 20px; margin: auto;"><tr><td style="text-align: center;"> </td></tr></table>	
X						
X						
Prime Farmland (per NRCS)	<table border="1" style="width: 40px; height: 20px; margin: auto;"><tr><td style="text-align: center;">X</td></tr></table>	X	<table border="1" style="width: 40px; height: 20px; margin: auto;"><tr><td style="text-align: center;">X</td></tr></table>	X	<table border="1" style="width: 40px; height: 20px; margin: auto;"><tr><td style="text-align: center;"> </td></tr></table>	
X						
X						
Total Points (from Section VII of CPA-106/AD-1006*)	<u>93</u>					
<i>*If 160 or greater, see CE Manual for guidance.</i>						

Discuss existing farmland resources in the project area, impacts that will occur to farmland, and mitigation and minimization measures considered.

Based on a desktop review, a site visit on October 15, 2020 by Cardno, the aerial map of the project area (Appendix B, page B-2), and the Web Soil Survey (<https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>), the project will convert approximately 0.7 acres of farmland as defined by the Farmland Protection Policy Act. An early coordination letter was sent on July 8, 2021, to Natural Resources Conservation Services (NRCS). Coordination with NRCS resulted in a score of 93 on the NRCS-CPA-106 Form (Appendix C, page C-17). NRCS's threshold score for significant impacts to farmland that result in the consideration of alternatives is 160. Since this project score is less than the threshold, no significant loss of prime, unique, statewide, or local important farmland will result from this project. No alternatives other than those previously discussed in this document will be investigated without reevaluating impacts to prime farmland.

SECTION D – CULTURAL RESOURCES

	Category(ies) and Type(s)	INDOT Approval Date(s)	N/A
Minor Projects PA	<input type="text" value="B-8"/>	<input type="text" value="December 9, 2020"/>	<input type="text"/>
Full 106 Effect Finding			
No Historic Properties Affected	<input type="checkbox"/>	No Adverse Effect	<input type="checkbox"/>
		Adverse Effect	<input type="checkbox"/>
Eligible and/or Listed Resources Present			
NRHP Building/Site/District(s)	<input type="checkbox"/>	Archaeology	<input type="checkbox"/>
		NRHP Bridge(s)	<input type="checkbox"/>

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Documentation Prepared (mark all that apply)

- APE, Eligibility and Effect Determination 800.11 Documentation
- Historic Properties Report or Short Report
- Archaeological Records Check and Assessment
- Archaeological Phase Ia Survey Report
- Archaeological Phase Ic Survey Report
- Other:

ESD Approval Date(s)

December 9, 2020
December 9, 2020

SHPO Approval Date(s)

N/A
N/A

MOA Signature Dates (List all signatories)

Memorandum of Agreement (MOA)

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If the project falls under the MPPA, describe the category(ies) that the project falls under and any approval dates. If the project requires full Section 106, use the headings provided. The completion of the Section 106 process requires that a Legal Notice be published in local newspapers. Please indicate the publication date, name of the paper(s) and the comment period deadline. Include any further Section 106 work which must be completed at a later date, such as mitigation from a MOA or avoidance commitments.

Minor Project PA Category B

On December 9, 2020, the INDOT Cultural Resource Office (CRO) determined that this project falls within the guidelines of Category B, Type 8 under the Minor Projects Programmatic Agreement, (Appendix D, page D-1). Category B-8 includes construction of pedestrian facilities including trails, multi-use paths, greenways, and associated minor activities, under the following conditions:

- i. Work occurs in undisturbed soils and an archaeological investigation conducted by the applicant and reviewed by INDOT Cultural Resources Office determines that no National Register-listed or potentially National Register-eligible archaeological resources are present within the project area; and
- ii. Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource.

Above-ground Resources

An INDOT CRO historian, who meets the Secretary of the Interior’s Professional Qualification Standards as per 36 CFR Part 61, performed a desktop review, checking the Indiana Register of Historic Sites and Structures (State Register) and National Register of Historic Places (National Register) lists for Lake County. The project area is not located adjacent to or within any listed resources. There are no National Register-listed resources present adjacent to the project area. Only on IHSSI surveyed Lowell Scattered Site, IHSSI # 089-370-93026 (c. 1930’s Bungalow, rated “Contributing”) is located adjacent to the southern edge of the project area, just north of Liberty Park on the north side of Main Street. This resource is not a part of a historic district, and it lacks integrity and level of historical or architectural significance necessary to be considered individually eligible for the National Register.

Archeological Resources

An archaeological records check and Phase Ia reconnaissance survey of the project area were conducted by Cardno (Appendix D, page D-6). A review of SHAARD and SHAARD GIS indicated that no sites have been recorded within or adjacent to the survey area and that the project area has not been previously investigated. No evidence for archaeological deposits was identified by the field reconnaissance.

No further consultation is required. This completes the Section 106 process and the responsibilities of the FHWA under Section 106 have been fulfilled.

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SECTION E – SECTION 4(f) RESOURCES/ SECTION 6(f) RESOURCES

	<u>Presence</u>	<u>Use</u>	
		<u>Yes</u>	<u>No</u>
Parks and Other Recreational Land			
Publicly owned park	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Publicly owned recreation area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (school, state/national forest, bikeway, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wildlife and Waterfowl Refuges			
National Wildlife Refuge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Natural Landmark	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Wildlife Area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Nature Preserve	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Historic Properties			
Site eligible and/or listed on the NRHP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Evaluations</u>			
<u>Prepared</u>			
Programmatic Section 4(f)	<input type="checkbox"/>		
“De minimis” Impact	<input type="checkbox"/>		
Individual Section 4(f)	<input type="checkbox"/>		
Any exception included in 23 CFR 774.13	<input checked="" type="checkbox"/>		

Discuss Programmatic Section 4(f) and “de minimis” Section 4(f) impacts in the discussion below. Individual Section 4(f) documentation must be included in the appendix and summarized below. Discuss proposed alternatives that satisfy the requirements of Section 4(f). FHWA has identified various exceptions to the requirement for Section 4(f) approval. Refer to 23 CFR § 774.13 - Exceptions.

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

Based on a desktop review, the aerial map of the project area (Appendix B, page B-2), and the RFI (Appendix E, page E-1), there are 12 potential 4(f) resources located within the 0.5-mile search radius. According to additional research and by the site visit on October 15, 2022 by Cardno, there are two 4(f) resources located within or adjacent to the project area. The project will start at the entrance to Liberty Park and ends at the terminus of an existing path within Freedom Park.

Liberty Park

Liberty Park is located on a four-acre parcel in downtown Lowell. Recreation facilities located within this park include playground equipment and picnic shelters. The proposed trail begins at an existing sidewalk at the intersection of North Liberty Street and West Main Street, outside of the park boundary. As the project is outside the park boundary and is within existing Town ROW at this location, no ROW will be acquired from the park. Access to the park will not be impacted by construction. No impacts are anticipated.

Freedom Park

Freedom Park is located in the northwest corner of Lowell’s town limits and is owned by the Town of Lowell. This 114-acre property includes parking, playground, sports fields and picnic shelters. The proposed project will tie-in to the southern terminus of an existing gravel path within Freedom Park. Freedom Park is managed by the Town of Lowell Parks and Recreation Department, the official with jurisdiction (OWJ) for this park. As the Town of Lowell Parks and Recreation Department is part of the Town government, the Town Council President has the authority over decisions regarding the park. No ROW will be acquired from Freedom Park and no road or pedestrian facility closures or detours are anticipated for this project as the project ends at the terminus of an existing trail. The proposed trail extends 170-feet into Freedom Park and would convert approximately 0.04 acre of maintained grass to multi-use trail but would not require the acquisition of ROW or change in use as the trail is intended for recreational use. Based on FWHA guidance documents, the Town has determined that impacts meet the conditions of an Enhancement Exception and will not constitute a Section 4(f) use. Transportation enhancement projects must meet the following conditions of 23 CFR 774.13(g):

1. The use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection.

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Freedom Park and Liberty Park are public use parks that provide recreational activities to the community. The addition of a multi-use trail enhances the properties of each of these parks by providing a new connection between the parks increasing the recreational opportunities within the Town. The project will also increase the utilization of Freedom Park by improving non-motorized access to the newly developed subdivisions to the south of the park.

2. There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

On February 15, 2022, the Town Council President concurred that the project meets the conditions of an Enhancement Exception and the proposed trail project will not constitute a Section 4(f) use (Appendix I, page I-4).

The project will not use these resources by taking permanent ROW and will not alter the environment in such a way as to constitute constructive use of these resource. Therefore, no use of these Section 4(f) resources is expected.

Section 6(f) Involvement

Presence

Use

Section 6(f) Property

X

Yes

No
 X

Discuss Section 6(f) resources present or not present. Discuss if any conversion would occur as a result of this project. If conversion will occur, discuss the conversion approval.

The U.S. Land and Water Conservation Fund Act of 1965 established the Land and Water Conservation Fund (LWCF), which was created to preserve, develop, and assure accessibility to outdoor recreation resources. Section 6(f) of this Act prohibits conversion of lands purchased with LWCF monies to a non-recreation use.

A review of 6(f) properties on the INDOT ESD website revealed a total of 57 properties in Lake County (Appendix I, page I-5). Liberty Park and Freedom Park (Freedom Sports Park) have received LWCF monies. No ROW acquisition will occur within these parks and neither of these parks will be converted to non-recreation use as a result of the proposed project. Therefore, there will be no impacts to 6(f) resources.

SECTION F – Air Quality

STIP/TIP and Conformity Status of the Project

- Is the project in the most current STIP/TIP?
- Is the project located in an MPO Area?
- Is the project in an air quality non-attainment or maintenance area?
- If Yes, then:
 - Is the project in the most current MPO TIP?
 - Is the project exempt from conformity?
- If No, then:
 - Is the project in the Transportation Plan (TP)?
 - Is a hot spot analysis required (CO/PM)?

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

State Preservation and Local Initiated Projects
 FY 2024-2028, page 138; Transportation
 Improvement Plan FY 2022-2026, page 53
 Northwestern Indiana Regional Planning
 Commission (NIRPC)
 Northwestern Indiana Regional Planning
 Commission (NIRPC) FY 2022-2026, page 53

Location in STIP:

Name of MPO (if applicable):

Location in TIP (if applicable):

Level of MSAT Analysis required?

Level 1a Level 1b Level 2 Level 3 Level 4 Level 5

Describe if the project is listed in the STIP and if it is in a TIP. Describe the attainment status of the county(ies) where the project is located. Indicate whether the project is exempt from a conformity determination. If the project is not exempt, include information about the TP and TIP. Describe if a hot spot analysis is required and the MSAT Level.

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STIP/TIP

This project is included in the Fiscal Year (FY) 2022-2026 (Appendix H, page H-1) Northwestern Indiana Regional Planning Commission (NIRPC) Metropolitan Planning Organization (MPO) Transportation Improvement Program (TIP) and is directly incorporated into the 2024-2028 Statewide Transportation Improvement Program (STIP) (Appendix H, page H-2).

Attainment Status

This project is in Lake County, which is currently a nonattainment area for 8-hour Ozone (1997) according to the U.S. Environmental Protection Agency Nonattainment Areas for Criteria Pollutants (Greenbook) website (https://www3.epa.gov/airquality/greenbook/anayo_in.html). The 1997 8-hour ozone standard was revoked in 2015 but is being evaluated for conformity due to the February 16, 2018, South Coast Air Quality Management District V. Environmental Protection Agency, Et. Al. Decision.

The project's design concept and scope are accurately reflected in both the (NIRPC) Transportation Plan (TP) and the Transportation Improvement Program (TIP) and both conform to the State Implementation Plan (SIP). Therefore, the conformity requirements of 40 CFR 93 have been met.

MSAT

This project is of a type qualifying as a categorical exclusion (Group 1) under 23 CFR 771.117(c), or exempt under the Clean Air Act conformity rule under 40 CFR 93.126, and as such, a Mobile Source Air Toxics analysis is not required.

SECTION G - NOISE

Noise

Yes **No**

Is a noise analysis required in accordance with FHWA regulations and INDOT's traffic noise policy?

Date Noise Analysis was approved/technically sufficient by INDOT ESD: _____

Describe if the project is a Type I or Type III project. If it is a Type I project, describe the studies completed to date and if noise impacts were identified. If noise impacts were identified, describe if abatement is feasible and reasonable and include a statement of likelihood.

This project is a Type III project. In accordance with 23 CFR 772 and the current Indiana Department of Transportation Traffic Noise Analysis Procedure, this action does not require a formal noise analysis.

SECTION H – COMMUNITY IMPACTS

Regional, Community & Neighborhood Factors

Yes **No**

Will the proposed action comply with the local/regional development patterns for the area?

Will the proposed action result in substantial impacts to community cohesion?

Will the proposed action result in substantial impacts to local tax base or property values?

Will construction activities impact community events (festivals, fairs, etc.)?

Does the community have an approved transition plan?

 If No, are steps being made to advance the community's transition plan?

Does the project comply with the transition plan? (explain in the discussion below)

Discuss how the project complies with the area's local/regional development patterns; whether the project will impact community cohesion; and impact community events. Discuss how the project conforms with the ADA Transition Plan.

The project will provide a non-motorized connection between Liberty Park and Freedom Park. The trail system benefits the community by enhancing livability, providing opportunities for outdoor recreation and non-motorized transportation, and encouraging physical activity and healthy lifestyles.

Local Land Use Policies

The Town of Lowell developed a comprehensive plan on March 10, 2007

(https://www.lowell.net/egov/documents/1621999429_08455.pdf). This plan was prepared with the aim of guiding growth and

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development and informing the decisions behind the public action that will shape the future of the Lowell area. The plan includes a goal to improve existing parks and trails in Lowell and provide more parks and recreational opportunities. One of the strategies listed is to develop pedestrian infrastructure to encourage use and provide access to all parks. The proposed project would connect two existing parks, which will provide additional recreational opportunities as well as improve access.

Transition Plan

The Town of Lowell adopted the ADA Transition Plan for Public Rights-of-Way August 23, 2013, (https://www.lowell.net/egov/documents/1621863606_58637.pdf). The trail and sidewalk connections are designed to be ADA-compliant.

No substantial economic or community impacts are expected to develop as a result of this project.

Public Facilities and Services

Discuss what public facilities and services are present in the project area and impacts (such as MOT) that will occur to them. Include how the impacts have been minimized and what coordination has occurred. Some examples of public facilities and services include health facilities, educational facilities, public and private utilities, emergency services, religious institutions, airports, transportation or public pedestrian and bicycle facilities.

Based on a desktop review, the aerial map of the project area (Appendix B, page B-2) and the RFI report (Appendix E, page E-1), there are five religious facilities, three schools, nine recreational facilities, one trail, and two managed lands located within the 0.5 mile of the project. There are two public facilities, Liberty and Freedom Park, within or adjacent to the project area. That number was confirmed by the site visit October 15, 2020, by Cardno. Access to these parks will be maintained throughout construction of the trail. Impacts to these parks are discussed in detail in the Section 4(f) section of this document. In addition to these recreational facilities, a portion of the trail is located within a residential area that has sidewalks on both sides of the road. The trail will convert the sidewalk on one side of the road to the multi-use trail. This sidewalk through the Timber Springs neighborhood will be closed to complete the conversion to the multi-use trail. Pedestrians will be directed to the sidewalk on the opposite side of the street. The Town will notify the neighborhood prior to construction and will confirm that traffic will not be disrupted. Impacts to this neighborhood will be temporary and connectivity will be improved by providing a non-motorized route from this community to Liberty Park and Freedom Park.

It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access.

Environmental Justice (EJ) (Presidential EO 12898)

During the development of the project were EJ issues identified?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Does the project require an EJ analysis?

If YES, then:

Are any EJ populations located within the project area?

<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Will the project result in adversely high and disproportionate impacts to EJ populations?

Indicate if EJ issues were identified during project development. If an EJ analysis was not required, discuss why. If an EJ analysis was required, describe how the EJ population was identified. Include if the project has a disproportionately high or adverse effect on EJ populations and explain your reasoning. If yes, describe actions to avoid, minimize and mitigate these effects.

Under FHWA Order 6640.23A, FHWA and the project sponsor, as a recipient of funding from FHWA, are responsible to ensure that their programs, policies, and activities do not have a disproportionately high and adverse effect on minority or low-income populations. Per the current INDOT Categorical Exclusion Manual, an Environmental Justice (EJ) Analysis is required for any project that has two or more relocations or 0.5 acre of additional permanent ROW. The project will require the acquisition of 4.76 acres of ROW. Therefore, an EJ Analysis is required.

Potential EJ impacts are detected by locating minority and low-income populations relative to a reference population to determine if populations of EJ concern exist and whether there could be disproportionately high and adverse impacts to them. The reference population may be a county, city or town and is called the community of comparison (COC). In this project, the COC is Cedar Creek Township. The community that overlaps the project area is called the affected community (AC). In this project, the AC is Census Tract 434.03. An AC has a population of concern for EJ if the population is more than 50% minority or low-income or if the low-income or minority population is 125% of the COC. Data from the American Community Survey 5 Year Estimates (2015-2020) was obtained from the United States Census Bureau on July 12, 2022, by Cardno (<https://data.census.gov/cedsci/>).

The data collected for minority and low-income populations within the AC are summarized in the below table.

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Table: Minority and Low-Income Data (American Community Survey 5 Year Estimates 2020)

	COC – Cedar Creek Township	AC - Census Tract 434.03
Percent Minority	7.9%	9.1%
125% of COC	9.9%	AC > 125% COC
EJ Population of Concern		No
Percent Low-Income	6.31%	10.59%
125% of COC	7.89%	AC > 125% COC
EJ Population of Concern		Yes

AC, Census Tract 434.03 has a percent minority of 9.1%, which is below 50% and is below the 125% COC threshold. Therefore, the AC does not contain minority populations of EJ concern.

AC, Census Tract 434.03 has a percent low-income of 10.59%, which is below 50% and is above the 125% COC threshold. Therefore, the AC has a low-income population of EJ concern.

Conclusion

The census data sheets, map, and calculations can be found in Appendix I. Based on the above analysis, the AC does not contain minority populations of EJ concern but does contain a low-income population of EJ concern. The project is a trail project that will require the acquisition of approximately 4.76 acres of permanent ROW, but no relocations. The trail will either be installed along the existing roadway or will bisect undeveloped forest and will provide a non-motorized connection between two existing Town parks. The project will require the closure of the sidewalks along the southside of Timber Lake Drive and on the east side of Redbud Lane to convert them to the multi-use trail. The project will also require the closure of the existing sidewalk in the southeast corner of the intersection of West Main Street and North Liberty Street. The Town will utilize signage to direct pedestrians to the opposite side of the roadway. Work within roadways is not anticipated and disruption of traffic is not anticipated. The sidewalk closures will pose a temporary inconvenience to traveling pedestrians; however, no significant delays are anticipated, and all inconveniences and delays will cease upon project completion. Since this project will connect communities, does not require relocations, and will not permanently inconvenience pedestrian mobility, disproportionately high and adverse impact to low income populations are not anticipated. No further environmental justice analysis is warranted.

Relocation of People, Businesses or Farms

Will the proposed action result in the relocation of people, businesses or farms?
Is a BIS or CSRS required?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Number of relocations: Residences: 0 Businesses: 0 Farms: 0 Other: 0

Discuss any relocations that will occur due to the project. If a BIS or CSRS is required, discuss the results in the discussion below.

No relocations of people, businesses, or farms will take place as a result of this project.

SECTION I – HAZARDOUS MATERIALS & REGULATED SUBSTANCES

Hazardous Materials & Regulated Substances (Mark all that apply)

- Red Flag Investigation (RFI)
- Phase I Environmental Site Assessment (Phase I ESA)
- Phase II Environmental Site Assessment (Phase II ESA)
- Design/Specifications for Remediation required?

Documentation

<input checked="" type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

Date RFI concurrence by INDOT SAM (if applicable): February 23, 2021

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Include a summary of the potential hazardous material concerns found during review. Discuss in depth sites found within, directly adjacent to, or ones that could impact the project area. Refer to current INDOT SAM guidance. If additional documentation (special provisions, pay quantities, etc.) will be needed, include in discussion. Include applicable commitments.

Based on a review of INDOT Geographic Information System (GIS) mapping and available public records, the RFI was completed on November 5, 2020, by Cardno and INDOT Site Assessment & Management (SAM) provided their concurrence on February 23, 2021 (Appendix E, Page E-5). Seven Resource Conservation and Recovery Act (RCRA) generator facilities, one State Cleanup Site, one Underground Storage Tank (UST), three Leaking Underground Storage Tank (LUST), one Brownfield, six National Pollutant Discharge Elimination System (NPDES) facilities, and one NPDES pipe location are located within 0.5 mile of the project area. None of the hazardous material sites identified are within or adjacent to the project and therefore will not impact the project. Further investigation for hazardous material concerns is not required at this time.

Part IV – Permits and Commitments

PERMITS CHECKLIST

Permits (mark all that apply)

Likely Required

Army Corps of Engineers (404/Section10 Permit)

Nationwide Permit (NWP)	<input type="checkbox"/>
Regional General Permit (RGP)	<input checked="" type="checkbox"/>
Individual Permit (IP)	<input type="checkbox"/>
Other	<input type="checkbox"/>

IN Department of Environmental Management (401/Rule 5)

Nationwide Permit (NWP)	<input type="checkbox"/>
Regional General Permit (RGP)	<input type="checkbox"/>
Individual Permit (IP)	<input checked="" type="checkbox"/>
Isolated Wetlands	<input type="checkbox"/>
Rule 5	<input type="checkbox"/>
Other	<input type="checkbox"/>

IN Department of Natural Resources

Construction in a Floodway	<input type="checkbox"/>
Navigable Waterway Permit	<input type="checkbox"/>
Other	<input type="checkbox"/>

Mitigation Required

US Coast Guard Section 9 Bridge Permit	<input checked="" type="checkbox"/>
Others (Please discuss in the discussion below)	<input type="checkbox"/>

List the permits likely required for the project and summarize why the permits are needed, including permits designated as "Other."

Clean Water Act, Section 404/401 (USACE/IDEM)

The project will impact more than 0.1 acre and less than 1 acre of wetland. There will be no impacts to streams. Fill within the wetlands will require 404 Regional Permit Authorization and 401 Individual Water Quality Certification. Mitigation for wetland impacts is anticipated.

Stormwater Permitting (IDEM)

The project will disturb one acre of soil; therefore, compliance with the Indiana Construction Stormwater General Permit is anticipated.

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

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

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ENVIRONMENTAL COMMITMENTS

List all commitments and include the name of agency/organization requesting/requiring the commitment(s). Listed commitments should be numbered.

Firm

1. If the scope of work or permanent or temporary right-of-way amounts change, the INDOT ESD and the INDOT District Environmental Section will be contacted immediately. (INDOT ESD and INDOT LaPorte District)
2. It is the responsibility of the project sponsor to notify school corporations and emergency services at least two weeks prior to any construction that would block or limit access. (INDOT ESD)
3. Any work in a wetland area within right-of-way or in borrow/waste areas is prohibited unless specifically allowed in the U.S. Army Corps of Engineers permit. (INDOT ESD)
4. UNT 01 and Wetland 02 will be labeled on the plans as "Do Not Disturb" (INDOT ESD)
5. The Town of Lowell will notify the Timber Springs Neighborhood prior to construction of the trail. (Town of Lowell)
6. Per General AMM 1, the project sponsor must ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (transportation agencies) environmental commitments, including all applicable AMMs. (USFWS)
7. Per Tree Removal AMM 1, all phases/aspects of the project (e.g., temporary work areas, alignments) must be modified to avoid tree removal. (USFWS)
8. Per Tree Removal AMM 2. Apply time of year (TOY) restrictions for tree removal when bats are not likely to be present, or Limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/rail surface and outside of documented roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed. (USFWS, IDNR-DFW)
9. Per Tree Removal AMM 3, the project sponsor must ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits). (USFWS)
10. A "Reinitiation Notice" is required if: more than 1.49 acres of trees (suitable habitat) are to be cleared between 100 and 300 feet from the edge of pavement; the Project takes more than 5 Indiana bats resulting from work on the bridge/structure; the amount or extent of incidental take of Indiana bat and/or northern long-eared bat is exceeded; new information about listed species is encountered; a new species is listed or critical habitat designated that the project may affect; the project is modified in a manner that causes an effect to the listed species; or, new information reveals that the project may affect listed species or critical habitat in a manner not considered in the BO or the project information. (USFWS)
11. Contractors must take care when handling dead or injured bats (regardless of species), and any other federally listed species that are found at the Project site in order to preserve biological material in the best possible condition and protect the handler from exposure to diseases, such as rabies. Project personnel are responsible for ensuring that any evidence about determining the cause of death or injury is not unnecessarily disturbed. Reporting the discovery of dead or injured listed species is required in all cases to enable the Service to determine whether the level of incidental take exempted by the BO is exceeded, and to ensure that the terms and conditions are appropriate and effective. Parties finding a dead, injured, or sick specimen of any bat (regardless of species), or other endangered or threatened species, must promptly notify the USFWS Bloomington Field Office at (812) 334-4261. (USFWS)
12. The INDOT Project Manager will ensure that \$7,857.36 of Preliminary Engineering funds will be allocated to the Rangewide In-Lieu Fee Program, administered by The Conservation Fund (TCF), to resolve formal consultation under the Rangewide Programmatic (0.48 acre x 1.75 x \$9,354). Payment shall be in process for RFC date. At the time of payment, the INDOT or designated non-federal representative shall notify the Service of compliance with the compensatory mitigation requirements as described above. (USFWS)
13. It will be necessary to mitigate for the wetland impacts. The forested wetlands will require a mitigation ratio of 4:1, replaced

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as close as possible to the impact area. This wetland mitigation requirement is unrelated to any requirements for mitigation of lost bat habitat. (USFWS)

14. The Town of Lowell and Designer (Engineer) will evaluate the addition of privacy screens to block views of adjacent properties from the trail.

For Further Consideration

15. We recommend a mitigation plan be developed for any unavoidable habitat impacts that will occur. The DNR's Habitat Mitigation guidelines (and plant lists) can be found online at: <http://www.in.gov/legislative/iac/20190130-IR-312190041NRA.xml.pdf>. Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to non-wetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, at least 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10" dbh or greater (5:1 mitigation based on the number of large trees) or by using the 1:1 replacement ratio based on area depending on the type of habitat impacted (individual canopy tree removal in an urban streetscape or park-like environment versus removal of habitat supporting a tree canopy, woody understory, and herbaceous layer). Impacts under 0.10 acre in an urban area may still involve the replacement of large diameter trees but typically do not require any additional mitigation or additional plantings beyond seeding and stabilizing disturbed areas. (IDNR – DFW)
16. Due to the presence or potential presence of wetland habitat on site, we recommend contacting and coordinating with the IDEM 401 program and also the USACE 404 program. Impacts to wetland habitat should be mitigated at the appropriate ratio according to the 1991 INDOT/IDNR/USFWS Memorandum of Understanding. (IDNR – DFW)
17. Place the trail in or adjacent to existing ROWs where possible to minimize significant impacts to natural resource habitat. Also, previously disturbed or degraded areas must be used. The trail must be aligned along or near existing man-made edges or areas that have the potential to be restored or enhanced by trail construction (i.e. railroad corridors), rather than routing the trail through previously undisturbed areas. (IDNR – DFW)
18. When designing or constructing a trail, as narrow an area as possible should be disturbed to help minimize negative impacts. Where significant impacts to fish, wildlife or botanical resources are likely due to the trail's width, the trail width should be reduced to help avoid those impacts. ADA accessibility standards allow departures from the standards under certain conditions, including substantial harm to natural features, habitat, or vegetation (<http://www.access-board.gov/attachments/article/1500/outdoor-rule.pdf>, Accessibility Guidelines for Outdoor Developed Areas). (IDNR – DFW)
19. Do not focus only on the direct impact of the trail's width; also consider the trail's impact to the surrounding habitat. Trails can fragment larger habitat areas and reduce the overall usefulness of the site to fish, wildlife, or botanical resources (1 large habitat block is better than 2 small habitat blocks). Trails can cause significant impacts to forested areas, riparian forested corridors along creeks and rivers, and wetland areas. They also may cause sediment and erosion issues or introduce human disturbance into fairly isolated areas containing wildlife habitat. (IDNR – DFW)
20. Avoid unnecessary stream crossings. Instead, make use of or modify existing stream crossings or avoid crossing the stream altogether. Where stream crossings are unavoidable, pedestrian bridges with supports/abutments placed no less than 10 ft landward from the tops of the banks on each side of the waterway are recommended. Alternatively, a three-sided culvert may be used. Three-sided culverts should be oversized to allow terrestrial wildlife movement along the creek on unsubmerged dry land at normal water levels. Box-culvert or pipe-culvert crossings are not recommended. (IDNR – DFW)
21. Trails designed to follow a stream's course must be placed outside the stream's forested riparian buffer. Also, do not place the trail along the tops of the banks of a forested creek. Avoid perpendicular fragmentation of riparian areas (streamside habitat). Where the stream has little or no forested riparian buffer, the trail should be no closer than 15 ft from the tops of the banks. (IDNR – DFW)
22. Avoid elements identified in the Natural Heritage Database; trails may negatively affect species that require specific natural conditions (e.g., vegetation, light levels, moisture) that are altered as a result of trail construction. Rare and high quality habitats, and wildlife habitats that possess high wildlife abundance and diversity, should be avoided by placing the trail around the habitat and screening it from the trail and trail users with a buffer of native vegetation or another method as discussed below. Wetlands and karst features are but two examples of areas to avoid. (IDNR – DFW)
23. Raised boardwalks should be constructed in wet areas or near wetlands (trails through wetlands are not recommended). A material such as composite decking should be used rather than treated wood which can leach elements toxic to aquatic life.

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(IDNR – DFW)

24. Vegetation, topography, and fences can help reduce the impact of noise and line of site disturbances of trail users on wildlife. Walls can create wildlife movement barriers and potential impacts must be considered. Native grass buffers (2 to 3 ft tall) are recommended along the edge of trails near habitat such as wetlands. (IDNR – DFW)
25. Lighting should only be used when absolutely necessary. Lighting in forested areas and along creeks, streams, and rivers should be the lowest intensity feasible and shielded to cast light on the trail and not diffused into the surroundings to avoid disturbing wildlife circadian rhythms and disorienting night-migrating birds. (IDNR – DFW)
26. Any plantings in the riparian areas should be locally native species, not exotic species or horticultural varieties (e.g., "Autumn Blaze" Red Maple). (IDNR – DFW)
27. Asphalt is not recommended as a trail surface in the floodway. The conventional maintenance for aging asphalt is to seal it with a blacktop or asphalt sealer. If asphalt is used then asphalt sealer should not be used for long-term maintenance and repair of the asphalt trail surface. In previously disturbed areas, concrete is an acceptable surface material, and porous concrete is preferred wherever it can be used. (IDNR – DFW)
28. Shoulders should be constructed using unconsolidated materials where possible. In some situations, solid shoulders are necessary. In those cases, shoulders should be constructed using porous concrete. (IDNR – DFW)
29. Trails that highlight natural resources should skirt the resource and use "pulloffs" at specific sites instead of letting the entire trail and traffic disturb the resource. (IDNR – DFW)

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Appendix A

Supporting Documentation

Categorical Exclusion Level Threshold Table A-1

Categorical Exclusion Level Thresholds

	PCE	Level 1	Level 2	Level 3	Level 4 ¹
Section 106	Falls within guidelines of Minor Projects PA	“No Historic Properties Affected”	“No Adverse Effect”	-	“Adverse Effect” Or Historic Bridge involvement ²
Stream Impacts³	No construction in waterways or water bodies	< 300 linear feet of stream impacts	≥ 300 linear feet of stream impacts	-	USACE Individual 404 Permit ⁴
Wetland Impacts³	No adverse impacts to wetlands	< 0.1 acre	-	< 1.0 acre	≥ 1.0 acre
Right-of-way⁵	Property acquisition for preservation only or none	< 0.5 acre	≥ 0.5 acre	-	-
Relocations⁶	None	-	-	< 5	≥ 5
Threatened/Endangered Species (Species Specific Programmatic for Indiana bat & northern long eared bat)*	“No Effect”, “Not likely to Adversely Affect” (With select AMMs ⁷)	“Not likely to Adversely Affect” (With any AMMs or commitments)	-	“Likely to Adversely Affect”	Project does not fall under Species Specific Programmatic ⁸
Threatened/Endangered Species (Any other species)*	Falls within guidelines of USFWS 2013 Interim Policy or “No Effect”	“Not likely to Adversely Affect”	-	-	“Likely to Adversely Affect”
Environmental Justice	No disproportionately high and adverse impacts	-	-	-	Potential ⁹
Sole Source Aquifer	No Detailed Groundwater Assessment	-	-	-	Detailed Groundwater Assessment
Floodplain	No Substantial Impacts	-	-	-	Substantial Impacts
Section 4(f) Impacts	None	-	-	-	Any ¹⁰
Section 6(f) Impacts	None	-	-	-	Any
Permanent Traffic Alteration	None	-	-	-	Any
Noise Analysis Required	No	-	-	-	Yes
Air Quality Analysis Required	No	-	-	-	Yes ¹¹
Approval Level	Concurrence by DE or ESD	DE or ESD	DE or ESD	DE and/or ESD	DE and/or ESD; and FHWA
<ul style="list-style-type: none"> • District Env. (DE) • Env. Serv. Div. (ESD) • FHWA 					

¹ Coordinate with INDOT Environmental Services Division. INDOT will then coordinate with the appropriate FHWA Environmental Specialist.

² Any involvement with a bridge processed under the Historic Bridge Programmatic Agreement.

³ Total permanent impacts to streams (linear feet) and wetlands (acres).

⁴ US Army Corps of Engineers Individual 404 Permit

⁵ Total permanent and temporary right-of-way. This does not include reacquisition of existing apparent right-of-way.

⁶ If any relocations are within an area with a known or suspected Environmental Justice (EJ) or disadvantaged population, or has greater than 5 relocations, a conversation with FHWA, through INDOT ESD, is needed to confirm NEPA classification and outreach plan for the project.

⁷ Avoidance and Mitigation Measures (AMMs) determined by the IPAC determination key to be required that are not tree AMMs, bridge AMMs, or structure AMMs.

⁸ Projects that do not fall under a Species Specific Programmatic and results in a “Likely to Adversely Affect”. Other findings can be processed as a lower-level CE.

⁹ Potential for causing a disproportionately high and adverse impact.

¹⁰ Section 4(f) use resulting in an Individual, Programmatic, or *de minimis* evaluation. The only exception is a *de minimis* evaluation for historic properties (Effective January 2, 2020). If a historic property *de minimis* and no other use, mark the *None* column.

¹¹ Hot Spot Analysis and/or MSAT Quantitative Emission Analysis.

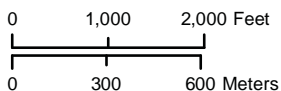
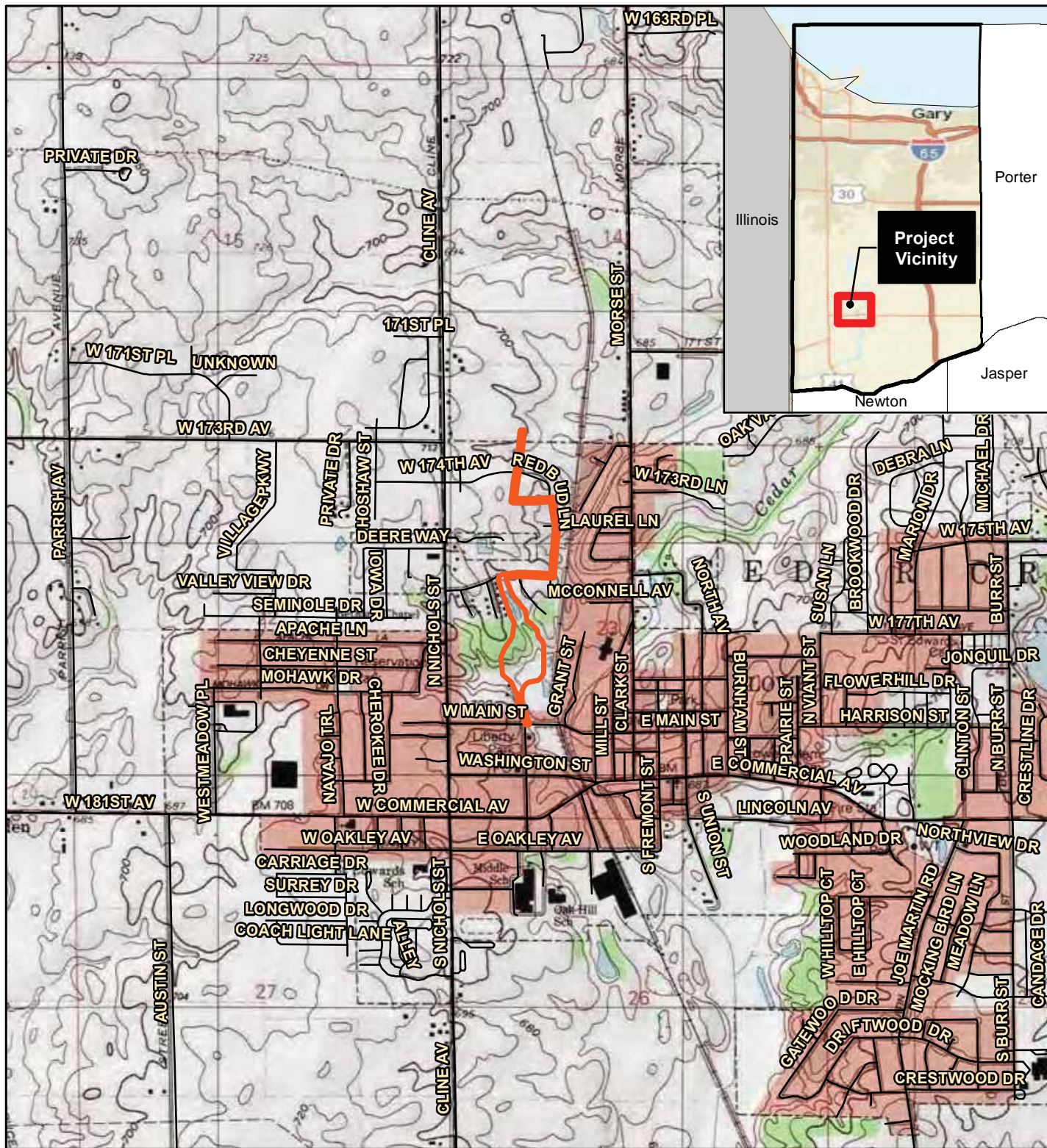
* Includes the threatened/endangered species critical habitat

Note: Substantial public or agency controversy may require a higher-level NEPA document.

Appendix B

Graphics

Project Location B-1
Aerial View B-2
Photographs B-3
Stage 1 Bridge Plans B-6
Proposed Right-of-Way B-22
Wetland Impacts B-23
Tree Clearing B-35



2

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Figure 1. Project Location

**Lowell Freedom Trail
NEPA Documentation
INDOT Des No, 1802920
Porter County, Indiana**



3901 Industrial Blvd., Indianapolis, IN 46254
Phone (+1) 317-388-1982 Fax (+1) 317-388-1986
www.cardno.com



Photo 01: Photo station 01, facing south from existing trail at northern project extent. 10/15/2020.



Photo 02: Photo station 02, facing north towards Redbud Lane. 10/15/2020.



Photo 03: Photo station 03, facing east towards Redbud Lane. 10/15/2020.



Photo 04: Photo station 03, facing west towards farm field on proposed trail path. 10/15/2020.

<p>Project Number: J192524300</p>	<p>Site Photographs Lowell Freedom Trail Town of Lowell Lowell, IN</p>	 <p>708 Roosevelt Road, Walkerton, IN 46574 USA Phone (+1) 574-586-3400 Fax (+1) 574-586-3446 www.cardno.com</p>
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Photo 05: Photo station 04, facing north along the east side of Redbud Lane along the proposed trail path. 10/15/2020.




Photo 06: Photo station 05, facing north at the corner of Timber Springs Rd. and Redbud Ln. 10/15/2020.



Photo 07: Photo station 06, facing north along the proposed trail path. 10/15/2020.



Photo 08: Photo station 07, facing northwest across W Main St. at the southern project extent. 10/15/2020.

<p>Project Number: J192524300</p>	<p>Site Photographs Lowell Freedom Trail Town of Lowell Lowell, IN</p>	 <p>708 Roosevelt Road, Walkerton, IN 46574 USA Phone (+1) 574-586-3400 Fax (+1) 574-586-3446 www.cardno.com</p>
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Save: 5/4/2022 2:40 PM rpuh Plot: 5/4/2022 2:43 PM X:\KOLLOWELL\154504\15-final-dsgn\5-drawing\10-Civil\cad\dwg\exhibit\154504 - ALTERNATE ALIGNMENTS.dwg



Legend:

- Alternate Alignment 1
- Alternate Alignment 2
- Preferred Alignment



FILE NO.
154504

DATE:
05/04/2022

**ALTERNATE ALIGNMENTS
FREEDOM TRAIL
DES NO. 1802920**

**EXHIBIT
NO. 1**



PROJECT	DESCRIPTION
OWNER	OWNER
CONTACT	PHONE NO.
ADDRESS	

INDIANA DEPARTMENT OF TRANSPORTATION

SHARED-USE PATH PLANS FREEDOM TRAIL LOWELL, IN

PROJECT DESCRIPTION
DESIGN OF TRAIL IN THE TOWN OF LOWELL
STARTING FROM LIBERTY PARK HEADING SOUTH TO W MAIN STREET
IN SECTION 24, TOWNSHIP 33 N, RANGE 5 W, CEDAR CREEK TOWNSHIP, LAKE
COUNTY, INDIANA.

TRAFFIC DATA	
AA&T (DAILY)	NA
AA&T (PROJECT PERIOD)	NA
AD&T (DAILY)	NA
AD&T (PROJECT PERIOD)	NA
TRUCKS	NA
DESIGN DATA	
DESIGN SPEED	35 MPH
PROJECT DESIGN CENTERLINE	RIGHT-OF-WAY
NEW ROAD CLASSIFICATION	UNIMPROVED RURAL
ADJUSTED	ADJUSTED
TRAFFIC	ADJUSTED
ADJUSTED CENTERLINE	ADJUSTED



PROJECT LOCATION SHOWN BY

GROSS PROJECT LENGTH	00.00 LF
NET PROJECT LENGTH	00.00 LF
MAXIMUM ELEVATION	00.00
MINIMUM ELEVATION	00.00
MAXIMUM GRADE	5.00%
MINIMUM GRADE	0.00%
LATITUDE	41°17'21" N
LONGITUDE	87°24'24" W

**TOWN OF LOWELL
TOWN COUNCIL**

DATE

DATE

DATE

DATE

DATE

LOWELL TOWN COUNCIL
MICHAEL BRIDGES, WARD 1
MIFF FELDER, WARD 2
PAUL FARRERLBERG, VICE PRESIDENT, WARD 3
CHRIS SALATA, PRESIDENT, WARD 4
EDGAR CORRAL, WARD 5
JUDY WALTERS, CLERK/TREASURER
D. JEFFREY SHENKIN, TOWN MANAGER
KEVIN GRAY, DIRECTOR OF PUBLIC WORKS



LOCATION MAP



DATE: 1/11/21

INDIANA DEPARTMENT OF TRANSPORTATION
STANDARD SPECIFICATIONS DATED 2008 TO
BE USED WITH THIS SET OF PLANS

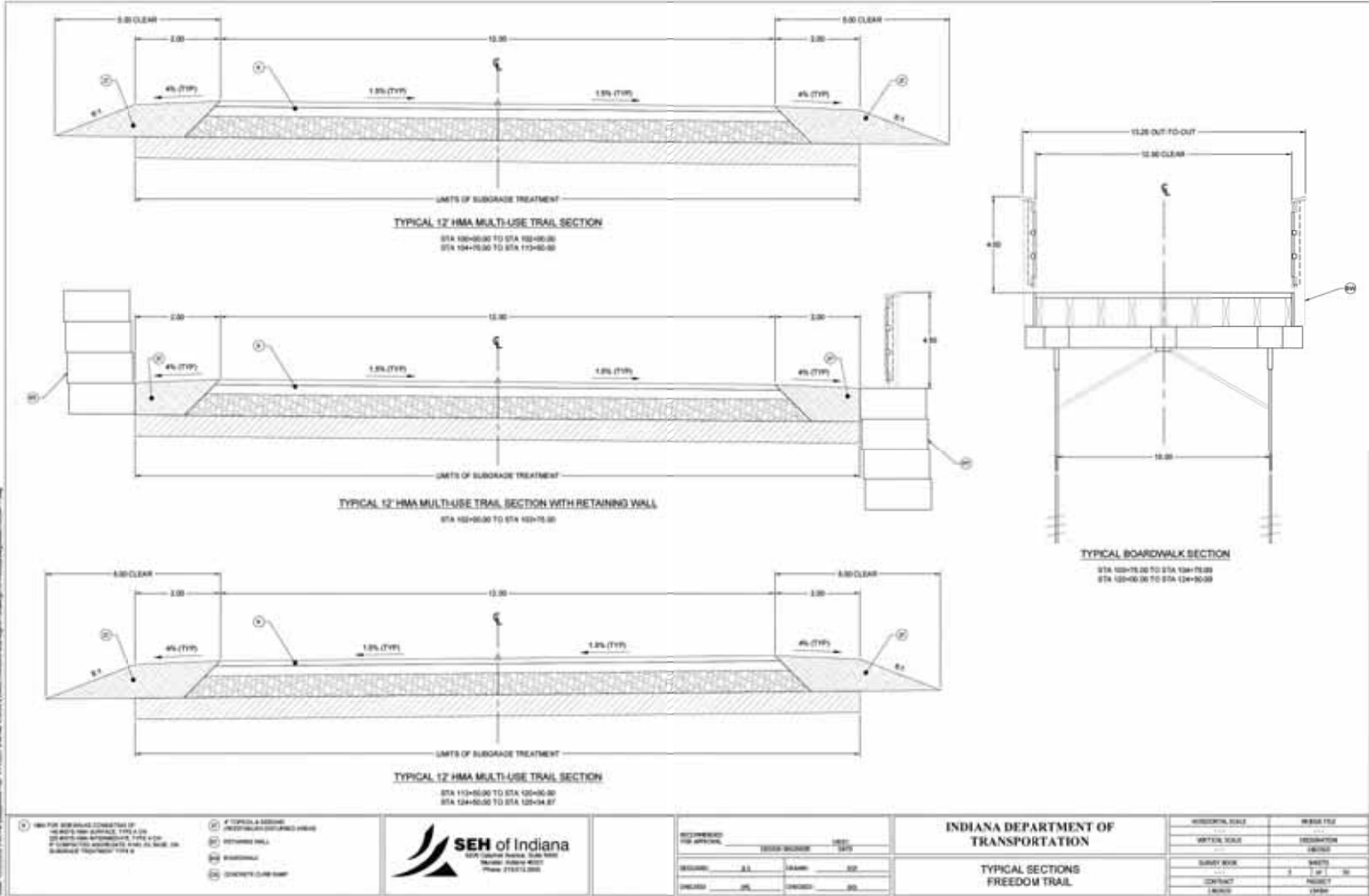
SEH of Indiana
2001 Lincoln Road, Suite 1000
Bloomington, Indiana 47403
Phone: 317.313.2200

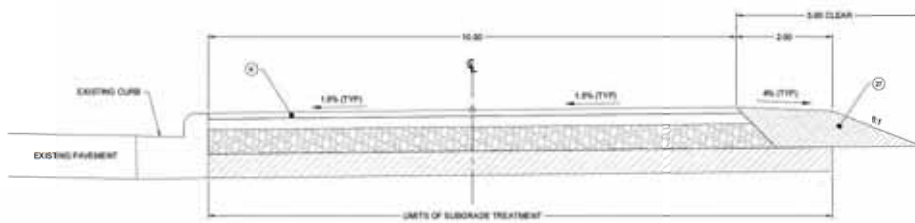
PROJECT NO.	18022920
DATE	1/11/21
SCALE	1:500
DATE	1/11/21

DESIGNER	SEH OF INDIANA
CHECKED	SEH OF INDIANA
DATE	1/11/21
PROJECT	LOWELL

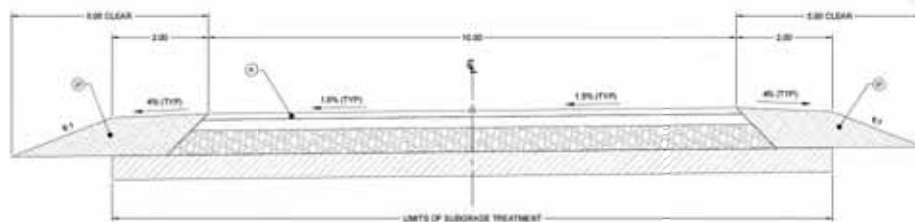
GENERAL NOTES

1. THE CONTRACTOR SHALL PROVIDE FULL DEPTH FINISHES WHERE EXISTING FINISHES CONCRETE OR ASPHALT TO BE REMOVED. THE CONTRACTOR SHALL PROVIDE ADEQUATE COMPACTED MATERIALS BELOW AT SUFFICIENT DEPTH TO BACK UP AND PREVENT THE DEGRADATION OF THE EXISTING PAVEMENT TO REMAIN. FINISHES TO EXISTING FINISHES SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.	14. WHERE SHARPER MARKINGS ARE LOCATED OUTSIDE OF PAVED AREAS, CONTRACTOR SHALL MARK AROUND EACH CORNER SO THAT SURFACE WATER SHALL NOT FLOW INTO OR OVER THE STRUCTURE.
2. THE CONTRACTOR SHALL PLACE AND MAINTAIN A 4" SPREAD BASE AT ALL PROPOSED EXPOSURES TO THE CONSTRUCTION SITE PRIOR TO DEMOLITION.	15. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE HEALTH AND SAFETY OF HIS EMPLOYEES AND THE SUBCONTRACTORS PER OSHA REGULATIONS AND ANY OTHER ORGANIZATION HAVING JURISDICTION.
3. EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO ALL DEMOLITION. THE CONTRACTOR SHALL FOLLOW THE TOWNSHIP REQUIREMENTS FOR THE PROJECT AND PRACTICES OUTLINED IN THE TOWNSHIP HANDBOOK FOR EROSION CONTROL, INCLUDING AREAS REQUIRED FOR THE PROTECTION OF SOIL, EROSION AND SEDIMENTATION CONTROL AND CHARACTERISTICS OF THE CONSTRUCTION SITE. BEST PRACTICES AND REQUIREMENTS SHALL REMAIN IN PLACE FOR THE DURATION OF THE PROJECT.	16. CONTRACTOR SHALL VISIT THE SITE PRIOR TO SUBMITTING A BID FOR WORK BY SUBMITTING A BID. THE CONTRACTOR ACKNOWLEDGES THAT HE HAS VISITED THE SITE AND IS AWARE OF ALL EXISTING CONDITIONS.
4. CONTRACTOR SHALL COORDINATE WITH ADOPT THE TOWNSHIP OF LOMBARD AND STATE PARK OFFICIALS RELATIVE TO ALL WORK TO BE PERFORMED WITHIN THE PUBLIC RIGHT OF WAY. CONTRACTOR SHALL PROVIDE ALL NECESSARY TRAFFIC CONTROL MEASURES WITHIN PUBLIC RIGHT OF WAY AS REQUIRED.	17. NO OPEN TRENCHES SHALL BE ALLOWED IN THE EVENING AFTER DAILY CONSTRUCTION OPERATIONS HAVE FINISHED, EXCEPT IN THE AREA OF THE TRENCHING BOX. CONTRACTOR TO PROVIDE CONSTRUCTION FENCE AND NECESSARY WARNING SIGNALS AROUND TRENCHING BOX AREA FOR PUBLIC SAFETY.
5. ALL SIGNAL AND FINISHES MARKINGS SHALL CONFORM TO TOWNSHIP MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND SIGNALS, LATEST EDITION, AND TOWNSHIP MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AND SIGNALS, LATEST EDITION, AND BEING DAMAGED BY CONSTRUCTION SHALL BE REPLACED AT THE EXPENSE OF THE CONTRACTOR.	18. CONTRACTOR SHALL NOTIFY THE TOWNSHIP OF LOMBARD PROGRESSIVE UTILITIES AND PUBLIC WORKS OFFICE 48 HOURS PRIOR TO THE INSTALLATION OF THE CONNECTION TO THE EXISTING STRUCTURE/PIPELINE.
6. UTILITIES SHOWN ON PLANS ARE APPROXIMATE IN LOCATION AND ARE FOR INFORMATIONAL PURPOSES ONLY AND MAY NOT BE ACCURATE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONDUCT ALL UTILITY LOCATIONS WHETHER EXISTING OR UNKNOWN. LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. SHOULD A CONFLICT EXIST, THE CONTRACTOR SHALL IMMEDIATELY CONTACT THE DESIGN ENGINEER.	19. THE CONTRACTOR SHALL CLEAR AND GRUB ALL WORK/INSTALLMENT AREAS LOCATED WITHIN THE CONSTRUCTION LIMITS IN ACCORDANCE WITH THE SPECIFICATIONS INCLUDING THE REMOVAL OF ALL TREES OF ALL SIZES/TYPES, BRUSH, BUSHES AND WEEDS. UNDESIRABLE TREES NOT CALLED OUT TO BE PROTECTED ON THE PLANS.
7. THE CONTRACTOR SHALL CONFORM TO TOWNSHIP DEPARTMENT OF TRANSPORTATION (TOWNSHIP) SPECIFICATION PART 300.01 FOR ALL WORK TO BE PERFORMED, UNLESS OTHERWISE SPECIFIED OR NOTED.	20. CONTACT THE TOWNSHIP OF LOMBARD ENGINEERING OFFICE OR PUBLIC WORKS OFFICE FOR SHARPER SIGNAL, ROADWAY CONTROL, TRAFFIC SIGNAL AND OTHER SIGNAL INFORMATION.
8. MAINTENANCE OF TRAFFIC DURING CONSTRUCTION SHALL BE PROVIDED FOR ALL PUBLIC RIGHT OF WAY AREAS IN ACCORDANCE WITH MOST STANDARD SPECIFICATIONS AND SPECIFICATIONS REFER TO STANDARD SPECIFICATIONS 8.00.01.01.01, 8.00.01.01.02, 8.00.01.01.03, 8.00.01.01.04, 8.00.01.01.05, 8.00.01.01.06, 8.00.01.01.07, 8.00.01.01.08, 8.00.01.01.09, 8.00.01.01.10, 8.00.01.01.11, 8.00.01.01.12, 8.00.01.01.13, 8.00.01.01.14, 8.00.01.01.15, 8.00.01.01.16, 8.00.01.01.17, 8.00.01.01.18, 8.00.01.01.19, 8.00.01.01.20, 8.00.01.01.21, 8.00.01.01.22, 8.00.01.01.23, 8.00.01.01.24, 8.00.01.01.25, 8.00.01.01.26, 8.00.01.01.27, 8.00.01.01.28, 8.00.01.01.29, 8.00.01.01.30, 8.00.01.01.31, 8.00.01.01.32, 8.00.01.01.33, 8.00.01.01.34, 8.00.01.01.35, 8.00.01.01.36, 8.00.01.01.37, 8.00.01.01.38, 8.00.01.01.39, 8.00.01.01.40, 8.00.01.01.41, 8.00.01.01.42, 8.00.01.01.43, 8.00.01.01.44, 8.00.01.01.45, 8.00.01.01.46, 8.00.01.01.47, 8.00.01.01.48, 8.00.01.01.49, 8.00.01.01.50, 8.00.01.01.51, 8.00.01.01.52, 8.00.01.01.53, 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TYPICAL 10' HMA MULTI-USE TRAIL SECTION AT CURB AREAS
STA 129+04.87 TO STA 145+15.00



TYPICAL 10' HMA MULTI-USE TRAIL SECTION
STA 145+15.00 TO STA 148+04.87

- ① HMA FOR SUBGRADE CORRECTION OF EXISTING ROAD SURFACE, TYPE A OR B WITH HMA APPROVED, TYPE A OR B SUBGRADE TREATMENT TYPE B
- ② 4" TOPSILL & BINDER WITH HMA APPROVED JOINTS
- ③ BITUMINOUS SEAL
- ④ SANDFILL
- ⑤ CONCRETE CURB RAMP

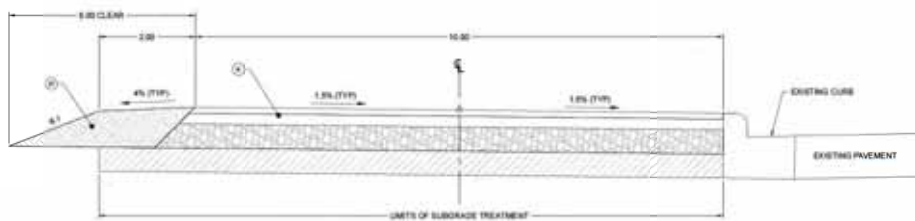


REVISIONS	NO.	DATE

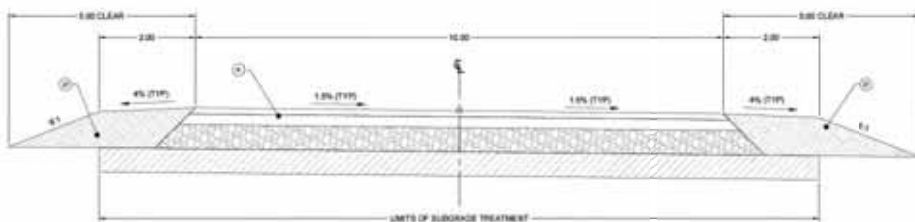
INDIANA DEPARTMENT OF TRANSPORTATION

TYPICAL SECTIONS
FREEDOM TRAIL

HORIZONTAL SCALE	AS SHOWN
VERTICAL SCALE	AS SHOWN
SHEET NO.	4 OF 10
CONTRACT	INDIANAPOLIS
PROJECT	INDIANAPOLIS



TYPICAL 10' HMA MULTI-USE TRAIL SECTION AT CURB AREAS
 STA 154+75.00 TO STA 154+75.00



TYPICAL 10' HMA MULTI-USE TRAIL SECTION
 STA 154+84.91 TO STA 154+84.91
 STA 154+75.00 TO STA 154+75.00

1. HMA FOR SUBGRADE CORRECTION OF
 10.00' WIDE STRIPS, TYPE A OR
 20.00' WIDE STRIPS, TYPE A OR
 4.00' WIDE STRIPS, TYPE B, WITH
 SUBGRADE TREATMENT TYPE B

- 2. TOPPALE & BENCH
 WITH 10.00' WIDE STRIPS
- 3. RETAINMENT WALL
- 4. BARRICADE
- 5. CONCRETE CURB RAMP

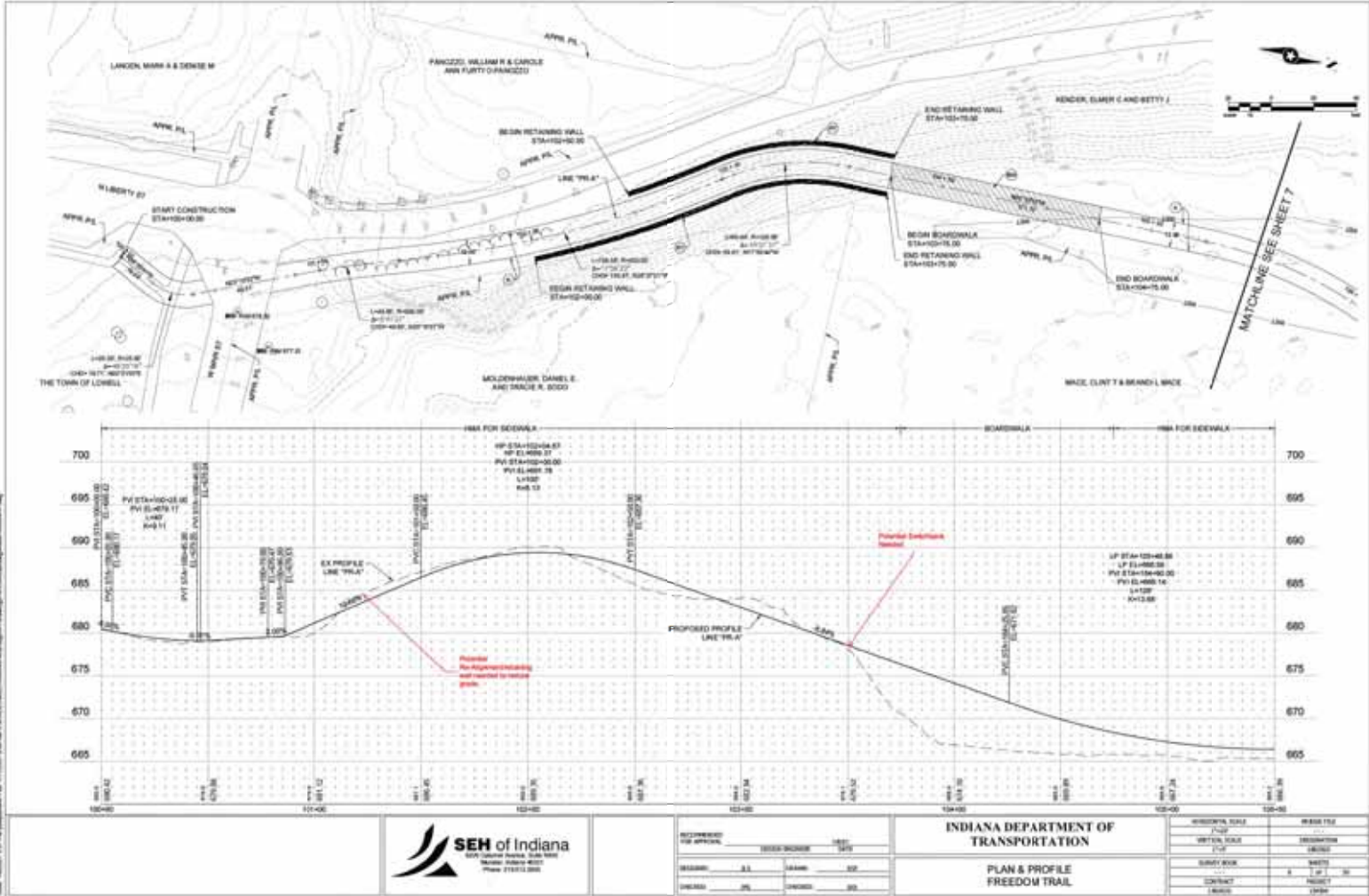


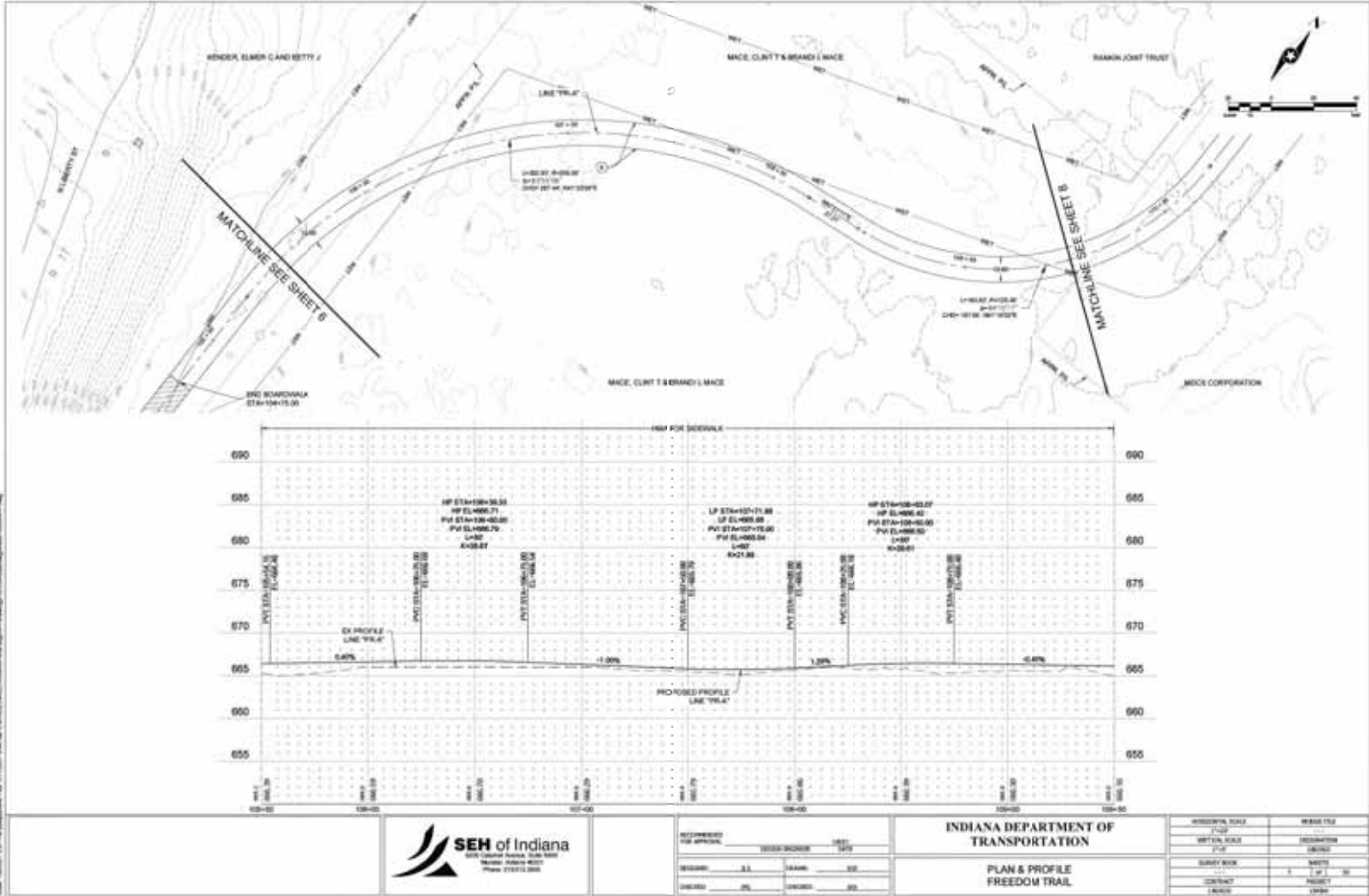
REVISION	DATE	BY	CHKD

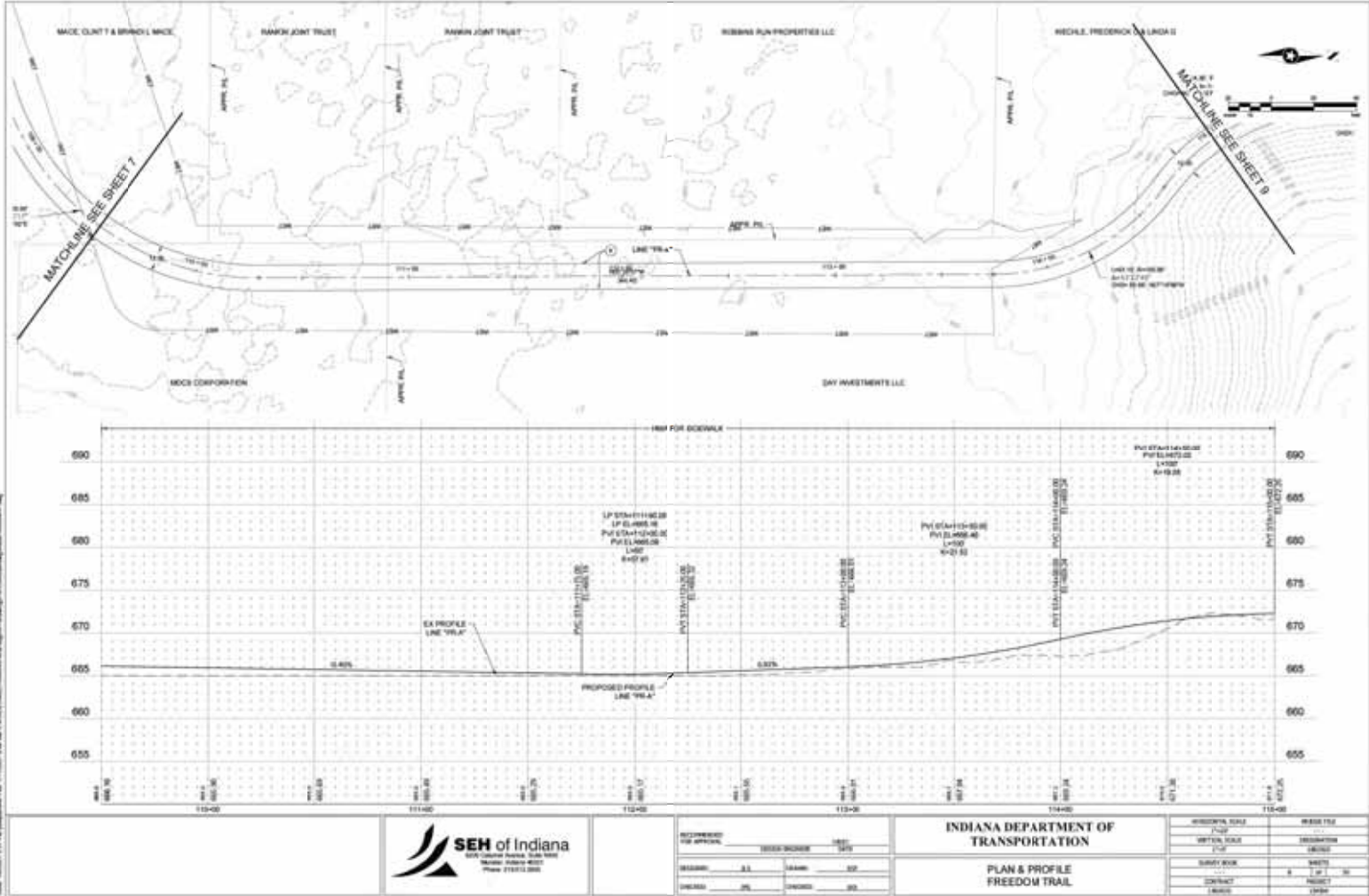
INDIANA DEPARTMENT OF
 TRANSPORTATION

TYPICAL SECTIONS
 FREEDOM TRAIL

HORIZONTAL SCALE	VERTICAL SCALE





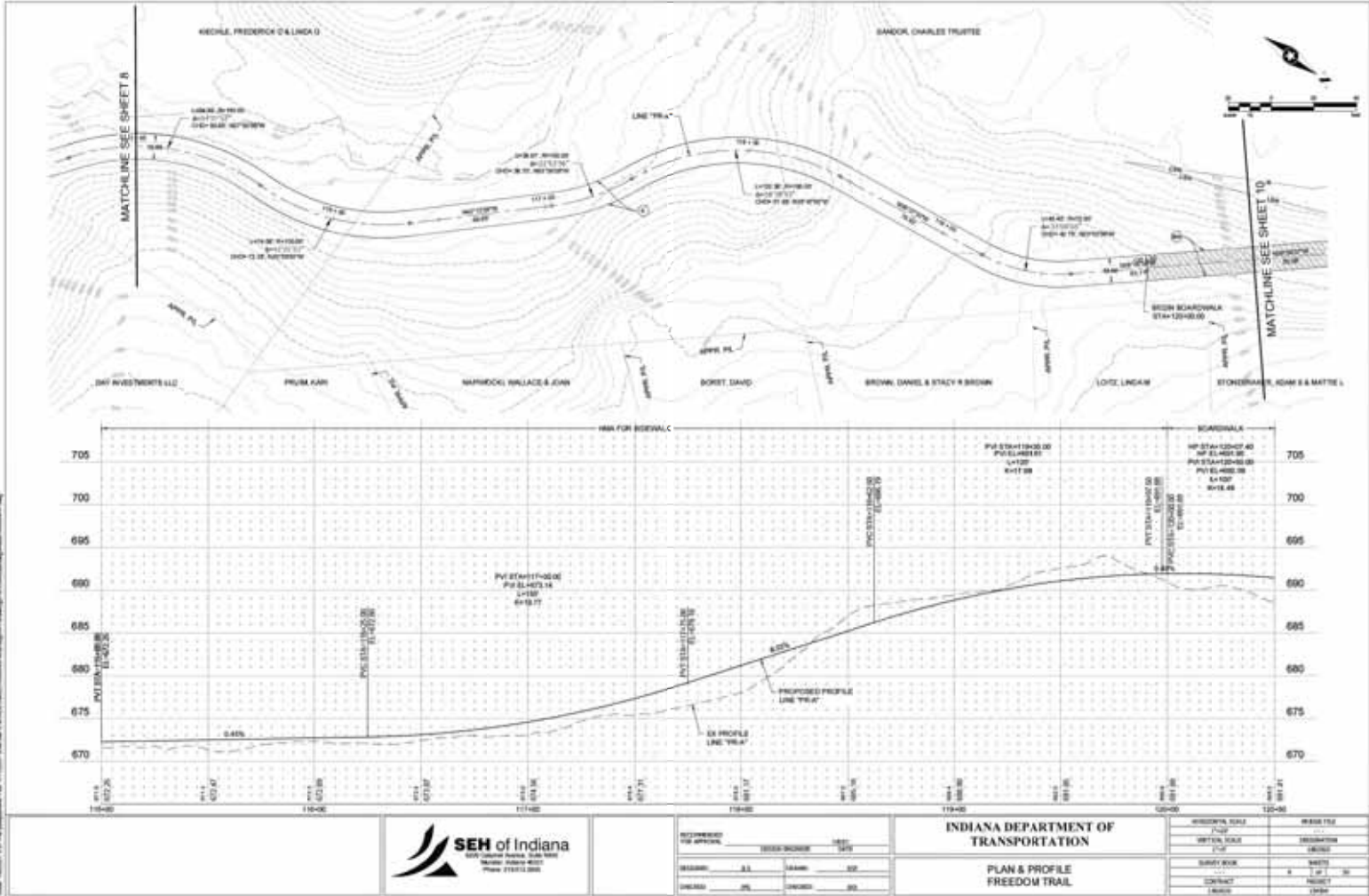


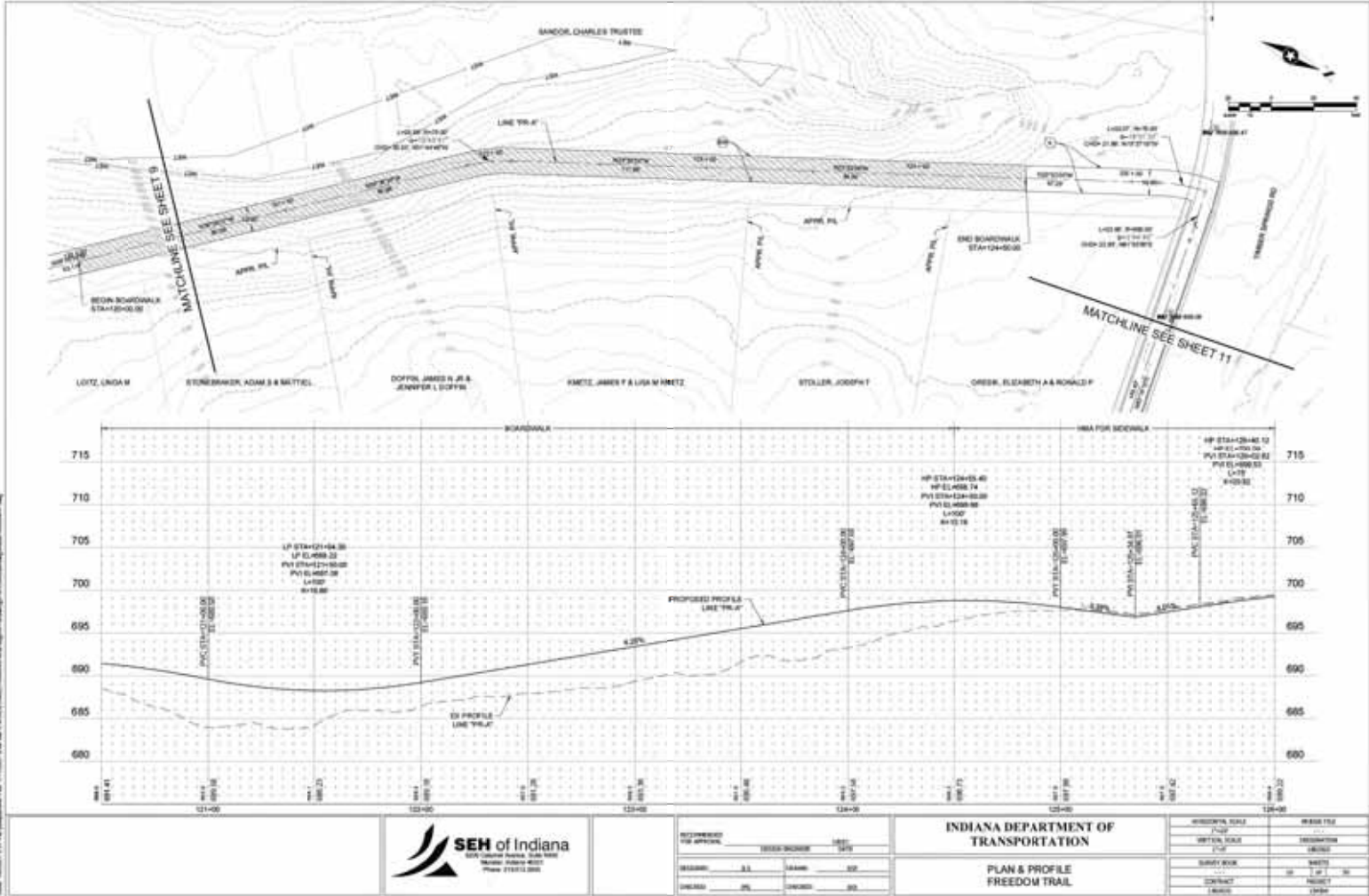
REVISION	DATE	BY

INDIANA DEPARTMENT OF TRANSPORTATION

**PLAN & PROFILE
 FREEDOM TRAIL**

DESIGNER	SCALE	DATE



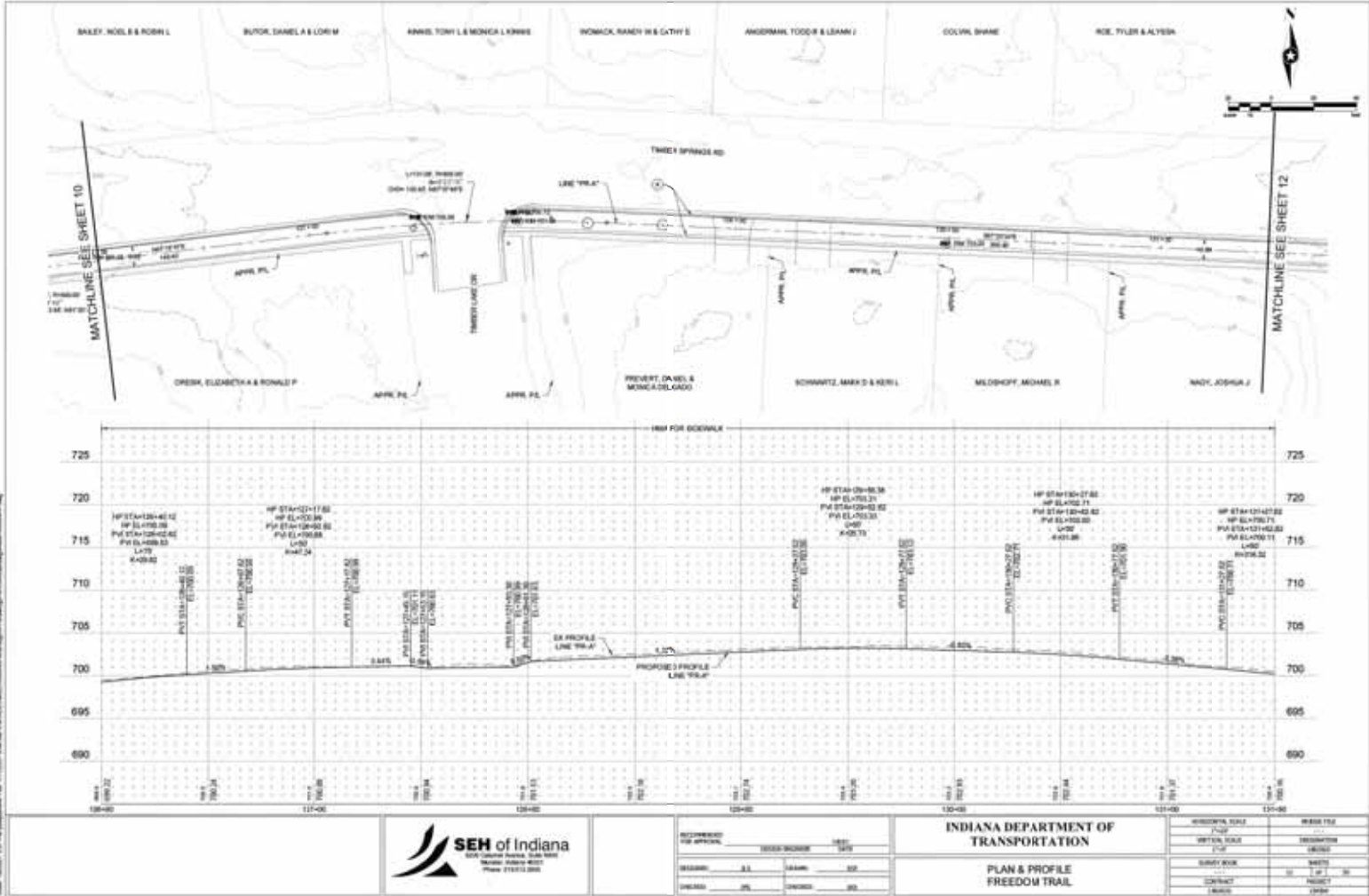


REVISION	DATE	BY	CHKD

INDIANA DEPARTMENT OF TRANSPORTATION

**PLAN & PROFILE
 FREEDOM TRAIL**

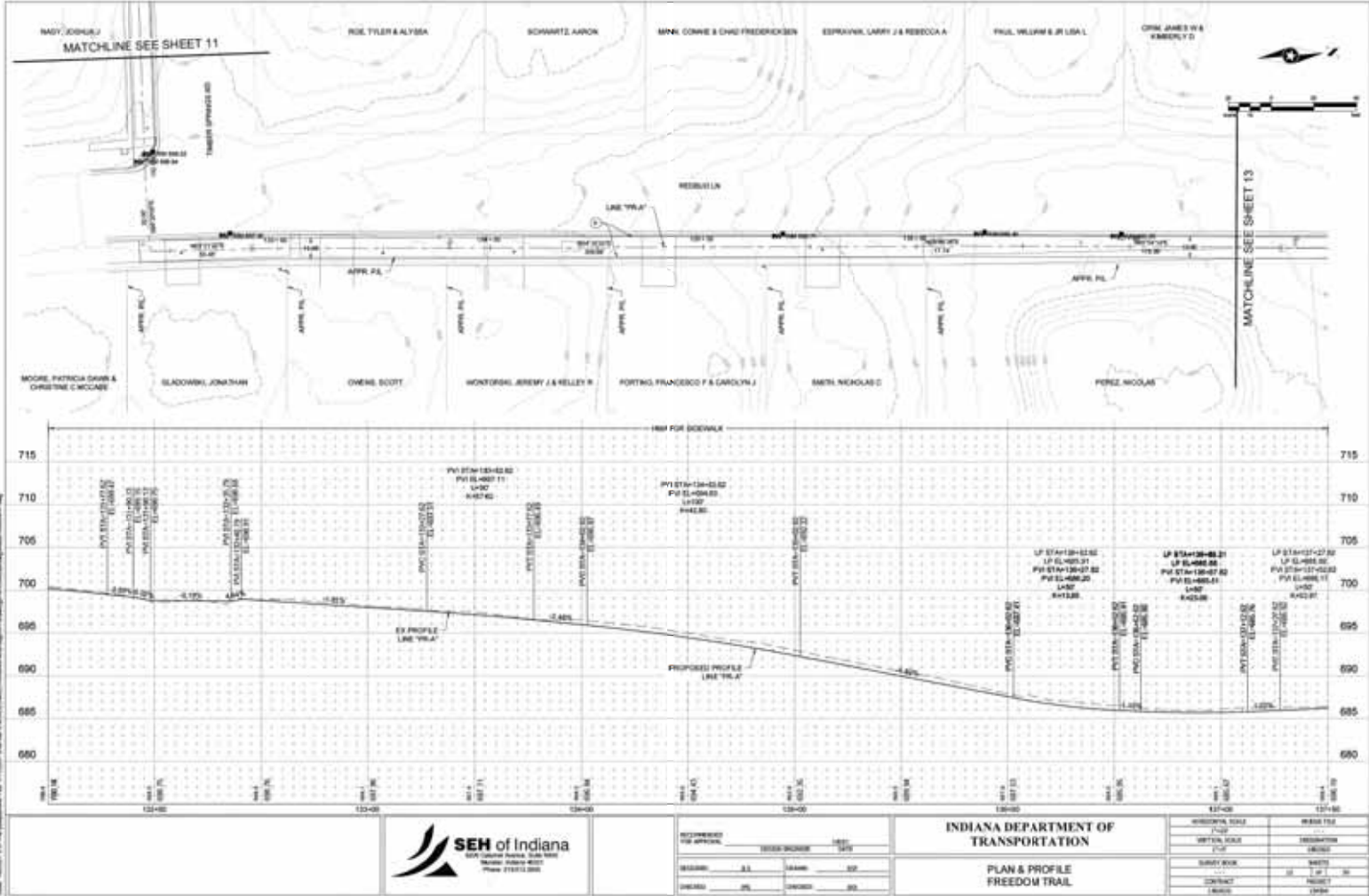
DESIGNER	SCALE	DATE

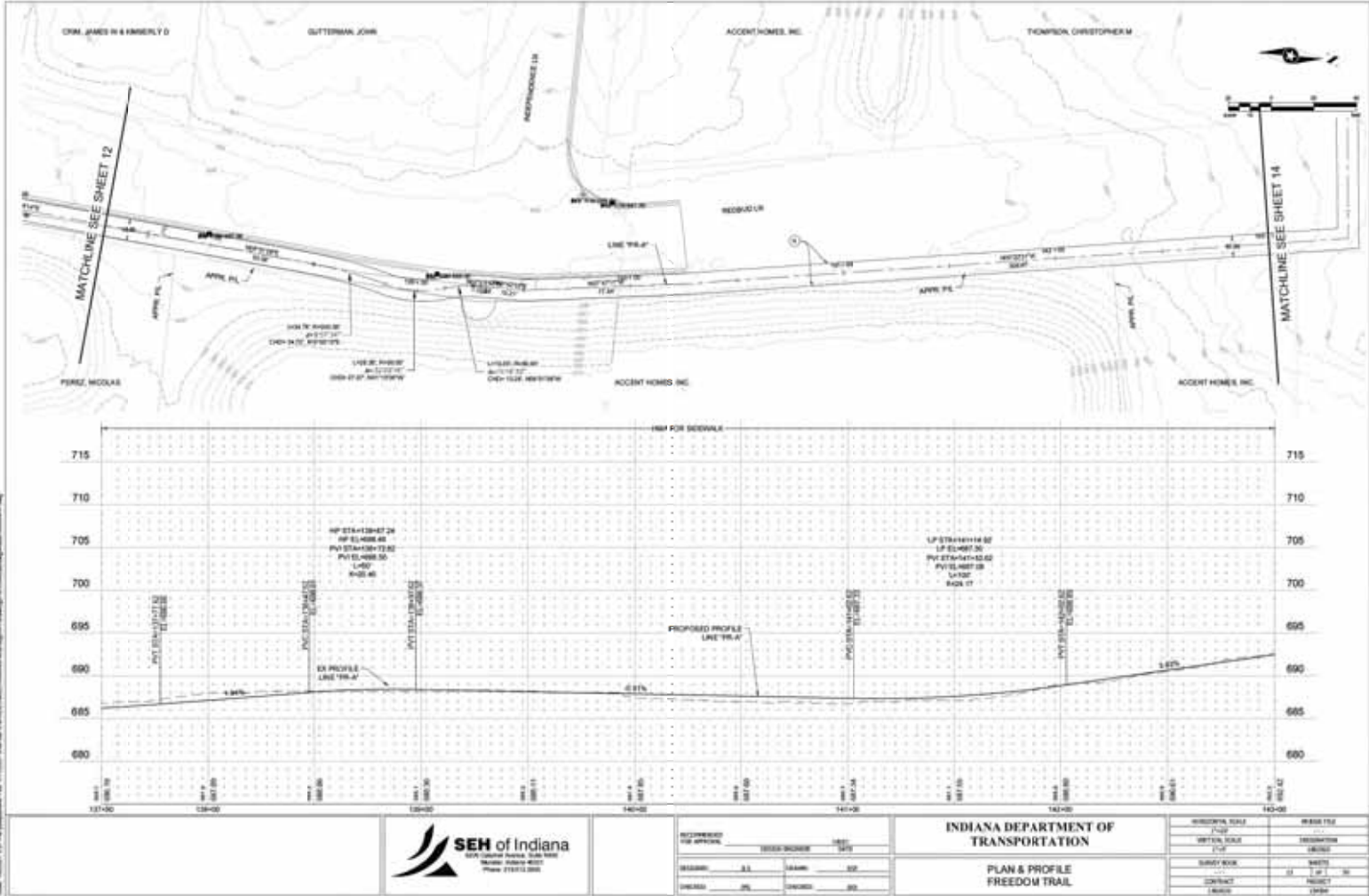


Des No 1802920

Appendix B - Graphics

B-16



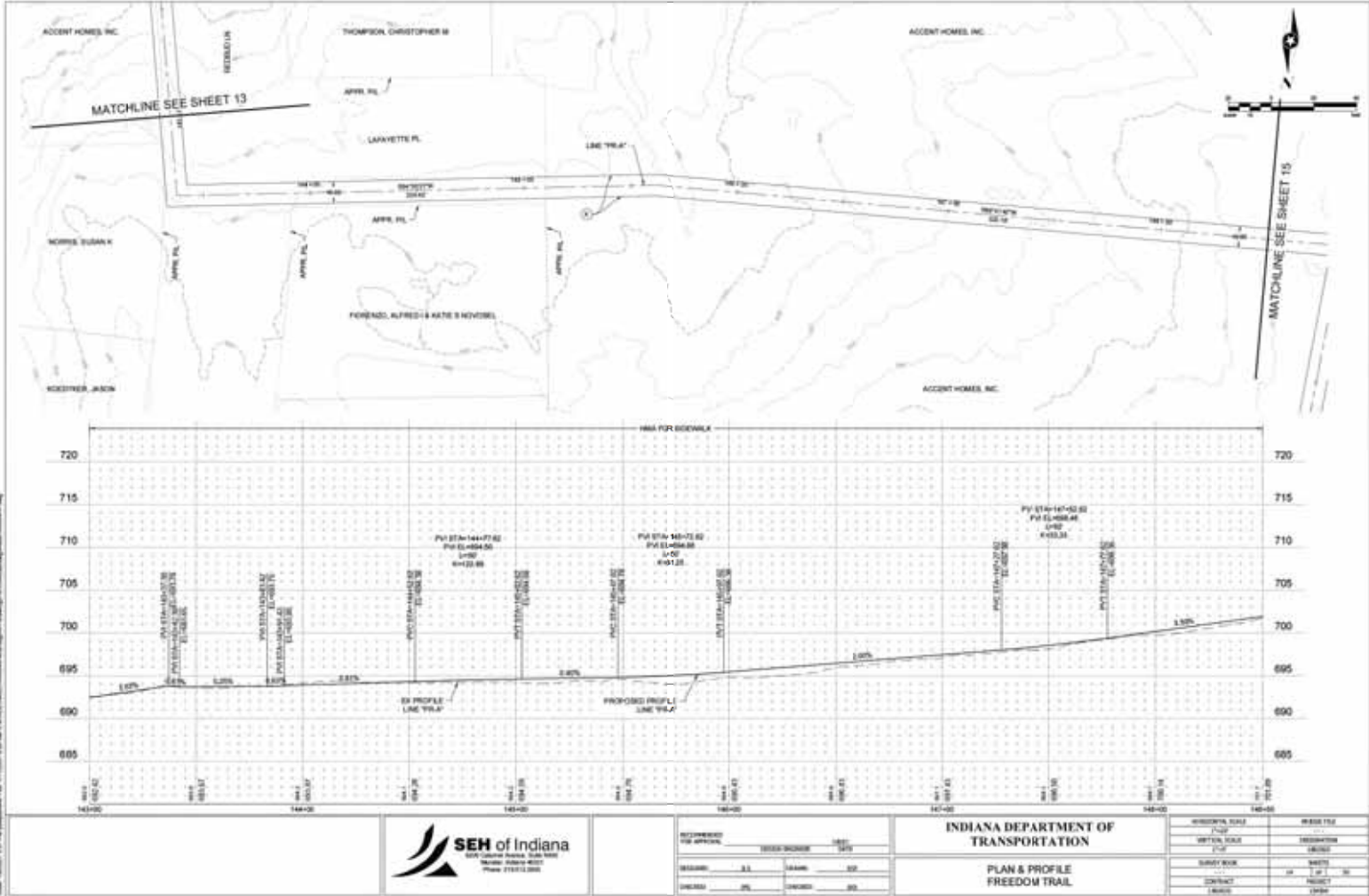


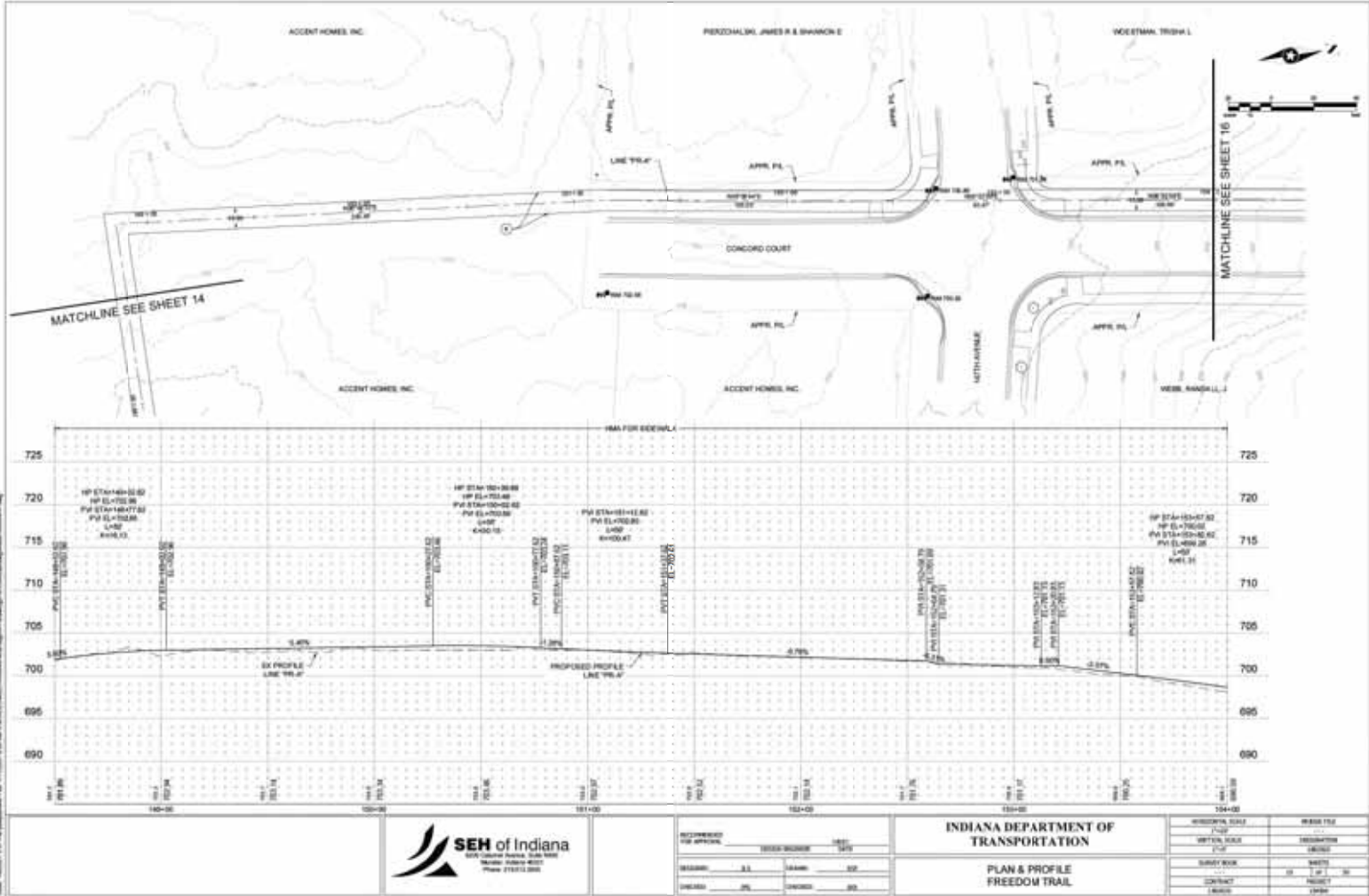
DESIGNED BY	DATE
DRAWN BY	CHECKED BY
IN CHARGE BY	APPROVED BY

INDIANA DEPARTMENT OF TRANSPORTATION

**PLAN & PROFILE
FREEDOM TRAIL**

DESIGNER'S TITLE	ISSUED FOR
DATE	REVISION
PROJECT NO.	DATE
CONTRACT NO.	PROJECT NAME



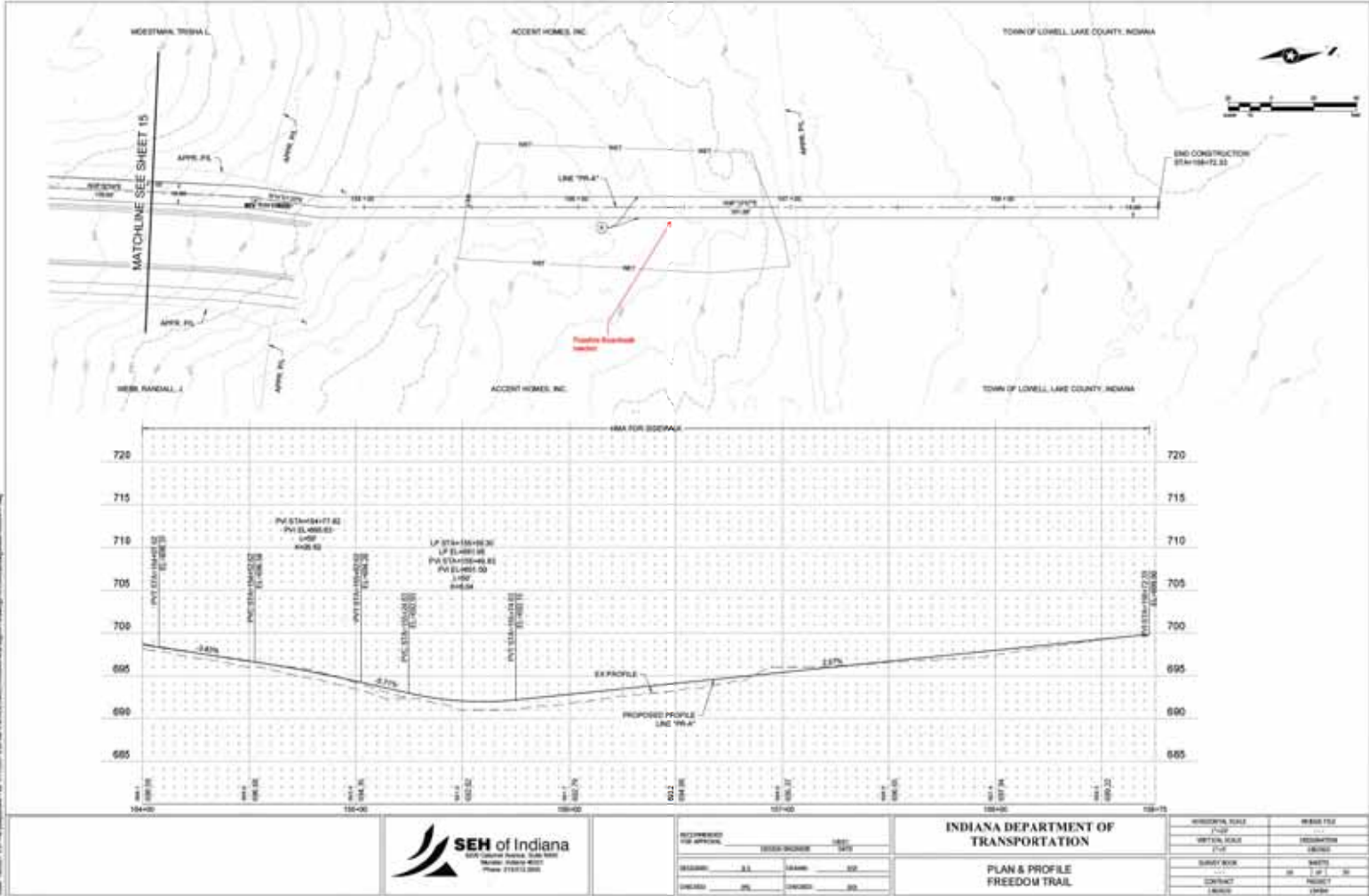


REVISION	DATE	BY	CHKD

INDIANA DEPARTMENT OF TRANSPORTATION

PLAN & PROFILE
FREEDOM TRAIL




DESIGNER	SCALE	DATE



Save: 5/4/2022 4:43 PM rpuh Plot: 5/4/2022 4:43 PM X:\KOLLOWELL\154504\15-final-dsgr\15-drawing\10-Civil\cad\dwg\exhibit\154504 - RW Exhibit.dwg



Legend:

-  Proposed Alignment
-  Proposed RW
-  Existing Property Lines

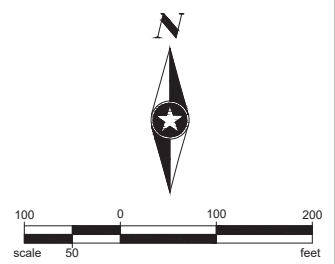


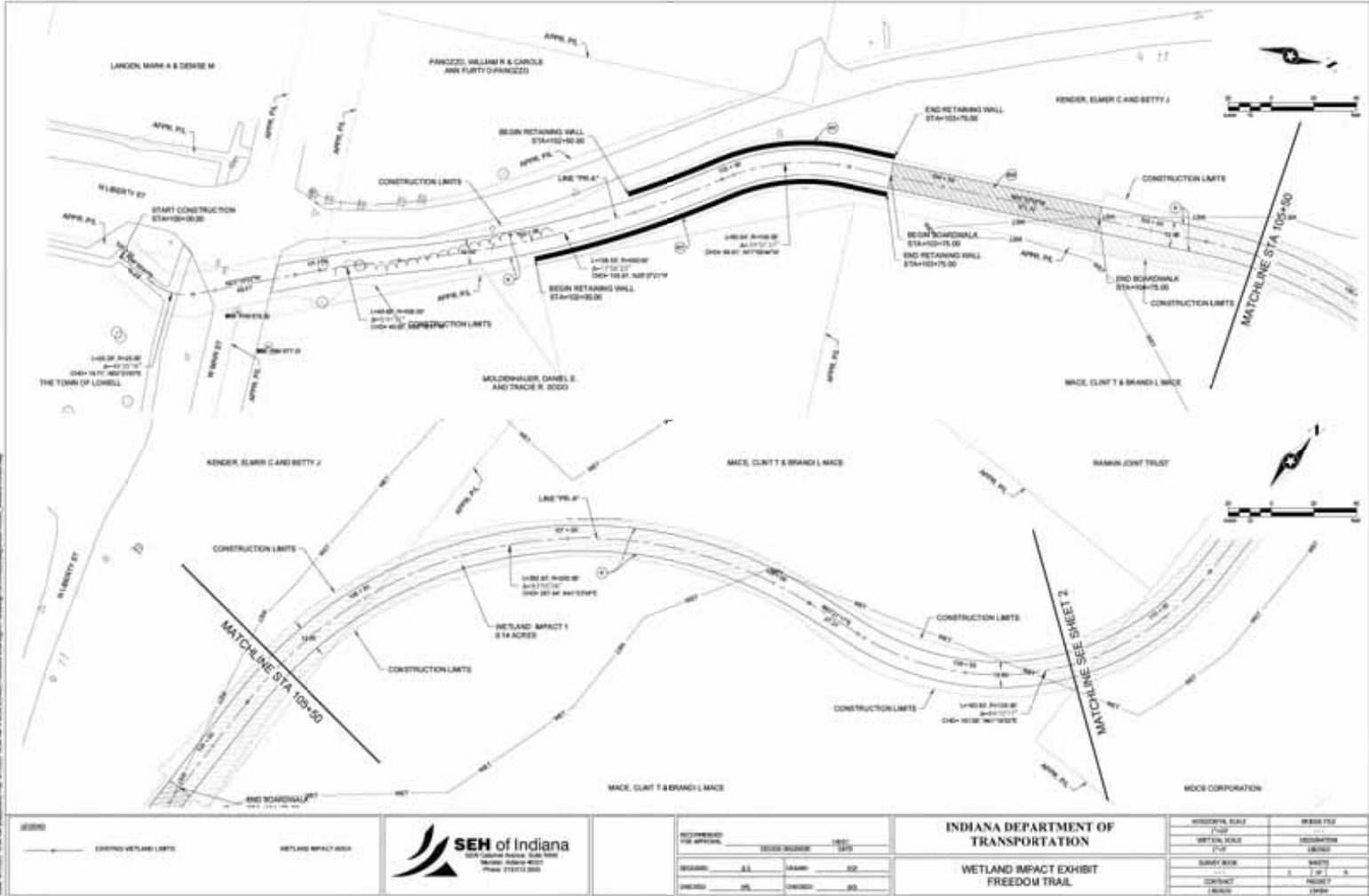
FILE NO.
154504

DATE:
05/04/2022

**PROPOSED RW
FREEDOM TRAIL
DES NO. 1802920**

**EXHIBIT
NO. 2**





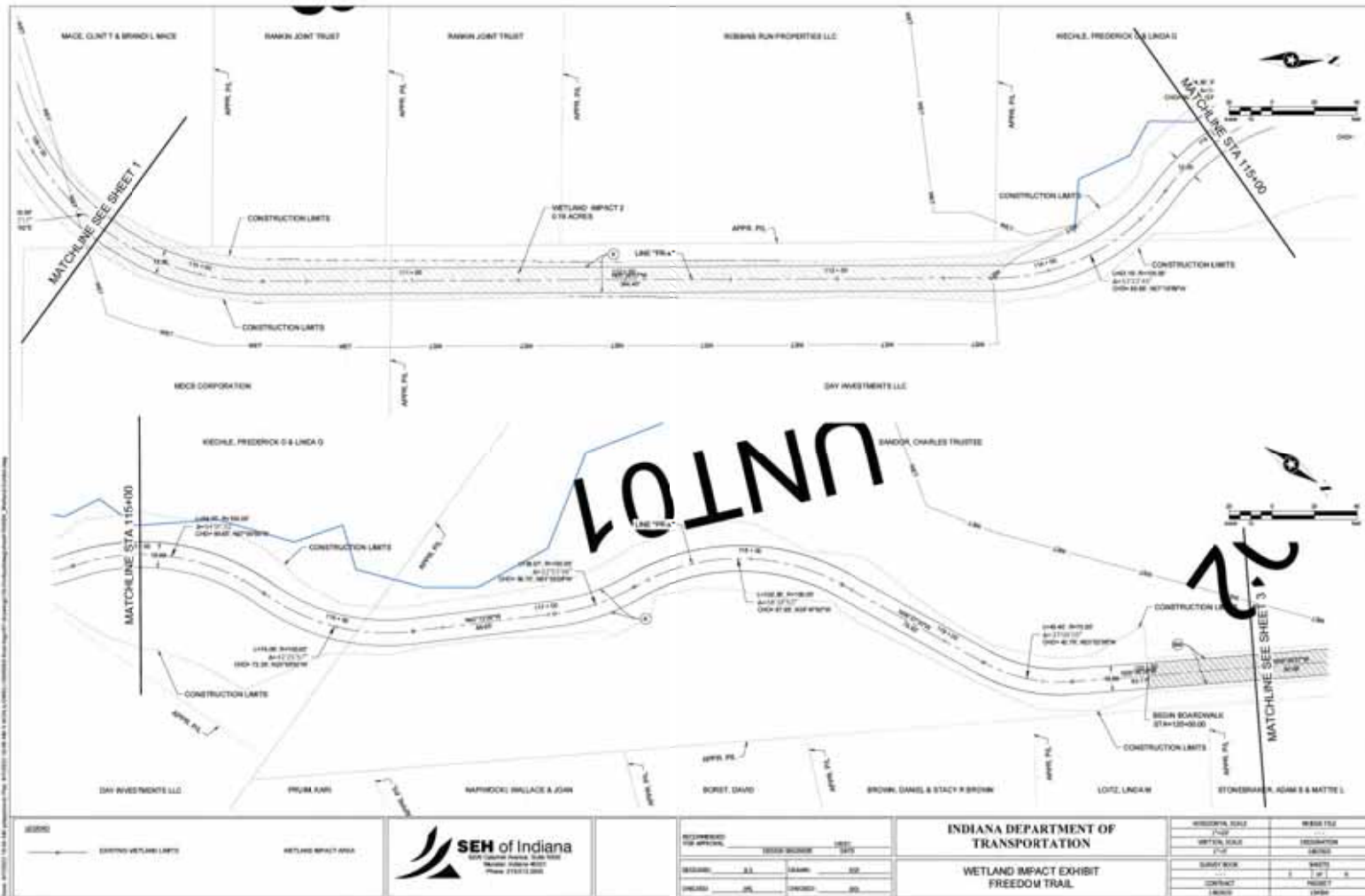
 EXISTING WETLAND LIMITS	 WETLAND IMPACT AREA
-----------------------------	-------------------------

SEH of Indiana
 6075 LINDEN AVENUE, SUITE 1000
 INDIANAPOLIS, IN 46268
 PHONE 317.572.3800

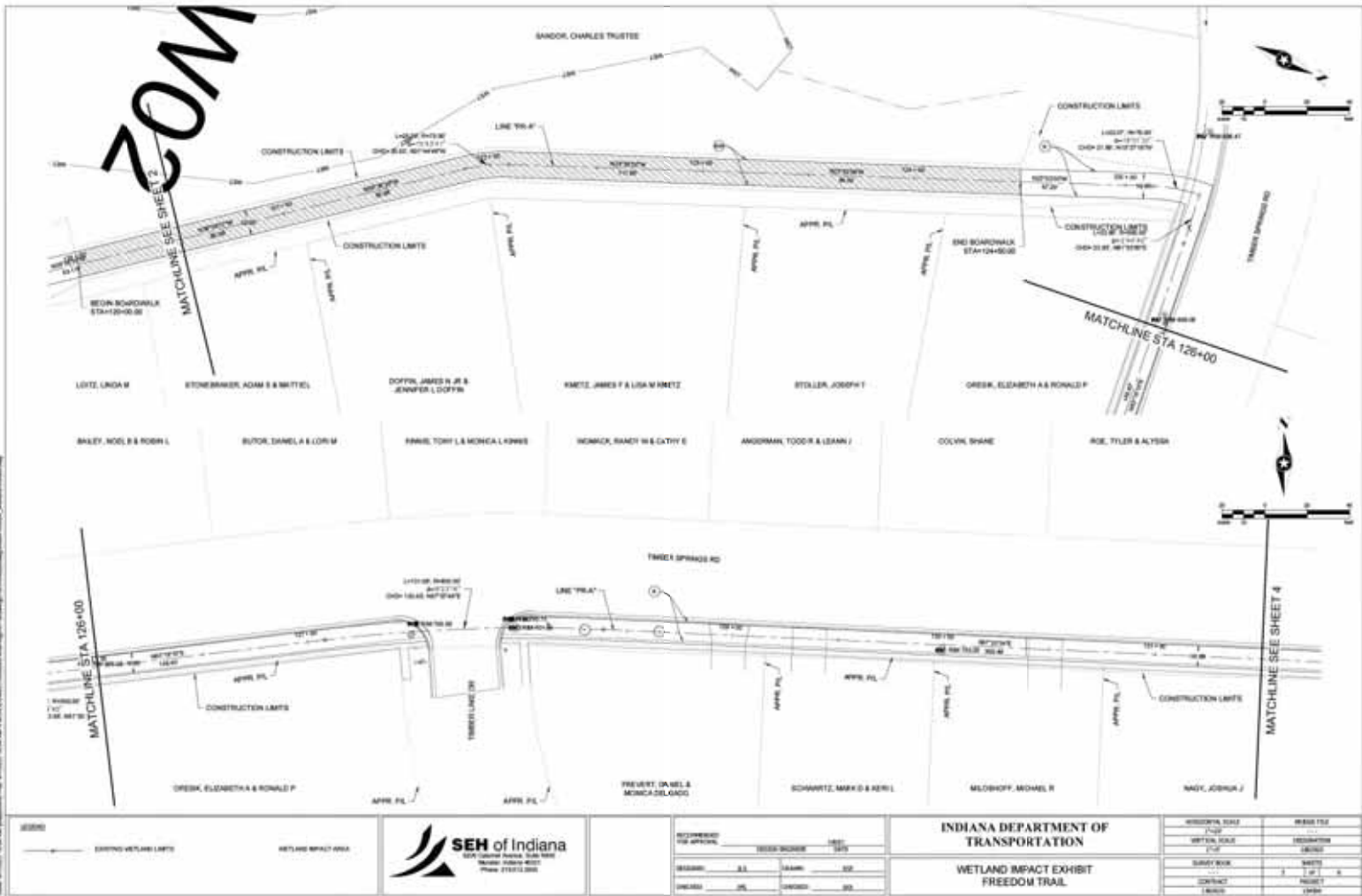
REVISIONS NO. 1 DATE 08/11/10 BY JLM CHECKED JLM	PROJECT NO. 100-100-000 SHEET NO. 100-100-000
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INDIANA DEPARTMENT OF TRANSPORTATION
WETLAND IMPACT EXHIBIT
FREEDOM TRAIL

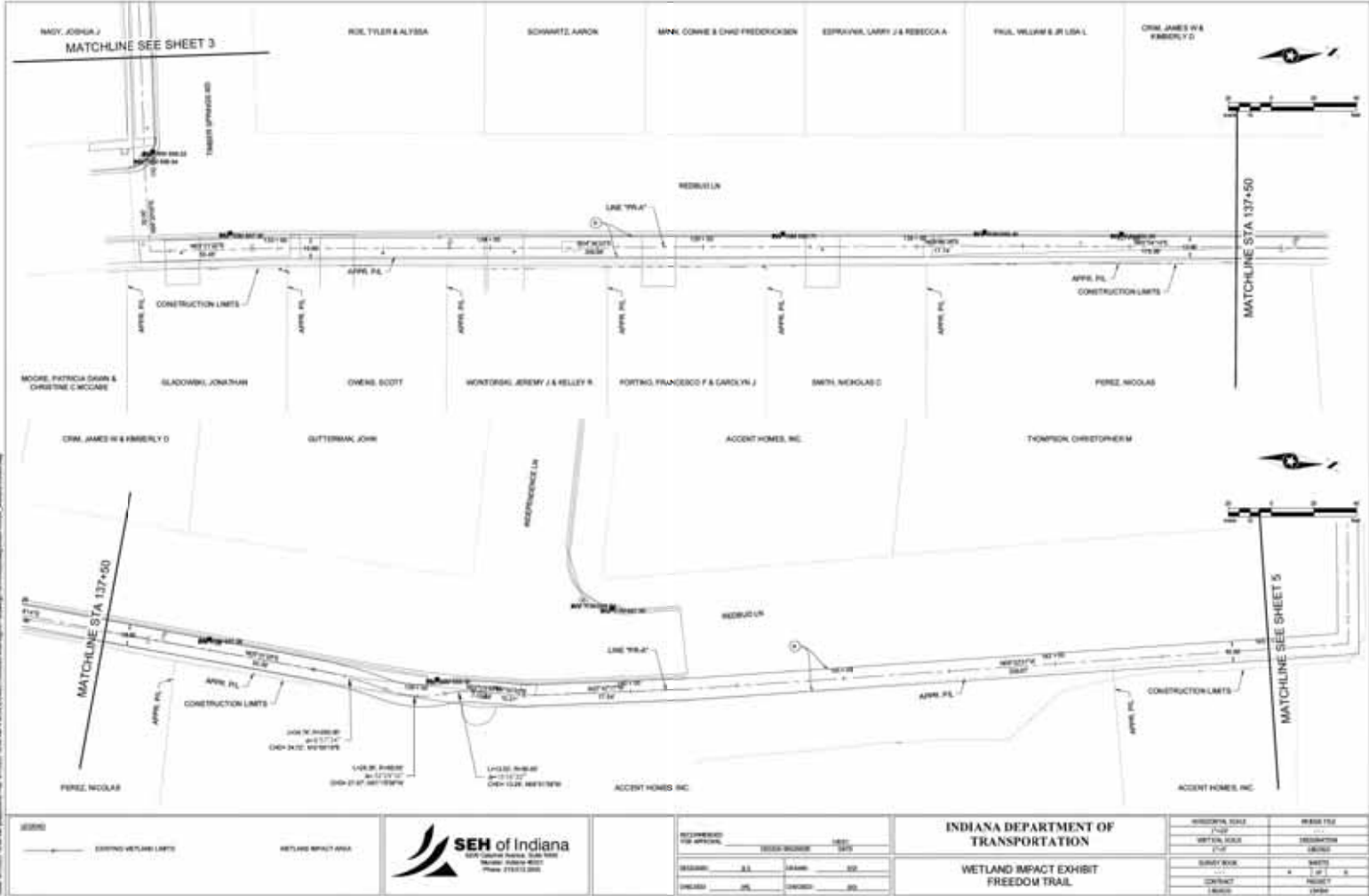
HORIZONTAL SCALE 1" = 100'	VERTICAL SCALE 1" = 10'
DRAWN BY JLM	CHECKED BY JLM
CONTRACT NO.	PROJECT NO.



COM



	<p>SEH of Indiana Soil Conservation Service 1000 N. State Street Indianapolis, IN 46204 Phone: 317.332.3888</p>	<p>INDIANA DEPARTMENT OF TRANSPORTATION</p> <p>WETLAND IMPACT EXHIBIT FREEDOM TRAIL</p>	<p>REVISION NO. 1</p> <p>DATE 10/15/10</p>	<p>PROJECT NO. 100000000</p> <p>CONTRACT NO. 100000000</p>
			<p>DESIGNED BY: J.S. / DRAWN BY: J.S.</p> <p>CHECKED BY: J.S. / INCHES BY: J.S.</p>	<p>REVISION NO. 2</p> <p>DATE 10/15/10</p>



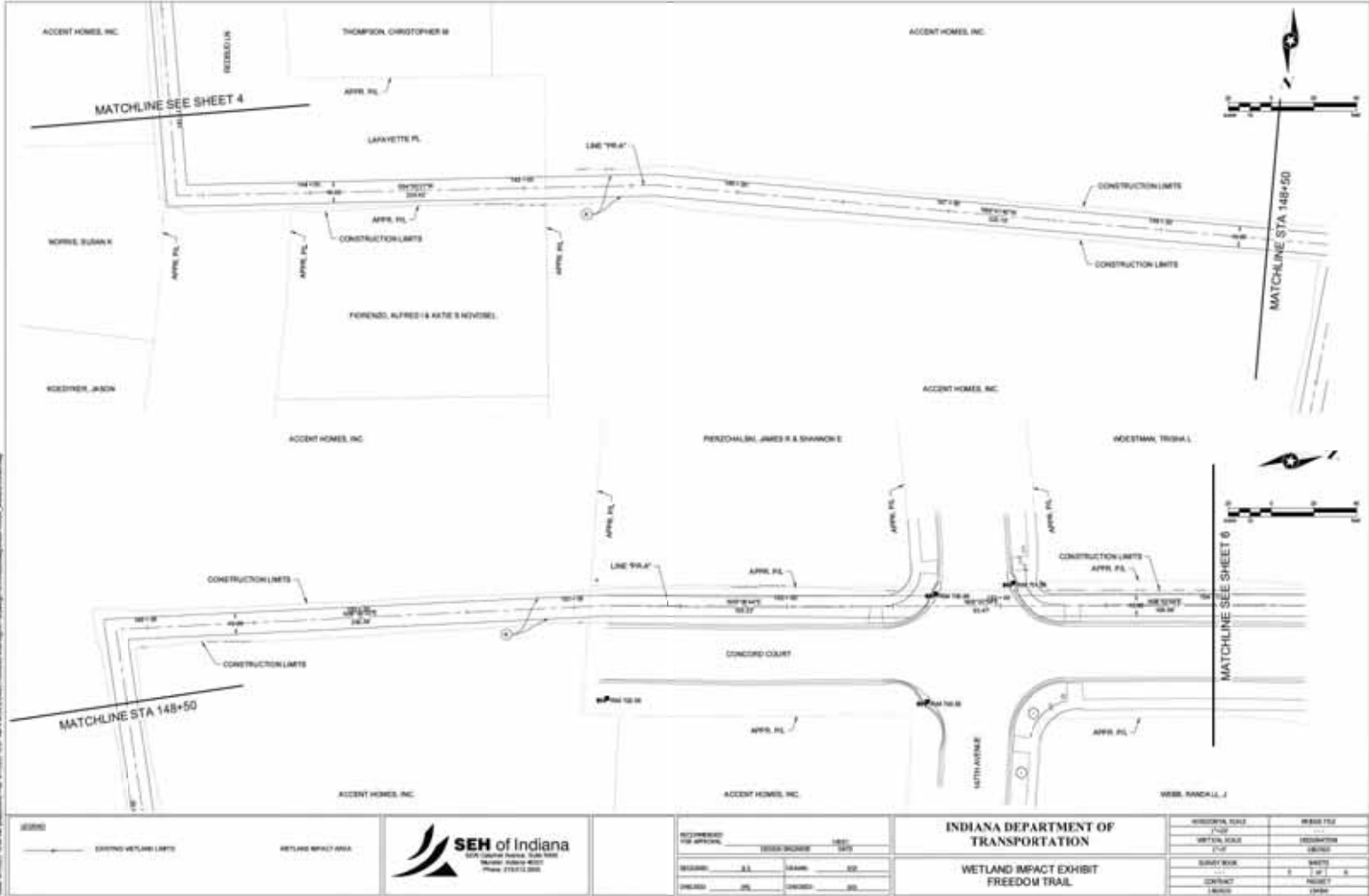
EXISTING WETLAND LIMITS
 WETLAND IMPACT AREA



REQUIREMENT FOR APPROVAL	ISSUED	REVISION	DATE
DESIGNED	J.L.	J.A.M.	02/20
CHECKED	J.L.	T.M.C.	02/20

INDIANA DEPARTMENT OF TRANSPORTATION
WETLAND IMPACT EXHIBIT
FREEDOM TRAIL

REVISION NO.	DATE	DESCRIPTION
1	02/20	ISSUED
2	02/20	REVISED
3	02/20	REVISED
4	02/20	REVISED
5	02/20	REVISED



	<p>EXISTING WETLAND LIMITS</p> <p>WETLAND IMPACT AREA</p>
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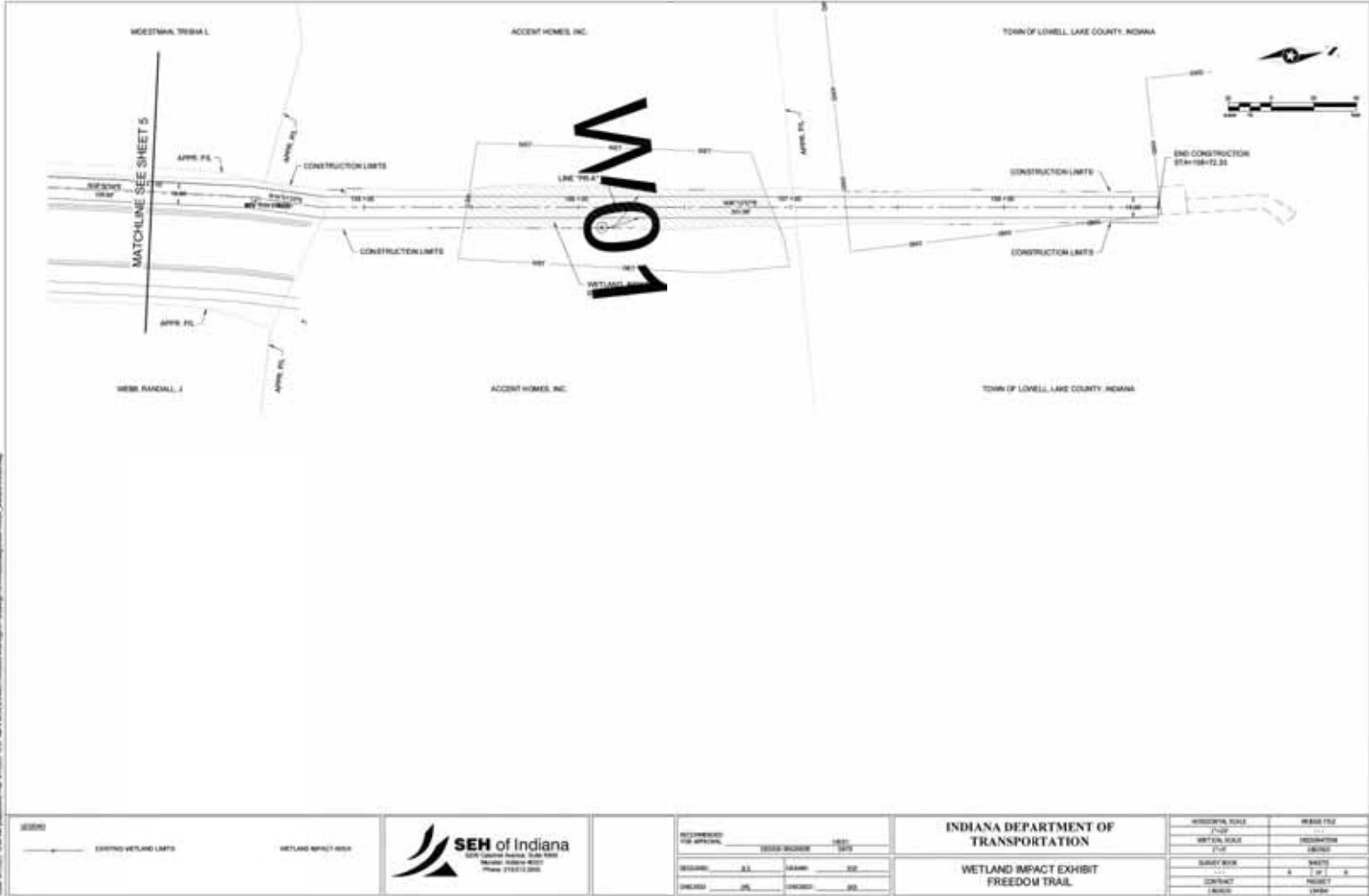
SEH of Indiana
 5075 LINDSEY PARKWAY, SUITE 1000
 INDIANAPOLIS, INDIANA 46254
 PHONE: 317.572.2800

<p>REVISIONS</p> <p>NO. DATE DESCRIPTION</p>	<p>1 01/15/2010</p> <p>2 02/10/2010</p>
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INDIANA DEPARTMENT OF TRANSPORTATION

WETLAND IMPACT EXHIBIT
FREEDOM TRAIL

<p>DESIGNER</p> <p>DATE</p> <p>SCALE</p> <p>PROJECT</p> <p>NO.</p>	<p>SEH OF INDIANA</p> <p>01/15/2010</p> <p>1:1</p> <p>WETLAND IMPACT EXHIBIT</p> <p>01</p>
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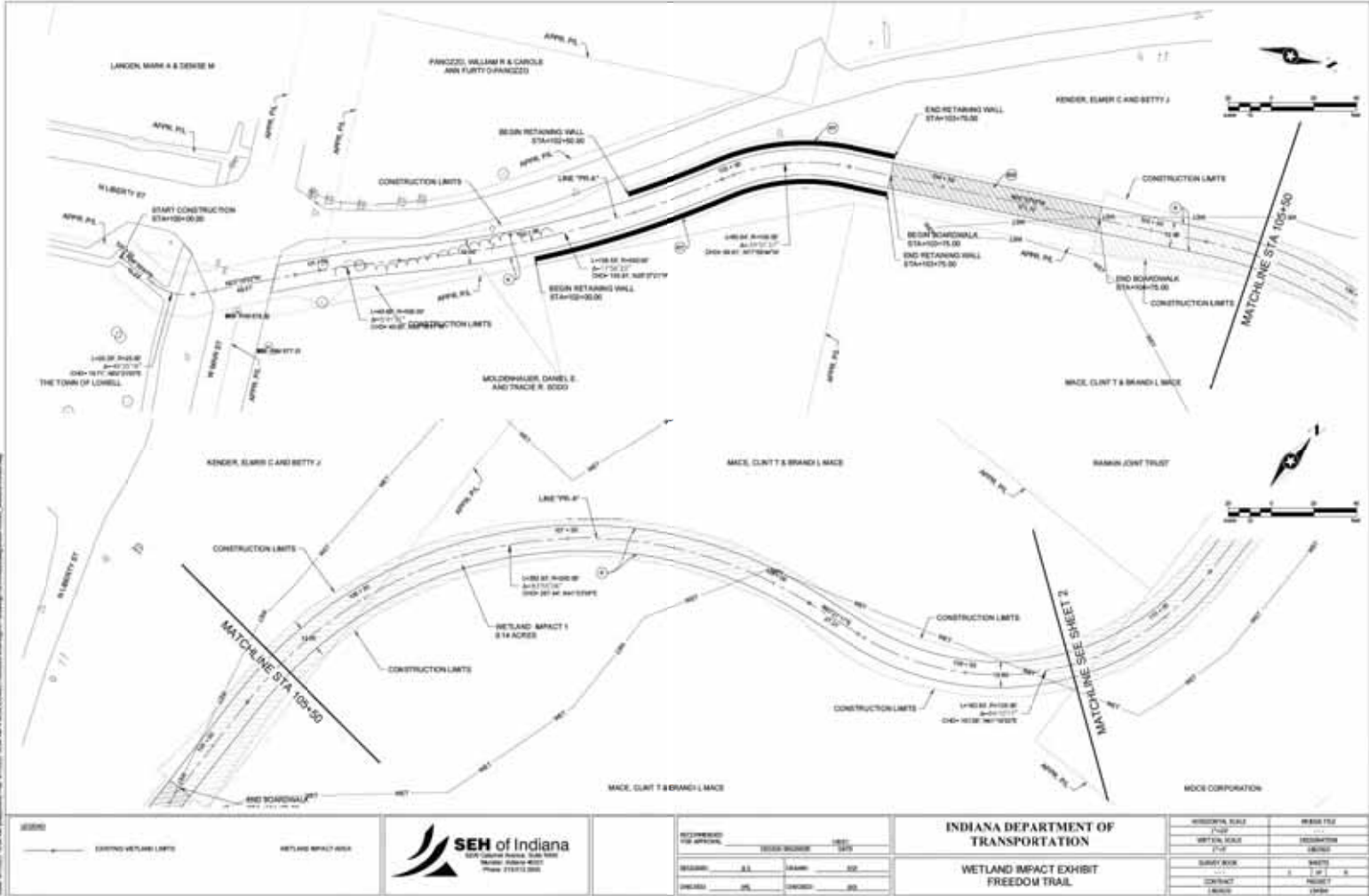


	<p>EXISTING WETLAND LIMITS</p> <p>WETLAND IMPACT AREA</p>
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SEH of Indiana
 6375 LINDSEY AVENUE, SUITE 8000
 INDIANAPOLIS, INDIANA 46241
 PHONE: 317.572.2800

<p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>08/11/11</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>2</td> <td>08/11/11</td> <td>ISSUED FOR PERMIT</td> </tr> <tr> <td>3</td> <td>08/11/11</td> <td>ISSUED FOR PERMIT</td> </tr> </table>	NO.	DATE	DESCRIPTION	1	08/11/11	ISSUED FOR PERMIT	2	08/11/11	ISSUED FOR PERMIT	3	08/11/11	ISSUED FOR PERMIT	<p>INDIANA DEPARTMENT OF TRANSPORTATION</p> <p>WETLAND IMPACT EXHIBIT FREEDOM TRAIL</p>
NO.	DATE	DESCRIPTION											
1	08/11/11	ISSUED FOR PERMIT											
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3	08/11/11	ISSUED FOR PERMIT											

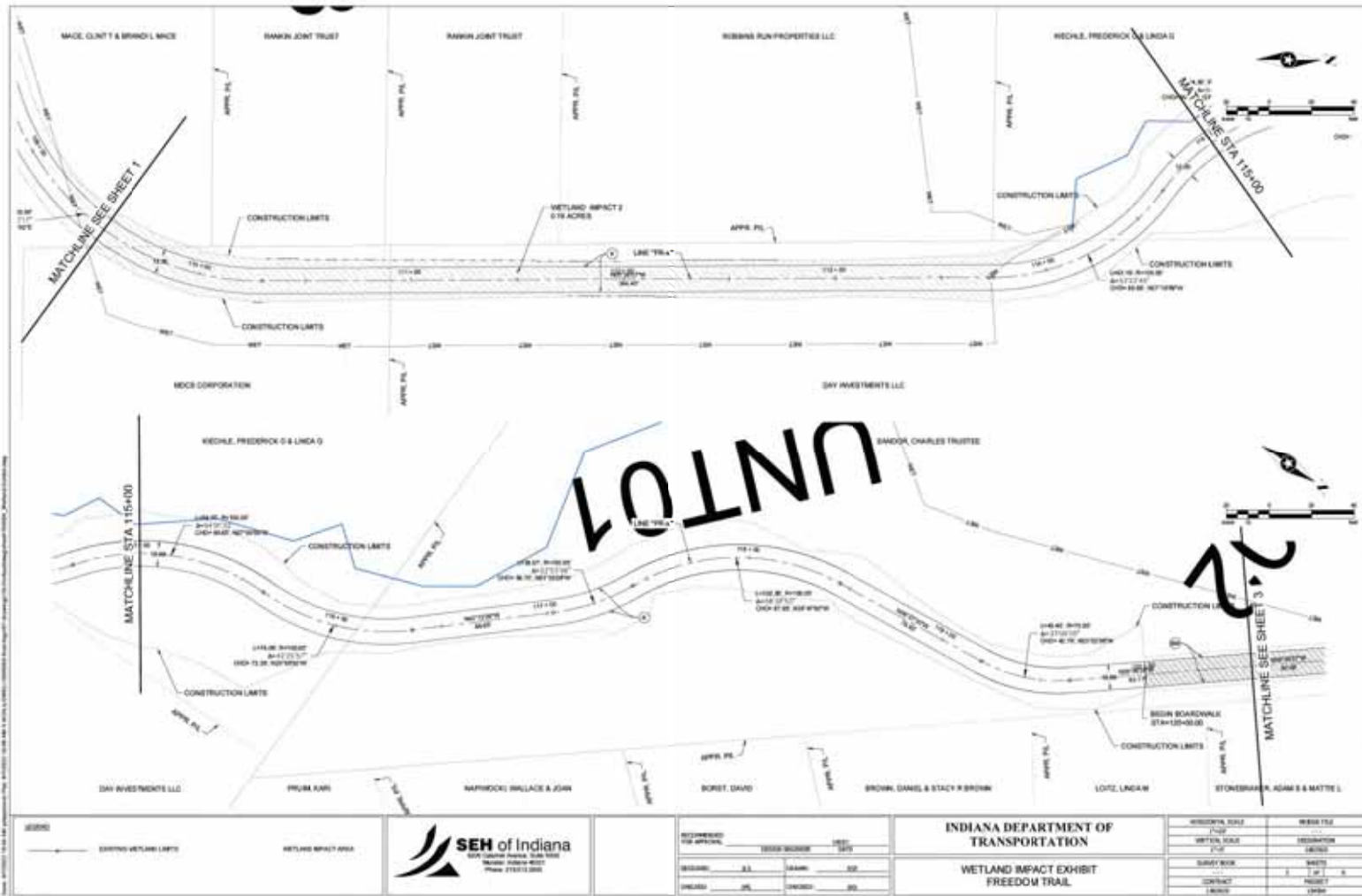
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Des No 1802920

Appendix B - Graphics

B-29

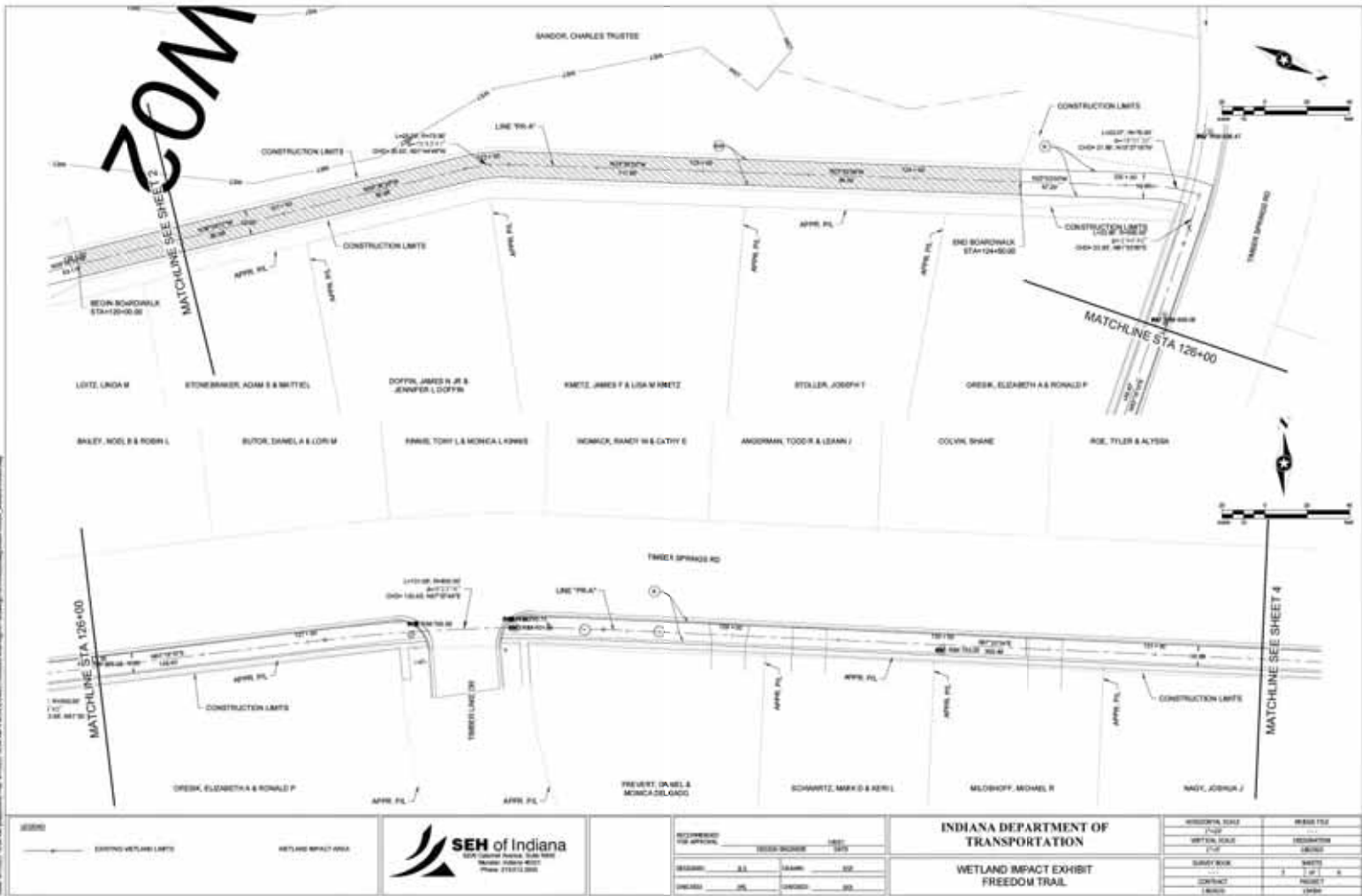


REVISIONS	DATE	BY	CHKD

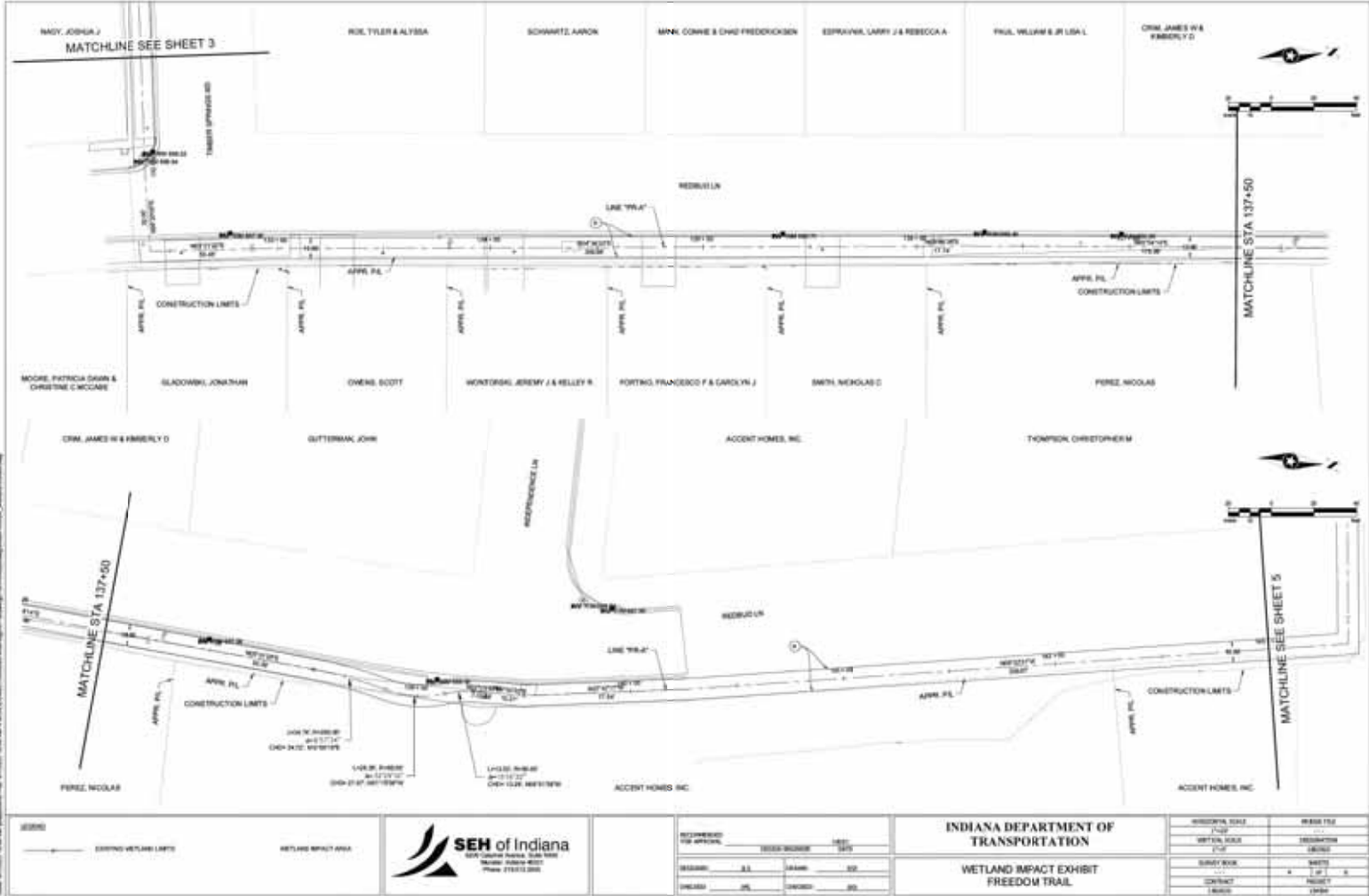
INDIANA DEPARTMENT OF TRANSPORTATION
WETLAND IMPACT EXHIBIT
FREEDOM TRAIL

DESIGNER	DATE	SCALE

COM



		INDIANA DEPARTMENT OF TRANSPORTATION WETLAND IMPACT EXHIBIT FREEDOM TRAIL	REVISION NO. 1 DATE 11/11/11	DRAWN BY: J. J. GARDNER CHECKED BY: J. J. GARDNER
			REVISION NO. 2 DATE 11/11/11	DRAWN BY: J. J. GARDNER CHECKED BY: J. J. GARDNER

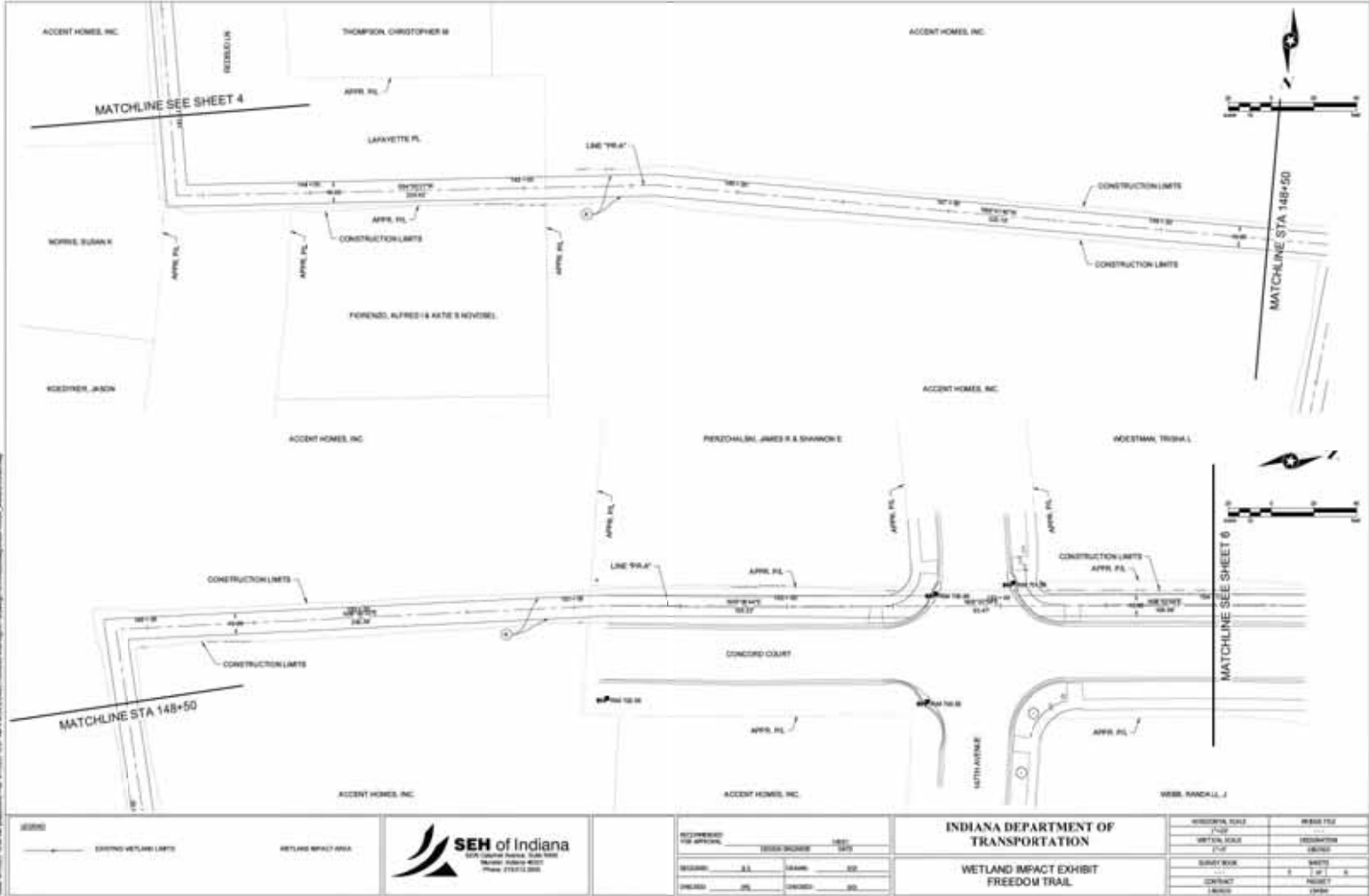


SEH of Indiana
 5055 LINDSEY AVENUE, SUITE 1000
 INDIANAPOLIS, INDIANA 46216
 PHONE: 317.572.2800

REQUIREMENT FOR APPROVAL	ISSUED	REVISION	DATE
DESIGNED	J.L.	J.A.M.	02/20
CHECKED	J.L.	T.W.	02/20

INDIANA DEPARTMENT OF TRANSPORTATION
 WETLAND IMPACT EXHIBIT
 FREEDOM TRAIL

REVISION NO.	DATE	DESCRIPTION
1	02/20	ISSUED
2	02/20	REVISED
3	02/20	REVISED
4	02/20	REVISED
5	02/20	REVISED



EXISTING WETLAND LIMITS

 WETLAND IMPACT AREA

SEH of Indiana

 5075 LINDSEY PARKWAY, SUITE 1000

 INDIANAPOLIS, IN 46241-1000

 PHONE: 317.572.3800

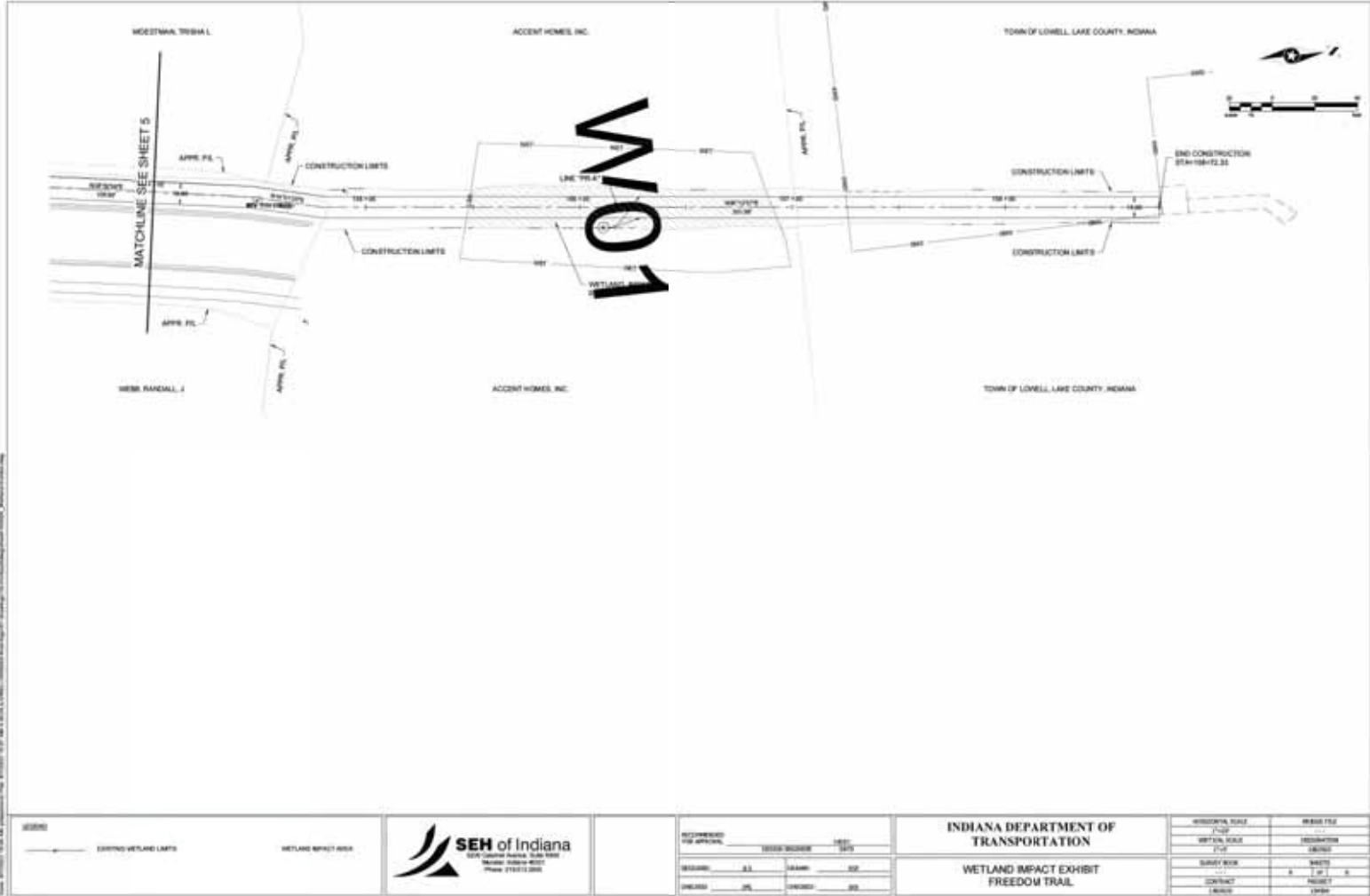
PROJECT:	WETLAND IMPACT EXHIBIT	DATE:	10/2017
DESIGNER:	SEH	CLIENT:	INDOT
DRAWN:	JL	CHECKED:	JD

INDIANA DEPARTMENT OF TRANSPORTATION

WETLAND IMPACT EXHIBIT

FREEDOM TRAIL

WETLAND SCALE:	AS SHOWN	MAP SCALE:	AS SHOWN
DATE:	10/2017	PROJECT:	INDOT
DESIGNER:	SEH	CLIENT:	INDOT
DRAWN:	JL	CHECKED:	JD



	<p>EXISTING WETLAND LIMITS</p> <p>WETLAND IMPACT AREA</p>
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SEH of Indiana
 6375 LINDSEY AVENUE, SUITE 8000
 INDIANAPOLIS, INDIANA 46250
 PHONE: 317.572.2000

REVISION	DATE	BY	CHKD

INDIANA DEPARTMENT OF TRANSPORTATION

**WETLAND IMPACT EXHIBIT
 FREEDOM TRAIL**

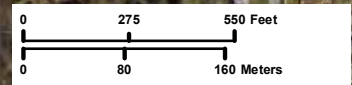
<p>DESIGNER</p> <p>DATE</p> <p>SCALE</p> <p>PROJECT</p> <p>TRAIL</p>	<p>ISSUED FOR PERMIT</p> <p>DATE</p> <p>SCALE</p> <p>PROJECT</p> <p>TRAIL</p>
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— Construction Footprint

Distance From Road

- 0-100 ft (0.12 acres)
- 100-300 ft (0.48 acres)
- > 300 ft (0.04 acres)



2

This map and all data contained within are supplied as is with no warranty. Cardno, Inc. expressly disclaims responsibility for damages or liability from any claims that may arise out of the use or misuse of this map. It is the sole responsibility of the user to determine if the data on this map meets the user's needs. This map was not created as survey data, nor should it be used as such. It is the user's responsibility to obtain proper survey data, prepared by a licensed surveyor, where required by law.

Tree Clearing within Construction Footprint

Lowell Freedom Trail
Environmental Documentation
Town of Lowell
Lake County, Indiana



3901 Industrial Blvd., Indianapolis, IN 46254
Phone (+1) 317-388-1982 Fax (+1) 317-388-1986
www.cardno.com

Appendix C

Early Coordination

Early Coordination Letter (Example).....C-1

Agency Response

Indiana Geological & Water Survey Assessment.....C-4

Indiana Department of Environmental Management.....C-7

INDOT – LaPorte District – Environmental Services.....C-14

USACE – Planning, Programs, and Project Management Division.....C-15

USDA Natural Resource Conservation ServiceC-16

Indiana Department of Natural Resources – Division of Fish and WildlifeC-18

USFWS IPaC Official Species List.....C-22

INDOT Informal Coordination LetterC-28

USFWS – Informal Coordination ConcurrenceC-33



July 8, 2021

Ms. Kari Carmany-George
Federal Highway Administration
Federal Office Building, Room 254
Indianapolis, IN 46204

Cardno

3901 Industrial Boulevard
Indianapolis, IN 46254
USA

Phone: +1 317 388 1982
Fax: +1 317 388 1986

www.cardno.com

RE: Des. Nos.: 1802920, Pedestrian/Bicycle Trail Project, Lowell Freedom Trail: from Freedom Park to Main Street, Lake County

Dear Ms. Carmany-George,

The Town of Lowell (Town) in cooperation with Indiana Department of Transportation (INDOT) and Federal Highway Administration (FHWA) intends to proceed with a project involving the construction of a new multi-use trail in Lake County. This letter is part of the early coordination phase of the environmental review process. We are requesting comments from your area of expertise regarding any possible environmental effects associated with this project. **Please use the above designation numbers and description in your reply.** We will incorporate your comments into a study of the project's environmental impacts.

The project is located within Sections 14 and 23, Township 33 North, Range 9 West in Lowell, Lake County, IN. The proposed trail will begin at the terminus of a concrete trail near the south side of Liberty Park (41°18'17.79"N, -87°25'34.95"W), and end at West Main Street across from the northwest corner of Freedom Park (41°17'36.86"N, -87°25'33.6"W).

The proposed project would construct a 12-foot (ft.) wide multi-use trail connecting Freedom Park to Liberty Park in the Town of Lowell. This trail would be comprised of both off-road and on-road segments. Existing dedicated rights-of-way, as well as open spaces would be utilized. Trail surfaces would vary based on location. Through subdivisions, the trail would be concrete to match existing sidewalks, in off-road areas, the trail would be asphalt, and boardwalks may be utilized to cross wetlands. The project would require the acquisition of approximately seven (7) acres of permanent and two (2) acres of temporary right-of-way. Proposed right-of-way widths along the trail would be 20 ft. from centerline. The approximate length of the proposed project would be 1.2 miles. No road or pedestrian facility closures or detours are anticipated for this project. Construction is anticipated to begin in January 2024, ending in July 2024.

Land use in the vicinity of the project includes residential, agricultural, forest, wetlands, and public park land. Cardno will perform waters and wetlands determinations and a biological assessment to identify any ecological resources that may be present. This project qualifies for the application of the USFWS range-wide programmatic informal consultation for the Indiana bat and northern long-eared bat and project information will be submitted through USFWS's Information for Planning and Consultation (IPaC) separately. Coordination will occur with INDOT Cultural Resources Office (CRO) to evaluate the project area for archaeological and historic resources and for Section 106 compliance. The results of this investigation will be forwarded to the State Historic Preservation Officer (SHPO) for review and concurrence as appropriate.

July 8, 2021

2



Please provide your response within thirty (30) calendar days from the date of this letter. However, should you find that an extension to the response time is necessary, a reasonable amount may be granted upon request. If you have any questions regarding this matter, please feel free to contact Tamara Miller (Environmental Preparer, Cardno, 317-388-1982, tamara.miller@cardno.com) or Josh Grabijas, PE (Project Manager, SEH of Indiana, LLC, 219.513.250, jgrabijas@sehinc.com). Thank you in advance for your input.

Sincerely,

A handwritten signature in blue ink that reads "Tamara Miller".

Tamara Miller
Project Scientist
Cardno

Enc: Project Location Map
Aerial View of Project
Photographs

The following agencies received early coordination letters:

Environmental Coordinator
Indiana Department of Natural Resources
Division of Fish and Wildlife
Room W264, IGC South
Indianapolis, IN 46204
(Electronic Coordination)

Environmental Specialist
Federal Highway Administration
Federal Office Building, Room 254
Indianapolis, IN 46204
(Electronic Coordination)

State Conservationist
Natural Resources Conservation Service
6013 Lakeside Boulevard
Indianapolis, IN 46278
(Electronic Coordination)

Field Environmental Officer
US Department of Housing and Urban
Development
Chicago Regional Office
Metcalf Federal Building
Chicago, IL 60604
(Electronic Coordination)

Section 408 Coordinator
U.S. Army Corps of Engineers
Chicago District
231 South LaSalle St., Ste 1500
Chicago, IL 60604
(Electronic Coordination)

Chief
U.S. Army Corps of Engineers
Chicago District - Environmental Resources
232 South LaSalle St., Ste 1500
Chicago, IL 60604
(Electronic Coordination)

Regional Environmental Coordinator
National Park Service
Midwest Regional Office
601 Riverfront Drive
Omaha, NE 68102
(Electronic Coordination)

Environmental Section Manager
Indiana Department of Transportation
LaPorte District
315 E. Boyd Blvd.
LaPorte, IN 46350
(Electronic Coordination)

MS 4 Coordinator
Town of Lowell
MS4 Stormwater
501 East Main Street
Lowell, IN 46356
(Electronic Coordination)

Director
Town of Lowell
Lowell Parks and Recreation
501 East Main Street
Lowell, IN 46356
(Electronic Coordination)

Town Manager
Town of Lowell
501 East Main Street
Lowell, IN 46356
(Electronic Coordination)

Director of Public Works
Town of Lowell
Street Department
598 South Union Street
Lowell, IN 46356
(Electronic Coordination)

Ward 2
Town of Lowell
Town Council
598 South Union Street
Lowell, IN 46356
(Electronic Coordination)

Superintendent
Town of Lowell
Street Department
598 South Union Street
Lowell, IN 46356
(Electronic Coordination)

Director
Northwest Indiana Regional Planning
Commission
6100 Southport Road
Portage, IN 46368
(Electronic Coordination)

U.S. Fish and Wildlife Service
Northern Indiana Suboffice
P.O. Box 2616
Chesterton, IN 46304
(Electronic Coordination)

Indiana Department of Environmental
Management
(Electronic Coordination)



Organization and Project Information

Project ID:
Des. ID: 1802920
Project Title: Lowell Freedom Trail Phase 1
Name of Organization: Cardno, Inc.
Requested by: Cody Banks

Environmental Assessment Report

1. Geological Hazards:

- Moderate liquefaction potential
- Floodway

2. Mineral Resources:

- Bedrock Resource: High Potential
- Sand and Gravel Resource: Low Potential

3. Active or abandoned mineral resources extraction sites:

- None documented in the area

*All map layers from Indiana Map (maps.indiana.edu)

DISCLAIMER:

This document was compiled by Indiana University, Indiana Geological Survey, using data believed to be accurate; however, a degree of error is inherent in all data. This product is distributed "AS-IS" without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability to a particular purpose or use. No attempt has been made in either the design or production of these data and document to define the limits or jurisdiction of any federal, state, or local government. The data used to assemble this document are intended for use only at the published scale of the source data or smaller (see the metadata links below) and are for reference purposes only. They are not to be construed as a legal document or survey instrument. A detailed on-the-ground survey and historical analysis of a single site may differ from these data and this document.

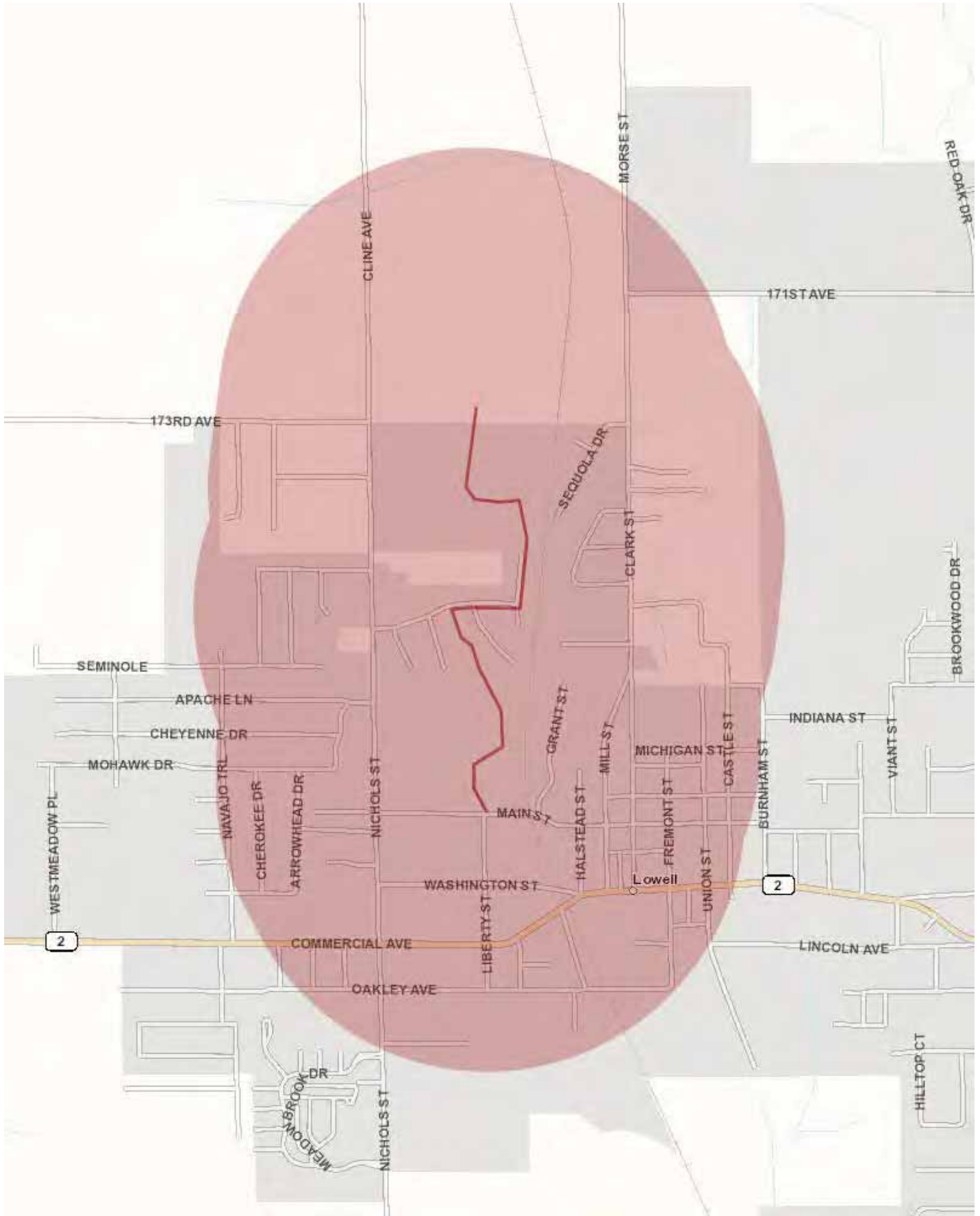
This information was furnished by Indiana Geological Survey

Address: 420 N. Walnut St., Bloomington, IN 47404

Email: IGSEnvir@indiana.edu

Phone: 812 855-7428

Date: June 28, 2021



Metadata:

- https://maps.indiana.edu/metadata/Geology/Seismic_Earthquake_Liquefaction_Potential.html
- https://maps.indiana.edu/metadata/Geology/Industrial_Minerals_Sand_Gravel_Resources.html
- https://maps.indiana.edu/metadata/Hydrology/Floodplains_FIRM.html
- https://maps.indiana.edu/metadata/Geology/Bedrock_Geology.html



Indiana Department of Environmental Management

We Protect Hoosiers and Our Environment.

100 North Senate Avenue - Indianapolis, IN 46204
(800) 451-8027 - (317) 232-8603 - www.idem.IN.gov

Town of Lowell
Craig Hendrix
501 East Main St.
Lowell , IN 46356

Short Elliot Hendrickson
Jason Spain
9200 Calumet Ave.
Suite N300
Munster , IN 46321

Date

Dear Grant Administrator or Other Finance Approval Authority:

RE: The Town of Lowell, in cooperation with Indiana Department of Transportation, and Federal Highway Administration intends to proceed with a project involving the construction of a new multi-use trail in Lake County. The current proposed project would construct a 12-foot wide multi-use trail connecting Freedom Park to Liberty Park in the Town of Lowell. The approximate length of the proposed project is 1.2 miles. There are no road closures anticipated for this project. Construction is anticipated to begin in January 2024, ending in July 2024. This project will be funded with \$433,020 of local funds and \$1,732,080 of Local Transportation Alternatives funding.

The Indiana Department of Environmental Management (IDEM) is aware that many local government or not-for-profit entities are seeking grant monies, a bond issuance, or another public funding mechanism to cover some portion of the cost of a public works, infrastructure, or community development project. IDEM also is aware that in order to be eligible for such funding assistance, applicants are required to first evaluate the potential impacts that their particular project may have on the environment. In order to assist applicants seeking such financial assistance and to ensure that such projects do not have an adverse impact on the environment, IDEM has prepared the following list of environmental issues that each applicant must consider in order to minimize environmental impacts in compliance with all relevant state laws.

IDEM recommends that each applicant consider the following issues when moving forward with their project. IDEM also requests that, in addition to submitting the information requested above, each applicant also sign the attached certification, attesting to the fact that they have read the letter in its entirety, agree to abide by the recommendations of the letter, and to apply for any permits required from IDEM for the completion of their project.

IDEM recommends that any person(s) intending to complete a public works, infrastructure, or community development project using any public funding consider each of the following applicable recommendations and requirements:

WATER AND BIOTIC QUALITY

1. Section 404 of the Clean Water Act requires that you obtain a permit from the U.S. Army Corps of Engineers (USACE) before discharging dredged or fill materials into any wetlands or other waters, such as rivers, lakes, streams, and ditches. Other activities regulated include the relocation, channelization, widening, or other such alteration of a stream, and the mechanical clearing (use of heavy construction equipment) of

wetlands. Thus, as a project owner or sponsor, it is your responsibility to ensure that no wetlands are disturbed without the proper permit. Although you may initially refer to the U.S. Fish and Wildlife Service National Wetland Inventory maps as a means of identifying potential areas of concern, please be mindful that those maps do not depict jurisdictional wetlands regulated by the USACE or the Department of Environmental Management. A valid jurisdictional wetlands determination can only be made by the USACE, using the 1987 Wetland Delineation Manual.

USACE recommends that you have a consultant check to determine whether your project will abut, or lie within, a wetland area. To view a list of consultants that have requested to be included on a list posted by the USACE on their Web site, see USACE Permits and Public Notices (<http://www.lrl.usace.army.mil/orf/default.asp>) (<http://www.lrl.usace.army.mil/orf/default.asp>) and then click on "Information" from the menu on the right-hand side of that page. Their "Consultant List" is the fourth entry down on the "Information" page. Please note that the USACE posts all consultants that request to appear on the list, and that inclusion of any particular consultant on the list does not represent an endorsement of that consultant by the USACE, or by IDEM.

Much of northern Indiana (Newton, Lake, Porter, LaPorte, St. Joseph, Elkhart, LaGrange, Steuben, and Dekalb counties; large portions of Jasper, Starke, Marshall, Noble, Allen, and Adams counties; and lesser portions of Benton, White, Pulaski, Kosciusko, and Wells counties) is served by the USACE District Office in Detroit (313-226-6812). The central and southern portions of the state (large portions of Benton, White, Pulaski, Kosciusko, and Wells counties; smaller portions of Jasper, Starke, Marshall, Noble, Allen, and Adams counties; and all other Indiana counties located in north-central, central, and southern Indiana) are served by the USACE Louisville District Office (502-315-6733).

Additional information on contacting these U.S. Army Corps of Engineers (USACE) District Offices, government agencies with jurisdiction over wetlands, and other water quality issues, can be found at <http://www.in.gov/idem/4396.htm> (<http://www.in.gov/idem/4396.htm>). IDEM recommends that impacts to wetlands and other water resources be avoided to the fullest extent.

2. In the event a Section 404 wetlands permit is required from the USACE, you also must obtain a Section 401 Water Quality Certification from the IDEM Office of Water Quality. To learn more about the water quality certification program, visit: <http://www.in.gov/idem/4384.htm> (<http://www.in.gov/idem/4384.htm>).
3. If the USACE determines that a wetland or other body of water is isolated and not subject to Clean Water Act regulation, it is still regulated by the state of Indiana. A state isolated wetland permit from IDEM's Office of Water Quality is required for any activity that results in the discharge of dredged or fill materials into isolated wetlands. To learn more about isolated wetlands, contact the Office of Water Quality at 317-233-8488.
4. If your project will impact more than 0.5 acres of wetland, stream relocation, or other large-scale alterations to bodies of water such as the creation of a dam or a water diversion, you should seek additional input from the Office of Water Quality, Wetlands staff at 317-233-8488.
5. Work within the one-hundred year floodway of a given body of water is regulated by the Department of Natural Resources, Division of Water. Contact this agency at 317-232-4160 for further information.
6. The physical disturbance of the stream and riparian vegetation, especially large trees overhanging any affected water bodies should be limited to only that which is absolutely necessary to complete the project. The shade provided by the large overhanging trees helps maintain proper stream temperatures and dissolved oxygen for aquatic life.

7. For projects involving construction activity (which includes clearing, grading, excavation and other land disturbing activities) that result in the disturbance of one (1), or more, acres of total land area, contact the Office of Water Quality – Watershed Planning Branch (317/233-1864) regarding the need for of a Rule 5 Storm Water Runoff Permit. Visit the following Web page
 - <http://www.in.gov/idem/4902.htm> (<http://www.in.gov/idem/4902.htm>)

To obtain, and operate under, a Rule 5 permit you will first need to develop a Construction Plan (<http://www.in.gov/idem/4917.htm#constreq> (<http://www.in.gov/idem/4917.htm#constreq>)), and as described in 327 IAC 15-5-6.5 (<http://www.in.gov/legislative/iac/T03270/A00150> [PDF] (<http://www.in.gov/legislative/iac/T03270/A00150.PDF>), pages 16 through 19). Before you may apply for a Rule 5 Permit, or begin construction, you must submit your Construction Plan to your county Soil and Water Conservation District (SWCD) (<http://www.in.gov/isda/soil/contacts/map.html> (<http://www.in.gov/isda/soil/contacts/map.html>)).

Upon receipt of the construction plan, personnel of the SWCD or the Indiana Department of Environmental Management will review the plan to determine if it meets the requirements of 327 IAC 15-5. Plans that are deemed deficient will require re-submittal. If the plan is sufficient you will be notified and instructed to submit the verification to IDEM as part of the Rule 5 Notice of Intent (NOI) submittal. Once construction begins, staff of the SWCD or Indiana Department of Environmental Management will perform inspections of activities at the site for compliance with the regulation.

Please be mindful that approximately 149 Municipal Separate Storm Sewer System (MS4) areas are now being established by various local governmental entities throughout the state as part of the implementation of Phase II federal storm water requirements. All of these MS4 areas will eventually take responsibility for Construction Plan review, inspection, and enforcement. As these MS4 areas obtain program approval from IDEM, they will be added to a list of MS4 areas posted on the IDEM Website at: <http://www.in.gov/idem/4900.htm> (<http://www.in.gov/idem/4900.htm>).

If your project is located in an IDEM-approved MS4 area, please contact the local MS4 program about meeting their storm water requirements. Once the MS4 approves the plan, the NOI can be submitted to IDEM.

Regardless of the size of your project, or which agency you work with to meet storm water requirements, IDEM recommends that appropriate structures and techniques be utilized both during the construction phase, and after completion of the project, to minimize the impacts associated with storm water runoff. The use of appropriate planning and site development and appropriate storm water quality measures are recommended to prevent soil from leaving the construction site during active land disturbance and for post construction water quality concerns. Information and assistance regarding storm water related to construction activities are available from the Soil and Water Conservation District (SWCD) offices in each county or from IDEM.

8. For projects involving impacts to fish and botanical resources, contact the Department of Natural Resources - Division of Fish and Wildlife (317-232-4080) for additional project input.
9. For projects involving water main construction, water main extensions, and new public water supplies, contact the Office of Water Quality - Drinking Water Branch (317-308-3299) regarding the need for permits.
10. For projects involving effluent discharges to waters of the State of Indiana , contact the Office of Water Quality - Permits Branch (317-233-0468) regarding the need for a National Pollutant Discharge Elimination System (NPDES) permit.

11. For projects involving the construction of wastewater facilities and sewer lines, contact the Office of Water Quality - Permits Branch (317-232-8675) regarding the need for permits.

AIR QUALITY

The above-noted project (see page 1) should be designed to minimize any impact on ambient air quality in, or near, the project area. The project must comply with all federal and state air pollution regulations. Consideration should be given to the following:

1. Regarding open burning, and disposing of organic debris generated by land clearing activities; some types of open burning are allowed under specific conditions (<http://www.in.gov/idem/4148.htm> (<http://www.in.gov/idem/4148.htm>)). You also can seek an open burning variance from IDEM.

IDEM generally recommends that you take vegetative wastes to a registered yard waste composting facility or that the waste be chipped or shredded with composting on-site. You must register with IDEM if more than 2,000 pounds is to be composted; contact 317-232-0066). The finished compost can then be used as a mulch or soil amendment. You also may bury any vegetative wastes (such as leaves, twigs, branches, limbs, tree trunks and stumps) on-site, although burying large quantities of such material can lead to subsidence problems.

2. Reasonable precautions must be taken to minimize fugitive dust emissions from construction and demolition activities. For example, wetting the area with water, constructing wind barriers, or treating dusty areas with chemical stabilizers (such as calcium chloride or several other commercial products). Dirt tracked onto paved roads from unpaved areas should be minimized.

If construction or demolition is conducted in a wooded area where blackbirds have roosted or abandoned buildings or building sections in which pigeons or bats have roosted for three to five years, precautionary measures should be taken to avoid an outbreak of histoplasmosis. This disease is caused by the fungus *Histoplasma capsulatum*, which stems from bird or bat droppings that have accumulated in one area for three to five years. The spores from this fungus become airborne when the area is disturbed and can cause infections over an entire community downwind of the site. The area should be wetted down prior to cleanup or demolition of the project site. For more detailed information on histoplasmosis prevention and control, please contact the Acute Disease Control Division of the Indiana State Department of Health at 317-233-7272.

3. The U.S. EPA and the U.S. Surgeon General recommend that people not have long-term exposure to radon at levels above 4 pCi/L. For a county-by-county map of predicted radon levels in Indiana, visit <http://www.in.gov/idem/4267.htm> (<http://www.in.gov/idem/4267.htm>).

The U.S. EPA further recommends that all homes and apartments (within three stories of ground level) be tested for radon. If in-home radon levels are determined to be 4 pCi/L or higher, then U.S. EPA recommends a follow-up test. If the second test confirms that radon levels are 4 pCi/L or higher, then U.S. EPA recommends the installation of radon-reduction measures. For a list of qualified radon testers and radon mitigation (or reduction) specialists, visit http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf

(http://www.in.gov/isdh/regsvcs/radhealth/pdfs/radon_testers_mitigators_list.pdf). Also, it is recommended that radon reduction measures be built into all new homes, particularly in areas like Indiana that have moderate to high predicted radon levels.

To learn more about radon, radon risks, and ways to reduce exposure, visit

<http://www.in.gov/isdh/regsvcs/radhealth/radon.htm> (<http://www.in.gov/isdh/regsvcs/radhealth/radon.htm>),

<http://www.in.gov/idem/4145.htm> (<http://www.in.gov/idem/4145.htm>), or <http://www.epa.gov/radon/index.html> (<http://www.epa.gov/radon/index.html>).

4. With respect to asbestos removal, all facilities slated for renovation or demolition (except residential buildings that have four (4) or fewer dwelling units and which will not be used for commercial purposes) must be inspected by an Indiana-licensed asbestos inspector prior to the commencement of any renovation or demolition activities. If regulated asbestos-containing material (RACM) that may become airborne is found, any subsequent demolition, renovation, or asbestos removal activities must be performed in accordance with the proper notification and emission control requirements.

If no asbestos is found where a renovation activity will occur, or if the renovation involves removal of less than 260 linear feet of RACM off of pipes, less than 160 square feet of RACM off of other facility components, or less than 35 cubic feet of RACM off of all facility components, the owner or operator of the project does not need to notify IDEM before beginning the renovation activity.

For questions on asbestos demolition and renovation activities, you can also call IDEM's Lead/Asbestos section at 1-888-574-8150.

In all cases where a demolition activity will occur (even if no asbestos is found), the owner or operator must still notify IDEM 10 working days prior to the demolition, using the form found at www.in.gov/icpr/webfile/formsdiv/44593.pdf.

Anyone submitting a renovation/demolition notification form will be billed a notification fee based upon the amount of friable asbestos containing material to be removed or demolished. Projects that involve the removal of more than 2,600 linear feet of friable asbestos containing materials on pipes, or 1,600 square feet or 400 cubic feet of friable asbestos containing material on other facility components, will be billed a fee of \$150 per project; projects below these amounts will be billed a fee of \$50 per project. Billings will occur on a quarterly basis.

For more information about IDEM policy regarding asbestos removal and disposal, visit: <http://www.in.gov/idem/4983.htm> (<http://www.in.gov/idem/4983.htm>).

5. With respect to lead-based paint removal, IDEM encourages all efforts to minimize human exposure to lead-based paint chips and dust. IDEM is particularly concerned that young children exposed to lead can suffer from learning disabilities. Although lead-based paint abatement efforts are not mandatory, any abatement that is conducted within housing built before January 1, 1978, or a child-occupied facility is required to comply with all lead-based paint work practice standards, licensing and notification requirements. For more information about lead-based paint removal, visit <http://www.in.gov/idem/permits/guide/waste/leadabatement.html> (<http://www.in.gov/idem/permits/guide/waste/leadabatement.html>).
6. Ensure that asphalt paving plants are permitted and operate properly. The use of cutback asphalt, or asphalt emulsion containing more than seven percent (7%) oil distillate, is prohibited during the months of April through October. See 326 IAC 8-5-2, Asphalt Paving Rule (<http://www.ai.org/legislative/iac/T03260/A00080.PDF> (<http://www.ai.org/legislative/iac/T03260/A00080.PDF>)).
7. If your project involves the construction of a new source of air emissions or the modification of an existing source of air emissions or air pollution control equipment, it will need to be reviewed by the IDEM Office of Air Quality (OAQ). A registration or permit may be required under 326 IAC 2 (www.ai.org/legislative/iac/t03260/a00020.pdf (<http://www.ai.org/legislative/iac/t03260/a00020.pdf>)). New

sources that use or emit hazardous air pollutants may be subject to Section 112 of the Clean Air Act and corresponding state air regulations governing hazardous air pollutants.

8. For more information on air permits, visit <http://www.in.gov/idem/4223.htm> (<http://www.in.gov/idem/4223.htm>), or to initiate the IDEM air permitting process, please contact the Office of Air Quality Permit Reviewer of the Day at (317) 233-0178 or oamprod@idem.in.gov.

LAND QUALITY

In order to maintain compliance with all applicable laws regarding contamination and/or proper waste disposal, IDEM recommends that:

1. If the site is found to contain any areas used to dispose of solid or hazardous waste, you need to contact the Office of Land Quality (OLQ) at 317-308-3103.
2. All solid wastes generated by the project, or removed from the project site, need to be taken to a properly permitted solid waste processing or disposal facility. For more information, visit <http://www.in.gov/idem/4998.htm> (<http://www.in.gov/idem/4998.htm>).
3. If any contaminated soils are discovered during this project, they may be subject to disposal as hazardous waste. Please contact the OLQ at 317-308-3103 to obtain information on proper disposal procedures.
4. If Polychlorinated Biphenyls (PCBs) are found at this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding management of any PCB wastes from this site.
5. If there are any asbestos disposal issues related to this site, please contact the Industrial Waste Section of OLQ at 317-308-3103 for information regarding the management of asbestos wastes. (Asbestos removal is addressed above, under Air Quality.)
6. If the project involves the installation or removal of an underground storage tank, or involves contamination from an underground storage tank, you must contact the IDEM Underground Storage Tank program at 317-308-3039 (<http://www.in.gov/idem/4999.htm> (<http://www.in.gov/idem/4999.htm>)).

FINAL REMARKS

Should the applicant need to obtain any environmental permits in association with this proposed project, please be mindful that IC 13-15-8 requires that they notify all adjoining property owners and/or occupants within ten days of your submittal of each permit application. Applicants seeking multiple permits, may still meet the notification requirement with a single notice if all required permit applications are submitted with the same ten day period.

Please note that this letter does not constitute a permit, license, endorsement, or any other form of approval on the part of either the Indiana Department of Environmental Management or any other Indiana state agency.

Should you have any questions relating to the content or recommendations of this letter, or if you have additional questions about whether a more complete environmental review of your project should be conducted, please feel free to contact Steve Howell at (317) 232-8587, snhowell@idem.in.gov.

Signature(s) of the Applicant

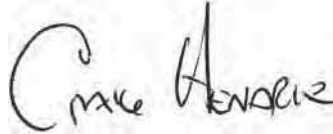
I acknowledge that I am seeking grant monies, a bond issuance, or other public funding mechanism to cover some portion of the cost of the public works, infrastructure, or community development project as described herein, which I am working (possibly with others) to complete.

Project Description

The Town of Lowell, in cooperation with Indiana Department of Transportation, and Federal Highway Administration intends to proceed with a project involving the construction of a new multi-use trail in Lake County. The current proposed project would construct a 12-foot wide multi-use trail connecting Freedom Park to Liberty Park in the Town of Lowell. The approximate length of the proposed project is 1.2 miles. There are no road closures anticipated for this project. Construction is anticipated to begin in January 2024, ending in July 2024. This project will be funded with \$433,020 of local funds and \$1,732,080 of Local Transportation Alternatives funding.

With my signature, I do hereby affirm that I have read the letter from the Indiana Department of Environmental Management that appears directly above. In addition, I understand that in order to complete the project in which I am interested, with a minimum impact to the environment, I must consider all the issues addressed in the aforementioned letter, and further, that I must obtain any required permits.

Dated Signature of the Public Owner
Contact/Responsible Elected Official _____



Craig Hendrix

Dated Signature of the Project
Planner/Consultant Contact Person _____

Jason Spain

From: [Michels, Stewart](#)
To: [Tammy Miller](#)
Subject: RE: Early Coordination Letter DesNo 1802920 Lowell Freedom Trail, LPA Project
Date: Friday, July 16, 2021 1:02:06 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Tammy,

Thank you for providing a copy of the early coordination letter for Des. No. 1802920 to the LaPorte District Environmental Services. We do not have any comment at this time. Thank you, again, for contacting us.

Regards,
Stew

From: Tammy Miller <Tamara.Miller@cardno.com>
Sent: Thursday, July 8, 2021 2:54 PM
To: Michels, Stewart <SMichels@indot.IN.gov>
Subject: Early Coordination Letter DesNo 1802920 Lowell Freedom Trail, LPA Project

****** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ******

Attached to this email is the early coordination letter for the above referenced Town of Lowell Multi-use Trail project in Lake County. Please let me know if you have any questions or comments regarding this project.

Thank you,

Tammy Miller
PROJECT SCIENTIST
CARDNO



Mobile +1 317 526 3027
Address 3901 Industrial Blvd Indianapolis IN 46254
Email tamara.miller@cardno.com Web www.cardno.com

CONNECT WITH CARDNO    

This email and its attachments may contain confidential and/or privileged information for the sole use of the intended recipient(s). All electronically supplied data must be checked against an applicable hardcopy version which shall be the only document which Cardno warrants accuracy. If you are not the intended recipient, any use, distribution or copying of the information contained in this email and its attachments is strictly prohibited. If you have received this email in error, please email the sender by replying to this message and immediately delete and destroy any copies of this email and any attachments. The views or opinions expressed are the author's own and may not reflect the views or opinions of Cardno.



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

08 July 2021

Planning, Programs, and Project
Management Division, Planning Branch

Ms. Tamara Miller
Cardno
3901 Industrial Boulevard
Indianapolis, IN 46254

Regarding: Des. No. 1802920, Pedestrian/Bicycle Train Project, Lowell Freedom
Trail: from Freedom Park to Main Street, Lake County

Dear Ms. Miller:

This letter is in response to a request concerning early coordination regarding any potential environmental effects of proposed project Des. No. 1802920, the construction of a multi-use trail in Lowell, Indiana.

The U.S. Army Corps of Engineers Chicago District does not have any current or planned civil works projects at this property location. Additionally, we do not anticipate an adverse environmental impact to a resource within our area of expertise. However, we will keep a record of this project for future reference.

This review does not eliminate the need for reviews local jurisdictions or state and federal resources agencies. If there are any additional questions please feel free to contact me at 312-846-5580 or at susanne.j.davis@usace.army.mil.

Sincerely,

A handwritten signature in cursive script that reads "Susanne J. Davis".

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

July 29, 2021

Tamara Miller
Cardno
3901 Industrial Boulevard
Indianapolis, Indiana 46254

Dear Ms. Miller:

The proposed project to proceed with the new construction of a multi-use trail from Freedom Park to Main Street in Lake County, Indiana (Des. No 1802920), as referred to in your letter received July 8, 2021, will cause a conversion of prime farmland.

The attached packet of information is for your use competing Parts VI and VII of the AD-1006. After completion, the federal funding agency needs to forward one copy to NRCS for our records.

If you need additional information, please contact John Allen at 317-295-5859.

Sincerely,

RICHARD Digitally signed by
RICHARD NEILSON
NEILSON Date: 2021.07.29
15:44:56 -04'00'

RICK NEILSON
State Soil Scientist

Enclosures



**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency)	3. Date of Land Evaluation Request 7/8/21	4. Sheet 1 of <u> </u> of <u> </u>
---	--	--------------------------------------

1. Name of Project DES1802920_Lowell Freedom Trail	5. Federal Agency Involved
---	----------------------------

2. Type of Project Multi-Use Trail	6. County and State Lake County, Indiana
---	---

PART II (To be completed by NRCS)	1. Date Request Received by NRCS 7/8/21	2. Person Completing Form JRA
--	--	--------------------------------------

3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	4. Acres Irrigated Average Farm Size 293 Ac
--	---

5. Major Crop(s) Corn	6. Farmable Land in Government Jurisdiction Acres: 266,576 % 82	7. Amount of Farmland As Defined in FPPA Acres: 231,037 % 71
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8. Name Of Land Evaluation System Used LESA	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS 7/29/21
---	---	---

PART III (To be completed by Federal Agency)	Alternative Corridor For Segment :			
	Corridor 1	Corridor 2	Corridor 3	Corridor 4
A. Total Acres To Be Converted Directly	0.70			
B. Total Acres To Be Converted Indirectly, Or To Receive Services	0.00			
C. Total Acres In Corridor	0.70	0.00	0.00	0.00

PART IV (To be completed by NRCS) Land Evaluation Information	
A. Total Acres Prime And Unique Farmland	0.70
B. Total Acres Statewide And Local Important Farmland	0.00
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted	<0.001
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value	58.0

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)	
	76

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points				
1. Area in Nonurban Use	15	7			
2. Perimeter in Nonurban Use	10	4			
3. Percent Of Corridor Being Farmed	20	0			
4. Protection Provided By State And Local Government	20	0			
5. Size of Present Farm Unit Compared To Average	10	0			
6. Creation Of Nonfarmable Farmland	25	0			
7. Availability Of Farm Support Services	5	3			
8. On-Farm Investments	20	3			
9. Effects Of Conversion On Farm Support Services	25	0			
10. Compatibility With Existing Agricultural Use	10	0			
TOTAL CORRIDOR ASSESSMENT POINTS	160	17	0	0	0

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100	76			
Total Corridor Assessment (From Part VI above or a local site assessment)	160	17	0	0	0
TOTAL POINTS (Total of above 2 lines)	260	93	0	0	0

1. Corridor Selected: Corridor A	2. Total Acres of Farmlands to be Converted by Project: 0.7	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
--	---	-----------------------	---

5. Reason For Selection:

Signature of Person Completing this Part: <i>Tammy Miller</i>	DATE 7/8/21
--	-----------------------

NOTE: Complete a form for each segment with more than one Alternate Corridor

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

DNR #: ER-23882

Request Received: July 8, 2021

Requestor: Cardno, Inc
Tamara Miller
3901 Industrial Boulevard
Indianapolis, IN 46254

Project: Town of Lowell Freedom Trail; construction of a 12' wide multi-use trail connecting Freedom Park to Liberty Park; Des #1802920

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: Formal approval by the Department of Natural Resources under the regulatory programs administered by the Division of Water is not required for this project.

Natural Heritage Database: The Natural Heritage Program's data have been checked. The American Badger (*Taxidea taxus*), a state species of special concern, has been documented within 1/2 mile of the project area.

Fish & Wildlife Comments: Badgers are a wide ranging species that prefer an open, prairie-type habitat, with Indiana being at the eastern edge of their natural range. The range of the badger continues to expand as a result of land-use changes from forest to farmland and open pastureland. Impacts to the American badger or its preferred habitat are unlikely as a result of this project.

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:

A) Forested Habitat:

We recommend a mitigation plan be developed for any unavoidable habitat impacts that will occur. The DNR's Habitat Mitigation guidelines (and plant lists) can be found online at: <http://www.in.gov/legislative/iac/20190130-IR-312190041NRA.xml.pdf>.

Impacts to non-wetland forest of one (1) acre or more should be mitigated at a minimum 2:1 ratio. If less than one acre of non-wetland forest is removed in a rural setting, replacement should be at a 1:1 ratio based on area. Impacts to non-wetland forest under one (1) acre in an urban setting should be mitigated by planting five trees, at least 2 inches in diameter-at-breast height (dbh), for each tree which is removed that is 10" dbh or greater (5:1 mitigation based on the number of large trees) or by using the 1:1 replacement ratio based on area depending on the type of habitat impacted (individual canopy tree removal in an urban streetscape or park-like environment versus removal of habitat supporting a tree canopy, woody understory, and herbaceous layer). Impacts under 0.10 acre in an urban area may still involve the replacement of large diameter trees but typically do not require any additional mitigation or additional plantings beyond seeding and stabilizing disturbed areas. There are exceptions for high quality habitat

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

sites however.

B) Wetland Habitat:

Due to the presence or potential presence of wetland habitat 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 wetland habitat should be mitigated at the appropriate ratio according to the 1991 INDOT/IDNR/USFWS Memorandum of Understanding.

C) Trail Guidelines:

The following is a basic list of recommendations from IDNR Division of Fish & Wildlife to consider when planning trails to minimize impacts to fish, wildlife, and botanical resources.

1. Place the trail in or adjacent to existing right-of-ways where possible to minimize significant impacts to natural resource habitat. Also, utilize previously disturbed or degraded areas. Align the trail along or near existing man-made edges or areas that have the potential to be restored or enhanced by trail construction (i.e. railroad corridors), rather than routing the trail through previously undisturbed areas.
2. When designing or constructing a trail, disturb as narrow an area as possible to help minimize negative impacts. Where significant impacts to fish, wildlife or botanical resources are likely due to the trail's width, reduce the width to help avoid those impacts. ADA accessibility standards allow departures from the standards under certain conditions, including substantial harm to natural features, habitat, or vegetation (see <https://www.access-board.gov/attachments/article/1637/outdoor-guide.pdf>, Outdoor developed areas: a summary of accessibility standards for Federal outdoor developed areas).
3. Do not focus only on the direct impact of the trail's width; also consider the trail's impact to the surrounding habitat. Trails can fragment larger habitat areas and reduce the overall usefulness of the site to fish, wildlife, or botanical resources (1 large habitat block is better than 2 small habitat blocks). Trails can cause significant impacts to forested areas, riparian forested corridors along creeks and rivers, and wetland areas. They also may cause sediment and erosion issues or introduce human disturbance into fairly isolated areas containing wildlife habitat.
4. Avoid unnecessary stream crossings. Instead, make use of or modify existing stream crossings or avoid crossing the stream altogether. Where stream crossings are unavoidable, pedestrian bridges with supports/abutments placed no less than 10 feet landward from the tops of the banks on each side of the waterway are recommended. Alternatively, a three-sided culvert may be used. Three-sided culverts should be oversized to allow terrestrial wildlife movement along the creek on unsubmerged dry land at normal water levels. Box-culvert or pipe-culvert crossings are not recommended.
5. Trails designed to follow a stream's course must be placed outside the stream's forested riparian buffer. Also, do not place the trail along the tops of the banks of a forested creek. Avoid perpendicular fragmentation of riparian areas (streamside habitat). Where the stream has little or no forested riparian buffer, the trail should be no closer than 15 feet from the tops of the banks.
6. Avoid elements identified in the Natural Heritage Database; trails may negatively affect species that require specific natural conditions (vegetation, light levels, moisture, etc.) that are altered as a result of trail construction. Rare and high quality habitats, and wildlife habitats that possess high wildlife abundance and diversity, should be avoided by placing the trail around the habitat and screening it from the trail and trail users with a buffer of native vegetation or another method as discussed below. Wetlands and karst features are but two examples of areas to avoid.
7. Raised boardwalks should be constructed in wet areas or near wetlands (trails through wetlands are not recommended). A material such as composite decking should

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Division of Fish and Wildlife
Early Coordination/Environmental Assessment

be used rather than treated wood which can leach elements toxic to aquatic life.

8. Screen wildlife habitat from the trail corridor. Vegetation, topography, and fences can help reduce the impact of noise and line of site disturbances of trail users on wildlife.

Walls can create wildlife movement barriers and potential impacts must be considered.

Native grass buffers (2 to 3 feet tall) are recommended along the edge of trails near habitat such as wetlands.

9. Lighting should only be used when absolutely necessary. Lighting in forested areas and along creeks, streams, and rivers should be the lowest intensity feasible and shielded to cast light on the path and not diffused into the surroundings to avoid disturbing wildlife circadian rhythms and disorienting night-migrating birds.

10. Any plantings in the riparian areas should be locally native species, not exotic species or horticultural varieties (e.g. "Autumn Blaze" Red Maple). A list of appropriate native woody and herbaceous vegetation can be provided upon request.

11. Trail surfaces can have negative effects on surrounding natural areas and deter movement of some species across the trail. Some surface materials are more environmentally acceptable than others, such as mulch and mown grass which should be considered as the first options. Asphalt is not recommended as a trail surface in the floodway. The conventional maintenance for aging asphalt is to seal it with a blacktop or asphalt sealer. Research has shown that as these sealers break down over time, they move into the aquatic environment and are highly toxic to aquatic life. If asphalt is used then asphalt sealer should not be used for long-term maintenance and repair of the asphalt trail surface. In previously disturbed areas, concrete is an acceptable surface material, and porous concrete is preferred wherever it can be used.

12. Shoulders should be constructed using unconsolidated materials where possible. In some situations, solid shoulders are necessary. In those cases, shoulders should be constructed using porous concrete.

13. Trails that highlight natural resources should skirt the resource and utilize "pulloffs" at specific sites instead of letting the entire trail and traffic disturb the resource.

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) and legumes native to Northern Indiana and specifically for stream bank/floodway stabilization purposes as soon as possible upon completion. Turf-type grasses (including low-endophyte, friendly endophyte, and endophyte free tall fescue but excluding all other varieties of tall fescue) may be used in currently mowed areas only.

2. Minimize and contain within the project limits all tree and brush clearing.

3. Do not cut any trees suitable for Indiana bat or Northern Long-eared bat roosting (greater than 5 inches dbh, living or dead, with loose hanging bark, or with cracks, crevices, or cavities) from April 1 through September 30.

4. Appropriately designed measures for controlling erosion and sediment must be implemented to prevent sediment from leaving the construction site; maintain these measures until construction is complete and all disturbed areas are stabilized.

5. Seed and protect all slopes not protected by other methods that are 3:1 or steeper with erosion control blankets that are heavy-duty, biodegradable, and net free or that use loose-woven / Leno-woven netting to minimize the entrapment and snaring of small-bodied wildlife such as snakes and turtles (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.

THIS IS NOT A PERMIT

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

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.

Christie L. Stanifer

Date: August 6, 2021

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



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Indiana Ecological Services Field Office

620 South Walker Street

Bloomington, IN 47403-2121

Phone: (812) 334-4261 Fax: (812) 334-4273

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>

In Reply Refer To:

November 17, 2021

Consultation Code: 03E12000-2022-SLI-0381

Event Code: 03E12000-2022-E-01625

Project Name: Lowell Freedom Trail Des No. 1802920 Trail Project

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service if they determine their project “may affect” listed species or critical habitat.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website <http://ecos.fws.gov/ipac/> at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Please use the species list provided and visit the U.S. Fish and Wildlife Service’s Region 3 Section 7 Technical Assistance website at - <http://www.fws.gov/midwest/endangered/section7/s7process/index.html>. This website contains step-by-step instructions which will help you determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process.

For all **wind energy projects** and **projects that include installing towers that use guy wires or are over 200 feet in height**, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*) and Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website at <http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html> to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Indiana Ecological Services Field Office

620 South Walker Street
Bloomington, IN 47403-2121
(812) 334-4261

Project Summary

Consultation Code: 03E12000-2022-SLI-0381

Event Code: Some(03E12000-2022-E-01625)

Project Name: Lowell Freedom Trail Des No. 1802920 Trail Project

Project Type: TRANSPORTATION

Project Description: The Town of Lowell (Town) in cooperation with Indiana Department of Transportation (INDOT) and Federal Highway Administration (FHWA) intend to proceed with a project involving the construction of a new multi-use trail in Lake County. The project is located within Sections 14 and 23, Township 33 North, Range 9 West in Lowell, Lake County, IN. The proposed trail will begin at the terminus of a concrete trail near the south side of Liberty Park (41°18'17.79"N, -87°25'34.95"W), and end at West Main Street across from the northwest corner of Freedom Park (41°17'36.86"N, -87°25'33.6"W).

The proposed project would construct a 12-foot (ft.) wide multi-use trail connecting Freedom Park to Liberty Park in the Town of Lowell. This trail would be comprised of both off-road and on-road segments. Existing dedicated rights-of-way, as well as open spaces would be utilized. Trail surfaces would vary based on location. Through subdivisions, the trail would be concrete to match existing sidewalks. In off-road areas, the trail would be asphalt and boardwalks may be utilized to cross wetlands. The project would require the acquisition of approximately 7.0 acres of permanent and 2.0 acres of temporary right-of-way. Proposed right-of-way widths along the trail would be 20 ft. from centerline. The approximate length of the proposed project would be 1.2 miles. No road or pedestrian facility closures or detours are anticipated for this project. Construction is anticipated to begin in January 2024, ending in July 2024.

Land use in the vicinity of the project includes residential, agricultural, forest, wetlands, and public park land. Suitable summer habitat within the project area includes both upland forest, emergent wetland with intermittent streams, and early successional shrubs. The upland forest tree species consist of American Basswood (*Tilia americana*), Shingle Oak (*Quercus imbricaria*), Shag-Bark Hickory (*Carya ovata*), and Green Ash (*Fraxinus pennsylvanica*) with a midstory of Morrow's Honeysuckle (*Lonicera morrowii*) and Common Red Raspberry (*Rubus idaeus*). The wetland forest includes Shingle Oak (*Quercus imbricaria*) and Pignut Hickory (*Carya glabra*) with a midstory of Gray Dogwood (*Cornus racemosa*) and Rambler Rose (*Rosa multiflora*). The project will require clearing 1.49 acres of potential summer roosting habitat. The amount of tree clearing broken down by distance from road or rail is as follows:

- 0-100 ft. = 0.31 acres
- 100-300 ft. = 1.11 acres

- Greater than 300 ft. = 0.07 acres

Tree clearing will occur outside active summer bat roosting season. No temporary or permanent lighting will be utilized for the project.

A review of the USFWS database by INDOT - LaPorte District completed on October 14, 2020 did not indicate the presence of endangered bat species in or within 0.5 mile of the project area.

Mitigation for tree clearing greater than 100 ft. from the road is anticipated. The amount to be paid to the Range-wide In-lieu Fee Program, to be administered by The Conservation Fund, shall be \$19,316.01. The area of suitable habitat to be cleared, multiplied by the mitigation ratio for inactive season tree clearing for Lake County, and the compensatory price per acre; 1.18 acre X 1.75 X \$9,354.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.299259649999996,-87.4271541663527,14z>



Counties: Lake County, Indiana

Endangered Species Act Species

There is a total of 3 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. The location of the critical habitat is not available. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> ▪ Incidental take of the NLEB is not prohibited here. Federal agencies may consult using the 4(d) rule streamlined process. Transportation projects may consult using the programmatic process. See www.fws.gov/midwest/endangered/mammals/nleb/index.html Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N758-ES
Indianapolis, Indiana 46204

PHONE: (855) 463-6848

Eric Holcomb, Governor
Joe McGuinness, Commissioner

December 1, 2021

Elizabeth McCloskey
U.S. Fish and Wildlife Service
Northern IN Field Office
Chesterton, Indiana 46304

Re: Standard Informal Consultation for the Indiana Bat and Northern Long-Eared Bat
Des. No. 1802920
Sections 14 and 23, Township 33 North, Range 9 West, Lowell, Lake County, Indiana
Construction of a multiuse trail from Liberty Park to Freedom Park

Dear Ms. McCloskey:

The Indiana Department of Transportation (INDOT), is acting on behalf of Federal Highway Administration (FHWA), and submitting this letter for standard informal consultation for the Indiana bat (*Myotis sodalis*) and Northern long-eared bat (*Myotis septentrionalis*) (NLEB). Based on the project description and aerial map (Attachment A, Figure 2), the project is not within the scope of the *Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana Bat and NLEB* due to the removal of habitat (0.07 acre) outside of 300 feet from existing road/rail surfaces without a valid Presence/Probable Absence survey indicating that bats are not present.

Existing Project Conditions

The project begins at the southern terminus of a concrete trail located within Liberty Park and traverses through residential neighborhoods, agricultural fields, the forest and wetland described below, and ends in a residential areas at the intersection of West Main Street and North Liberty Street.

Proposed Improvements

The proposed trail will begin at the terminus of a concrete trail near the south side of Liberty Park (41°18'17.79"N, -87°25'34.95"W), and end at West Main Street across from the northwest corner of Freedom Park (41°17'36.86"N, -87°25'33.6"W) (Attachment A, Figure 1).

The proposed project would construct a 12-foot (ft.) wide multi-use trail connecting Freedom Park to Liberty Park in the Town of Lowell. This trail would be comprised of both off-road and on-road segments. Existing dedicated rights-of-way, as well as open spaces would be utilized. Trail surfaces would vary based on location. Through subdivisions, the trail would be concrete to match existing sidewalks. In off-road areas, the trail would be asphalt and boardwalks may be utilized to cross wetlands. Tree clearing will occur outside active summer bat roosting season. No temporary or permanent lighting will be utilized for the project. Tree clearing will occur outside active summer bat roosting season. No temporary or permanent lighting will be utilized for the project.

Right-of-Way

The project would require the acquisition of approximately 7.0 acres of permanent and 2.0 acres of temporary right-of-way. Proposed right-of-way widths along the trail would be 20 ft. from centerline.

Construction Schedule and Maintenance of Traffic

Construction is anticipated to begin in January 2024, ending in July 2024 and will be completed in one construction season. No road or pedestrian facility closures or detours are anticipated for this project.

Coordination Completed

Project information was submitted through the USFWS's Information for Planning and Consultation (IPaC) portal, and an official species list was generated on November 17, 2021 (Attachment B). The project is within range of the federally endangered Indiana bat and the federally threatened northern long-eared bat (NLEB). The monarch butterfly (*Danaus plexippus*), a candidate species, has the potential to occur within the project area.

Indiana Department of Natural Resources – Division of Fish and Wildlife responded to early coordination request on August 6, 2021 that the American badger (*Taxidea taxus*) has been documented within 0.5 mile of the project area; however, no impacts are anticipated (Attachment C). Standard recommendations for avoiding, minimizing, and mitigating impacts to forest and wetland habitat as well as minimizing impacts from trail construction were provided.

Existing Bat Habitat

A review of the USFWS database by INDOT - LaPorte District completed on October 14, 2020 did not indicate the presence of endangered bat species in or within 0.5 mile of the project area.

Assessment of Potential Suitable Summer Habitat

Land use in the vicinity of the project includes residential, agricultural, forest, wetlands, and public park land. Suitable summer habitat within the project area includes both upland forest, emergent wetland with intermittent streams, and early successional shrubs. The upland forest tree species consist of American Basswood (*Tilia americana*), Shingle Oak (*Quercus imbricaria*), Shag-Bark Hickory (*Carya ovata*), and Green Ash (*Fraxinus pennsylvanica*) with a midstory of Morrow's Honeysuckle (*Lonicera morrowii*) and Common Red Raspberry (*Rubus idaeus*). The wetland forest includes Shingle Oak (*Quercus imbricaria*) and Pignut Hickory (*Carya glabra*) with a midstory of Gray Dogwood (*Cornus racemosa*) and Rambler Rose (*Rosa multiflora*).

The project will require clearing 1.49 acres of potential summer roosting habitat. The amount of tree clearing broken down by distance from road or rail is as follows:

- 0-100 ft. = 0.31 acres
- 100-300 ft. = 1.11 acres
- Greater than 300 ft. = 0.07 acres

Water Resources and Wetlands Present

A Wetland Delineation Report was completed for the project on October 21, 2020. Three wetlands and one ephemeral stream were identified during this investigation. Wetlands included one scrub-shrub wetland (0.18 ac), one open-water wetland (0.09 ac), and one forested wetland (1.07 ac) for a total of 1.34 acres of wetland. The locations of these features is shown on Figure 2 and are described below (Attachment A).

Wetland 01 was a scrub shrub wetland located south of Freedom Park and north of Redbud Lane. The wetland was located in a small valley between the park and residential houses where the wetland sloped gradually to the south boundary of the wetland. Apparent manipulation of the wetland occurred in previous years with tracks from motorized vehicles. Vegetation in Wetland 01 consisted mostly of Gray Dogwood and a mix of native herbaceous species.

Wetland 02 was a small open-water wetland located south of Timber Springs Road, west of Timber Lake Drive, and east of Timberwood Lane. This wetland was situated in a low depression between residential houses. This wetland had little to no vegetation growing within its boundaries except for Sandbar Willow (*Salix interior*) and Eastern Cottonwood (*Populus deltoides*) growing at its margins.

Wetland 03 was a forested wetland located north of West Main Street at Liberty Park and west of Grant Street. This large wetland consisted of dense canopy at its boundaries, gradually opening to an open area with standing water in its center. The canopy trees of Wetland 03 were mostly Silver Maple (*Acer saccharinum*), Cottonwood, and Black Willow (*Salix nigra*) with an understory of willows, dogwoods, and Rambler Rose. The herbaceous layer consisted mostly of Blue Joint Grass (*Calamagrostis canadensis*), Lake Sedge (*Carex lacustris*) and Bur Reed (*Sparganium eurycarpum*).

Unnamed tributary 1 (UNT) was a small ephemeral stream leading from the outlet of an excavated open-water wetland (Wetland 02) toward a large forested/emergent wetland complex (Wetland 03). The stream was dry at the time of the survey but showed signs of flowing water earlier in the year. The riparian corridor of UNT01 was mature forest dominated by Hickory (*Carya* spp.) species and American Basswood.

Impacts

The proposed project would clear approximately 1.49 acres of upland and wetland forest. A raised boardwalk will be utilized within the emergent wetland to minimize impacts to this resource. The project will not cross UNT 1 and no impacts are anticipated. No temporary or permanent lighting is proposed for this project. The proposed tree clearing is shown on the aerial photograph on Figure 3 (Attachment A) and are summarized below.

Table 1. Tree Clearing Summary

Acres of trees to be cleared within 100 feet of existing road/rail	Acres of trees to be cleared more than 100 feet, but less than 300 feet from existing road/rail	Acres of trees to be cleared more than 300 feet from existing road/rail	Total Acres of Trees
0.31 ac	1.11 ac	0.31 ac	1.49 ac

Commitments

The following commitments are proposed as Avoidance and Minimization Measures (AMMs) to reduce potential impacts to the Indiana Bat and NLEB.

General AMM 1. Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

Tree Removal AMM 1. Modify all phases/aspects of the project (e.g., temporary work areas, alignments) to the extent practicable to avoid tree removal in excess of what is required to implement the project safely.

Tree Removal AMM 2. Apply time of year (TOY) restrictions for tree removal when bats are not likely to be present, or Limit tree removal to 10 or fewer trees per project at any time of year within 100 feet of existing road/rail surface and outside of documented roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed.

Tree Removal AMM 3. The project sponsor must ensure tree removal is limited to that specified in project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).

Conclusion

In consultation with USFWS, it was determined that the Proposed Action is not within the scope of the *Programmatic Biological Opinion for Transportation Projects in the Range of the Indiana Bat and NLEB* and will be processed as standard informal consultation.

Based on the scope of the project described above, the Proposed Action is within the scope and adheres to the criteria of the Programmatic Biological Opinion for Transportation Projects, including the adoption of applicable AMMs, and as such, the FHWA has determined the proposed project has an effect finding of "May Affect, Not Likely to Adversely Affect - with AMMs" for the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*).

The FHWA is requesting USFWS concurrence with this project "May Affect, Not Likely to Adversely Affect - with AMMs" determination.

Please contact Tamara Miller (Environmental Preparer, Cardno, 317-388-1982, tamara.miller@cardno.com) or Jason Spain, PE (Project Manager, SEH of Indiana, LLC, 219-513-2500, jspain@sehinc.com) if you have any questions or require additional information. We appreciate your attention to this project.

Attachment A – Graphics

Attachment B – IPaC Official Species List

Attachment C – IDNR Early Coordination Response.



Approximate Tree Clearing Distance:

0 - 100 Feet	0.31 Acres
100 - 300 Feet	1.11 Acres
More than 300 Feet	0.07 Acres



	FILE NO. 154504	FIGURE 3 FREEDOM TRAIL TREE CLEARING AREA	EXHIBIT NO. 1
	DATE: 11/16/2021		



United States Department of the Interior Fish and Wildlife Service



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

December 14, 2021

Ms. Sandra Bowman
INDOT
100 North Senate Avenue, Room N758-ES
Indianapolis, Indiana 46204

Project No.: Des. 1802920
Project: Freedom Park/Liberty Park Multiuse Trail
Location: Lowell, Lake County

Dear Ms. Bowman:

This responds to your letter dated December 1, 2021, requesting our comments on the aforementioned project's likely impacts on Federal listed bat species.

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 consists of the construction of a 12-foot wide multiuse trail between an existing trail in Liberty Park and Freedom Park within Lowell. The trail would include both on-road and off-road segments, with part of the trail essentially being sidewalks within residential areas, and part being across undeveloped lands. The project would require the acquisition of about 7.0 acres of permanent and 2.0 acres of temporary right-of-way. There would be a total of 1.49 acres of tree clearing and 1.34 acres of wetland impact, primarily to forested wetlands (1.07 acres).

It will be necessary to mitigate for the wetland impacts. The forested wetlands will require a mitigation ratio of 4:1, replaced as close as possible to the impact area. This wetland mitigation requirement is unrelated to any requirements for mitigation of lost bat habitat.

ENDANGERED SPECIES

The proposed project is within the range of the Federally endangered Indiana bat (*Myotis sodalis*) and the threatened northern long-eared bat (*Myotis septentrionalis*). The project does not qualify for the Range-wide Programmatic Consultation process for these species. We have reviewed the information provided in the letter and the proposed Avoidance and Minimization Measures; we believe the proposed AMMs will adequately protect these species. Therefore, we concur with the determination that the proposed project is not likely to adversely affect these endangered and threatened species.

The project is also within the range of the candidate Monarch butterfly (*Danaus plexippus*). However, candidate species are not afforded legal protection under the Endangered Species Act, but it is listed within IPaC to generally inform project proponents about concerns for this butterfly. It would be helpful to plant milkweed and nectar plants at appropriate locations along the trail.

This precludes the need for further consultation on this project for these species 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 again comment on this proposed project. For further discussion, please contact Elizabeth McCloskey at elizabeth_mccloskey@fws.gov.

Sincerely yours,

/s/ *Elizabeth S. McCloskey*

for Scott E. Pruitt
Supervisor

Sent via email December 14, 2021; no hard copy to follow.

Appendix D Section 106 of the NHPA

MPPA Determination Form	D-1
Phase Ia Archaeological Reconnaissance Short Report (partial).....	D-6

Minor Projects PA Project Assessment Form

Date: 12/9/2020

Project Designation Number: 1802920

Route Number: N/A

Project Description: Lowell Freedom Trail Project.

The project consists of a linear corridor that would be utilized for the construction of a pedestrian trail between Freedom Park located on Nichols Street and Liberty Park located on Main Street in Lowell, Cedar Creek Township, Lake County, Indiana. The trail would begin at Freedom Park and travel south through both off-road and on-road segments. Existing dedicated rights-of-way, as well as open spaces will be utilized. Trail surfaces will vary based on location – through subdivisions the trail will be concrete to match existing sidewalks; in off-road areas, the trail will be asphalt, and boardwalks may be utilized to cross wetlands. The survey corridor is approximately 1,770 meters (m) (5,807 feet [ft]) in length and 12 m (40 ft) in width. The anticipated depth of excavation is 18 inches.

Feature crossed (if applicable): N/A

City/Township: Lowell/Cedar Creek Township

County: Lake County

Information reviewed (please check all that apply):

- General project location map USGS map Aerial photograph Interim Report
 Written description of project area General project area photos Soil survey data
 Previously completed historic property reports Previously completed archaeology reports
 Bridge Inspection Information SHAARD SHAARD GIS Streetview Imagery

Other (please specify): Project information, photos and map provided by Short Elliott Hendrickson, Inc. (SEH) on 11/9/2020 on file at INDOT, CRO.

Hipskind, Scott and Veronia Parsell

2020 Phase Ia Archaeological Reconnaissance for the Proposed Freedom Trail in Lowell, Cedar Creek Township, Lake County, Indiana. Report on file, Indiana Department of Transportation, Cultural Resources Office, Indianapolis, In.

Please specify all applicable categories and condition(s) (conditions that are applicable are highlighted):

B-8. Construction of pedestrian facilities including trails, multi-use paths, greenways, and associated minor activities defined below, under the following conditions [**BOTH Condition A, which pertains to Archaeological Resources, and Condition B, which pertains to Above-Ground Resources, must be satisfied**]:

Condition A (Archaeological Resources)

One of the two conditions listed below must be met (*EITHER Condition i or Condition ii must be satisfied*):

- i. Work occurs within areas previously disturbed by vertical and horizontal construction activities, including existing roadway, sidewalk, or rail bed, and is not on, within or adjacent to a National Register listed or eligible site; *OR*
- ii. **Work occurs in undisturbed soils and an archaeological investigation** conducted by the applicant and reviewed by INDOT Cultural Resources Office determines that no National Register-listed or potentially National Register-eligible archaeological resources are present within the project area. If the archaeological investigation locates National Register-listed or potentially National Register-eligible archaeological resources, then full Section 106 review will be required. Copies of any archaeological reports prepared for the project will be provided to the DHPA and any archaeological site form information will be entered

Minor Projects PA Project Assessment Form

directly into the SHAARD by the applicant. The archaeological reports will also be available for viewing (by Tribes only) on INSCOPE.

Condition B (Above-Ground Resources)

Work does not occur adjacent to or within a National Register-listed or National Register-eligible district or individual above-ground resource.

Activities associated with this category include the following:

- Pavement surface installation, replacement, rehabilitation, resurfacing, and reconstruction work, including widening, laying down of crushed stone or gravel, shoulder treatments, pavement repair, seal coating, pavement grinding, pavement marking, etc.;
- Installation of new signals, signage, and other traffic control devices;
- Installation of new safety appurtenances such as guardrails and barriers;
- Installation of plant materials and hardscape landscaping elements, including, but not limited to bike racks, benches, trash cans, lighting, and other amenities;
- Trail heads and parking lots;
- Installation of pipes, culverts, and pedestrian bridges.

Are there any commitments associated with this project? If yes, please explain and include in the Additional Comments Section below. yes no

Does the project result in a de minimis impact to a Section 4(f) protected historic resource? If yes, please explain in the Additional Comments Section below. yes no

Additional Comments:

Above-ground Resources

With regard to above-ground resources, an INDOT Cultural Resources historian who meets the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61 performed a desktop review, checking the Indiana Register of Historic Sites and Structures (State Register) and National Register of Historic Places (National Register) lists for Dearborn County. The project area is not located adjacent to or within any listed resources.

The *Lake County Interim Report* (1994; Lowell Scattered Sites) of the Indiana Historic Sites and Structures Inventory (IHSSI) was also consulted. The National Register of Historic Places (National Register) & IHSSI information is available in the Indiana State Historic Architectural and Archaeological Research Database (SHAARD), and the Indiana Historic Buildings, Bridges, and Cemeteries Map (IHBBCM). The SHAARD and IHBBCM information was checked against the Interim Report hard copy maps.

According to the IHSSI rating system, generally properties rated "contributing" do not possess the level of historical or architectural significance necessary to be considered individually National Register-eligible, although they would contribute to a historic district. If they retain material integrity, properties rated "notable" might possess the necessary level of significance after further research. Properties rated "outstanding" usually possess the necessary level of significance to be considered National Register-eligible, if they retain material integrity.

There are no National Register-listed resources present adjacent to the project area. Only on IHSSI surveyed Lowell Scattered Site, IHSSI # 089-370-93026 (c. 1930's Bungalow, rated "Contributing") is located adjacent to the southern edge of the project area, just north of Liberty Park on the north side of Main Street. This bungalow has been significantly altered since the time of the survey undertaken in 1994 with the addition of a walk out basement opening to a covered porch and a deck on top. This resource is not a part of a historic district and it lacks integrity and level of historical or architectural significance necessary to be considered individually eligible for the National Register.

Minor Projects PA Project Assessment Form

The trail, for the most part, will be constructed on new terrain, through wooded areas, wetlands and agricultural fields. However, it does run through two subdivisions - Timber Springs and North Meadows. Per Lake County Assessors website, houses adjacent to the proposed trail within the Timber Springs subdivision were all constructed between the early 1980's and late 1990s, while the houses within the North Meadows subdivision are more recent having been built between 2000s and the present. These subdivisions, therefore, have not reached the threshold of 50 years to be evaluated for National Register eligibility. In other words, they are not eligible for inclusion in the National Register at the present time.

Based on the available information, as summarized above, no aboveground concerns exist.

Archaeological Resources

Summary of Archaeology Investigation Results:

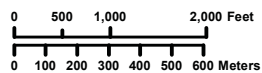
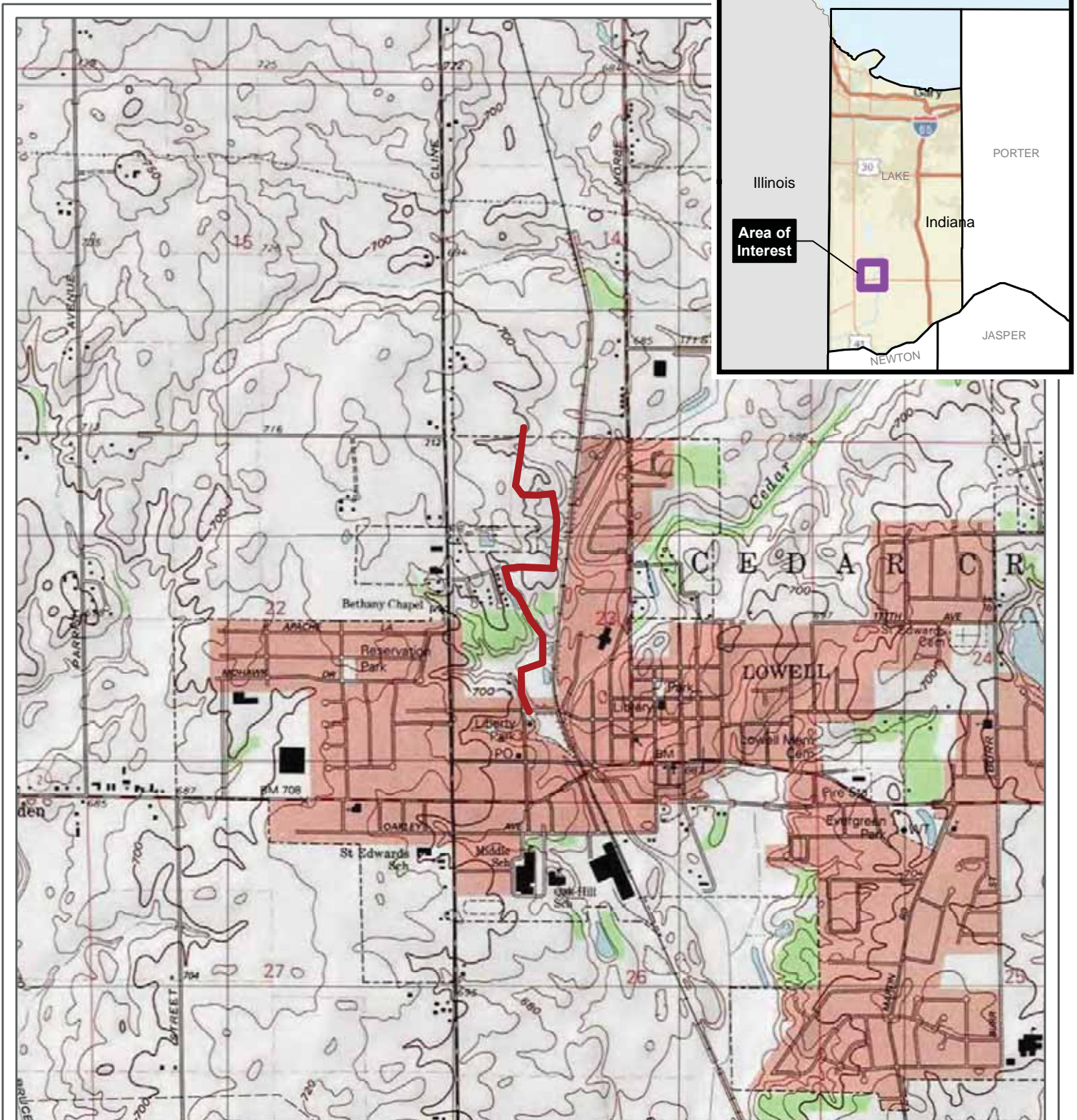
An INDOT Cultural Resources Office (CRO) archaeologist, who met the Secretary of the Interior's Professional Qualification Standards as per 36 CFR Part 61, reviewed the archaeology report submitted by Veronica Parsell of Cardno, on behalf of Short Elliott Hendrickson, Inc. (SEH), December 8, 2020.

An archaeological records check and Phase Ia reconnaissance survey of the project area were conducted by Cardno (Parsell and Hipskind 2020). A review of SHAARD and SHAARD GIS indicated that no sites have been recorded within or adjacent to the survey area and that the project area has not been previously investigated. A 6.5 acre survey area was examined through the excavation of 96 shovel probes, pedestrian survey of the agriculture field and visual inspection of sloped, disturbed and wetland areas. No evidence for archaeological deposits was identified by the field reconnaissance and it was recommended that the project be allowed to proceed as planned. It is our opinion that the report is acceptable, and we concur with the evaluations and recommendations made by Cardno (Parsell and Hipskind 2020). Therefore, there are no archaeological concerns.

Accidental Discovery: If any archaeological artifacts or human remains are uncovered during construction, demolition, or earth moving activities, construction within 100 feet of the find will be stopped, and the INDOT Cultural Resources Office and the Division of Historic Preservation and Archaeology will be notified immediately.

INDOT Cultural Resources staff reviewer(s): Patricia Jo Korzeniewski and Anuradha Kumar

****Be sure to attach this form to the National Environmental Policy Act documentation for this project. Also, the NEPA documentation shall reference and include the description of the specific stipulation in the PA that qualifies the project as exempt from further Section 106 review.*



 Project Location

2

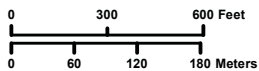
7.5' Quadrangle:
LOWELL
T33n R9w Sec23
Project No.
J19Z524300

This map and all data contained within are supplied as is with no warranty. Cardno, Inc. expressly disclaims responsibility for damages or liability from any claims that may arise out of the use or misuse of this map. It is the sole responsibility of the user to determine if the data on this map meets the user's needs. This map was not created as survey data, nor should it be used as such. It is the user's responsibility to obtain proper survey data, prepared by a licensed surveyor, where required by law.

Figure 1: Project Location
MPPA Submittal
For the Proposed Freedom Trail in Lowell
Short Elliott Hendrickson, Inc.
Lake County, Indiana



3901 Industrial Blvd., Indianapolis, IN 46254
 Phone (+1) 317-388-1982 Fax (+1) 317-388-1986
 www.cardno.com



 Project Area

2

7.5' Quadrangle:
LOWELL
T33n R9w Sec23
Project No.
j19z524300

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**Figure 2: Project Area
(2018 Aerial)
MPPA Submittal
For the Proposed Freedom Trail in Lowell
Short Elliott Hendrickson, Inc.
Lake County, Indiana**



3901 Industrial Blvd., Indianapolis, IN 46254
Phone (+1) 317-388-1982 Fax (+1) 317-388-1986
www.cardno.com

Document Information

Prepared for Short Elliott Hendrickson, Inc. (SEH)
Project Name Phase Ia Archaeological Reconnaissance for the Proposed
Freedom Trail in Lowell, Cedar Creek Township, Lake County,
Indiana
INDOT Des No 1802920
Cardno PN J19z524300
Cardno PM Tammy Miller
Date December 8, 2020

Prepared and Submitted By Scott Hipkind

Principal Investigator



Veronica Parsell

Prepared for:



Short Elliott Hendrickson, Inc.
9200 Calumet Avenue, Suite N300, Munster, Indiana, 46321

Prepared by:



Cardno
39010 Industrial Boulevard, Indianapolis, Indiana, 46254



INDIANA ARCHAEOLOGICAL SHORT REPORT

State Form 54566 (1-11)

INDIANA DEPARTMENT OF NATURAL RESOURCES
DIVISION OF HISTORIC PRESERVATION
AND ARCHAEOLOGY
402 West Washington Street, Room W274
Indianapolis, Indiana 46204-2739
Telephone Number: (317) 232-1646
Fax Number: (317) 232-0693
E-mail: dhpa@dnr.IN.gov

Where applicable, the use of this form is recommended but not required by the Division of Historic Preservation and Archaeology.

Author:

Date (month, day, year):

Project Title:

PROJECT OVERVIEW

Project Description:

INDOT Designation Number/ Contract Number: Project Number:

DHPA Number: Approved DHPA Plan Number:

Prepared For:

Contact Person:

Address:

City: State: ZIP Code:

Telephone Number: E-mail Address:

Principal Investigator:

Signature:

Company/Institution:

Address:

City: State: ZIP Code:

Telephone Number: E-mail Address:

PROJECT LOCATION

County:

USGS 7.5' series Topographic Quadrangle:

Civil Township:

Legal Location:

1/4, 1/4, 1/4, 1/4, Section: Township: Range:

1/4, 1/4, 1/4, 1/4, Section: Township: Range:

1/4, 1/4, 1/4, 1/4, Section: Township: Range:

1/4, 1/4, 1/4, 1/4, Section: Township: Range:

Topographic Map Datum:

Grid Alignment:

Comments:

Property Owner:

PROJECT AREA DETAILS

Length meters: feet: Width meters: feet: hectares: acres:

Natural Region:

Topography:

Soil Association:

Soils:

Drainage:

Current Land Use:

Comments:

farmsteads or other residential sites, municipal buildings such as schools or churches, commercial structures such as mills, or historic dump and debris discard areas (SHAARD 2020).

Lake County was formally organized in 1837 (Ball 1873). In 1839, Crown Point was named the county seat (Howat 1915). By 1847 there were seven post offices, five sawmills, two grist mills, about fifty frame houses, five churches, and two stores in Lake County (Howat 1915).

Lake County's proximity to Chicago led to an abundance of railroad lines traversing the county. Beginning in the 1850s, the Michigan Central and Michigan Southern Railroads established lines through the county (Howat 1915). By 1874, the Baltimore & Ohio Railroad had completed a line through the county, near the lake shore. By the 1880s, multiple railroad lines traversed Lake County, reflecting increased industrialization, especially in the northwest corner of the county (Howat 1915).

During the final decade of the nineteenth century, industrialization and manufacturing in the region was firmly established, and the region around Hammond was recognized as Chicago's most important manufacturing territory (Howat 1915). In addition, fresh foods were being shipped from Lake County to support the urbanization and increasing populations of Gary and Chicago (Howat 1915).

Cedar Creek Township was created in 1839; however, European settlers started occupying the area four years earlier (HFLI 1996). The first Euroamerican settler, Melvin Halsted, settled in the central portion of Cedar Creek Township in 1848. He soon platted the town of Lowell, named after Lowell, Massachusetts. The number of farmsteads in Cedar Creek Township signifies its reliance on an agricultural-based economy. The draining of the swamps and marshes in the southern portion of the township along with the introduction of the railroad caused the economy to boom in the late 1800s and early 1900s (HFLI 1996).

FIELD INVESTIGATION: *(check all that apply)*

Field Investigation Date(s) (*month, day, year*):

Field Supervisor:

Field Crew:

Surface Visibility:

Factors Affecting Visibility:

Visual Walkover Pedestrian Survey Shovel Test Screened Mesh Size

Interval 5 m 10 m 15 m Other (*describe below*)

Number of Shovel Test Units Excavated:

Describe Methods:

deposits or an intact A horizon. In the small portion of the project area that was pedestrian surveyed, the project corridor was visually inspected in two transects spaced 10 m (33 ft) apart.

Soils within the undisturbed portions of the project area primarily consisted of 7 to 43 cm (3 to 17 in) of 10YR 3/2 to 10YR 3/4 silt loam over 10YR 5/4 to 10YR 6/6 silt loam or silty clay loam. Intact shovel test probes in the vicinity of the wetlands frequently became inundated with water. Shovel test pits near the wetlands that did not fill with water contained hydric soils and consisted of 27 to 50 cm (10.6 to 19.7 in) of 10YR 2/1 silt loam over 10YR 3/2 silt loam.

Two small portions of the proposed trail near the southern end of the project area were not surveyed due to the presence of wetlands with standing water. Another section of the project area near the southern end of the proposed trail route was not surveyed due to slope in excess of 20 percent.

Attach photographs documenting disturbances below

Describe Disturbances: At the northern end of the project area, the housing addition consisted primarily of disturbed soils. The original A horizon in this area was stripped for home construction, then new soil was brought in, graded, and compacted to create landscaping around the houses. A thin, newly developed A horizon was present over either subsoil or compacted fill dirt in the probes near the homes, road, and sidewalk (Figure 5 series).

Disturbance observed in probes between the two wetlands in the southern portion of the project area consisted of dumped shingles mixed with additional, modern refuse. This dumped debris appeared to have been leveled and graded. Dumping in this area was likely done to raise the elevation of the ground surface and drain the northern end of the parcel.

The disturbed probes adjacent to North Liberty Street at the southern end of the project area exhibited graded soils that were then further disturbed by dumped asphalt and brick fragments along the slope edge next to the road. This material was likely deposited to help slow erosion of the slope along the North Liberty Street. In one probe, modern trash and plastics was recovered and visible in the soil profile down to the transition between the A horizon and the sterile subsoil.

Comments:

RESULTS

- Archaeological records check has determined that the project area does not have the potential to contain archaeological resources.
- Archaeological records check has determined that the project area has the potential to contain archaeological resources.
- Phase Ia reconnaissance has located no archaeological resources in the project area.
- Phase Ia reconnaissance has identified landforms conducive to buried archaeological deposits.

Actual Area Surveyed hectares: acres:

Comments:

RECOMMENDATION

- The archaeological records check has determined that the project area has the potential to contain archaeological resources and a Phase Ia archaeological reconnaissance is recommended.
- The archaeological records check has determined that the project area does not have the potential to contain archaeological resources and no further work is recommended before the project is allowed to proceed.

- The Phase Ia archaeological reconnaissance has located no archaeological sites within the project area and it is recommended that the project be allowed to proceed as planned.
- The Phase Ia archaeological reconnaissance has determined that the project area includes landforms which have the potential to contain buried archaeological deposits. It is recommended that Phase Ic archaeological subsurface reconnaissance be conducted before the project is allowed to proceed.
- The Phase Ia archaeological reconnaissance has determined that the project area is within 100 feet of a cemetery and a Cemetery Development Plan is required per IC-14-21-1-26.5.

Cemetery Name:

Other Recommendations/Commitments:

No archaeological sites were encountered as a result of the Phase Ia investigation. Based on these findings, the proposed project will have no adverse impacts to archaeological resources. No further testing of the project area is recommended. If the project footprint should change, additional investigation may be required.

Pursuant to IC-14-21-1, 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.

Attachments

- Figure showing project location within Indiana.
- USGS topographic map showing the project area (1:24,000scale).
- Aerial photograph showing the project area, land use and survey methods.
- Photographs of the project area.
- Project plans (if available)

Other Attachments:

Table 1: List of property owners within the Project Area
 Table 2: IHSSI, Historic Structures and Cultural Resources within 1.6 km (1 mi) of the Project Area

References Cited:

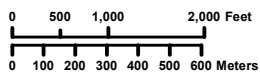
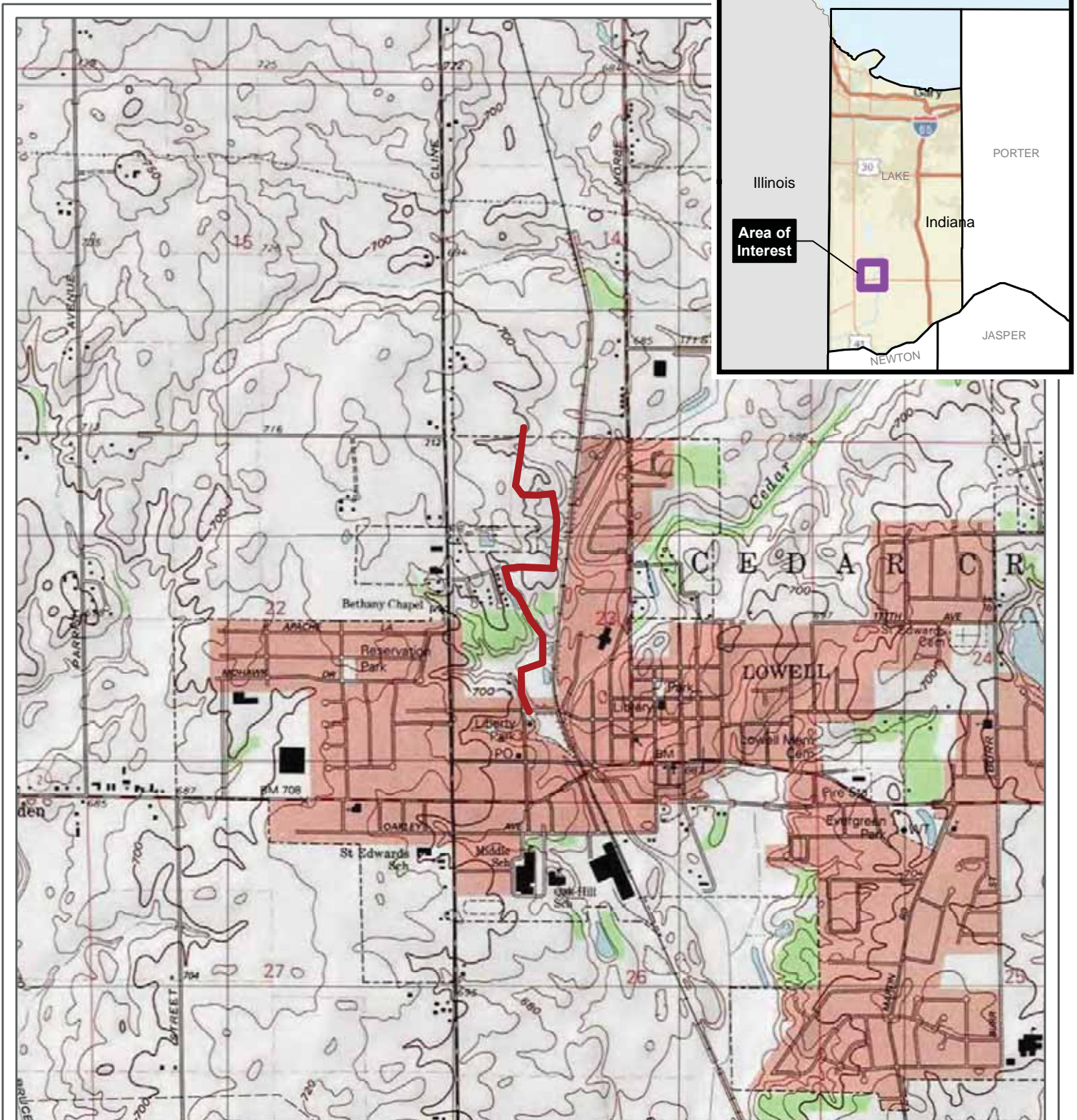
Andreas, Alfred T.
 1876 Illustrated Historical Atlas of the State of Indiana. Baskin, Forster, and Company. Chicago, Illinois.

Ball, T.H.
 1873 Map of Lake County, Indiana from 1834 to 1872. J.W. Goodspeed Printer and Publisher. Chicago, Illinois.

Cochran, Blake
 2003 Creekside of Meadowbrook Apartment Complex, Lake County, Indiana; Archaeological Field Reconnaissance. ARMS at Ball State University, ARMS Project #03FR003. Prepared for Lake County Realty, Inc. Copy on file at the Indiana Department of Natural Resources-Division of Historic Preservation and Archaeology.

2006 Archaeological Field Reconnaissance, Lowell Water Lines, Lake County, Indiana. ARMS at Ball State University, ARMS Project #06FR7. Prepared for Butler, Fairman and Seutert, Inc. Copy on file at the Indiana Department of Natural Resources-Division of Historic Preservation and Archaeology.

EBI Consulting
 2019 Archaeological Sensitivity Assessment, Post Office Water Tower/CH54XC980, 248 North Liberty Avenue, Lowell, Lake County, Indiana. Copy on file at the Indiana Department of Natural Resources-Division of Historic Preservation and Archaeology.



 Project Location

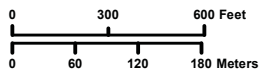
2
7.5' Quadrangle:
LOWELL
T33n R9w Sec23
Project No.
J19Z524300

This map and all data contained within are supplied as is with no warranty. Cardno, Inc. expressly disclaims responsibility for damages or liability from any claims that may arise out of the use or misuse of this map. It is the sole responsibility of the user to determine if the data on this map meets the user's needs. This map was not created as survey data, nor should it be used as such. It is the user's responsibility to obtain proper survey data, prepared by a licensed surveyor, where required by law.

Figure 1: Project Location
MPPA Submittal
For the Proposed Freedom Trail in Lowell
Short Elliott Hendrickson, Inc.
Lake County, Indiana



3901 Industrial Blvd., Indianapolis, IN 46254
Phone (+1) 317-388-1982 Fax (+1) 317-388-1986
www.cardno.com



 Project Area

2

7.5' Quadrangle:
LOWELL
T33n R9w Sec23
Project No.
j19z524300

This map and all data contained within are supplied as is with no warranty. Cardno, Inc. expressly disclaims responsibility for damages or liability from any claims that may arise out of the use or misuse of this map. It is the sole responsibility of the user to determine if the data on this map meets the user's needs. This map was not created as survey data, nor should it be used as such. It is the user's responsibility to obtain proper survey data, prepared by a licensed surveyor, where required by law.

**Figure 2: Project Area
(2018 Aerial)
MPPA Submittal
For the Proposed Freedom Trail in Lowell
Short Elliott Hendrickson, Inc.
Lake County, Indiana**



3901 Industrial Blvd., Indianapolis, IN 46254
Phone (+1) 317-388-1982 Fax (+1) 317-388-1986
www.cardno.com



Photo 1: Overview photograph of the north end of the Project Area. Facing south in Freedom Park.



Photo 2: Overview photograph of the north end of the Project Area. Facing north from W 174 Avenue/Redbud Lane.



Photo 3: Overview photograph of the north end of the Project Area. Facing south from W 174 Avenue/Redbud Lane.



Photo 4: Surface visibility of agricultural field subject to pedestrian survey. Facing down.



Photo 5: Overview photograph of the north end of the Project Area. Facing west from Redbud Lane.



Photo 6: Overview photograph of the north-central portion of the Project Area. Facing south along Redbud Lane.



Photo 7: Overview photograph of the north-central portion of the Project Area and retention ponds. Facing north along Redbud Lane.



Photo 8: Overview photograph of the north-central portion of the Project Area. Facing north from intersection of Redbud Lane and Timber Springs Road.

Project Number:
J19z524300

These photographs and all data contained within are supplied as is with no warranty. Cardno, Inc. expressly disclaims responsibility for damages or liability from any claims that may arise out of the use or misuse of these photographs. It is the sole responsibility of the user to determine if the photographs meet the user's needs.

Project Photographs
Phase Ia Archaeological Reconnaissance
For the Proposed Freedom Trail in Lowell
Short Elliott Hendrickson, Inc.
Lake County, Indiana





Photo 9: Overview photograph of the north-central portion of the Project Area. Facing west from intersection of Redbud Lane and Timber Springs Road.



Photo 10: Overview photograph of the central wooded portion of the Project Area. Facing south from Timber Springs Road.



Photo 11: Overview photograph of the central wooded portion of the Project Area and drainage. Facing southwest.



Photo 12: Overview photograph of the south-central portion of the Project area and northern-most wetland. Facing south.

<p>Project Number: J19z524300</p>	<p>These photographs and all data contained within are supplied as is with no warranty. Cardno, Inc. expressly disclaims responsibility for damages or liability from any claims that may arise out of the use or misuse of these photographs. It is the sole responsibility of the user to determine if the photographs meet the user's needs.</p>	<p>Project Photographs Phase Ia Archaeological Reconnaissance For the Proposed Freedom Trail in Lowell Short Elliott Hendrickson, Inc. Lake County, Indiana</p>	
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Photo 13: Overview photograph of the south end of the Project Area exhibiting slope greater than 20 percent. Facing north along N Liberty Street.



Photo 14: Overview photograph of the southern portion of the Project Area and deposited asphalt on slope. Facing west.



Photo 15: Overview photograph of the south end of the Project Area. Facing north.



Photo 16: Overview photograph of home construction in progress. Facing north-northeast.

<p>Project Number: J19z524300</p>	<p><small>These photographs and all data contained within are supplied as is with no warranty. Cardno, Inc. expressly disclaims responsibility for damages or liability from any claims that may arise out of the use or misuse of these photographs. It is the sole responsibility of the user to determine if the photographs meet the user's needs.</small></p>	<p>Project Photographs Phase Ia Archaeological Reconnaissance For the Proposed Freedom Trail in Lowell Short Elliott Hendrickson, Inc. Lake County, Indiana</p>	
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Photo 17: Representative undisturbed shovel test probe excavated in the northern portion of the Project Area, north of the housing addition.



Photo 18: Representative disturbed shovel test probe excavated in the portion of the Project Area within the housing addition.



Photo 19: Representative undisturbed shovel test probe excavated within the wooded portion of the Project Area.



Photo 20: Representative disturbed shovel test probe excavated in the southern portion of the Project Area along N Liberty Street.

Project Number:
J19z524300

These photographs and all data contained within are supplied as is with no warranty. Cardno, Inc. expressly disclaims responsibility for damages or liability from any claims that may arise out of the use or misuse of these photographs. It is the sole responsibility of the user to determine if the photographs meet the user's needs.

Project Photographs
Phase Ia Archaeological Reconnaissance
For the Proposed Freedom Trail in Lowell
Short Elliott Hendrickson, Inc.
Lake County, Indiana



Appendix E
Hazardous Materials

Red Flag Investigation E-1

Date: November 5, 2020

To: Site Assessment & Management
Environmental Policy Office - Environmental Services Division (ESD)
Indiana Department of Transportation
100 N Senate Avenue, Room N642
Indianapolis, IN 46204

Cardno

3901 Industrial Boulevard
Indianapolis, IN 46254
USA

Phone: +1 317 388 1982
Fax: +1 317 388 1986

www.cardno.com

From: Tamara Miller
Cardno
3901 Industrial Boulevard
Indianapolis, IN 46254
Tamara.Miller@cardno.com

Re: RED FLAG INVESTIGATION
DES # 1802920, Local Project
Pedestrian/Bicycle Trail Project
Lowell Freedom Trail, from Freedom Park to Main Street
Lake County, Indiana

PROJECT DESCRIPTION

Brief Description of Project: The Town of Lowell in cooperation with Indiana Department of Transportation and Federal Highway Administration, intend to proceed with a project to construct a 12-foot wide multi-use trail, which would connect Freedom Park to Liberty Park. This section of the trail is comprised of both off-road and on-road segments. Existing dedicated rights-of-way, as well as open spaces will be utilized. Trail surfaces will vary based on location – through subdivisions the trail will be concrete to match existing sidewalks, in off-road areas, the trail will be asphalt, and boardwalks may be utilized to cross wetlands.

Bridge and/or Culvert Project: Yes No Structure # _____

If this is a bridge project, is the bridge Historical? Yes No , Select Non-Select

(Note: If the project involves a historical bridge, please include the bridge information in the Recommendations Section of the report).

Proposed right of way: Temporary # Acres 1.0 Permanent # Acres 3.0, Not Applicable

Type and proposed depth of excavation: Maximum depth of excavation is 18-inches along the length of the trail.

Maintenance of traffic (MOT): No detour or road closure required.

Work in waterway: Yes No Below ordinary high water mark: Yes No

State Project: LPA:

Any other factors influencing recommendations: N/A

INFRASTRUCTURE TABLE AND SUMMARY

Infrastructure			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
Religious Facilities	5	Recreational Facilities	9
Airports ¹	N/A	Pipelines	3
Cemeteries	N/A	Railroads	1
Hospitals	N/A	Trails	1
Schools	3	Managed Lands	2

¹In order to complete the required airport review, a review of public-use airports within 3.8 miles (20,000 feet) is required.

Explanation:

Religious Facilities: Five (5) religious facilities are located within the 0.5 mile search radius. The nearest facility is 0.16 mile east of the project area. No impact is expected.

Schools: Three (3) schools are located within the 0.5 mile search radius. The nearest facility is 0.29 mile south of the project area. No impact is expected.

Recreational Facilities: Nine (9) recreational facilities are located within the 0.5 mile search radius. The project begins at Freedom Park and ends at Liberty Park, both owned by Lowell Parks Department. Coordination with Lowell Parks Department will occur.

Pipelines: Three (3) pipeline segments are located within the 0.5 mile search radius. The nearest pipeline segment is located 0.16 mile east of the project area. No impact is expected.

Railroads: One (1) railroad segment is located within the 0.5 mile search radius. The nearest segment is located 0.03 mile east of the project area. No impact is expected.

Trails: One (1) trail segment is located within the 0.5 mile search radius. The nearest segment is located 0.22 mile north of the project area. No impact is expected.

Managed Lands: Two (2) managed lands are located within the 0.5 mile search radius. The project begins at Freedom Park and ends at Liberty Park, both owned by Lowell Parks Department. Coordination with Lowell Parks Department will occur.

WATER RESOURCES TABLE AND SUMMARY

Water Resources			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
NWI - Points	N/A	Canal Routes - Historic	N/A
Karst Springs	N/A	NWI - Wetlands	32
Canal Structures – Historic	N/A	Lakes	7
NPS NRI Listed	N/A	Floodplain - DFIRM	3
NWI-Lines	1	Cave Entrance Density	N/A

IDEM 303d Listed Streams and Lakes (Impaired)	2	Sinkhole Areas	N/A
Rivers and Streams	6	Sinking-Stream Basins	N/A

Explanation:

NWI Lines: One (1) NWI line is located within the 0.5 search radius. This NWI line is located 0.01 mile west of the project area. No impact is expected.

IDEM 303d Listed Rivers and Streams: Two (2) 303d Listed rivers and stream segments are located within the 0.5 mile search radius. Cedar Creek, listed for impair biotic communities, is located 0.11 mile east of the project area. No impact is expected.

Rivers and Streams: Six (6) river and stream segments are located within the 0.5 mile search radius. The nearest stream segment is located 0.04 mile east of the project area. No impact is expected.

NWI –Wetlands: Thirty-two (32) NWI-wetlands are located within the 0.5 mile search radius. Three wetlands are located within the project area. A Waters of the US Report is recommended and coordination with the appropriate agency, if applicable, will occur.

Lake: Seven (7) lakes are located within the 0.5 mile search radius. One lake is located within the project area. A Waters of the US Report is recommended and coordination with the appropriate agency, if applicable, will occur.

Floodplain – DFIRM: Three (3) floodplain polygons are located within the 0.5 mile search radius. The nearest floodplain is located 0.04 mile east of the project area. No impact is expected.

MINING AND MINERAL EXPLORATION TABLE AND SUMMARY

Mining/Mineral Exploration			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
Petroleum Wells	N/A	Mineral Resources	N/A
Mines – Surface	N/A	Mines – Underground	N/A

Explanation: No Mining/Mineral Exploration resources were identified within the 0.5 mile search radius.

HAZARDOUS MATERIAL CONCERNS TABLE AND SUMMARY

Hazardous Material Concerns			
Indicate the number of items of concern found within the 0.5 mile search radius. If there are no items, please indicate N/A:			
Superfund	N/A	Manufactured Gas Plant Sites	N/A
RCRA Generator/ TSD	7	Open Dump Waste Sites	N/A
RCRA Corrective Action Sites	N/A	Restricted Waste Sites	N/A
State Cleanup Sites	1	Waste Transfer Stations	N/A
Septage Waste Sites	N/A	Tire Waste Sites	N/A
Underground Storage Tank (UST) Sites	1	Confined Feeding Operations (CFO)	N/A
Voluntary Remediation Program	N/A	Brownfields	1
Construction Demolition Waste	N/A	Institutional Controls	N/A
Solid Waste Landfill	N/A	NPDES Facilities	6
Infectious/Medical Waste Sites	N/A	NPDES Pipe Locations	1
Leaking Underground Storage (LUST) Sites	3	Notice of Contamination Sites	N/A

Unless otherwise noted, site specific details presented in this section were obtained from documents reviewed on the Indiana Department of Environmental Management (IDEM) Virtual File Cabinet (VFC).

Explanation:

RCRA Generator/TSD: Seven (7) RCRA Generator facilities are located within the 0.5 mile search radius. The nearest facility, Town of Lowell (248 N Liberty St), is located 0.1 mile south of the project area. No impact is expected.

State Cleanup Site: One (1) State Cleanup Site is located within the 0.5 mile search radius. Tri-creek School Corporation (195 West Oakley Ave) is located 0.42 mile southwest of the project area. No impact is expected.

Underground Storage Tank (UST): One (1) UST facility is located within the 0.5 mile search radius. Rieter Automotive Incorporated (101 West Oakley Ave) is located 0.4 mile southwest of the project area. No impact is expected.

Leaking Underground Storage Tank (LUST): Three (3) LUST facilities are located within the 0.5 mile search radius. The nearest facility, Lowell Water Department (248 N Liberty St), is located 0.12 mile south of the project area. No impact is expected.

Brownfields: One (1) Brownfield facility is located within the 0.5 mile search radius. The Former Lowell Elementary School (525 E Main St) is located 0.37 mile east of the project area. No impact is expected.

NPDES Facility: Six (6) NPDES facilities are located within the 0.5 mile search radius. The nearest facility, Family Express 67 (140 Mill St), is located 0.26 mile southeast of the project area. No impact is expected.

NPDES Pipe Location: One (1) NPDES Pipe is located within the 0.5 mile search radius. Family Express 67 (140 Mill St), is located 0.26 mile southeast of the project area. No impact is expected.

ECOLOGICAL INFORMATION SUMMARY

The Lake County listing of the Indiana Natural Heritage Data Center information on endangered, threatened, or rare (ETR) species and high quality natural communities is attached with ETR species highlighted. A preliminary review of the Indiana Natural Heritage Database by INDOT ESD did not indicate the presence of ETR species within the 0.5 mile search radius. Coordination with IDNR will occur.

A review of the USFWS database by INDOT - LaPorte District completed on October 14, 2020 did not indicate the presence of endangered bat species in or within 0.5 mile of the project area. The range-wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation for INDOT Projects".

RECOMMENDATIONS SECTION

Include recommendations from each section. If there are no recommendations, please indicate N/A:

INFRASTRUCTURE:

Recreational Facilities and Managed Lands: Two (2) recreational facilities/managed lands are located within the project area. The project begins at Freedom Park and ends at Liberty Park, both owned by Lowell Parks Department. Coordination with Lowell Parks Department will occur.

WATER RESOURCES:

A Waters of the US Report is recommended and coordination with the appropriate agency, if applicable, will occur for the following features:

- Three (3) wetlands are located within the project area. Coordination with the appropriate agency will occur.
- One (1) lake is located within the project area. Coordination with the appropriate agency will occur.

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS: N/A

ECOLOGICAL INFORMATION: Coordination with IDNR will occur. The range-wide programmatic consultation for the Indiana Bat and Northern Long-eared Bat will be completed according to the most recent "Using the USFWS's IPaC System for Listed Bat Consultation INDOT Projects".

INDOT ESD concurrence:

Nicole Fohey
Breting

Digitally signed by
Nicole Fohey-Breting
Date: 2021.02.23
12:46:13 -05'00'

_____(Signature)

Tamara Miller
Project Scientist
Cardno

Graphics:

A map for each report section with a 0.5 mile search radius buffer around all project area(s) showing all items identified as possible items of concern is attached. If there is not a section map included, please change the YES to N/A:

SITE LOCATION: YES

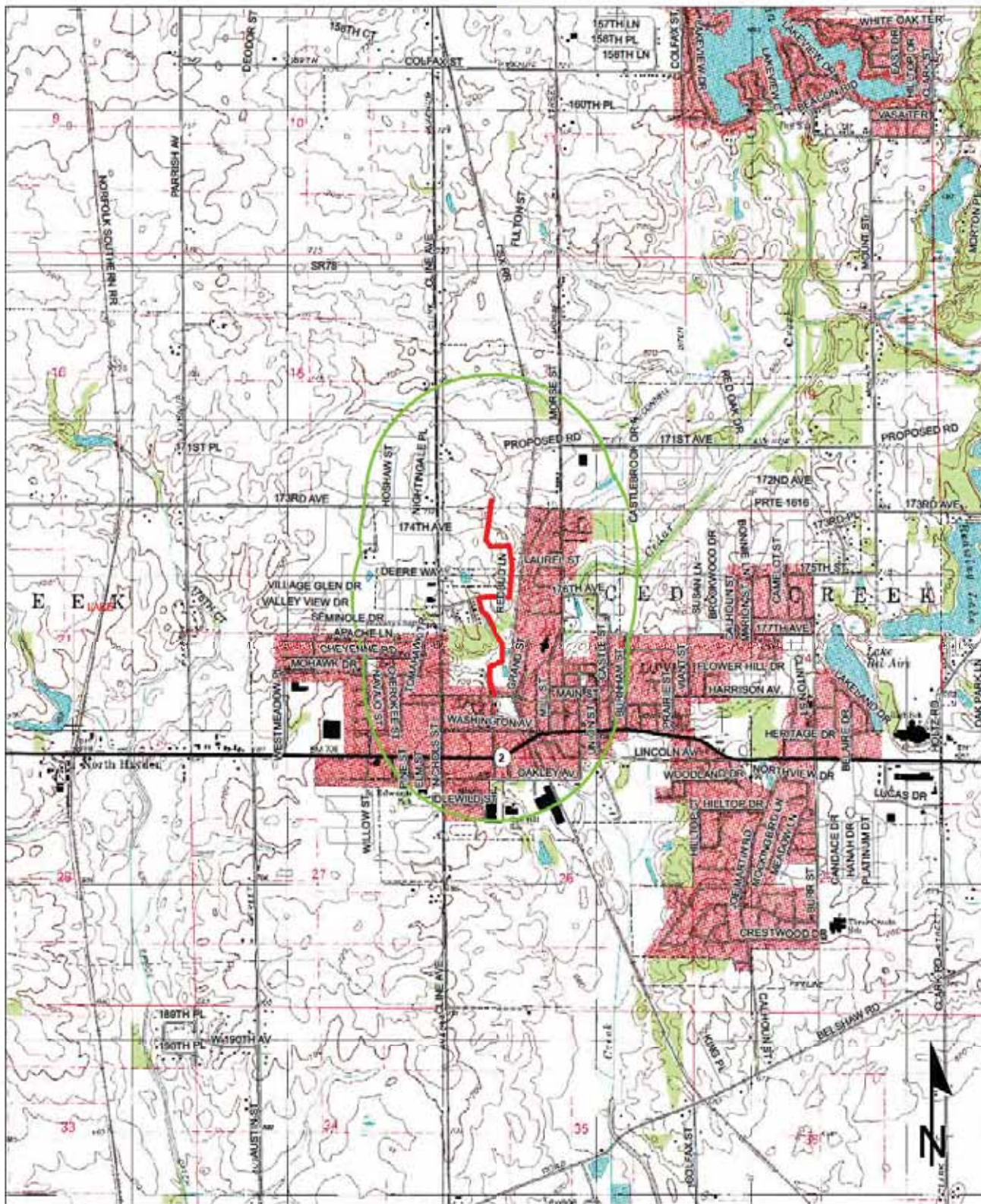
INFRASTRUCTURE: YES

WATER RESOURCES: YES

MINING/MINERAL EXPLORATION: N/A

HAZARDOUS MATERIAL CONCERNS: YES

Red Flag Investigation - Site Location
Lowell Freedom Trail, from Lowell Sports Park to Main Street
Des. No.1802920, Pedestrian/Bicycle Trail Project
Lake County, Indiana



Sources: 0.5 0.25 0 0.5 Miles
 Non Orthophotography
 Data - Obtained from the State of Indiana Geographical Information Office Library
 Orthophotography - Obtained from Indiana Map Framework Data (www.indianamap.org)
 Map Projection: UTM Zone 16 N Map Datum: NAD83
 This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

LOWELL QUADRANGLE
INDIANA
7.5 MINUTE SERIES (TOPOGRAPHIC)

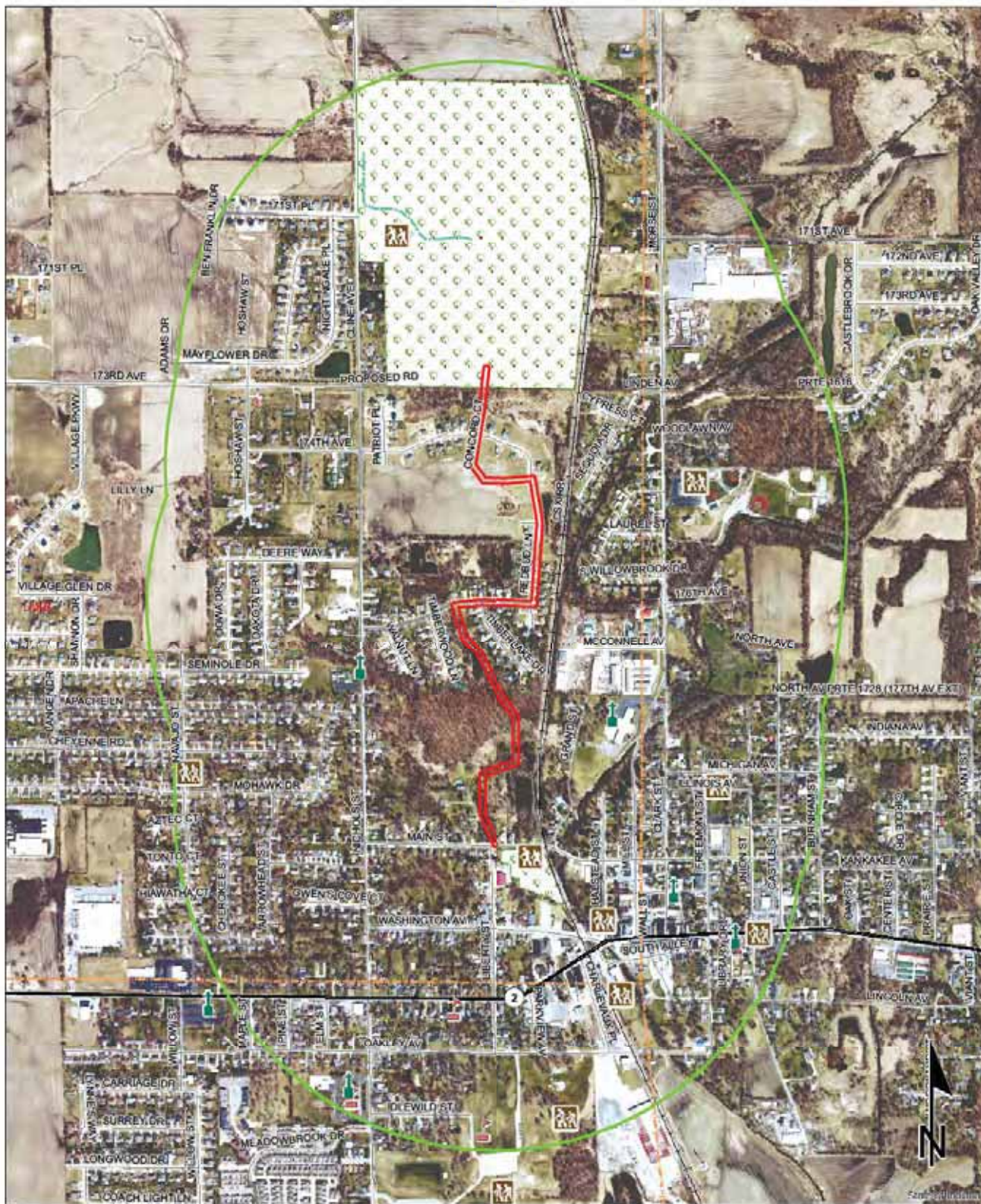
Project Area
 Half Mile Radius

Red Flag Investigation - Infrastructure

Lowell Freedom Trail, from Lowell Sports Park to Main Street

Des. No.1802920, Pedestrian/Bicycle Trail Project

Lake County, Indiana



Sources: 0.2 0.1 0 0.2 Miles

Non Orthophotography
 Data - Obtained from the State of Indiana Geographical Information Office Library
 Orthophotography - Obtained from Indiana Map Framework Data (www.indianamap.org)
 Map Projection: UTM Zone 16 N Map Datum: NAD83

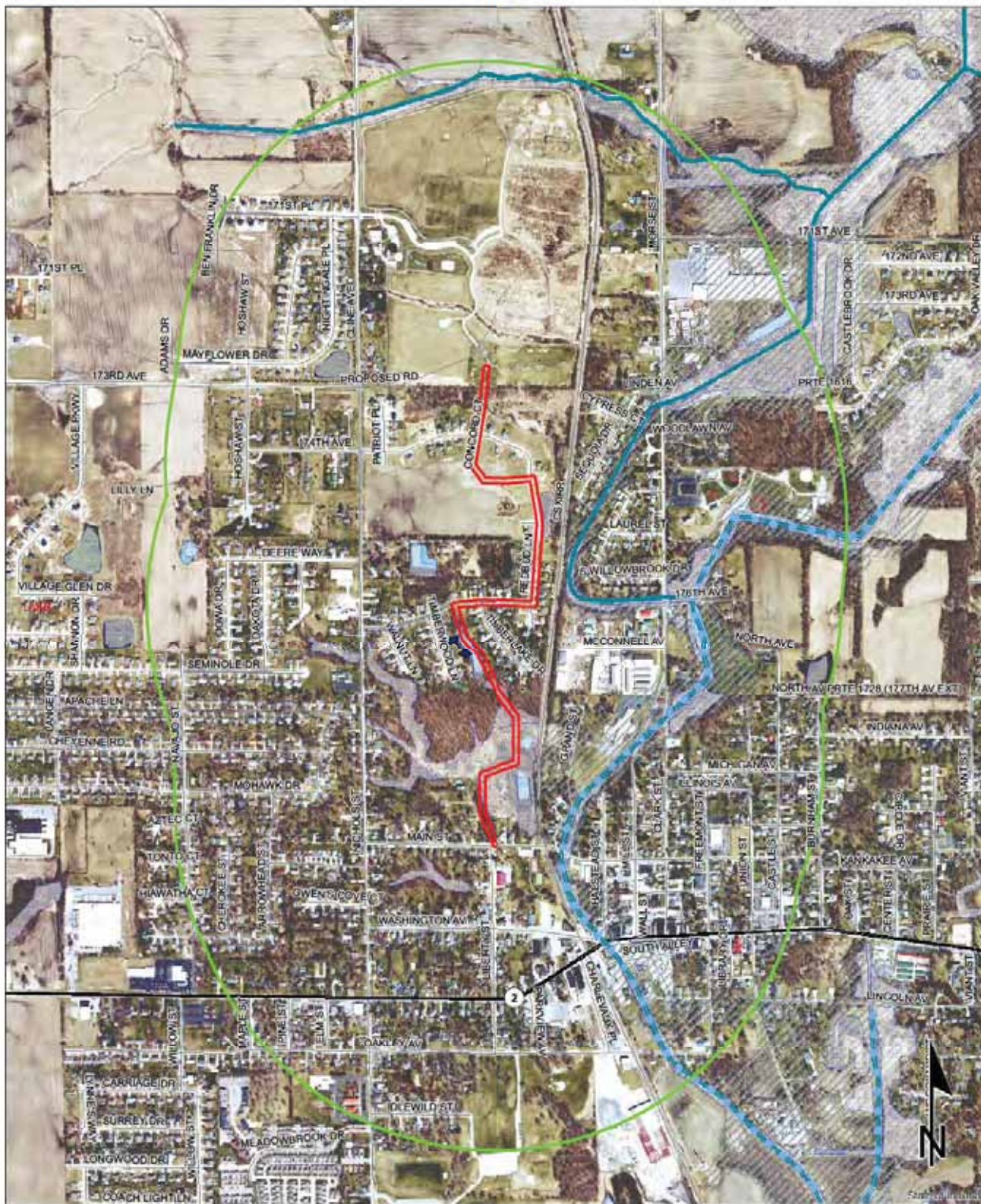
This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

Red Flag Investigation - Water Resources

Lowell Freedom Trail, from Lowell Sports Park to Main Street

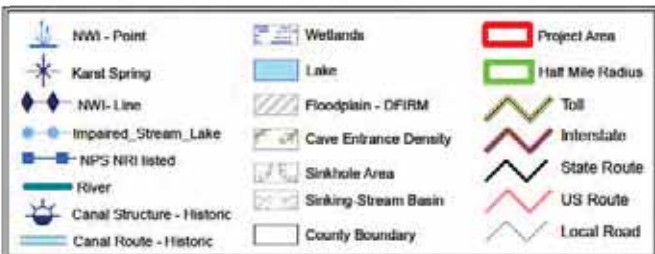
Des. No.1802920, Pedestrian/Bicycle Trail Project

Lake County, Indiana

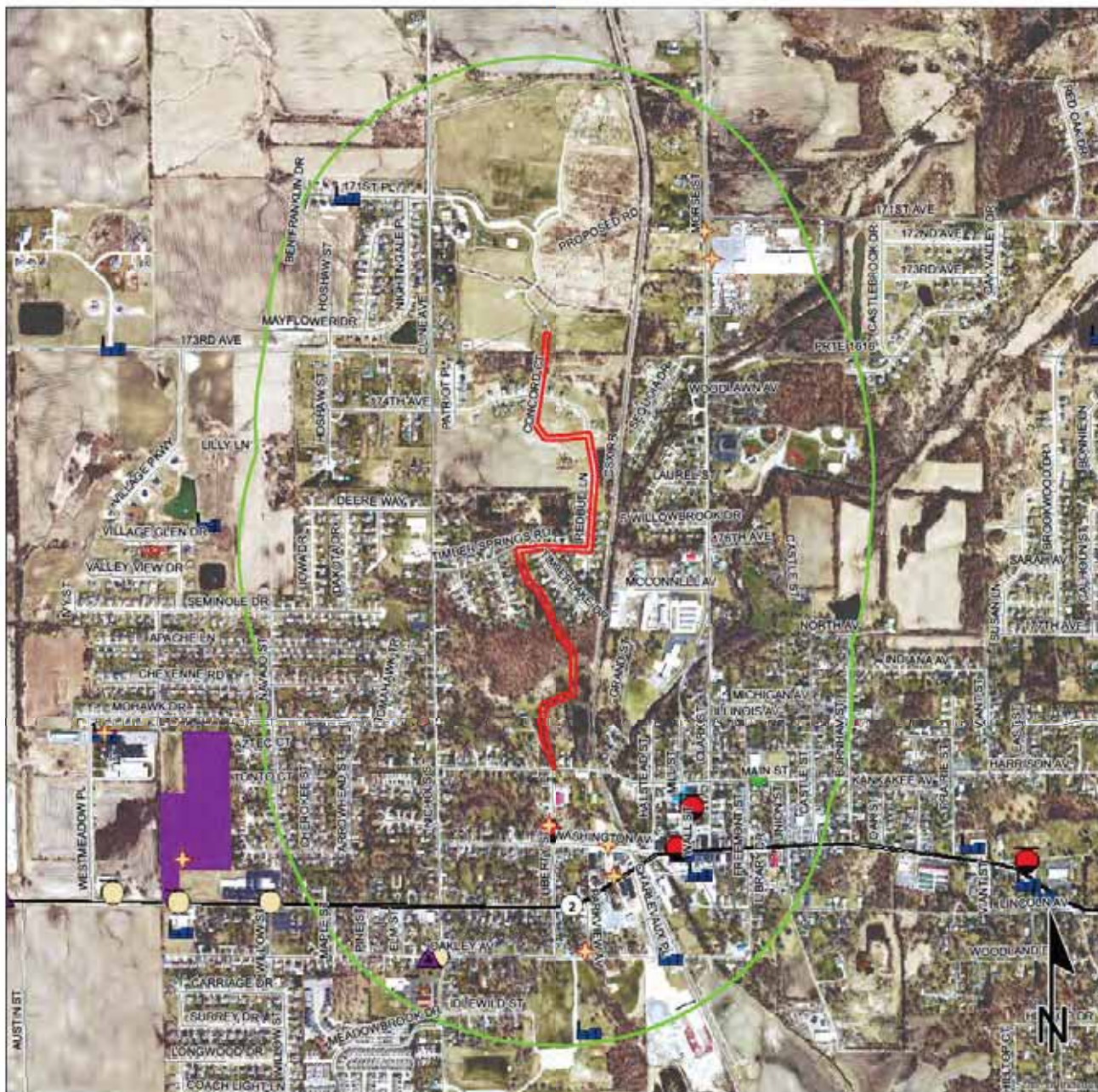


Sources:
Non Orthophotography Data - Obtained from the State of Indiana Geographical Information Office Library
Orthophotography - Obtained from Indiana Map Framework Data (www.indianamap.org)
Map Projection: UTM Zone 16 N **Map Datum:** NAD83

This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.



Red Flag Investigation - Hazardous Material Concerns Lowell Freedom Trail, from Lowell Sports Park to Main Street Des. No.1802920, Pedestrian/Bicycle Trail Project Lake County, Indiana



Brownfield	RCRA Generator/TSD	Institutional Controls
RCRA Corrective Action Sites	Restricted Waste Site	County Boundary
Confined Feeding Operation Notice_of_Contamination	Septage Waste Site	Project Area
Construction/Demolition Site	Solid Waste Landfill	Half Mile Radius
Infectious/Medical Waste Site	State Cleanup Site	Toll
Leaking Underground Storage Tank	Superfund	Interstate
Manufactured Gas Plant	Tire Waste Site	State Route
NPDES Facilities	Underground Storage Tank	US Route
NPDES Pipe Locations	Voluntary Remediation Program	Local Road
Open Dump Waste Site	Waste Transfer Station	

0.25 0.125 0 0.25 Miles

This map is intended to serve as an aid in graphic representation only. This information is not warranted for accuracy or other purposes.

Sources:

Non Orthophotography

Data - Obtained from the State of Indiana Geographical Information Office Library

Orthophotography - Obtained from Indiana Map Framework Data (www.indianamap.org)

Map Projection: UTM Zone 16 N Map Datum: NAD83

Indiana County Endangered, Threatened and Rare Species List



County: Lake

Species Name	Common Name	FED	STATE	GRANK	SRANK
Mollusk: Bivalvia (Mussels)					
<i>Plethobasus cyphus</i>	Sheepnose	LE	SE	G3	S1
<i>Venustaconcha ellipsiformis</i>	Ellipse			G4	S2
Insect: Coleoptera (Beetles)					
<i>Nicrophorus americanus</i>	American Burying Beetle	LE	SX	G3	SX
Insect: Homoptera					
<i>Bruchomorpha dorsata</i>			SR	GNR	S2
<i>Bruchomorpha extensa</i>	The Long-nosed Elephant Hopper		SR	GNR	S2S3
<i>Bruchomorpha oculata</i>			SR	GNR	SNR
<i>Chlorotettix fallax</i>	Deceptive Chlorotettix Leafhopper		SR	GNR	S1S2
<i>Cicadula straminea</i>	Straw-colored Sedge Leafhopper		ST	GNR	S1S2
<i>Cosmotettix bilineatus</i>	Two-lined cosmotettix		SR	GNR	S1S2
<i>Dorydiella kansana</i>	Kansas Spikerush Leafhopper		SR	GNR	S2S3
<i>Flexamia pyrops</i>	The Long-nose Three-awn Leafhopper		ST	GNR	S1
<i>Flexamia reflexus</i>	Indiangrass Flexamia		SR	GNR	S1S2
<i>Graminella mohri</i>	Mohr's Switchgrass Leafhopper		SE	GNR	S1
<i>Laevincephalus acus</i>	Pointed Fen Laevincephalus		SR	GNR	S1S2
<i>Limotettix divaricatus</i>			ST	GNR	SNR
<i>Mesamia nigradorsum</i>	Black-banded Sunflower Leafhopper		WL	GNR	S2S3
<i>Paraphilaenus parallelus</i>	A Spittle Bug		ST	GNR	S1
<i>Paraphlepsius lobatus</i>	Lobed Paraphlepsius Leafhopper		SR	GNR	S2
<i>Paraphlepsius maculosus</i>	Peppered Paraphlepsius Leafhopper		ST	GNR	S1S2
<i>Philaenarcys killa</i>	Great Lakes dune spittlebug		SR	GNR	S2S3
<i>Polyamia caperata</i>	Little Bluestem Polyamia		SR	GNR	S2
<i>Polyamia herbida</i>	The Prairie Panic Grass Leafhopper		ST	GNR	S2
<i>Prairiana kansana</i>	The Kansas Prairie Leafhopper		SE	GNR	S1
<i>Prosapia ignipectus</i>	Red-legged Spittle Bug		SR	G4	S2
Insect: Hymenoptera					
<i>Bombus affinis</i>	Rusty-patched Bumble Bee	LE	SE	G2	S1
<i>Dolichoderus plagiatus</i>				G5	S2
<i>Formica glacialis</i>				G5	S2
<i>Lasius flavus</i>				G5	S2
<i>Lasius minutus</i>				GNR	S1
<i>Lasius speculiventris</i>				GNR	S1
<i>Myrmica lobifrons</i>				G5	S1
<i>Solenopsis texana texana</i>				GNRTNR	S1

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Insect: Lepidoptera (Butterflies & Moths)					
<i>Acleris semipurpurana</i>	Oak Leaftier Moth		SR	GNR	SNR
<i>Acrionicta dactylina</i>	Fingered Dagger Moth		SR	G5	SNR
<i>Acrionicta funeralis</i>	Funerary Dagger Moth		SR	G5	SNR
<i>Aethes patricia</i>			SE	G3G4	S1
<i>Agrotis stigmata</i>	Spotted Dart Moth		ST	G4	S1S2
<i>Agrotis vetusta</i>	Old Man Dart		SR	G5	S2
<i>Ancylis semiovana</i>			SR	GNR	S2S3
<i>Apamea burgessi</i>	A Noctuid Moth		ST	G4	S1
<i>Apamea indocilis</i>	The Spastic Apamea		ST	G5	S1S3
<i>Apamea nigrrior</i>	Black-dashed Apamea		SR	G5	S2S3
<i>Apantesis virguncula</i>	Little Virgin Tiger Moth		SR	G5	S1S2
<i>Atrytonopsis hianna</i>	Dusted Skipper		ST	G4G5	S2S3
<i>Boloria selene myrina</i>	Silver-bordered Fritillary		ST	G5T5	S2S3
<i>Capis curvata</i>	Curved Halter Moth		ST	G5	S2S3
<i>Capsula laeta</i>	Red Sedge Borer		ST	G4	S1S2
<i>Caradrina meralis</i>	The Rare Sand Quaker		ST	G5	S2
<i>Catocala antinympha</i>	The Sweet Fern Underwing		SE	G5	S1
<i>Catocala gracilis</i>	Graceful Underwing		SR	G5	S2S3
<i>Catocala praeclara</i>	Praeclara Underwing		SR	G5	S2S3
<i>Coenochroa illibella</i>	Dune Panic Grass Moth		SR	GNR	S2S3
<i>Crambus bidens</i>	Forked Grass-veener		SR	GNR	SNR
<i>Cyclophora pendulinaria</i>	Sweetfern Geometer		SR	G5	SNR
<i>Cyenia collaris</i>			ST	G4	S2S3
<i>Danaus plexippus</i>	Monarch	C	WL	G4	S4S5B
<i>Dargida rubripennis</i>	The Pink Streak		ST	G3G4	S1
<i>Dichagyris acclivis</i>	A Noctuid Moth		ST	G4G5	S2
<i>Dichagyris grotei</i>	Grote's Black-tipped Quaker		ST	G4	S2
<i>Dichomeris aleatrix</i>	Aleatrix dichomeris			GNR	S1S2
<i>Digrammia eremiata</i>	The Goat's Rue Looper		SR	G4	S2S3
<i>Digrammia mellistrigata</i>	A Geometrid Moth		SR	G5	SNR
<i>Erynnis lucilius</i>	Columbine Duskywing		SE	G2G3	SH
<i>Erynnis martialis</i>	Mottled Duskywing		WL	G3	S3
<i>Erynnis persius persius</i>	Persius Duskywing		SE	G5T1T3	S1
<i>Euchloe olympia</i>	Olympia Marble		ST	G5	S2S3
<i>Eucrotopcnemis fimbriaris</i>	Fringed Dart		ST	G4	S1
<i>Eucosma bilineana</i>			SR	GNR	S1S2
<i>Eucosma bipunctella</i>	A Moth		SR	GNR	S1S2
<i>Eucosma giganteana</i>	Giant Eucosma		SR	GNR	S1S2
<i>Eucosma ochroterminana</i>	Buff-tipped Eucosma		SR	GNR	SNR

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<i>Eucosma olivaceana</i>	Olivaceous Eucosma		SR	GNR	S1S2
<i>Eucosma striatana</i>	Striated Eucosma		SR	G5	SNR
<i>Eucosma umbrastriana</i>			SR	GNR	SNR
<i>Euphyes bimacula</i>	Two-spotted Skipper		ST	G4	S1S2
<i>Fagitana littera</i>	The Marsh Fern Moth		ST	G4	S1S2
<i>Feltia manifesta</i>	The Record Keeper Moth		SR	G4	S3S4
<i>Gabara subnivosella</i>	A Noctuid Moth		SR	G4	S1S2
<i>Glaucopsyche lygdamus couperi</i>	Silvery Blue		SE	G5T5	SH
<i>Grammia figurata</i>	The Figured Grammia		SR	G5	S2S3
<i>Grammia phyllira</i>	The Sand Barrens Grammia		SR	G4	S2S3
<i>Hadena capsularis</i>	The Starry Champion Capsule Moth		SR	G5	S1S2
<i>Hadena ectypa</i>	The Starry Champion Moth		ST	G3G4	S1S3
<i>Hemaris gracilis</i>	The Blueberry Clearwing Sphinx		SR	G3G4	S1S2
<i>Hesperia leonardus</i>	Leonard's Skipper		ST	G4	S2S3
<i>Hesperia ottoe</i>	Ottoe Skipper		SE	G3	S1
<i>Hyphenodes caducus</i>	Large Hyphenodes		SR	GNR	SNR
<i>Hyperaeschra georgica</i>	A Prominent Moth		ST	G5	S2
<i>Hypocoena inquinata</i>	Tufted Sedge Moth		ST	G5	S1S2
<i>Iodopepla u-album</i>	White-eyed Borer Moth		SR	G5	S2
<i>Lemmeria digitalis</i>	Fingered Lemmeria		SR	G4	S1S2
<i>Lesmone detrahens</i>	Detracted Owlet		SR	G5	S2
<i>Lethe eurydice eurydice</i>	Eyed Brown		WL	G5T5	S3
<i>Leucania amygdalina</i>	Salt Marsh Wainscot		SR	GNR	S2
<i>Leucania inermis</i>	Unarmed Wainscot		SR	G5	S2S3
<i>Leucania multilinea</i>	Many-lined Wainscot		SR	G5	S1S2
<i>Lycaeides melissa samuelis</i>	Karner Blue	LE	SE	G2	S1
<i>Lycaena dione</i>	Gray Copper		SX	G5	SX
<i>Lycaena helloides</i>	Purplish Copper		ST	G5	S2S3
<i>Macaria multilineata</i>	Many-lined Angle		SR	G4	SNR
<i>Macrochilo absorptalis</i>	Slant-lined Owlet		SR	G4G5	S2S3
<i>Macrochilo hypocritalis</i>	Twin-dotted Macrochilo		SR	G4	S2
<i>Macrochilo louisiana</i>	Louisiana Macrochilo		ST	G4	S1S2
<i>Melanomma auricinctaria</i>	Huckleberry Eye-spot Moth		SR	G4	S2S3
<i>Melipotis jucunda</i>	Merry Melipotis Moth		SR	G5	S1S3
<i>Meropleon ambifusca</i>	Newman's Brocade		ST	G3G4	S1S2
<i>Meropleon diversicolor</i>	Multicolored Sedgeminer		SR	G5	S2S3
<i>Metanema determinata</i>	Dark Metanema		SR	G5	SNR
<i>Metanema inatomaria</i>	Pale Metanema		SR	G5	SNR
<i>Metarranthis apiciaria</i>	Barrens Metarranthis Moth		SE	G1G3	SH

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<i>Neodactria murellus</i>	Prairie Sedge Moth		ST	GNR	S1
<i>Nola cilicoides</i>	Blurry-patched Nola Moth		SR	G5	SNR
<i>Notodonta scitipennis</i>	Finned-willow Prominent		ST	G5	S1S2
<i>Odontosia elegans</i>	Elegant Prominent		SR	G5	S1S2
<i>Oligia obtusa</i>	A Noctuid Moth		SE	G4	S1
<i>Pangrapta decoralis</i>	The Multicolored Huckleberry Moth		ST	G5	S2
<i>Papaipema beeriana</i>	Beer's Blazing Star Borer Moth		ST	G2G3	S1S3
<i>Papaipema cerina</i>	Golden Borer Moth		ST	G2G4	S1
<i>Papaipema leucostigma</i>	Columbine Borer		ST	G4G5	S1S2
<i>Papaipema lysimachiae</i>	The St. John's Wort Borer Moth		SR	G4G5	S1S3
<i>Papaipema maritima</i>	The Giant Sunflower Borer Moth		ST	G3	S2
<i>Papaipema pterisii</i>	Bracken Borer Moth		WL	G5	SNR
<i>Papaipema rigida</i>	Rigid Sunflower Borer Moth		SR	G4G5	S2S3
<i>Papaipema sciata</i>	The Culver's Root Borer		ST	G3	S1S2
<i>Papaipema silphii</i>	Silphium Borer Moth		ST	G3G4	S2
<i>Papaipema speciosissima</i>	The Royal Fern Borer Moth		ST	G4	S2S3
<i>Parasa indetermina</i>	Stinging Rose Caterpillar Moth		SR	G4	S1S2
<i>Peoria gemmatella</i>	Gemmed Cordgrass Borer		SE	GNR	S1
<i>Peoria tetradella</i>			SR	GNR	SNR
<i>Photodes enervata</i>	The Many-lined Cordgrass Moth		ST	G4	S1
<i>Photodes includens</i>	The Included Cordgrass Borer		ST	G4	S1
<i>Photodes inops</i>	Spartina Borer Moth		SR	G3G4	S2S3
<i>Photodes panatela</i>	Northern Cordgrass Borer		ST	GNR	S1
<i>Phytometra ernestinana</i>	Ernestine's Moth		SE	G4	S1
<i>Poanes massasoit</i>	Mulberry Wing Skipper			G4	S3S4
<i>Poanes viator viator</i>	Big Broad-winged Skipper		ST	G5T4	S2
<i>Polites mystic</i>	Long Dash Skipper			G5	S3S4
<i>Polygonia progne</i>	Gray Comma		ST	G5	S2S3
<i>Ponometia binocula</i>	Prairie Tarachidia			GNR	S1S2
<i>Problema byssus</i>	Bunchgrass Skipper		ST	G4	S1S2
<i>Protorthodes incincta</i>	Saturn quaker		SR	GNR	S2
<i>Pygarctia spraguei</i>	Sprague's Pygartic		SR	G5	S1S2
<i>Pyrausta laticlavata</i>	The Southern Purple Mint Moth		SR	GNR	S1S2
<i>Pyrrhia aurantiago</i>	False-foxtail Sun Moth		ST	G3G4	S1S2
<i>Resapamea stipata</i>	The Four-lined Cordgrass Borer		SE	G4	S1
<i>Schinia indiana</i>	Phlox Moth		SE	G2G4	S1
<i>Schinia sanguinea</i>	Bleeding Flower Moth			G4	S2S3
<i>Schinia septentrionalis</i>	Northern Flower Moth		SR	G3G4	S2S3
<i>Scirpophaga perstrialis</i>	Reed-boring Crambid Moth		SR	GNR	SNR

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<i>Sitochroa dasconalis</i>	Pearly Indigo Borer		ST	GNR	S1S2
<i>Sonia fulminana</i>	a tortricid moth		SR	GNR	S1S2
<i>Speyeria idalia</i>	Regal Fritillary	C	SE	G3?	S1S2
<i>Sphinx luscitiosa</i>	The Luscious Willow Sphinx		SR	G4G5	S1S2
<i>Spilosoma latipennis</i>	The Red-legged Tussock Moth		SR	G4	S2S3
<i>Sympistis riparia</i>	The Dune Oncocnemis Moth		ST	G4	S1S2
<i>Tricholita notata</i>	Marked Noctuid		ST	G5	S1S2
<i>Zomaria interruptolineana</i>	Broken-lined Zomaria		SR	GNR	SNR
Insect: Odonata (Dragonflies & Damselflies)					
<i>Somatochlora hineana</i>	Hine's Emerald	LE	SX	G2G3	SX
<i>Sympetrum semicinctum</i>	Band-winged Meadowhawk		SR	G5	S2S3
Insect: Orthoptera					
<i>Chloealtis conspersa</i>	Sprinkled Locust		SR	G5	S2S3
<i>Conocephalus saltans</i>	Prairie Meadow Katydid		SR	G5	S1S2
<i>Hesperotettix viridis pratensis</i>	Snakeweed Grasshopper		SR	G5T5	S1S2
<i>Melanoplus fasciatus</i>	Huckleberry Spur-throat Grasshopper		SR	G5	S2
<i>Melanoplus keeleri luridus</i>	Keeler's Spur-throated Grasshopper		SR	G5T5	S3S4
<i>Neoconocephalus nebrascensis</i>	Nebraska Conehead		SR	GNR	S1S2
<i>Orphulella pelidna</i>	Spotted-wing Grasshopper		SE	G5	S1
<i>Pardalophora phoenicoptera</i>	Orange-winged Grasshopper		SR	G5	S1S2
<i>Paroxya atlantica</i>	Atlantic Spastic Grasshopper		ST	GU	S2
<i>Phoetaliotes nebrascensis</i>	Large-headed Grasshopper		ST	G5	S1S2
<i>Psinidia fenestralis</i>	Sand Locust		SR	G5	S2
<i>Trimerotropis maritima</i>	Seaside Grasshopper		ST	G5	S1S2
Fish					
<i>Acipenser fulvescens</i>	Lake Sturgeon		SE	G3G4	S1
<i>Ichthyomyzon fossor</i>	Northern Brook Lamprey		SE	G4	S1
<i>Rhinichthys cataractae</i>	Longnose Dace		SSC	G5	S2
Amphibian					
<i>Acris blanchardi</i>	Blanchard's Cricket Frog		SSC	G5	S4
<i>Ambystoma laterale</i>	Blue-spotted Salamander		SSC	G5	S2
<i>Necturus maculosus</i>	Common mudpuppy		SSC	G5	S2
Reptile					
<i>Clemmys guttata</i>	Spotted Turtle	C	SE	G5	S2
<i>Clonophis kirtlandii</i>	Kirtland's Snake		SE	G2	S2
<i>Emydoidea blandingii</i>	Blanding's Turtle	C	SE	G4	S2
<i>Ophedrys vernalis</i>	Smooth Green Snake		SE	G5	S2
<i>Sistrurus catenatus</i>	Eastern Massasauga	LT	SE	G3	S2

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<i>Terrapene ornata ornata</i>	Ornate Box Turtle		SE	G5T5	S1
<i>Thamnophis proximus proximus</i>	Western Ribbon Snake		SSC	G5T5	S3
<i>Thamnophis radix</i>	Plains Garter Snake		SSC	G5	S4
Bird					
<i>Ammodramus henslowii</i>	Henslow's Sparrow		SE	G4	S3B
<i>Anas clypeata</i>	Northern Shoveler			G5	SHB
<i>Ardea alba</i>	Great Egret		SSC	G5	S1B
<i>Bartramia longicauda</i>	Upland Sandpiper		SE	G5	S3B
<i>Botaurus lentiginosus</i>	American Bittern		SE	G5	S2B
<i>Buteo platypterus</i>	Broad-winged Hawk		SSC	G5	S3B
<i>Certhia americana</i>	Brown Creeper			G5	S2B
<i>Charadrius melodus</i>	Piping Plover	LE	SE	G3	SXB
<i>Chlidonias niger</i>	Black Tern		SE	G4G5	S1B
<i>Chordeiles minor</i>	Common Nighthawk		SSC	G5	S4B
<i>Cistothorus palustris</i>	Marsh Wren		SE	G5	S3B
<i>Cistothorus platensis</i>	Sedge Wren		SE	G5	S3B
<i>Cygnus buccinator</i>	Trumpeter Swan		SE	G4	S1B
<i>Euphagus cyanocephalus</i>	Brewer's Blackbird			G5	SHB,S1N
<i>Falco peregrinus</i>	Peregrine Falcon		SSC	G4	S2B
<i>Gallinula galeata</i>	Common gallinule		SE	G5	S3B
<i>Grus canadensis</i>	Sandhill Crane		SSC	G5	S2B,S1N
<i>Haliaeetus leucocephalus</i>	Bald Eagle		SSC	G5	S2
<i>Hydroprogne caspia</i>	Caspian Tern			G5	S1B
<i>Ixobrychus exilis</i>	Least Bittern		SE	G4G5	S3B
<i>Lanius ludovicianus</i>	Loggerhead Shrike		SE	G4	S3B
<i>Laterallus jamaicensis</i>	Black Rail		SE	G3G4	SHB
<i>Mniotilta varia</i>	Black-and-white Warbler		SSC	G5	S1S2B
<i>Nyctanassa violacea</i>	Yellow-crowned Night-heron		SE	G5	S2B
<i>Nycticorax nycticorax</i>	Black-crowned Night-heron		SE	G5	S1B
<i>Pandion haliaetus</i>	Osprey		SSC	G5	S1B
<i>Phalaropus tricolor</i>	Wilson's Phalarope		SSC	G5	SHB
<i>Rallus elegans</i>	King Rail		SE	G4	S1B
<i>Rallus limicola</i>	Virginia Rail		SE	G5	S3B
<i>Scolopax minor</i>	American Woodcock		SSC	G5	S4B
<i>Tringa melanoleuca</i>	Greater Yellowlegs		SSC	G5	S3M
<i>Tringa solitaria</i>	Solitary Sandpiper		SSC	G5	S3M
<i>Tyto alba</i>	Barn Owl		SE	G5	S2
<i>Xanthocephalus xanthocephalus</i>	Yellow-headed Blackbird		SE	G5	S1B

Mammal

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Indiana County Endangered, Threatened and Rare Species List



County: Lake

Species Name	Common Name	FED	STATE	GRANK	SRANK
<i>Lasiurus borealis</i>	Eastern Red Bat		SSC	G3G4	S4
<i>Lasiurus cinereus</i>	Hoary Bat		SSC	G3G4	S4
<i>Myotis lucifugus</i>	Little Brown Bat	C	SE	G3	S2
<i>Myotis septentrionalis</i>	Northern Long Eared Bat	LT	SE	G1G2	S2S3
<i>Reithrodontomys megalotis</i>	Western Harvest Mouse			G5	S2
<i>Spermophilus franklinii</i>	Franklin's Ground Squirrel		SE	G5	S2
<i>Taxidea taxus</i>	American Badger		SSC	G5	S2
Vascular Plant					
<i>Agalinis auriculata</i>	earleaf foxglove		ST	G3	S2
<i>Agalinis gattingeri</i>	roundstem foxglove		ST	G4	S3
<i>Agalinis skinneriana</i>	pale false foxglove		ST	G3G4	S2
<i>Alnus incana ssp. rugosa</i>	speckled alder		WL	G5T5	S3
<i>Amelanchier humilis</i>	running serviceberry		SE	G5	S1
<i>Androsace occidentalis</i>	western rockjasmine		ST	G5	S2
<i>Aralia hispida</i>	bristly sarsaparilla		SE	G5	S1
<i>Arctostaphylos uva-ursi</i>	bearberry		ST	G5	S3
<i>Arethusa bulbosa</i>	swamp-pink		SX	G5	SX
<i>Aristida longespica var. geniculata</i>	slim-spike three-awn grass		WL	G5T5?	S3
<i>Aristida tuberculosa</i>	seabeach needlegrass		ST	G5	S3
<i>Asclepias meadii</i>	Mead's milkweed	LT	SRE	G2	SX
<i>Aureolaria grandiflora var. pulchra</i>	large-flower false-foxglove		SX	G4G5T4T5	SX
<i>Baptisia bracteata var. leucophaea</i>	cream wild-indigo		WL	G4G5T4T5	S3
<i>Baptisia tinctoria</i>	yellow wild-indigo		WL	G5	S3
<i>Betula papyrifera</i>	paper birch		ST	G5	S3
<i>Betula populifolia</i>	gray birch		WL	G5	S1
<i>Bidens beckii</i>	Beck's water-marigold		SE	G5	S1
<i>Botrychium matricariifolium</i>	chamomile grape-fern		ST	G5	S3
<i>Botrychium simplex</i>	least grape-fern		SE	G5	S1
<i>Buchnera americana</i>	bluehearts		SE	G5?	S1
<i>Calopogon oklahomensis</i>	Oklahoma grass-pink		SX	G3	SX
<i>Carex aurea</i>	golden-fruited sedge		ST	G5	S3
<i>Carex bebbii</i>	Bebb's sedge		ST	G5	S3
<i>Carex brunnescens</i>	brownish sedge		ST	G5	S2
<i>Carex conoidea</i>	prairie gray sedge		ST	G5	S2
<i>Carex crawei</i>	Crawe's sedge		ST	G5	S2
<i>Carex cumulata</i>	clustered sedge		SE	G4G5	S1
<i>Carex eburnea</i>	ebony sedge		ST	G5	S3
<i>Carex echinata</i>	little prickly sedge		SE	G5	S1
<i>Carex garberi</i>	elk sedge		SE	G5	S1
<i>Carex limosa</i>	mud sedge		SE	G5	S1

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Indiana County Endangered, Threatened and Rare Species List

County: Lake



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<i>Carex projecta</i>	necklace sedge		SE	G5	SU
<i>Carex richardsonii</i>	Richardson's sedge		ST	G5	S2
<i>Carex seorsa</i>	weak stellate sedge		ST	G5	S3
<i>Carex straminea</i>	straw sedge		ST	G5	S2
<i>Carex trichocarpa</i>	hairy-fruit sedge		WL	G4	S3
<i>Catalpa speciosa</i>	northern catalpa		ST	G4?	S3
<i>Ceanothus herbaceus</i>	prairie redroot		SE	G5	S1
<i>Chamaenerion angustifolium</i>	fireweed		SE	G5	S1
<i>Chimaphila maculata</i>	spotted wintergreen		WL	G5	S3
<i>Cirsium hillii</i>	Hill's thistle		SE	G3	S1
<i>Cirsium pitcheri</i>	dune thistle	LT	SE	G2G3	S1
<i>Clinopodium arkansanum</i>	calamint		ST	G5	S2
<i>Clintonia borealis</i>	Clinton's lily		SE	G5	S1
<i>Comptonia peregrina</i>	sweet fern		WL	G5	S3
<i>Cornus amomum ssp. amomum</i>	silky dogwood		SE	G5	S1
<i>Cornus canadensis</i>	bunchberry		SE	G5	S1
<i>Cornus rugosa</i>	roundleaf dogwood		ST	G5	S3
<i>Corydalis sempervirens</i>	pale corydalis		SE	G5	S1
<i>Cyperus dentatus</i>	toothed sedge		SE	G4	S1
<i>Cypripedium candidum</i>	small white lady's-slipper		ST	G4	S3
<i>Cypripedium parviflorum var. makasin</i>	small yellow lady's-slipper		ST	G5T4T5	S3
<i>Cypripedium parviflorum var. pubescens</i>	large yellow lady's-slipper		WL	G5T5	S3
<i>Cypripedium reginae</i>	showy lady's-slipper		ST	G4G5	S3
<i>Dactylorhiza viridis</i>	long-bract green orchid		SE	G5	S1
<i>Dichanthelium boreale</i>	northern witchgrass		ST	G5	S3
<i>Dichanthelium deamii</i>	Deam's panic-grass		SE	GNR	SU
<i>Dichanthelium leibergii</i>	Leiberg's witchgrass		ST	G4	S2
<i>Diervilla lonicera</i>	northern bush-honeysuckle		WL	G5	S3
<i>Drosera intermedia</i>	spoon-leaved sundew		ST	G5	S3
<i>Drymocallis arguta</i>	tall cinquefoil		WL	G5	SU
<i>Eleocharis geniculata</i>	capitate spike-rush		ST	G5	S2
<i>Eleocharis melanocarpa</i>	black-fruited spike-rush		ST	G4	S2
<i>Eleocharis wolfii</i>	Wolf's spikerush		ST	G3G5	S2
<i>Epigaea repens</i>	trailing arbutus		ST	G5	S3
<i>Equisetum variegatum var. variegatum</i>	variegated horsetail		SE	G5T5	S1
<i>Eriophorum angustifolium</i>	narrow-leaved cotton-grass		ST	G5	S3
<i>Eriophorum gracile</i>	slender cotton-grass		ST	G5	S2
<i>Eurybia furcata</i>	forked aster		ST	G3	S3
<i>Fimbristylis puberula</i>	Carolina fimbry		SE	G5	S1
<i>Gentiana alba</i>	yellow gentian		ST	G4	S3

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<i>Gentiana puberulenta</i>	downy gentian		SE	G4G5	S1
<i>Geranium bicknellii</i>	Bicknell's northern cranesbill		SE	G5	S1
<i>Glyceria borealis</i>	small floating manna-grass		SE	G5	S1
<i>Hudsonia tomentosa</i>	sand-heather		ST	G5	S2
<i>Hydrastis canadensis</i>	golden seal		WL	G3G4	S3
<i>Hypericum adpressum</i>	creeping St. John's-wort		SE	G3	S1
<i>Hypericum kalmianum</i>	Kalm's St. John's-wort		WL	G4	S3
<i>Juglans cinerea</i>	butternut		ST	G3	S2
<i>Juncus articulatus</i>	jointed rush		SE	G5	S1
<i>Juncus balticus var. littoralis</i>	Baltic rush		WL	G5T5	S3
<i>Juncus pelocarpus</i>	brown-fruited rush		SE	G5	S1
<i>Juncus scirpoides</i>	scirpus-like rush		ST	G5	S2
<i>Juniperus communis var. depressa</i>	ground juniper		ST	G5T5	S3
<i>Juniperus horizontalis</i>	creeping juniper		SX	G5	SX
<i>Lathyrus japonicus</i>	beach peavine		SE	G5	S1
<i>Lathyrus venosus</i>	smooth veiny pea		SE	G5	S1
<i>Lechea stricta</i>	upright pinweed		SX	G4?	SX
<i>Liatris pycnostachya</i>	cattail gay-feather		SE	G5	S1
<i>Lilium philadelphicum</i>	wood lily		WL	G5	SU
<i>Linnaea borealis</i>	twinflower		SX	G5	SX
<i>Linum sulcatum</i>	grooved yellow flax		ST	G5	S3
<i>Liparis loeselii</i>	Loesel's twayblade		WL	G5	S3
<i>Lipocarpa drummondii</i>	Drummond's hemicarpha		SE	G4G5	S1
<i>Ludwigia sphaerocarpa</i>	globe-fruited false-loosestrife		SE	G5	S1
<i>Lycopodiella imundata</i>	northern bog clubmoss		ST	G5	S2
<i>Lycopodiella subappressa</i>	northern appressed bog clubmoss		SE	G2	S1
<i>Malaxis unifolia</i>	green adder's-mouth orchid		SE	G5	S1
<i>Matteuccia struthiopteris</i>	ostrich fern		ST	G5	S3
<i>Melampyrum lineare</i>	American cow-wheat		SE	G5	S1
<i>Mikania scandens</i>	climbing hempweed		SE	G5	S1
<i>Minuartia michauxii var. michauxii</i>	Michaux's stitchwort		ST	G5T5	S2
<i>Myosotis laxa</i>	smaller forget-me-not		ST	G5	S2
<i>Myriophyllum verticillatum</i>	whorled water-milfoil		ST	G5	S3
<i>Oenothera perennis</i>	small sundrops		ST	G5	S3
<i>Oligoneuron album</i>	prairie goldenrod		ST	G5	S3
<i>Orobanche fasciculata</i>	clustered broomrape		SE	G4G5	S1
<i>Orthilia secunda</i>	one-sided wintergreen		SX	G5	SX
<i>Panax quinquefolius</i>	American ginseng		WL	G3G4	S3
<i>Perideridia americana</i>	eastern eulophus		SE	G4	S1
<i>Persicaria careyi</i>	Carey's smartweed		ST	G4	S2

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<i>Phemeranthus rugospermus</i>	prairie fame-flower		SE	G3G4	S1
<i>Pinus banksiana</i>	jack pine		ST	G5	S3
<i>Pinus strobus</i>	eastern white pine		ST	G5	S3
<i>Plantago cordata</i>	heart-leaved plantain		SE	G4	S1
<i>Platanthera aquilonis</i>	leafy northern green orchid		ST	G5	S2
<i>Platanthera ciliaris</i>	yellow-fringe orchid		SE	G5	S1
<i>Platanthera flava</i> var. <i>herbiola</i>	pale green orchid		WL	G4?T4Q	S3
<i>Platanthera hookeri</i>	Hooker's Orchid		SX	G4	SX
<i>Platanthera lacera</i>	green-fringe orchid		WL	G5	S3
<i>Platanthera leucophaea</i>	prairie white-fringed orchid	LT	SE	G2G3	S1
<i>Platanthera psycodes</i>	small purple-fringe orchid		ST	G5	S3
<i>Pogonia ophioglossoides</i>	rose pogonia		ST	G5	S3
<i>Polygonum articulatum</i>	eastern jointweed		ST	G5	S3
<i>Polytaenia nuttallii</i>	prairie parsley		SE	G5	S1
<i>Populus balsamifera</i>	balsam poplar		SE	G5	S1
<i>Potamogeton pulcher</i>	spotted pondweed		ST	G5	S2
<i>Potamogeton pusillus</i>	slender pondweed		WL	G5	S2
<i>Potamogeton richardsonii</i>	redheadgrass		ST	G5	S3
<i>Potamogeton robbinsii</i>	flatleaf pondweed		ST	G5	S3
<i>Potamogeton strictifolius</i>	straight-leaf pondweed		ST	G5	S2
<i>Potentilla anserina</i>	silverweed		ST	G5	S2
<i>Prenanthes aspera</i>	rough rattlesnake-root		ST	G4?	S3
<i>Prunus pensylvanica</i>	fire cherry		ST	G5	S3
<i>Pyrola americana</i>	American wintergreen		ST	G5	S2
<i>Rhus aromatica</i> var. <i>arenaria</i>	beach sumac		ST	G5T3Q	S3
<i>Rhynchospora macrostachya</i>	tall beaked-rush		ST	G4	S3
<i>Rhynchospora recognita</i>	globe beaked-rush		SE	G5?	S1
<i>Rhynchospora scirpoides</i>	long-beaked baldrush		ST	G4	S3
<i>Rorippa aquatica</i>	lake cress		SE	G4?	S1
<i>Rubus setosus</i>	small bristleberry		SE	G5	S1
<i>Salix cordata</i>	heartleaf willow		SE	G4	S1
<i>Sceptridium rugulosum</i>	ternate grapefern		SX	G3	SX
<i>Schoenoplectiella hallii</i>	Hall's bulrush	C	SE	G2G3	S1
<i>Schoenoplectiella smithii</i>	Smith's Bulrush		ST	G5?	S2
<i>Schoenoplectus subterminalis</i>	water bulrush		ST	G5	S3
<i>Schoenoplectus torreyi</i>	Torrey's Bulrush		SE	G5?	S1
<i>Scleria reticularis</i>	reticulated nutrush		ST	G4	S2
<i>Selaginella apoda</i>	meadow spike-moss		WL	G5	S1
<i>Selaginella rupestris</i>	ledge spike-moss		SE	G5	S1
<i>Shepherdia canadensis</i>	Canada buffalo-berry		SX	G5	SX

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<i>Sisyrinchium montanum</i>	strict blue-eyed-grass		SE	G5	S1
<i>Solidago simplex var. gillmanii</i>	sticky goldenrod		ST	G5T3?	S2
<i>Sparganium androcladum</i>	branching bur-reed		ST	G4G5	S2
<i>Sparganium natans</i>			SX	G5	SX
<i>Spiranthes lucida</i>	shining ladies'-tresses		ST	G4	S3
<i>Spiranthes magnicamporum</i>	Great Plains ladies'-tresses		SE	G3G4	S1
<i>Strophostyles leiosperma</i>	slick-seed wild-bean		WL	G5	S3
<i>Styrax americanus</i>	American snowbell		ST	G5	S3
<i>Symphotrichum boreale</i>	rushlike aster		ST	G5	S2
<i>Symphotrichum sericeum</i>	western silvery aster		ST	G5	S2
<i>Thuja occidentalis</i>	northern white cedar		SE	G5	S1
<i>Triantha glutinosa</i>	false asphodel		ST	G5	S2
<i>Trichostema dichotomum</i>	forked bluecurl		WL	G5	S3
<i>Triglochin palustris</i>	marsh arrow-grass		ST	G5	S2
<i>Utricularia cornuta</i>	horned bladderwort		SE	G5	S1
<i>Utricularia intermedia</i>	flatleaf bladderwort		WL	G5	S3
<i>Utricularia minor</i>	lesser bladderwort		ST	G5	S1
<i>Utricularia purpurea</i>	purple bladderwort		ST	G5	S3
<i>Utricularia resupinata</i>	northeastern bladderwort		SE	G4	S1
<i>Utricularia subulata</i>	zigzag bladderwort		ST	G5	S2
<i>Vaccinium myrtilloides</i>	velvetleaf blueberry		SE	G5	S1
<i>Valerianella chenopodiifolia</i>	goose-foot corn-salad		WL	G4	S3
<i>Viburnum opulus var. americanum</i>	highbush-cranberry		SE	G5T5	S1
<i>Viola pedatifida</i>	prairie violet		ST	G5	S2
High Quality Natural Community					
<i>Forest - floodplain wet</i>	Wet Floodplain Forest		SG	G3?	S3
<i>Forest - floodplain wet-mesic</i>	Wet-mesic Floodplain Forest		SG	G3?	S3
<i>Forest - upland dry Northwestern Morainal</i>	Northwestern Morainal Dry Upland Forest		SG	GNR	S1
<i>Forest - upland dry-mesic Northwestern Morainal</i>	Northwestern Morainal Dry-mesic Upland Forest		SG	GNR	S1
<i>Forest - upland mesic Northwestern Morainal</i>	Northwestern Morainal Mesic Upland Forest		SG	GNR	S1
<i>Lake - pond</i>	Pond		SG	GNR	SNR
<i>Prairie - dry-mesic</i>	Dry-mesic Prairie		SG	G3	S2
<i>Prairie - mesic</i>	Mesic Prairie		SG	G2	S2
<i>Prairie - sand dry</i>	Dry Sand Prairie		SG	G3	S2
<i>Prairie - sand dry-mesic</i>	Dry-mesic Sand Prairie		SG	G3	S3
<i>Prairie - sand mesic</i>	Mesic Sand Prairie		SG	GNR	SNR
<i>Prairie - sand wet</i>	Wet Sand Prairie		SG	G3	S3
<i>Prairie - sand wet-mesic</i>	Wet-mesic Sand Prairie		SG	G1?	S2

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State: SE = state endangered; ST = state threatened; SR = state rare; SSC = state species of special concern; SX = state extirpated; SG = state significant; WL = watch list
GRANK: Global Heritage Rank: G1 = critically imperiled globally; G2 = imperiled globally; G3 = rare or uncommon globally; G4 = widespread and abundant globally but with long-term concerns; G5 = widespread and abundant globally; G? = unranked; GX = extinct; Q = uncertain rank; T = taxonomic subunit rank
SRANK: State Heritage Rank: S1 = critically imperiled in state; S2 = imperiled in state; S3 = rare or uncommon in state; G4 = widespread and abundant in state but with long-term concern; SG = state significant; SH = historical in state; SX = state extirpated; B = breeding status; S? = unranked; SNR = unranked; SNA = nonbreeding status unranked

Indiana County Endangered, Threatened and Rare Species List

County: Lake



Species Name	Common Name	FED	STATE	GRANK	SRANK
<i>Prairie - wet</i>	Wet Prairie		SG	G3	S1
<i>Primary - dune lake</i>	Foredune		SG	G3	S1
<i>Savanna - mesic</i>	Mesic Savanna		SG	GNR	SNR
<i>Savanna - sand dry</i>	Dry Sand Savanna		SG	G2?	S2
<i>Savanna - sand dry-mesic</i>	Dry-mesic Sand Savanna		SG	G2?	S2S3
<i>Savanna - sand mesic</i>	Mesic Sand Savanna		SG	GNR	SNR
<i>Wetland - fen</i>	Fen		SG	G3	S3
<i>Wetland - marsh</i>	Marsh		SG	GU	S4
<i>Wetland - meadow sedge</i>	Sedge Meadow		SG	G3?	S1
<i>Wetland - panne</i>	Panne		SG	G2	S1
<i>Wetland - swamp shrub</i>	Shrub Swamp		SG	GU	S2
Other Significant Feature					
<i>Migratory Bird Concentration Area</i>	Migratory Bird Concentration Site		SG	G3	SNR

Indiana Natural Heritage Data Center
Division of Nature Preserves
Indiana Department of Natural Resources
This data is not the result of comprehensive county surveys.

Fed: LE = Endangered, LT = Threatened, C = candidate, PDL = proposed for delisting
 State: SE = state endangered; ST = state threatened; SR = state rare; SSC = state species of special concern; SX = state extirpated, SG = state significant, WL = watch list
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Appendix F
Water Resources

Indiana Floodplain Information Portal Map F-1
Regulated Waters Report..... F-2

INDiana Floodplain Information Portal



Indiana Department of Natural Resources **DNR**

Find an address

Example: 300 Michigan Avenue, Auburn, IN, 46706

Go To Address

Jump to a county

- or -

Select your county from below

Adams

Want to use the [eFARA Wizard](#) to submit a floodplain information request to the State of

Indiana, IDNR, Division of Water?

[< Previous Tips](#) [Next Tips >](#)

Map FEMA Flood Insurance Study Floodplain Layers Frequently Asked Questions

Minimize

Profile Charter Layers Legend Options Help



Follow instructions under "How to navigate the map" to select a Point of Interest.
[Click to return to the Point of Interest](#)

What does INFIP do?

- select a Point of Interest (i.e. residence or tract of land) to view floodplain mapping and the Base Flood Elevations (BFE)
- print a floodplain map for a Point of Interest
- submit a request for a Floodplain Analysis / Regulatory Assessment (FARA) from the Division of Water using the eFARA (electronic Floodplain Analysis / Regulatory Assessment) Wizard
- view general information and Frequency Asked Questions (FAQ) concerning floodplains, flood risk, flood insurance, and state floodway construction permitting
- obtain contact information to your local floodplain agency

If a FEMA flood insurance study (FIS) is

[Click to learn how to navigate the map](#)

[Click to learn how to submit eFARA](#)

[Click to learn about Special Flood Hazard Areas \(SFHA\) and Base Flood Elevations \(BFE\)](#)

[Click to learn about flood insurance](#)

[Click to learn about local community floodplain ordinance](#)

Download Report

Flood Zone Type: Best Available

F-1

Regulated Waters Delineation Report

Freedom Trail Phase I
Lowell, Indiana

October 21, 2020



Document Information

Prepared for Short Elliott Hendrickson, Inc.
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Project Name Regulated Waters Delineation Report
 Freedom Trail Phase I Lowell, Indiana
Project Number J19Z524300
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Acronyms

APA	Administrative Procedure Act
BF	Bank Full
CFR	Code of Federal Regulations
CWA	Clean Water Act
DBH	Diameter at Breast Height
DNP	Division of Nature Preserves
DP	Data Point
EPA	U.S. Environmental Protection Agency
ETR	Endangered, Threatened, and Rare
FAC	Facultative Plant
FACU	Facultative Upland Plant
FACW	Facultative Wetland Plant
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FQA	Floristic Quality Assessment
GIS	Geographical Information System
IC	Indiana Code
IDEM	Indiana Department of Environmental Management
IDNR	Indiana Department of Natural Resources
INT	Intermittent (Stream Type)
MS4	Municipal Separate Storm Water Sewer Systems
NHD	National Hydrography Dataset
NPDES	National Pollutant Discharge Elimination System

Acronyms (continued)

NRCS	U.S. Department of Agriculture Natural Resources Conservation Service
NWI	National Wetland Inventory
NWP	Nationwide Permit
NWPL	National Wetland Plant List
OBL	Obligate Wetland Plant
OHWM	Ordinary High Water Mark
PEM	Palustrine Emergent Wetland
PER	Perennial (Stream Type)
PFO	Palustrine Forested Wetland
PSS	Palustrine Shrub Scrub Wetland
RGP	Regional General Permit
SWANCC	Solid Waste Agency of Northern Cook County
TNW	Traditional Navigable Water
UPL	Upland Plant
USDA	U.S. Department of Agriculture
USGS	U.S. Geological Survey
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
WOTUS	Waters of the United States
WQC	Water Quality Certification

1 Introduction

Cardno was contracted to perform a regulated waters delineation of the Phase I Freedom Trail project corridor from Freedom Park to Liberty Park in Lowell, Lake County, Indiana (Figure 1, Appendix A):

- Sections 14 and 23, Township 33 North, Range 9 West

The Study Area was a 50 feet wide corridor extending one mile, from Freedom Park, south to Redbud Lane where it followed Redbud Lane to Timber Springs Road, turning south toward W Main Street and to Liberty Park. The Study Area traverses a mixture of residential, agricultural, and undeveloped lands.

This report identifies the jurisdictional status of the Study Area based on Cardno's best professional understanding and interpretation of the Corps of Engineers' Wetland Delineation Manual (Environmental Laboratory, 1987) and U.S. Army Corps of Engineers' (USACE) guidance documents and regulations. Jurisdictional determinations for other "waters of the U.S." were made based on definitions and guidance found in 33 CFR 328.3, USACE Regulatory Guidance Letters, and the wetland delineation manual. The USACE administers Section 404 of the Clean Water Act (CWA), which regulates the discharge of fill or dredged material into all "waters of the U.S.," and is the regulatory authority that must make the final determination as to the jurisdictional status of the Study Area.

2 Regulatory Definitions

2.1 Waters of the United States

“Waters of the U.S.” are within the jurisdiction of the USACE under the CWA. “Waters of the U.S.” is a broad term, which includes waters that are used or could be used for interstate commerce. This includes wetlands, ponds, lakes, territorial seas, rivers, tributary streams including any definable intermittent waterways, and some ditches below the ordinary high water mark (OHWM). Also included are manmade water bodies such as quarries and ponds, which are no longer actively being mined or constructed and are connected to other “waters”. Wetlands, mudflats, vegetated shallows, riffle and pool complexes, coral reefs, sanctuaries, and refuges are all considered special aquatic sites which involve more rigorous regulatory permitting requirements. A specific, detailed definition of “waters of the U.S.” can be found in the Federal Register (33 CFR 328.3).

On January 9, 2001, the U.S. Supreme Court issued a decision, *Solid Waste Agency of Northern Cook County (SWANCC) v. U.S. Army Corps of Engineers* (No. 99-1178). The decision reduced the regulation of isolated wetlands under Section 404 of the CWA, which assigned the USACE authority to issue permits for the discharge of dredge or fill material into “waters of the U.S.”. Prior to the SWANCC decision, the USACE had adopted a regulatory definition of “waters of the U.S.” that afforded federal protection for almost all of the nation’s wetlands. The Supreme Court decision interpreted that the USACE’s jurisdiction was restricted to navigable waters, their tributaries, and wetlands that are adjacent to these navigable waterways and tributaries. The decision leaves the majority of “isolated” wetlands unregulated by the CWA. Therefore, most wetlands that are not adjacent to, or contiguous with, any other “waters of the U.S.” via a surface drain such as a swale, ditch, or stream are considered isolated and thus no longer jurisdictional by the USACE.

On June 19, 2006, the U.S. Supreme Court issued decisions in regards to *John A. Rapanos v. United States* (No. 04-1034) and *June Carabell v. United States* (04-1384), et al. The plurality decision created two ‘tests’ for determining CWA jurisdiction: the permanent flow of water test (set out by Justice Scalia) and the “significant nexus” test (set out by Justice Kennedy). On June 5, 2007 the USACE and U.S. Environmental Protection Agency (EPA) issued joint guidance on how to interpret and apply the Court’s ruling. According to this guidance, the USACE will assert jurisdiction over traditionally navigable waters, adjacent wetlands, and non-navigable tributaries of traditionally navigable waters that have “relatively permanent” flow, and wetlands that border these waters, regardless of whether or not they are separated by roads, berms, and similar barriers. In addition, the USACE will use a case-by-case “significant nexus” analysis to determine whether waters and their adjacent wetlands are jurisdictional. A “significant nexus” can be found where waters, including adjacent wetlands, alter the physical, biological, or chemical integrity of the traditionally navigable water based on consideration of several factors.

In January 2015 an EPA sponsored publication, *Connectivity of Streams & Wetlands to Downstream Waters: A Review & Synthesis of the Scientific Evidence* (EPA, 2015), emphasized how streams, non-tidal wetlands, and open waters in and outside of riparian areas and floodplains affect downstream waters such as rivers, lakes, estuaries, and oceans.

On May 27, 2015 the EPA released a statement that a new Clean Water Rule typically referred to as, “The Waters of the United States (WOTUS) Rule” was finalized and that it would “not create any new permitting requirements and maintains all previous exemptions and exclusions” (epa.gov). The Rule would only protect waters that have historically been covered by the CWA. The intent was to clearly define: jurisdictional limits of tributaries of navigable waterways; set boundaries on covering nearby waters; identify specific national water treasures by name (prairie potholes, etc.); clearly define when a ditch is jurisdictional, and when it is not; maintain status that waters within Municipal Separate Storm Water Sewer Systems (MS4) are not jurisdictional; and reduce the use of case-specific analysis of waters.

Also on May 27, 2015 a publication, *Technical Support Document for the Clean Water Rule: Definition of Waters of the United States* (EPA 2015), was released discussing in detail why the significant nexus (SNE) between one water and another is important. It specifically ties distances to the various types of waters mentioned within the Code of Federal Regulations [33 CFR 328.3(a)(1) through (a)(8)]. For example, the document states “Waters located within the 100-year floodplain of a Traditional Navigable Water (TNW), interstate water, or the territorial seas and waters located more than 1,500 feet and less than 4,000 feet from the lateral limit of an (a)(1) or (a)(3) water may still be determined to have a significant nexus on a case-specific basis under paragraph (a)(8) of the Rule and, thus, be a ‘water of the United States’ (EPA 2015).”

On June 29, 2015 the new Clean Water Rule was entered into the Federal Register (40 CFR Parts 110, 112, 116, et al. Clean Water Rule: Definition of “waters of the United States”; Final Rule). This report will refer to this Rule as “June 29, 2015 WOTUS Rule”. This Rule includes exact distances mentioned in the May 27, 2015 Technical Support Document as it relates to adjacent waters, including the following: waters within 100 ft. of jurisdictional waters; waters within the 100-year floodplain to a maximum of 1,500 feet from the OHWM; waters within the 100-year floodplain with a SNE to the TNW; and waters with a SNE within 4,000 ft. of jurisdictional waters.

On October 9, 2015 the U.S. Court of Appeals for the Sixth Circuit (Court) issued a nationwide stay against the enforcement of the June 29, 2015 WOTUS Rule. The Court stated, “...we conclude that...Justice Kennedy’s opinion in *Rapanos* represents the best instruction on the permissible parameters of “waters of the United States” as used in the CWA, it is far from clear that the new Rule’s distance limitations are harmonious with the instruction.

Moreover, the Court stated that the rulemaking process by which the distance limitations were adopted is facially suspect. Petitioners contend the proposed rule that was published, on which interested persons were invited to comment, did not include any proposed distance limitations in its use of terms like “adjacent waters” and “significant nexus.” Consequently, petitioners contend, the Final Rule cannot be considered a “logical outgrowth” of the rule proposed, as required to satisfy the notice-and-comment requirements of the APA, 5 U.S.C. § 553. As a further consequence of this defect, petitioners contend, the record compiled by respondents is devoid of specific scientific support for the distance limitations that were included in the Final Rule. They contend the Rule is therefore not the product of reasoned decision-making and is vulnerable to attack as impermissibly “arbitrary or capricious” under the APA, 5 U.S.C. § 706(2).”

On February 28, 2017, President Donald Trump signed Executive Order #13778 titled “Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the ‘Waters of the United States’ Rule”. Section 1(a) states that the EPA “shall review the final rule entitled ‘Clean Water

Rule: Definition of 'Waters of the United States,' 80 Fed. Reg. 37054; and '....shall...publish... proposed rules rescinding or revising, those issuances, as appropriate' [Section 2(b)]."

Until further notice, the June 29, 2015 WOTUS Rule is not in effect. Furthermore, this report does not attempt to include a professional opinion as it relates to the June 29, 2015 WOTUS Rule.

2.2 Waters of the State

"Waters of the state" are within the jurisdiction of the Indiana Department of Environmental Management (IDEM). They are generally defined as surface and underground water bodies, which extend through or exist wholly in the state of Indiana, which includes, but is not limited to, streams and both isolated and non-isolated wetlands. Private ponds, or any pond, reservoir, or facility built for reduction of pollutants prior to discharge are not included in this definition. In addition to "waters of the U.S.", IDEM also regulates and issues permits for isolated wetland impacts. Isolated wetlands are defined by state law as those wetlands that are not subject to regulation under Section 404(a) of the Federal CWA. Since 2004, IDEM has regulated isolated wetlands under Indiana's State Isolated Wetlands Law (IC 13-18-22). Indiana's State Isolated Wetlands Law establishes a classification system for wetlands and a set of general permits, exemption criteria, and individual permitting authority for IDEM to regulate the placement of dredged or fill material into non-exempt isolated wetlands. Indiana's isolated wetlands are defined as being a Class I, Class II, or Class III wetland; these definitions are listed in Indiana Code 13-11-2-25.8. In general, Class I wetlands have been significantly disturbed by human activity or development and Class III wetlands have been undisturbed or minimally disturbed by human activity and supports diverse flora and fauna.

IDEM relies on the USACE decision regarding wetland determinations and delineations including whether or not a wetland is isolated or non-isolated.

2.3 Wetlands

Wetlands are a category of "waters of the U.S." for which a specific identification methodology has been developed. As described in detail in the *Corps of Engineers Wetland Delineation Manual* (Environmental Laboratory, 1987), wetland boundaries are delineated using three criteria: hydrophytic vegetation, hydric soils, and wetland hydrology. In addition to the criteria defined in the 1987 Manual, the procedures described in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region* (Environmental Laboratory, 2010) were used to evaluate the Study Area for the presence of wetlands.

2.3.1 Hydrophytic Vegetation

On June 1, 2012, the National Wetland Plant List (NWPL), formerly called the National List of Plant Species that Occur in Wetlands (Reed 1988), went into effect after being released by the USACE as part of an interagency effort with the U.S. Fish and Wildlife Service (USFWS), the U.S. EPA, and the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) (Lichvar and Kartesz, 2009). The NWPL, along with the information implied by its wetland plant species status ratings, provides general botanical information about wetland plants and is used extensively in wetland delineation, restoration, and mitigation efforts. The NWPL consists of a comprehensive list of wetland plant species that occur within the United States along with their respective wetland indicator statuses by region. An indicator status reflects the likelihood

that a particular plant species occurs in a wetland or upland (Lichvar et al. 2012). Definitions of the five indicator categories are presented below.

OBL (Obligate Wetland Plants): almost always occur in wetlands. With few exceptions, these plants (herbaceous or woody) are found in standing water or seasonally saturated soils (14 or more consecutive days) near the surface. These plants are of four types: submerged, floating, floating-leaved, and emergent.

FACW (Facultative Wetland Plants): usually occur in wetlands, but may occur in non-wetlands. These plants predominately occur with hydric soils, often in geomorphic settings where water saturates the soils or floods the soil surface at least seasonally.

FAC (Facultative Plants): occur in wetlands and non-wetlands. These plants can grow in hydric, mesic, or xeric habitats. The occurrence of these plants in different habitats represents responses to a variety of environmental variables other than just hydrology, such as shade tolerance, soil pH, and elevation, and they have a wide tolerance of soil moisture conditions.

FACU (Facultative Upland Plants): usually occur in non-wetlands, but may occur in wetlands. These plants predominately occur on drier or more mesic sites in geomorphic settings where water rarely saturates the soils or floods the soil surface seasonally.

UPL (Upland Plants): almost never occur in wetlands. These plants occupy mesic to xeric non-wetland habitats. They almost never occur in standing water or saturated soils. Typical growth forms include herbaceous, shrubs, woody vines, and trees.

According to the USACE's Midwest Regional Supplement, plants that are rated as FAC, FACW, or OBL are classified as wetland plant species. The percentage of dominant wetland species in each of the four vegetation strata (tree, shrub/sapling, herbaceous, and woody vine) in the sample area determines the hydrophytic (wetland) status of the plant community. Dominant species are chosen independently from each stratum of the community. In general, dominants are the most abundant species that individually or collectively account for more than 50 percent of the total coverage of vegetation in the stratum, plus any other species that, by itself, accounts for at least 20 percent of the total.

For the purposes of determining dominant plant species, the four vegetation strata are defined. Trees consist of woody species 3 inches or greater in diameter at breast height (DBH). Shrubs and saplings are woody species that are over 1 meter in height and less than 3 inches DBH. Herbaceous species consist of all herbaceous (non-woody) plants, including herbaceous vines, regardless of size, and woody plants less than 1 meter tall. Woody vines consist of vine species greater than 1 meter in height, such as wild grapes.

2.3.2 **Hydric Soils**

Hydric soils are defined as soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part. In general, hydric soils are flooded, ponded, or saturated for a week or more during the growing season when soil temperatures are above 32 degrees Fahrenheit. The anaerobic conditions created by repeated or prolonged saturation or flooding result in permanent changes in soil color and chemistry, which are used to differentiate hydric from non-hydric soils.

In this report, soil colors are described using the Munsell notation system. This method of describing soil color consists of separate notations for hue, value, and chroma that are combined

in that order to form the color designation. The hue notation of a color indicates its relation to red, yellow, green, blue, and purple; the value notation indicates its lightness, and the chroma notation indicates its strength or departure from a neutral of the same lightness.

The symbol for hue consists of a number from 1 to 10, followed by the letter abbreviation of the color. Within each letter range, the hue becomes more yellow and less red as the numbers increase. The notation for value consists of numbers from 0 for absolute black, to 10 for absolute white. The notation for chroma consists of numbers beginning with /0 for neutral grays and increasing at equal intervals. A soil described as 10YR 3/1 soil is more gray than a soil designated 10YR 3/6.

2.3.3 Wetland Hydrology

Wetland hydrology is defined as the presence of water for a significant period of time at or near the surface (within the root zone) during the growing season. Wetland hydrology is present only seasonally in many cases, and is often inferred by indirect evidence. Hydrology is controlled by such factors as seasonal and long-term rainfall patterns, local geology and topography, soil type, local water table conditions, and drainage. Primary indicators of hydrology are inundation, soil saturation in the upper 12 inches of the soil, watermarks, sediment deposits, and drainage patterns. Secondary indicators such as oxidized root channels in the upper 12 inches of the soil, water-stained leaves, local soil survey data, and the FAC-neutral vegetation test are sometimes used to identify hydrology. A primary indicator or two or more secondary indicators are required to establish a positive indication of hydrology.

2.3.4 Wetland Definition Summary

In general, an area must meet all three criteria to be classified as a wetland. In certain problem areas such as seasonal wetlands, which are not wet at all times, or in recently disturbed (atypical) situations, areas may be considered a wetland if only two criteria are met. In special situations, an area that meets the wetland definition may not be within the USACE's jurisdiction due to a specific regulatory exemption.

3 Background Information

3.1 Existing Maps

Several sources of information were consulted to identify potential wetlands and wetland soil units on the site. These include the USFWS's *National Wetland Inventory* (NWI), the USGS's *National Hydrography Dataset* (NHD), and the NRCS *Soil Survey* for this county. These maps identify potential wetlands and wetland soil units on the site. The NHD maps are used to portray surface water. The NWI maps were prepared from high altitude photography and in most cases were not field checked. Because of this, wetlands are sometimes erroneously identified, missed, or misidentified. Additionally, the criteria used in identifying these wetlands were different from those currently used by the USACE. The county soil maps, on the other hand, were developed from actual field investigations. However, they address only one of the three required wetland criteria and may reflect historical conditions rather than current site conditions. The resolution of the soil maps limits their accuracy as well. The mapping units are often generalized based on topography and many mapping units contain inclusions of other soil types for up to 15 percent of the area of the unit. The USACE does not accept the use of either of these maps to make wetland determinations.

3.1.1 National Wetland Inventory

The NWI map of the area (Figure 2) identified several features within the project boundary including an open-water wetland (PUBGx) toward the middle of the project extent and a large forested wetland complex toward the southern portion of the project extent.

3.1.2 National Hydrography Dataset

The NHD map of the area (Figure 2) identified three un-named surface water features within the Study Area.

3.1.3 Soil Survey

The NRCS Soil Survey of Lake County identified seven soil series within the Study Area (Figure 3). The following table identifies the soil unit symbol, soil unit name, and whether or not the soil type contains components that meet the hydric soil criteria.

Table 3-1 Soil Types Within the Freedom Trail Study Area

Symbol	Description	Hydric
EI	Elliott silt loam, 0 to 2 percent slopes	No
Mo	Milford silt loam, overwash	Yes
Mr	Milford silty clay loam, 0 to 2 percent slopes	Yes
MuB	Morley silt loam, 2 to 6 percent slopes	No
MuC2	Morley silt loam, 6 to 12 percent slopes, eroded	No
MvC3	Morley silty clay loam, 6 to 12 percent slopes, severely eroded	No
Pc	Pewamo silty clay loam	Yes

4 Methodology and Description

4.1 Regulated Waters Investigation

Wetland and waters boundaries within the Study Area were marked with GPS and flagged in the field with pin flags (Figure 4). Marked wetland boundaries were not investigated outside of the Study Area extent but may continue beyond the surveyed area.

The delineation of regulated waterways within the Study Area was based on the methodology described in the *Corps of Engineers Wetland Delineation Manual* (Environmental Laboratory, 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Midwest Region* (Environmental Laboratory, 2010) as required by current USACE policy.

4.1.1 Site Photographs

Photographs of the site are located in Appendix B. These photographs serve as visual documentation of site conditions at the time of inspection. The photographs are intended to provide representative visual samples of the waterway's condition and features found on the site. Photo locations are shown on Figure 4 as photo stations and numbered to correspond with each photo.

4.1.2 Delineated Waterways

4.1.2.1 **UNT01 – Ephemeral 335 feet**

Un-named tributary 1 was a small ephemeral stream leading from the outlet of an excavated open-water wetland (Wetland 02) toward a large forested/emergent wetland complex (Wetland 03). The stream was approximately two feet in width at the Ordinary High Water Mark (OHWM) and six inches in depth. The stream was dry at the time of the survey but showed signs of flowing water earlier in the year. The substrate of the stream was mostly of silt and clay with some sand and gravel riffles. The riparian corridor of UNT01 was mature forest dominated by hickory (*Carya* spp.) species and basswood (*Tilia americana*).

4.1.3 Delineated Wetlands

4.1.3.1 **Wetland 01 – PSS 0.18 acres**

Wetland 01 was a scrub shrub wetland located south of Freedom Park and north of Redbud Lane. The wetland was located in a small valley between the park and residential housing where the wetland sloped gradually to the south boundary of the wetland. Apparent manipulation of the wetland occurred in previous years with tracks from motorized vehicles. The south edge of Wetland 01 also appeared to have an area where water flowed from west to east but had not yet formed a defined channel in the Study Area boundary. Wetland 01 is likely an isolated feature, regulated by IDEM.

Vegetation in Wetland 01 consisted mostly of gray dogwood (*Cornus racemosa*) and a mix of native herbaceous species. Wetland 01 had a native mean-C of 3.0 and a native FQI of 11.6 with 19 total species in the Study Area.

Data Point 01 (DP01) Wetland Data Point

Dominant vegetation in the vicinity of DP01 included Gray Dogwood (*Cornus racemosa*, FAC), Rambler Rose (*Rosa multiflora*, FACU), Tall Goldenrod (*Solidago altissima*, FACU), Dark-Green Bulrush (*Scirpus atrovirens*, OBL), and Devil's-Pitchfork (*Bidens frondosa*, FACW). In addition, non-dominant vegetation observed included Russian-Olive (*Elaeagnus angustifolia*, FACU), Highbush-Cranberry (*Viburnum opulus*, FAC), and Blunt Broom Sedge (*Carex tribuloides*, OBL). The plants at this data point qualified as hydrophytic vegetation. The soil from 0 to 6 inches had a matrix soil color of 10YR 3/1 with concentrations in the pore linings at 5 percent, and a texture of Clay Loam. The soil from 6 to 20 inches had a matrix soil color of 10YR 6/1 with concentrations in the matrix at 20 percent, and a texture of Clay. The soil at the data point was mapped as MvC3: Morley silty clay loam, 6 to 12 percent slopes, severely eroded, and met the Depleted Below Dark Surface (A11), Depleted Matrix (F3), Redox Dark Surface (F6), and Redox Depressions (F8) hydric soil criteria. Secondary indicators of hydrology observed included Drainage Patterns (B10), and Geomorphic Position (D2). This data point qualified as a wetland.

Data Point 02 (DP02) Upland Data Point

Dominant vegetation in the vicinity of DP02 included White Mulberry (*Morus alba*, FAC), Russian-Olive (*Elaeagnus angustifolia*, FACU), Gray Dogwood (*Cornus racemosa*, FAC), and Groundivy (*Glechoma hederacea*, FACU). In addition, non-dominant vegetation observed included White Avens (*Geum canadense*, FAC). The plants at this data point did not qualify as hydrophytic vegetation. The soil from 0 to 20 inches had a matrix soil color of 10YR 4/1 with a texture of Clay. The soil at the data point was mapped as MuB: Morley silt loam, 2 to 6 percent slopes, and did not meet any hydric soil criteria. No indicators of hydrology were observed. This data point did not meet wetland criteria.

4.1.3.2 Wetland 02 – PUB 0.09 acres

Wetland 02 was a small open-water wetland located south of Timber Springs Road, west of Timber Lake Drive, and east of Timberwood Lane. This wetland was situated in a low depression between residential housing. The water source for Wetland 02 came from two 12 inch clay culverts from underneath Timber Springs Road that emptied into a deeply cut channel full of debris. The channel (Stormwater Ditch) then emptied into Wetland 02. Wetland 02 also feeds water into UNT01 to the south from a 12 inch outlet culvert outside of the Study Area. Water levels in Wetland 02 were down approximately three feet from normal water levels. Wetland 02 is likely connected to navigable features and regulated by the USACE.

This wetland had little to no vegetation growing within its boundaries except for Sandbar Willow (*Salix interior*) and Cottonwood (*Populus deltoides*) growing at its margins. The native mean-C for Wetland 02 was 0.8 and the native FQI was 1.8 with 7 total species.

Data Point 03 (DP03) Wetland Data Point

Dominant vegetation in the vicinity of DP03 included Sandbar Willow (*Salix interior*, FACW), and Large Barnyard Grass (*Echinochloa crus-galli*, FACW). The plants at this data point qualified as hydrophytic vegetation. The soil from 0 to 6 inches had a matrix soil color of 10YR 3/1 with concentrations in the pore linings at 5 percent, and a texture of Clay. The soil from 6 to 20 inches

had a mixed matrix of 2.5Y 6/1 at 60 percent and 10YR 5/4 at 30%, and concentrations in the pore linings of 10R 3/4 at 10 percent with a soil texture of Sandy Clay. The soil at the data point was mapped as Mr: Milford silty clay loam, 0 to 2 percent slopes, and met the Depleted Below Dark Surface (A11), Depleted Matrix (F3), Redox Dark Surface (F6), and Redox Depressions (F8) hydric soil criteria. Primary indicators of hydrology included Sediment Deposits (B2), Algal Mat or Crust (B4), Inundation Visible on Aerial Imagery (B7), Sparsely Vegetated Concave Surface (B8), Water-Stained Leaves (B9), and secondary indicators of hydrology observed included Surface Soil Cracks (B6), Dry-Season Water Table (C2), Stunted or Stressed Plants (D1), Geomorphic Position (D2), and the FAC-Neutral Test (D5). This data point qualified as a wetland.

4.1.3.3 Wetland 03 – PFO 1.07 acres

Wetland 03 is a forested wetland located north of W Main Street at Liberty Park and west of Grant Street. This large wetland consisted of dense canopy at its boundaries, gradually opening to an open area with standing water in its center. This wetland received water from UNT01 and had a high water table with saturated soils throughout. The center of the wetland was mucky with large hummocks of vegetation indicating consistent high water levels. Wetland 03 is likely connected to navigable features and regulated by the USACE.

The canopy trees of Wetland 03 were mostly Silver Maple (*Acer saccharinum*), Cottonwood, and Black Willow (*Salix nigra*) with an understory of willows, dogwoods, and Rambler Rose. The herbaceous layer consisted mostly of Blue Joint Grass (*Calamagrostis canadensis*), Lake Sedge (*Carex lacustris*) and Bur Reed (*Sparganium eurycarpum*). Wetland 03 had a native mean-C of 3.4 and a native FQI of 15.2 with 24 total species.

Data Point 04 (DP04) Wetland Data Point

Dominant vegetation in the vicinity of DP04 included Shingle Oak (*Quercus imbricaria*, FACU), Gray Dogwood (*Cornus racemosa*, FAC), Rambler Rose (*Rosa multiflora*, FACU), and Reed Canary Grass (*Phalaris arundinacea*, FACW). In addition, non-dominant vegetation observed included Pignut Hickory (*Carya glabra*, FACU), American Hog-Peanut (*Amphicarpaea bracteata*, FAC), Canadian Clearweed (*Pilea pumila*, FACW), Dock-Leaf Smartweed (*Persicaria lapathifolia*, FACW), and Farewell-Summer (*Symphotrichum lateriflorum*, FACW). The plants at this data point qualified as hydrophytic vegetation. The soil from 0 to 6 inches had a matrix soil color of 10YR 3/1 with concentrations in the matrix and pore linings at 15 percent, and a texture of Clay Loam. The soil from 6 to 20 inches had a mixed matrix of 10YR 3/1 at 40 percent and 10YR 2/1 at 50%, and concentrations in the pore linings of 10YR 5/8 at 10 percent with a soil texture of Clay Loam. The soil at the data point was mapped as Mr: Milford silty clay loam, 0 to 2 percent slopes, and met the Redox Dark Surface (F6), and Redox Depressions (F8) hydric soil criteria. Secondary indicators of hydrology observed included Dry-Season Water Table (C2), and Geomorphic Position (D2). This data point qualified as a wetland.

Data Point 05 (DP05) Upland Data Point

Dominant vegetation in the vicinity of DP05 included American Basswood (*Tilia americana*, FACU) in multiple strata, Morrow's Honeysuckle (*Lonicera morrowii*, FACU), White Snakeroot (*Ageratina altissima*, FACU), and Common Red Raspberry (*Rubus idaeus*, FACU). In addition, non-dominant vegetation observed included Shingle Oak (*Quercus imbricaria*, FACU), Shag-Bark Hickory (*Carya ovata*, FACU), Green Ash (*Fraxinus pennsylvanica*, FACW), White Avens (*Geum*

canadense, FAC), Eastern Woodland Sedge (*Carex blanda*, FAC), Beggar's-Lice (*Hackelia virginiana*, FACU), and American Germander (*Teucrium canadense*, FACW). The plants at this data point did not qualify as hydrophytic vegetation. The soil from 0 to 4 inches had a matrix soil color of 10YR 2/1 with a texture of Silty Clay Loam. The soil from 4 to 20 inches had a mixed matrix of 10YR 2/1 at 60 percent and 7.5YR 3/3 at 40 percent with a soil texture of Loam. The soil at the data point was mapped as Mr: Milford silty clay loam, 0 to 2 percent slopes, and did not meet any hydric soil criteria. No indicators of hydrology were observed. This data point did not meet wetland criteria.

5 Jurisdictional Analysis

5.1 U.S. Army Corps of Engineers and the Indiana Department of Environmental Management

The USACE has authority over the discharge of fill or dredged material into “waters of the U.S.”. This includes authority over any filling, mechanical land clearing, or construction activities that occur within the boundaries of any “waters of the U.S.”. A permit must be obtained from the USACE under Section 404 of the CWA before any of these activities occur. Permits can be divided into three general categories: Individual Permits, Nationwide Permits (NWP), and the Regional General Permits for Indiana.

Individual Permits are required for projects that do not fall into one of the specific NWP or the Regional General Permit (RGP) or are deemed to have significant environmental impacts. These permits are much more difficult to obtain and receive a much higher level of regulatory agency and public scrutiny and may require several months to more than a year for processing.

NWP have been developed for projects which meet specific criteria and are deemed to have minimal impact on the aquatic environment. In Indiana, however, most NWP's have been rescinded and replaced by the RGP.

The RGP for Indiana authorizes activities associated with the construction or installation of new facilities or structures as well as for agriculture or mining. Proposed wetland impacts must be less than 1 acre and meet specific criteria in order to qualify for these permits. Section 401 WQC must be obtained from IDEM before the USACE will perform their permit review.

IDEM is responsible for issuing CWA Section 401 WQCs in conjunction with the USACE Section 404 permits. IDEM requires notification for all non-isolated wetland impacts less than 0.10 acre, which entails a brief notification form that must be signed by the applicant. However, for non-isolated wetland impacts greater than 0.10 acre, an application for WQC must be submitted concurrently with a wetland mitigation plan. IDEM will not initiate their review process until both the application and wetland mitigation plan have been submitted.

Applicants proposing an impact to an “isolated wetland,” which is a wetland that the USACE has determined to be a non-federally jurisdictional wetland, are required to apply for and obtain Isolated Wetland Permits from IDEM. Isolated wetland permits are required under Indiana's State Isolated Wetland Law (Indiana Code 13-18-22 and 327 Indiana Administrative Code 17).

5.2 Other Agencies

Indiana Department of Natural Resources (IDNR) has jurisdiction over the floodway of ditches and streams with a watershed greater than one (1) square mile. If impacts are proposed to jurisdictional floodways, a Construction-In-A-Floodway Permit may be required from IDNR.

6 Summary and Conclusion

6.1 Summary

Cardno investigated a Study Area approximately 50 feet wide extending from Freedom Park to Liberty Park in Lowell, Lake County, Indiana. Three wetland features and one tributary were mapped within the Study Area boundaries. Wetlands included one scrub-shrub wetland (0.18 ac), one open-water wetland (0.09 ac), and one forested wetland (1.07 ac) for a total of 1.34 acres of wetland. In addition, one ephemeral tributary (UNT01) 335 feet in length was found. Wetland 01 was likely an isolated wetland feature and would fall under regulation of IDEM. Wetland 02 and Wetland 03 are connected to Cedar Creek to the south of the Study Area and are therefore likely regulated by the USACE Chicago District.

**Wetland Summary Table 6-1
Freedom Trail
Lake County, Indiana**

Name	Location	Type	Quality	Likely WOTUS?
Wetland 01	41.304209, -87.426356	PSS	Moderate	No
Wetland 02	41.298157, -87.426685	PUB	Poor	Yes
Wetland 03	41.295997, -87.425534	PFO	Moderate	Yes

**Waterway Summary Table 6-2
Freedom Trail
Lake County, Indiana**

Name	Location	Type	OHWM Width (ft)	OHWM Depth (ft)	Length in Study Area	Quality	Substrate	Likely WOTUS
UNT01	41.297167, -87.425773	Ephemeral	2.0	0.5	335	Moderate	Clay/silt	No

6.2 Conclusion

Impacts to the listed resources in this report may require consultation and permitting with USACE and IDEM. To confirm the jurisdictional nature of these features, at minimum, a preliminary jurisdictional determination should be requested from the USACE Chicago District.

While this report represents our best professional judgment based on our knowledge and experience, it is important to note that the Chicago District of the U.S. Army Corps of Engineers has final discretionary authority over all jurisdictional determinations of 'waters of the U.S.' including wetlands under Section 404 of the CWA in this region. It is therefore, recommended that a copy of this report be furnished to the Chicago District of the U.S. Army Corps of Engineers to confirm the results of our findings.

7 References

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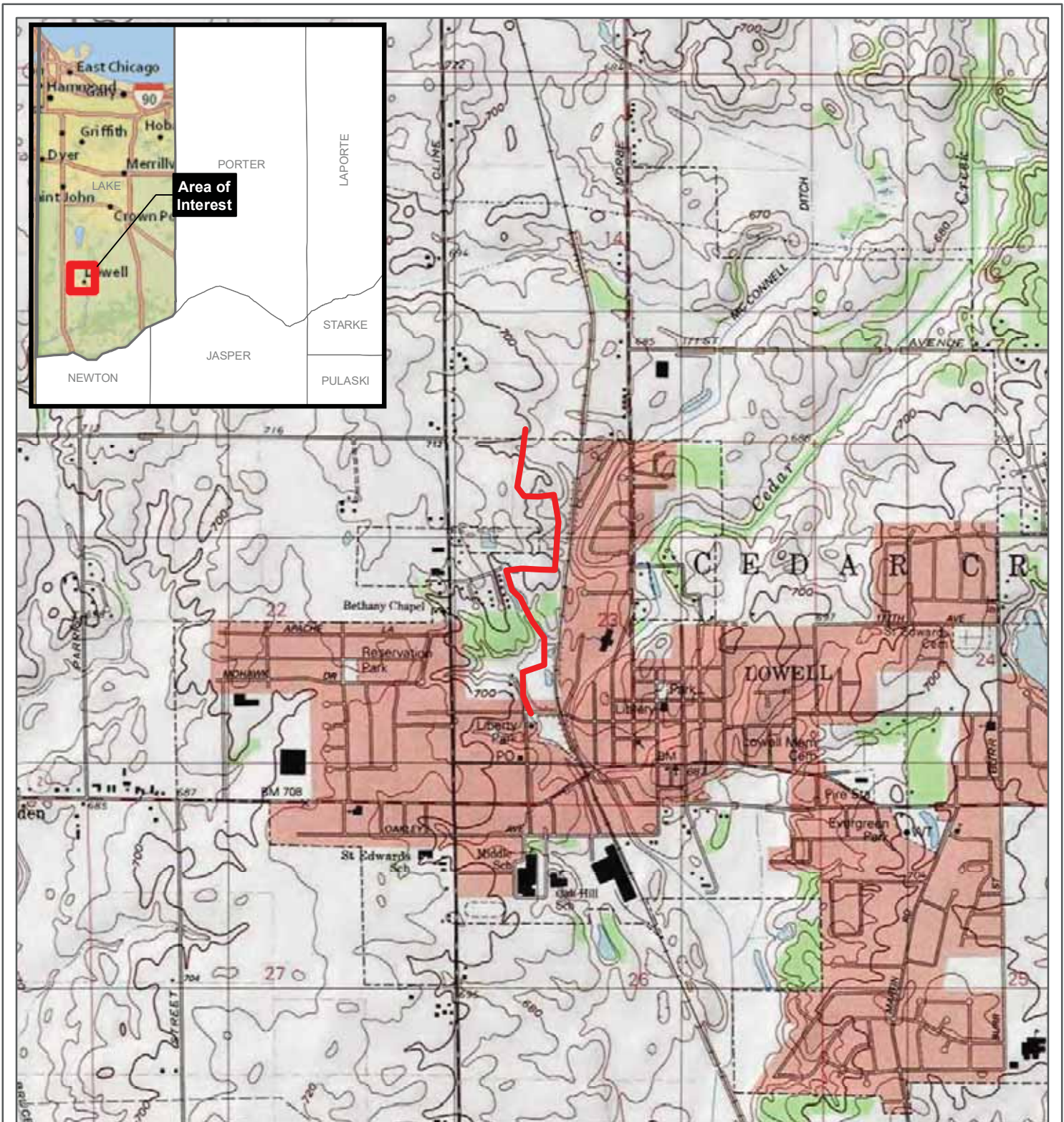
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Freedom Trail Phase I Lowell,
Indiana

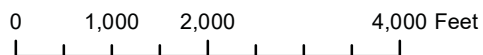
APPENDIX

A

FIGURES



1 inch = 2,000 feet



Freedom Trail

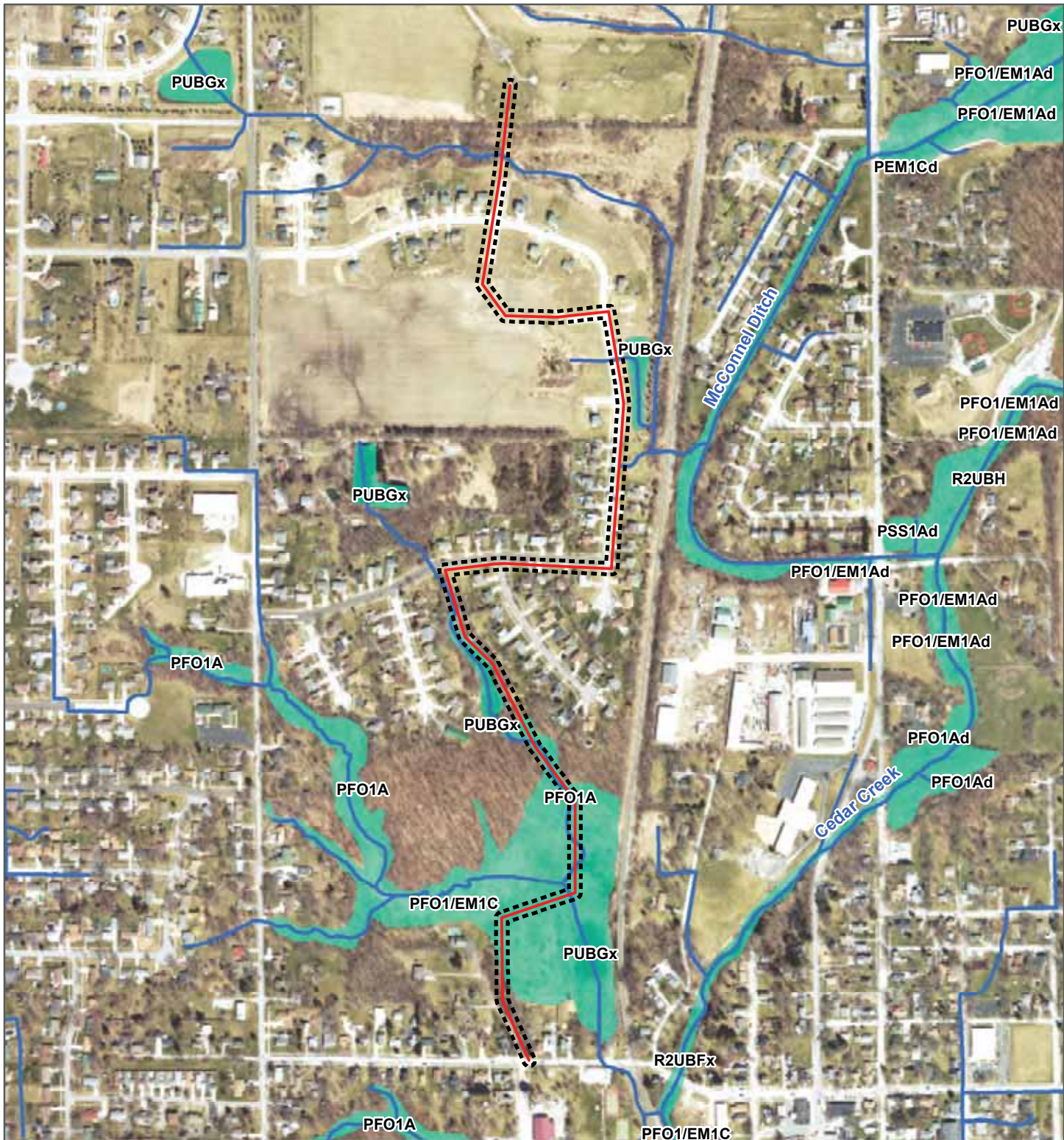
2
 Township 33 North
 Range 9 West
 Sections 14, 23
 Project No.
 J19Z524300

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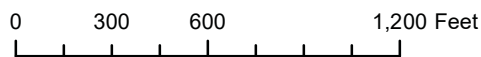
Figure 1. Project Location
 Lowell Freedom Trail
 SEH, Inc.
 Lake County, Indiana



708 Roosevelt Road, Walkerton, IN 46574
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1 inch = 600 feet



- Freedom Trail
- Study Area
- NWI Wetlands
- NHD Flowline

2

Township 33 North
Range 9 West
Sections 14, 23
Project No.
J19Z524300

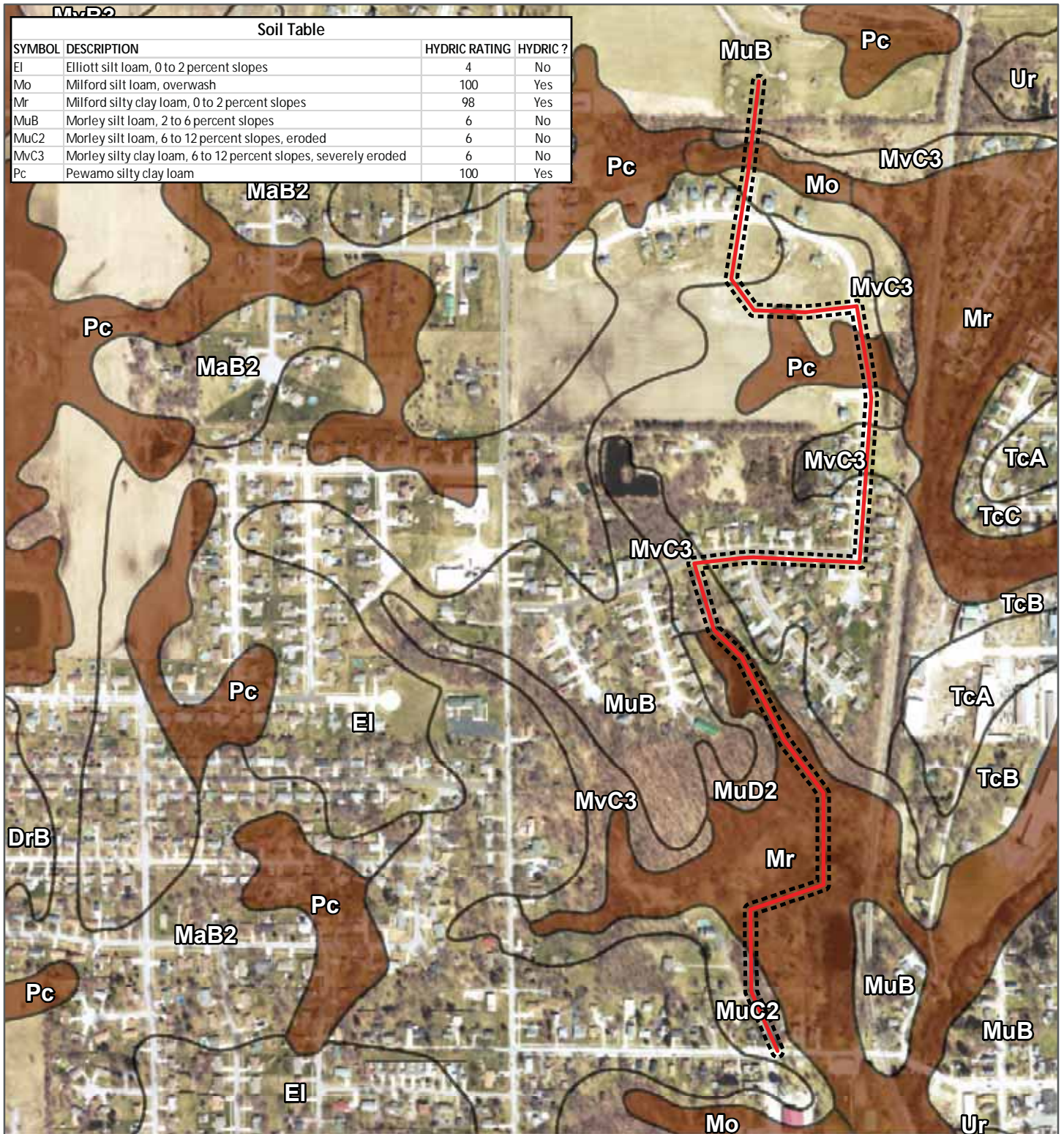
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Figure 2. National Wetland Inventory
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Soil Table				
SYMBOL	DESCRIPTION	HYDRIC RATING	HYDRIC ?	
El	Elliott silt loam, 0 to 2 percent slopes	4	No	
Mo	Milford silt loam, overwash	100	Yes	
Mr	Milford silty clay loam, 0 to 2 percent slopes	98	Yes	
MuB	Morley silt loam, 2 to 6 percent slopes	6	No	
MuC2	Morley silt loam, 6 to 12 percent slopes, eroded	6	No	
MvC3	Morley silty clay loam, 6 to 12 percent slopes, severely eroded	6	No	
Pc	Pewamo silty clay loam	100	Yes	



1 inch = 600 feet

0 300 600 1,200 Feet

- Freedom Trail
- Study Area
- Soil Unit
- Soil Unit - Hydric

2

Township 33 North
Range 9 West
Sections 14, 23
Project No.
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Figure 3. Soil Map
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Lake County, Indiana



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Date: 10/22/2020

File Path: R:\Projects\19\19Z\19Z524300_SEH_LowellFreedomTrail_Phase1_CE\GIS\MXD\Delineation_October2020\20201022_F3_FreedomTrail_soil.mxd

Saved By: Christine.Dittmar



1 inch = 600 feet

0 150 300 600 Feet



- Freedom Trail
- Study Area
- Sheet Grid

2

**Township 33 North
Range 9 West
Sections 14, 23
Project No.
J19Z524300**

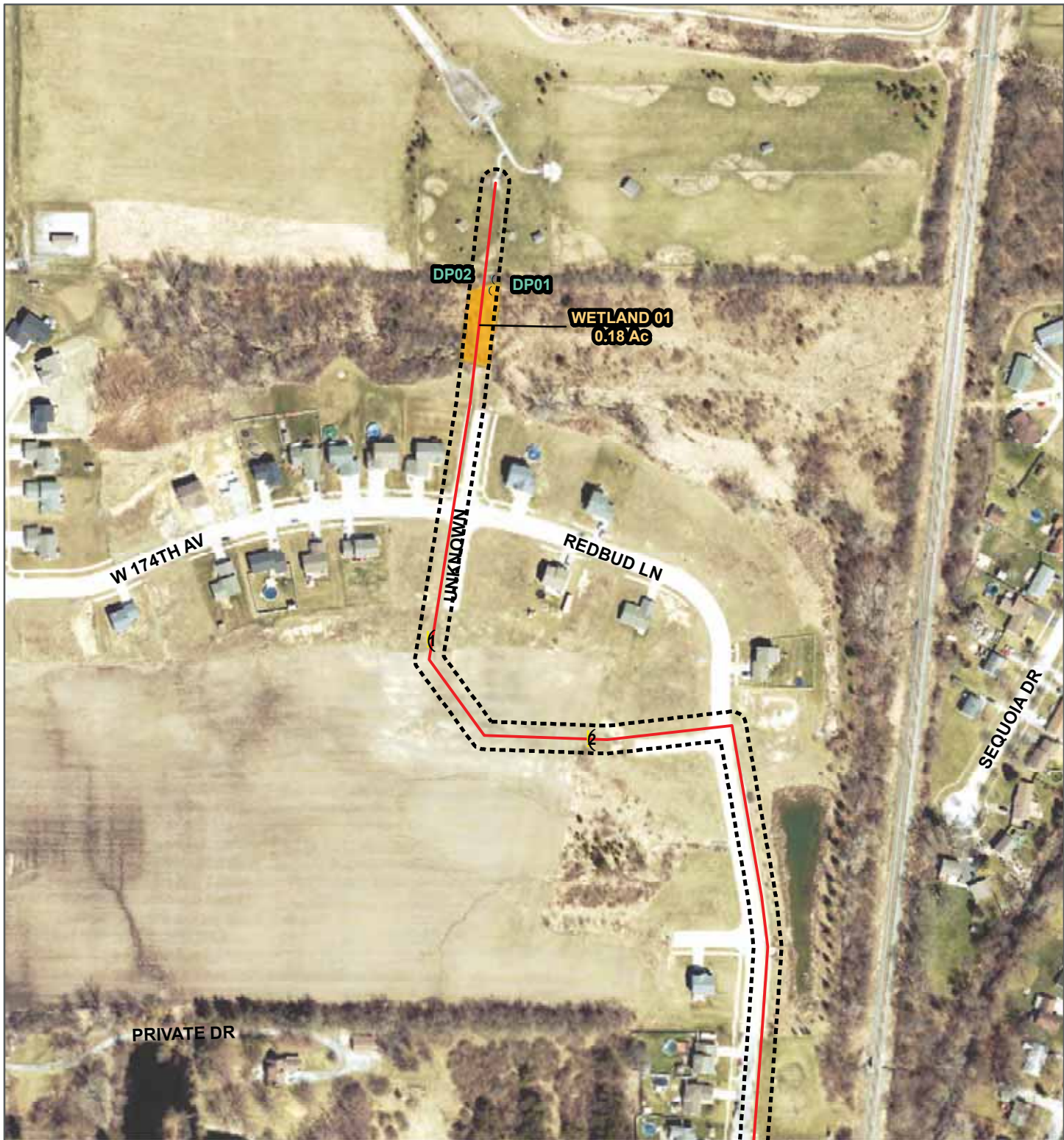
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Figure 4. Wetland Delineation Key Map

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1 inch = 250 feet

0 62.5 125 250 Feet



- Existing Wetland
- Study Area
- Waterway
- Ditch
- Freedom Trail
- Data Point
- Photo Station

2

Township 33 North
Range 9 West
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Project No.
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Figure 4.01 Wetland Delineation
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 SEH, Inc.
 Lake County, Indiana



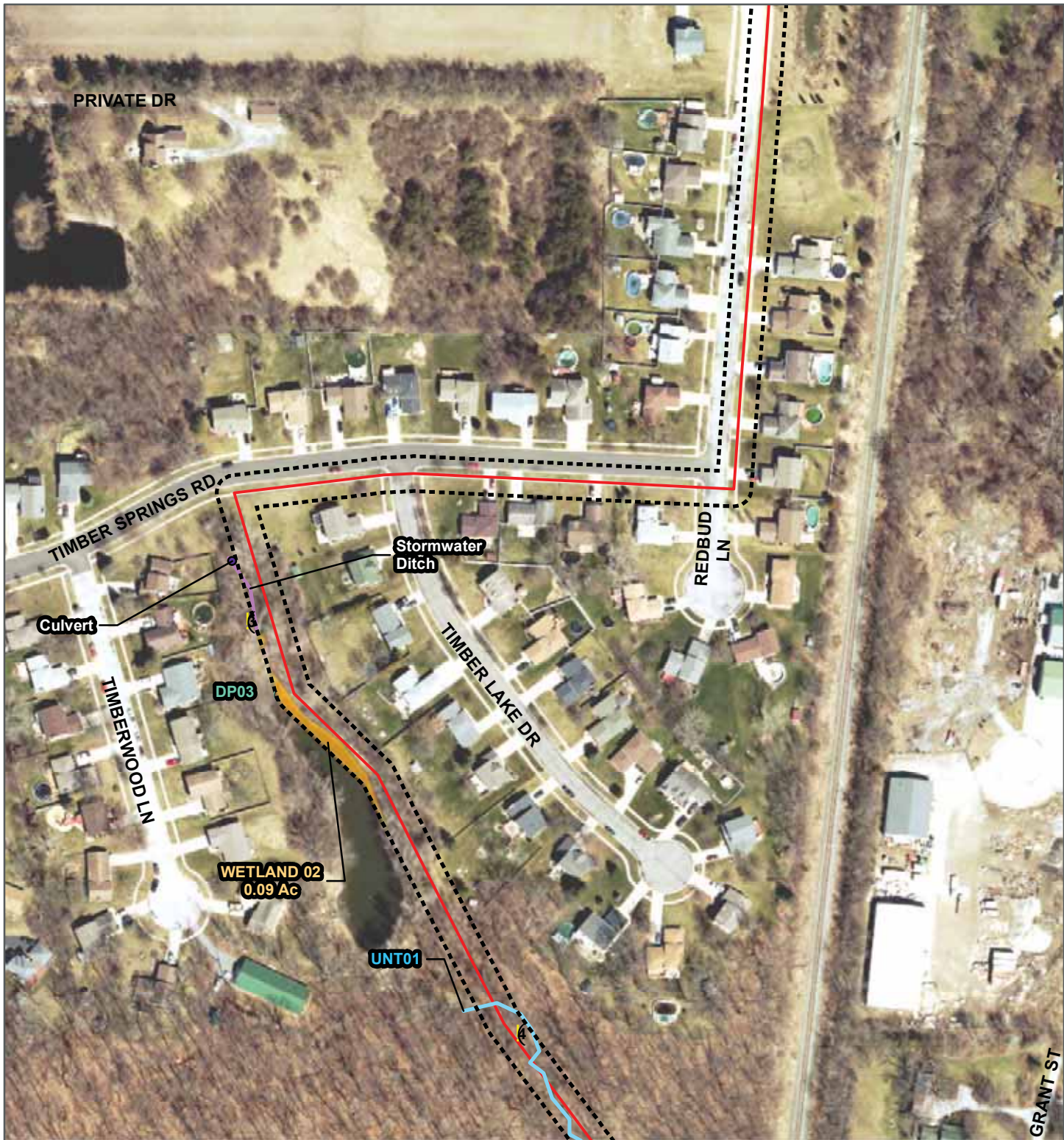
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Saved By: Christine.Dittmar

Basemap: Indiana Office of Information Technology, Indiana University Spatial Data Portal, UITS, Woolpert Inc.



1 inch = 200 feet

0 50 100 200 Feet

- Existing Wetland
- Study Area
- Waterway
- Ditch
- Freedom Trail
- Data Point
- Photo Station

2

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Figure 4.02 Wetland Delineation
Lowell Freedom Trail
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Lake County, Indiana

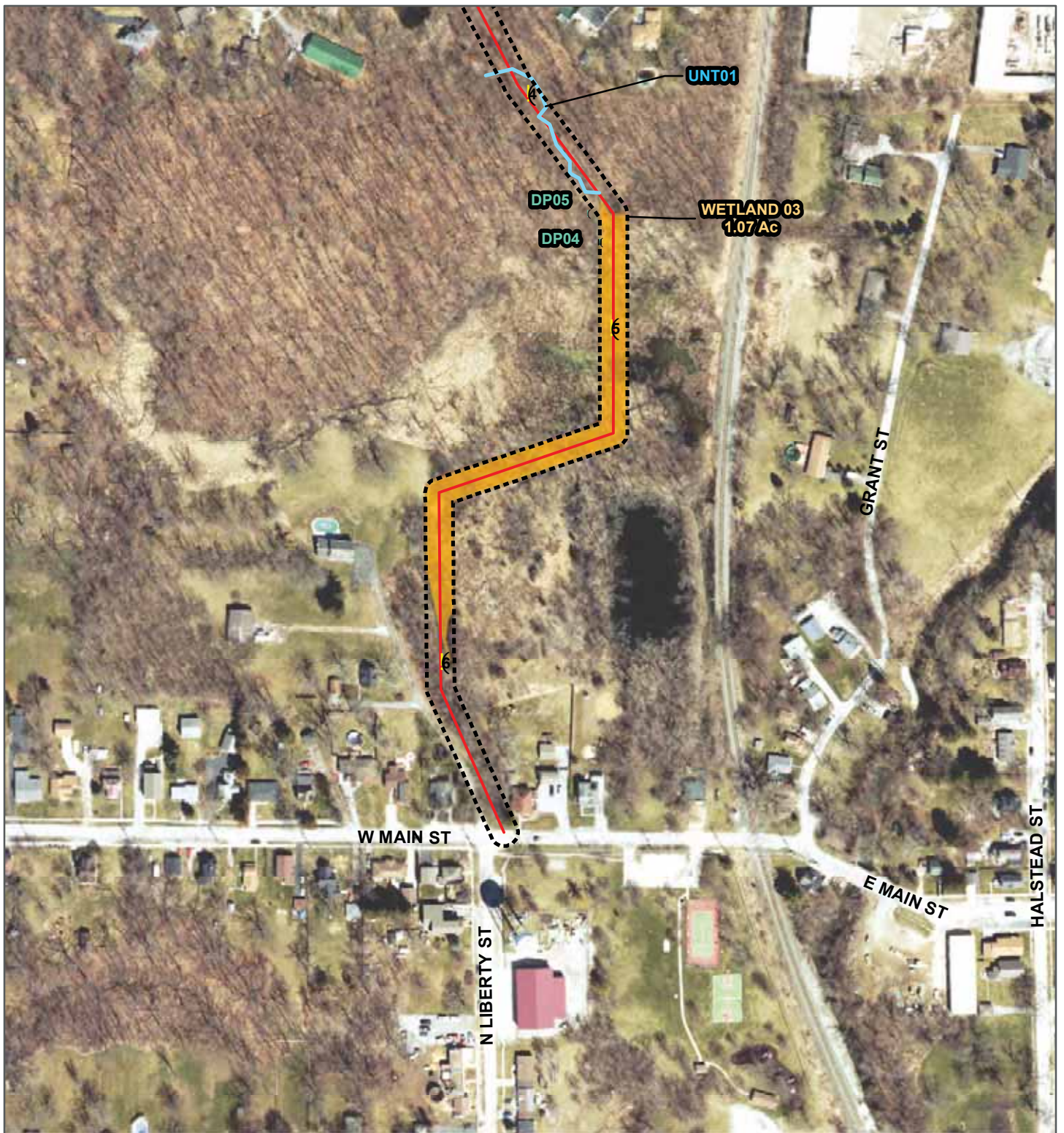
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Saved By: Christine.Dittmar



1 inch = 250 feet

0 62.5 125 250 Feet



- Existing Wetland
- Study Area
- Photo Station
- Ditch
- Waterway
- Freedom Trail
- Data Point

2

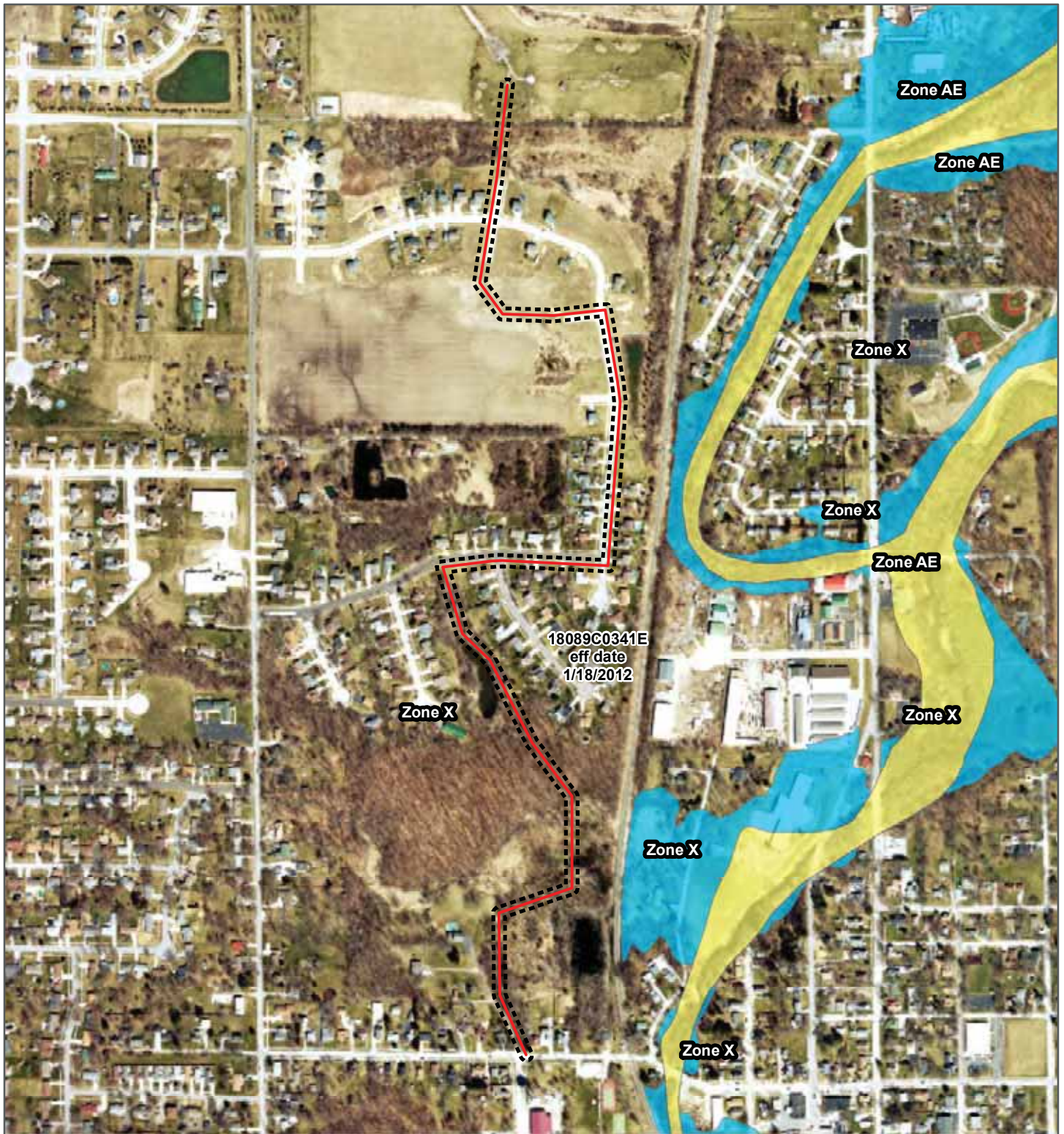
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Figure 4.03 Wetland Delineation
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1 inch = 600 feet

0 150 300 600 Feet



- Freedom Trail
- Study Area
- National Flood Hazard - FIRM Panels
- Regulated Floodway
- FEMA Mapped 100-year Floodplain

2

Township 33 North
Range 9 West
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Project No.
J19Z524300

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Figure 5. Floodplain/ Floodway Map
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Freedom Trail Phase I Lowell,
Indiana

APPENDIX

B

SITE PHOTOGRAPHS



Photo 1: Photo Station 1 Facing North



Photo 2: Photo Station 1 Facing South



Photo 3: Photo Station 2 Facing East



Photo 4: Photo Station 2 Facing West

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Site Photographs 10/15/2020
Regulated Waters Delineation Photos
Freedom Trail
Lowell, Indiana

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Photo 5: Photo Station 4 Facing North



Photo 6: Photo Station 4 Facing East



Photo 7: Photo Station 4 Facing South



Photo 8: Photo Station 4 Facing West

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Photo 9: Photo Station 5 Facing North



Photo 10: Photo Station 5 Facing East



Photo 11: Photo Station 5 Facing South



Photo 12: Photo Station 5 Facing West

Project Number:
J192524300

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Site Photographs 10/15/2020
Regulated Waters Delineation Photos
Freedom Trail
Lowell, Indiana


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Photo 13: Photo Station 6 Facing North



Photo 14: Photo Station 6 Facing East



Photo 15: Photo Station 6 Facing South



Photo 16: Photo Station 6 Facing West

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Photo 17: DP01 Facing North



Photo 18: DP01 Facing East



Photo 19: DP01 Facing South



Photo 20: DP01 Facing West

Project Number:
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Site Photographs 10/15/2020
Regulated Waters Delineation Photos
Freedom Trail
Lowell, Indiana

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Photo 21: Data Point 02 Facing North



Photo 22: Data Point 02 Facing East



Photo 23: Data Point 02 Facing South



Photo 24: Data Point 02 Facing West

Project Number:
J192524300

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Site Photographs 10/15/2020
Regulated Waters Delineation Photos
Freedom Trail
Lowell, Indiana


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Photo 23: Data Point 03 Facing North



Photo 24: Data Point 03 Facing East



Photo 25: Data Point 03 Facing South



Photo 26: Data Point 03 Facing West

Project Number:
J192524300

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Photo 27: Data Point 04 Facing North



Photo 28: Data Point 04 Facing East



Photo 29: Data Point 04 Facing South



Photo 30: Data Point 04 Facing West

Project Number:
J192524300

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Photo 31: Data Point 05 Facing North



Photo 32: Data Point 05 Facing East



Photo 33: Data Point 05 Facing South



Photo 34: Data Point 05 Facing West

Project Number:
J192524300

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Photo 35: Photo Station 3 Facing North toward culvert outlet



Photo 36: Data Point 01 soils



Photo 37: Data Point 02 soils



Photo 38: Data Point 03 soils

<p>Project Number: J192524300</p> <p style="font-size: 8px;">These photographs and all data contained within are supplied as is with no warranty. Cardno, Inc. expressly disclaims responsibility for damages or liability from any claims that may arise out of the use or misuse of these photographs. It is the sole responsibility of the user to determine if the photographs meet the user's needs.</p>	<p>Site Photographs 10/15/2020</p> <p>Regulated Waters Delineation Photos Freedom Trail Lowell, Indiana</p>	<p style="font-size: 8px;">708 Roosevelt Road, Walkerton, IN 46574 Office (574) 586-3400 www.cardno.com</p>
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Photo 39: Data Point 04 soils



Photo 40: Data Point 05 soils

Project Number:
J192524300

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Freedom Trail Phase I Lowell,
Indiana

APPENDIX

C

ROUTINE WETLAND DATA SHEETS

WETLAND DETERMINATION DATA FORM -- Midwest Region

Project/Site: Freedom Trail City/County: Lowell/Lake Sampling Date: 10/15/2020
 Applicant/Owner: Short Elliott Hendrickson, Inc. State: IN Sampling Point: DP01
 Investigator(s): Brock Struecker, Cody Banks Section, Township, Range: Section 14, Township 33 N, Range 9 W
 Landform (hillslope, terrace, etc.): Footslope Local relief (concave, convex, none): concave
 Slope (%): 2% Lat: 41.304421 Long: -87.426368 Datum: NAD83 UTM16N
 Soil Map Unit Name: MvC3: Morley silty clay loam, 6 to 12 percent slopes, severely eroded NWI classification: none

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
 Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes No
 Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS -- Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u> X</u>	No <u> </u>	Is the Sampled Area within a Wetland?	Yes <u> X</u>	No <u> </u>
Hydric Soil Present?	Yes <u> X</u>	No <u> </u>			
Wetland Hydrology Present?	Yes <u> X</u>	No <u> </u>			

Remarks:

VEGETATION -- Use scientific names of plants.

Tree Stratum (Plot size: 30' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____				
2. _____				
3. _____				
4. _____				
5. _____				
= Total Cover				

Sapling/Shrub Stratum (Plot size: 15' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. <i>Cornus racemosa</i>	30%	Yes	FAC	
2. <i>Rosa multiflora</i>	20%	Yes	FACU	
3. <i>Elaeagnus angustifolia</i>	10%	No	FACU	
4. <i>Viburnum opulus</i>	5%	No	FAC	
5. _____				
65% = Total Cover				

Herb Stratum (Plot size: 5' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:
1. <i>Solidago altissima</i>	35%	Yes	FACU	
2. <i>Scirpus atrovirens</i>	30%	Yes	OBL	
3. <i>Bidens frondosa</i>	20%	Yes	FACW	
4. <i>Carex tribuloides</i>	15%	No	OBL	
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____				
11. _____				
12. _____				
13. _____				
14. _____				
15. _____				
16. _____				
17. _____				
18. _____				
19. _____				
20. _____				
100% = Total Cover				

Woody Vine Stratum (Plot size: 30' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present?
1. _____				Yes <u> X</u> No <u> </u>
2. _____				
= Total Cover				

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point: DP01

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-6"	10YR 3/1	95	10YR 5/8	5	C	PL	Clay Loam	
6-20"	10YR 6/1	80	10YR 5/8	20	C	M	Clay	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators ³ :	Test Indicators of Hydric Soils:
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Gleyed Matrix (S4)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Sandy Redox (S5)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Stripped Matrix (S6)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Dark Surface (S7)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Loamy Mucky Mineral (F1)
<input type="checkbox"/> 2 cm Muck (A10)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)
<input checked="" type="checkbox"/> Depleted Below Dark Surface (A11)	<input checked="" type="checkbox"/> Depleted Matrix (F3)
<input type="checkbox"/> Thick Dark Surface (A12)	<input checked="" type="checkbox"/> Redox Dark Surface (F6)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)
<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	<input checked="" type="checkbox"/> Redox Depressions (F8)

³The hydric soil indicators have been updated to comply with the *Field Indicators of Hydric Soils in the United States*, Version 8.0, 2016.

Restrictive Layer (if observed):
 Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:																						
<table border="0"> <tr> <td>Primary Indicators (minimum of one is required: check all that apply)</td> <td>Secondary Indicators (minimum of two required)</td> </tr> <tr> <td><input type="checkbox"/> Surface Water (A1)</td> <td><input type="checkbox"/> Water-Stained Leaves (B9)</td> </tr> <tr> <td><input type="checkbox"/> High Water Table (A2)</td> <td><input checked="" type="checkbox"/> Surface Soil Cracks (B6)</td> </tr> <tr> <td><input type="checkbox"/> Saturation (A3)</td> <td><input checked="" type="checkbox"/> Drainage Patterns (B10)</td> </tr> <tr> <td><input type="checkbox"/> Water Marks (B1)</td> <td><input type="checkbox"/> Dry-Season Water Table (C2)</td> </tr> <tr> <td><input type="checkbox"/> Sediment Deposits (B2)</td> <td><input type="checkbox"/> Crayfish Burrows (C8)</td> </tr> <tr> <td><input type="checkbox"/> Drift Deposits (B3)</td> <td><input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)</td> </tr> <tr> <td><input type="checkbox"/> Algal Mat or Crust (B4)</td> <td><input type="checkbox"/> Stunted or Stressed Plants (D1)</td> </tr> <tr> <td><input type="checkbox"/> Iron Deposits (B5)</td> <td><input checked="" type="checkbox"/> Geomorphic Position (D2)</td> </tr> <tr> <td><input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)</td> <td><input type="checkbox"/> FAC-Neutral Test (D5)</td> </tr> <tr> <td><input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)</td> <td><input type="checkbox"/> Other (Explain in Remarks)</td> </tr> </table>	Primary Indicators (minimum of one is required: check all that apply)	Secondary Indicators (minimum of two required)	<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9)	<input type="checkbox"/> High Water Table (A2)	<input checked="" type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Saturation (A3)	<input checked="" type="checkbox"/> Drainage Patterns (B10)	<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Dry-Season Water Table (C2)	<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Crayfish Burrows (C8)	<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)	<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Stunted or Stressed Plants (D1)	<input type="checkbox"/> Iron Deposits (B5)	<input checked="" type="checkbox"/> Geomorphic Position (D2)	<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> FAC-Neutral Test (D5)	<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Other (Explain in Remarks)
Primary Indicators (minimum of one is required: check all that apply)	Secondary Indicators (minimum of two required)																					
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9)																					
<input type="checkbox"/> High Water Table (A2)	<input checked="" type="checkbox"/> Surface Soil Cracks (B6)																					
<input type="checkbox"/> Saturation (A3)	<input checked="" type="checkbox"/> Drainage Patterns (B10)																					
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Dry-Season Water Table (C2)																					
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Crayfish Burrows (C8)																					
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)																					
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Stunted or Stressed Plants (D1)																					
<input type="checkbox"/> Iron Deposits (B5)	<input checked="" type="checkbox"/> Geomorphic Position (D2)																					
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> FAC-Neutral Test (D5)																					
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Other (Explain in Remarks)																					

<p>Field Observations:</p> <p>Surface Water Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): <u>N/A</u></p> <p>Water Table Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): <u>>18"</u></p> <p>Saturation Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Depth (inches): <u>>18"</u></p> <p>(includes capillary fringe)</p>	<p>Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
--	---

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM -- Midwest Region

Project/Site: Freedom Trail City/County: Lowell/Lake Sampling Date: 10/15/2020
 Applicant/Owner: Short Elliott Hendrickson, Inc. State: IN Sampling Point: DP02
 Investigator(s): Brock Struecker, Cody Banks Section, Township, Range: Section 14, Township 33 N, Range 9 W
 Landform (hillslope, terrace, etc.): Shoulder Local relief (concave, convex, none): none
 Slope (%): 1% Lat: 41.304488 Long: -87.426345 Datum: NAD83 UTM16N
 Soil Map Unit Name: MuB: Morley silt loam, 2 to 6 percent slopes NWI classification: none

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
 Are Vegetation N , Soil N , or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes No X
 Are Vegetation N , Soil N , or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS -- Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u> </u>	No <u>X</u>	Is the Sampled Area within a Wetland?	Yes <u> </u>	No <u>X</u>
Hydric Soil Present?	Yes <u> </u>	No <u>X</u>			
Wetland Hydrology Present?	Yes <u> </u>	No <u>X</u>			

Remarks:

VEGETATION -- Use scientific names of plants.

Tree Stratum (Plot size: 30' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. <i>Morus alba</i>	50%	Yes	FAC	
2. <i>Elaeagnus angustifolia</i>	30%	Yes	FACU	
3. _____				
4. _____				
5. _____				
	80%	= Total Cover		Percent of Dominant Species That Are OBL, FACW, or FAC: <u>50%</u> (A/B)

Sapling/Shrub Stratum (Plot size: 15' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. <i>Cornus racemosa</i>	75%	Yes	FAC	
2. _____				
3. _____				
4. _____				
5. _____				
	75%	= Total Cover		

Herb Stratum (Plot size: 5' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators: _____ 1-Rapid Test for Hydrophytic Vegetation _____ 2-Dominance Test is >50% _____ 3-Prevalence Index is ≤3.0 ¹ _____ 4-Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) _____ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <i>Glechoma hederacea</i>	60%	Yes	FACU	
2. <i>Geum canadense</i>	10%	No	FAC	
3. _____				
4. _____				
5. _____				
6. _____				
7. _____				
8. _____				
9. _____				
10. _____				
11. _____				
12. _____				
13. _____				
14. _____				
15. _____				
16. _____				
17. _____				
18. _____				
19. _____				
20. _____				
	70%	= Total Cover		

Woody Vine Stratum (Plot size: 30' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present? Yes <u> </u> No <u>X</u>
1. _____				
2. _____				
		= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point: DP02

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-20"	10YR 4/1	100					Clay	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators ³ :	Test Indicators of Hydric Soils:
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Iron-Manganese Masses (F12)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Very Shallow Dark Surface (F22)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Hydrogen Sulfide (A4)	
<input type="checkbox"/> Stratified Layers (A5)	
<input type="checkbox"/> 2 cm Muck (A10)	
<input type="checkbox"/> Depleted Below Dark Surface (A11)	
<input type="checkbox"/> Thick Dark Surface (A12)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	
<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	
<input type="checkbox"/> Sandy Redox (S5)	
<input type="checkbox"/> Stripped Matrix (S6)	
<input type="checkbox"/> Dark Surface (S7)	
<input type="checkbox"/> Loamy Mucky Mineral (F1)	
<input type="checkbox"/> Loamy Gleyed Matrix (F2)	
<input type="checkbox"/> Depleted Matrix (F3)	
<input type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Depleted Dark Surface (F7)	
<input type="checkbox"/> Redox Depressions (F8)	

³The hydric soil indicators have been updated to comply with the *Field Indicators of Hydric Soils in the United States*, Version 8.0, 2016.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:	
Primary Indicators (minimum of one is required: check all that apply)	Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Fauna (B13)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> True Aquatic Plants (B14)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Thin Muck Surface (C7)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Gauge or Well Data (D9)
	<input type="checkbox"/> Other (Explain in Remarks)

Field Observations:		Wetland Hydrology Present?	Yes _____ No <u>X</u>
Surface Water Present?	Yes _____ No <u>X</u>		
Water Table Present?	Yes _____ No <u>X</u>	Depth (inches):	<u>>18"</u>
Saturation Present?	Yes _____ No <u>X</u>	Depth (inches):	<u>>18"</u>
(includes capillary fringe)			

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM -- Midwest Region

Project/Site: Freedom Trail City/County: Lowell/Lake Sampling Date: 10/15/2020
 Applicant/Owner: Short Elliott Hendrickson, Inc. State: IN Sampling Point: DP03
 Investigator(s): Brock Struecker, Cody Banks Section, Township, Range: Section 14, Township 33 N, Range 9 W
 Landform (hillslope, terrace, etc.): Footslope Local relief (concave, convex, none): concave
 Slope (%): 1% Lat: 41.298509 Long: -87.427119 Datum: NAD83 UTM16N
 Soil Map Unit Name: Mr. Milford silty clay loam, 0 to 2 percent slopes NWI classification: PUBGx

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
 Are Vegetation N , Soil N , or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes No
 Are Vegetation N , Soil N , or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS -- Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u> X </u>	No <u> </u>	Is the Sampled Area within a Wetland?	Yes <u> X </u>	No <u> </u>
Hydric Soil Present?	Yes <u> X </u>	No <u> </u>			
Wetland Hydrology Present?	Yes <u> X </u>	No <u> </u>			

Remarks:

VEGETATION -- Use scientific names of plants.

Tree Stratum (Plot size: 30' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
= Total Cover				

Sapling/Shrub Stratum (Plot size: 15' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. <i>Salix interior</i>	10%	Yes	FACW	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
10% = Total Cover				

Herb Stratum (Plot size: 5' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:	
1. <i>Echinochloa crus-galli</i>	10%	Yes	FACW		<u> X </u> 1-Rapid Test for Hydrophytic Vegetation <u> X </u> 2-Dominance Test is >50% <u> X </u> 3-Prevalence Index is ≤3.0 ¹ <u> </u> 4-Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u> </u> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
2. _____	_____	_____	_____		
3. _____	_____	_____	_____		
4. _____	_____	_____	_____		
5. _____	_____	_____	_____		
6. _____	_____	_____	_____		
7. _____	_____	_____	_____		
8. _____	_____	_____	_____		
9. _____	_____	_____	_____		
10. _____	_____	_____	_____		
11. _____	_____	_____	_____		
12. _____	_____	_____	_____		
13. _____	_____	_____	_____		
14. _____	_____	_____	_____		
15. _____	_____	_____	_____		
16. _____	_____	_____	_____		
17. _____	_____	_____	_____		
18. _____	_____	_____	_____		
19. _____	_____	_____	_____		
20. _____	_____	_____	_____		
10% = Total Cover					

Woody Vine Stratum (Plot size: 30' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present?
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
= Total Cover				

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point: DP03

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-6"	10YR 3/1	95	10YR 5/8	5	C	PL	Clay	
6-20"	2.5Y 6/1	60	10R 3/4	10	C	PL	Sandy Clay	
	10YR 5/4	30						

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators ³ :	Test Indicators of Hydric Soils:
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Gleyed Matrix (S4)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Sandy Redox (S5)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Stripped Matrix (S6)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Dark Surface (S7)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Loamy Mucky Mineral (F1)
<input type="checkbox"/> 2 cm Muck (A10)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)
<input checked="" type="checkbox"/> Depleted Below Dark Surface (A11)	<input checked="" type="checkbox"/> Depleted Matrix (F3)
<input type="checkbox"/> Thick Dark Surface (A12)	<input checked="" type="checkbox"/> Redox Dark Surface (F6)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)
<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	<input checked="" type="checkbox"/> Redox Depressions (F8)

³The hydric soil indicators have been updated to comply with the *Field Indicators of Hydric Soils in the United States*, Version 8.0, 2016.

Restrictive Layer (if observed):
 Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:	
Primary Indicators (minimum of one is required: check all that apply)	Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1)	<input checked="" type="checkbox"/> Water-Stained Leaves (B9)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Fauna (B13)
<input type="checkbox"/> Water Marks (B1)	<input checked="" type="checkbox"/> True Aquatic Plants (B14)
<input checked="" type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input checked="" type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)
<input checked="" type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Thin Muck Surface (C7)
<input checked="" type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Gauge or Well Data (D9)
	<input type="checkbox"/> Other (Explain in Remarks)

Field Observations:		Wetland Hydrology Present?	
Surface Water Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes	<input checked="" type="checkbox"/> No <input type="checkbox"/>
Water Table Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches):	<u>20"</u>
Saturation Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches):	<u>18"</u>
(includes capillary fringe)			

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM -- Midwest Region

Project/Site: Freedom Trail City/County: Lowell/Lake Sampling Date: 10/15/2020
 Applicant/Owner: Short Elliott Hendrickson, Inc. State: IN Sampling Point: DP04
 Investigator(s): Brock Struecker, Cody Banks Section, Township, Range: Section 23, Township 33 N, Range 9 W
 Landform (hillslope, terrace, etc.): Footslope Local relief (concave, convex, none): concave
 Slope (%): 0% Lat: 41.296528 Long: -87.425393 Datum: NAD83 UTM16N
 Soil Map Unit Name: Mr. Milford silty clay loam, 0 to 2 percent slopes NWI classification: PFO1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Yes No Are "Normal Circumstances" present? Yes No
 Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS -- Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hydric Soil Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>		
Wetland Hydrology Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>		

Remarks:

VEGETATION -- Use scientific names of plants.

Tree Stratum (Plot size: 30' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. <i>Quercus imbricaria</i>	40%	Yes	FACU	
2. <i>Carya glabra</i>	2%	No	FACU	
3.				
4.				
5.				
	42%	= Total Cover		Percent of Dominant Species That Are OBL, FACW, or FAC: <u>50%</u> (A/B)

Sapling/Shrub Stratum (Plot size: 15' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. <i>Cornus racemosa</i>	15%	Yes	FAC	
2. <i>Rosa multiflora</i>	15%	Yes	FACU	
3.				
4.				
5.				
	30%	= Total Cover		Prevalence Index = B/A = <u>2.81</u>

Herb Stratum (Plot size: 5' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:
1. <i>Phalaris arundinacea</i>	70%	Yes	FACW	
2. <i>Amphicarpaea bracteata</i>	10%	No	FAC	
3. <i>Pilea pumila</i>	10%	No	FACW	
4. <i>Persicaria lapathifolia</i>	5%	No	FACW	
5. <i>Symphyotrichum lateriflorum</i>	5%	No	FACW	
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				
	100%	= Total Cover		

Woody Vine Stratum (Plot size: 30' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present?
1.				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
2.				
		= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point: DP04

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-6"	10YR 3/1	85	10R 3/6	15	C	M&PL	Clay Loam	
6-20"	10YR 3/1	40	10YR 5/8	10	C	PL	Clay Loam	
	10YR 2/1	50						

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators ³ :	Test Indicators of Hydric Soils:
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Gleyed Matrix (S4)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Sandy Redox (S5)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Stripped Matrix (S6)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Dark Surface (S7)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Loamy Mucky Mineral (F1)
<input type="checkbox"/> 2 cm Muck (A10)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)
<input type="checkbox"/> Thick Dark Surface (A12)	<input checked="" type="checkbox"/> Redox Dark Surface (F6)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)
<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	<input checked="" type="checkbox"/> Redox Depressions (F8)
	<input type="checkbox"/> Iron-Manganese Masses (F12)
	<input type="checkbox"/> Very Shallow Dark Surface (F22)
	<input type="checkbox"/> Other (Explain in Remarks)

³The hydric soil indicators have been updated to comply with the *Field Indicators of Hydric Soils in the United States*, Version 8.0, 2016.

Restrictive Layer (if observed):
 Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:	
Primary Indicators (minimum of one is required: check all that apply)	Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Fauna (B13)
<input type="checkbox"/> Water Marks (B1)	<input checked="" type="checkbox"/> True Aquatic Plants (B14)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Thin Muck Surface (C7)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Gauge or Well Data (D9)
	<input type="checkbox"/> Other (Explain in Remarks)
	<input type="checkbox"/> Dry-Season Water Table (C2)
	<input type="checkbox"/> Crayfish Burrows (C8)
	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
	<input type="checkbox"/> Stunted or Stressed Plants (D1)
	<input checked="" type="checkbox"/> Geomorphic Position (D2)
	<input type="checkbox"/> FAC-Neutral Test (D5)

Field Observations:				Wetland Hydrology Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Surface Water Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches):	<u>N/A</u>		
Water Table Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches):	<u>18"</u>		
Saturation Present? (includes capillary fringe)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches):	<u>12"</u>		

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM -- Midwest Region

Project/Site: Freedom Trail City/County: Lowell/Lake Sampling Date: 10/15/2020
 Applicant/Owner: Short Elliott Hendrickson, Inc. State: IN Sampling Point: DP05
 Investigator(s): Brock Struecker, Cody Banks Section, Township, Range: Section 23, Township 33 N, Range 9 W
 Landform (hillslope, terrace, etc.): Shoulder Local relief (concave, convex, none): none
 Slope (%): 1% Lat: 41.296701 Long: -87.425515 Datum: NAD83 UTM16N
 Soil Map Unit Name: Mr. Milford silty clay loam, 0 to 2 percent slopes NWI classification: PFO1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)
 Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Yes _____ No X Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS -- Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No <u>X</u>	Is the Sampled Area within a Wetland?	Yes _____	No <u>X</u>
Hydric Soil Present?	Yes _____	No <u>X</u>			
Wetland Hydrology Present?	Yes _____	No <u>X</u>			

Remarks:

VEGETATION -- Use scientific names of plants.

Tree Stratum (Plot size: 30' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. <i>Tilia americana</i>	60%	Yes	FACU	
2. <i>Quercus imbricaria</i>	15%	No	FACU	
3. <i>Carya ovata</i>	5%	No	FACU	
4. _____				
5. _____				
	80%	= Total Cover		

Sapling/Shrub Stratum (Plot size: 15' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index worksheet:
1. <i>Tilia americana</i>	30%	Yes	FACU	
2. <i>Lonicera morrowii</i>	10%	Yes	FACU	
3. <i>Fraxinus pennsylvanica</i>	5%	No	FACW	
4. _____				
5. _____				
	45%	= Total Cover		

Herb Stratum (Plot size: 5' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Indicators:
1. <i>Ageratina altissima</i>	20%	Yes	FACU	
2. <i>Rubus idaeus</i>	20%	Yes	FACU	
3. <i>Geum canadense</i>	5%	No	FAC	
4. <i>Carex blanda</i>	5%	No	FAC	
5. <i>Hackelia virginiana</i>	3%	No	FACU	
6. <i>Teucrium canadense</i>	3%	No	FACW	
7. _____				
8. _____				
9. _____				
10. _____				
11. _____				
12. _____				
13. _____				
14. _____				
15. _____				
16. _____				
17. _____				
18. _____				
19. _____				
20. _____				
	56%	= Total Cover		

Woody Vine Stratum (Plot size: 30' radius)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present?
1. _____				
2. _____				
		= Total Cover		

Remarks: (Include photo numbers here or on a separate sheet.)

SOIL

Sampling Point: DP05

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-4"	10YR 2/1	100					Silty Clay Loam	
4-20"	10YR 2/1	60					Loam	
	7.5YR 3/3	40						

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators ³ :	Test Indicators of Hydric Soils:
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Gleyed Matrix (S4)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Sandy Redox (S5)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Stripped Matrix (S6)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Dark Surface (S7)
<input type="checkbox"/> Stratified Layers (A5)	<input type="checkbox"/> Loamy Mucky Mineral (F1)
<input type="checkbox"/> 2 cm Muck (A10)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)
<input type="checkbox"/> 5 cm Mucky Peat or Peat (S3)	<input type="checkbox"/> Redox Depressions (F8)
	<input type="checkbox"/> Iron-Manganese Masses (F12)
	<input type="checkbox"/> Very Shallow Dark Surface (F22)
	<input type="checkbox"/> Other (Explain in Remarks)

³The hydric soil indicators have been updated to comply with the *Field Indicators of Hydric Soils in the United States*, Version 8.0, 2016.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:	
Primary Indicators (minimum of one is required: check all that apply)	Secondary Indicators (minimum of two required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Surface Soil Cracks (B6)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Fauna (B13)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> True Aquatic Plants (B14)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Oxidized Rhizospheres on Living Roots (C3)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Thin Muck Surface (C7)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Gauge or Well Data (D9)
	<input type="checkbox"/> Other (Explain in Remarks)

Field Observations:		Wetland Hydrology Present?	Yes _____ No <u>X</u>
Surface Water Present?	Yes _____ No <u>X</u>		
Water Table Present?	Yes _____ No <u>X</u>	Depth (inches):	<u>>18"</u>
Saturation Present? (includes capillary fringe)	Yes _____ No <u>X</u>	Depth (inches):	<u>>18"</u>

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Freedom Trail Phase I Lowell,
Indiana

APPENDIX

D

FLORISTIC QUALITY ANALYSIS

Wetland 01 FQA

Date: 10/15/2020
FQA DB Region: Flora of the Chicago Region
FQA DB Publication Year: 2017
FQA DB Description: Flora of the Chicago Region UFQA Database. 2018. Kenneth Johnson. [As per Flora of the Chicago Region: A Floristic and Ecological Synthesis. 2017. Gerould Wilhelm and Laura Rericha. Indiana Academy of Science. Indianapolis, IN.]

Conservatism-Based Metrics:

Total Mean C:	2.4
Native Mean C:	3
Total FQI:	10.5
Native FQI:	11.6
Adjusted FQI:	26.7
% C value 0:	31.6
% C value 1-3:	21.1
% C value 4-6:	42.1
% C value 7-10:	5.3
Native Tree Mean C:	3
Native Shrub Mean C:	1
Native Herbaceous Mean C:	3.2

Species Richness:

Total Species:	19	
Native Species:	15	78.90%
Non-native Species:	4	21.10%

Species Wetness:

Mean Wetness:	-0.2
Native Mean Wetness:	-0.5

Physiognomy Metrics:

Tree:	3	15.80%
Shrub:	3	15.80%
Vine:	0	0%
Forb:	9	47.40%
Grass:	1	5.30%
Sedge:	3	15.80%
Rush:	0	0%
Fern:	0	0%
Bryophyte:	0	0%

Duration Metrics:

Annual:	2	10.50%
Perennial:	16	84.20%
Biennial:	1	5.30%
Native Annual:	2	10.50%
Native Perennial:	13	68.40%
Native Biennial:	0	0%

Species:

Scientific Name	Family	Acronym	Native?	C	W	Physiognomy	Duration	Common Name
<i>Agrimonia parviflora</i>	Rosaceae	AGRPAR	native	4	-1	forb	perennial	swamp agrimony
<i>Bidens frondosa</i>	Asteraceae	BIDFRO	native	1	-1	forb	annual	common beggars ticks
<i>Carex tribuloides</i>	Cyperaceae	CXTRIB	native	7	-2	sedge	perennial	awl-fruited oval sedge
<i>Carex vulpinoidea</i>	Cyperaceae	CXVULP	native	2	-1	sedge	perennial	brown fox sedge
<i>Cornus racemosa</i>	Cornaceae	CORRAC	native	1	0	shrub	perennial	gray dogwood
<i>Daucus carota</i>	Apiaceae	DAUCAR	non-native	0	2	forb	biennial	queen annes lace
<i>Helianthus grosseserratus</i>	Asteraceae	HELGRO	native	4	0	forb	perennial	sawtooth sunflower
<i>Impatiens capensis</i>	Balsaminaceae	IMPCAP	native	4	-1	forb	annual	spotted touch-me-not

<i>Lycopus americanus</i>	Lamiaceae	LYCAME	native	4	-2 forb	perennial	common water horehound
<i>Oxalis stricta</i>	Oxalidaceae	OXASTR	native	0	1 forb	perennial	tall wood sorrel
<i>Poa pratensis</i>	Poaceae	POAPRA	non-native	0	1 grass	perennial	kentucky bluegrass
<i>Populus deltoides</i>	Salicaceae	POPDEL	native	0	0 tree	perennial	eastern cottonwood
<i>Quercus imbricaria</i>	Fagaceae	QUEIMB	native	4	2 tree	perennial	shingle oak
<i>Rosa multiflora</i>	Rosaceae	ROSMUL	non-native	0	1 shrub	perennial	multiflora rose
<i>Salix nigra</i>	Salicaceae	SALNIG	native	5	-2 tree	perennial	black willow
<i>Scirpus atrovirens</i>	Cyperaceae	SCIATR	native	4	-2 sedge	perennial	dark green rush
<i>Solidago altissima</i>	Asteraceae	SOLALT	native	1	1 forb	perennial	tall goldenrod
<i>Symphotrichum lateriflorum</i>	Asteraceae	SYMLAT	native	4	1 forb	perennial	calico aster
<i>Viburnum opulus</i>	Adoxaceae	VIBOPU	non-native	0	0 shrub	perennial	european cranberry bush

Wetland 02 FQA

Date: 10/15/2020
FQA DB Region: Flora of the Chicago Region
FQA DB Publication Year: 2017
FQA DB Description: Flora of the Chicago Region UFQA Database. 2018. Kenneth Johnson. [As per Flora of the Chicago Region: A Floristic and Ecological Synthesis. 2017. Gerould Wilhelm and Laura Rericha. Indiana Academy of Science. Indianapolis, IN.]

Conservatism-Based Metrics:

Total Mean C:	0.6
Native Mean C:	0.8
Total FQI:	1.6
Native FQI:	1.8
Adjusted FQI:	6.8
% C value 0:	71.4
% C value 1-3:	28.6
% C value 4-6:	0
% C value 7-10:	0
Native Tree Mean C:	0
Native Shrub Mean C:	2
Native Herbaceous Mean C:	0.7

Species Richness:

Total Species:	7	
Native Species:	5	71.40%
Non-native Species:	2	28.60%

Species Wetness:

Mean Wetness:	-0.1
Native Mean Wetness:	-0.2

Physiognomy Metrics:

Tree:	1	14.30%
Shrub:	1	14.30%
Vine:	0	0%
Forb:	3	42.90%
Grass:	2	28.60%
Sedge:	0	0%
Rush:	0	0%
Fern:	0	0%
Bryophyte:	0	0%

Duration Metrics:

Annual:	5	71.40%
Perennial:	2	28.60%
Biennial:	0	0%
Native Annual:	3	42.90%
Native Perennial:	2	28.60%
Native Biennial:	0	0%

Species:

Scientific Name	Family	Acronym	Native?	C	W	Physiognomy	Duration	Common Name
<i>Acalypha rhomboidea</i>	Euphorbiaceae	ACARHO	native	0	1	forb	annual	three-seeded mercury
<i>Echinochloa crus-galli</i>	Poaceae	ECHCRU	non-native	0	0	grass	annual	barnyard grass
<i>Persicaria lapathifolia</i>	Polygonaceae	PERLAP	native	0	0	forb	annual	pale pinkweed

<i>Pilea pumila</i>	Urticaceae	PILPUM	native	2	-1 forb	annual	clearweed
<i>Populus deltoides</i>	Salicaceae	POPDEL	native	0	0 tree	perennial	eastern cottonwood
<i>Salix interior</i>	Salicaceae	SALINT	native	2	-1 shrub	perennial	sandbar willow
<i>Setaria pumila</i>	Poaceae	SETPUM	non-native	0	0 grass	annual	yellow foxtail

Wetland 03 FQA

Date: 10/15/2020
FQA DB Region: Flora of the Chicago Region
FQA DB Publication Year: 2017
FQA DB Description: Flora of the Chicago Region UFQA Database. 2018. Kenneth Johnson. [As per Flora of the Chicago Region: A Floristic and Ecological Synthesis. 2017. Gerould Wilhelm and Laura Rericha. Indiana Academy of Science. Indianapolis, IN.]

Conservatism-Based Metrics:

Total Mean C:	2.8
Native Mean C:	3.4
Total FQI:	13.7
Native FQI:	15.2
Adjusted FQI:	31
% C value 0:	25
% C value 1-3:	25
% C value 4-6:	50
% C value 7-10:	0
Native Tree Mean C:	2.5
Native Shrub Mean C:	1
Native Herbaceous Mean C:	3.7

Species Richness:

Total Species:	24	
Native Species:	20	83.30%
Non-native Species:	4	16.70%

Species Wetness:

Mean Wetness:	-1
Native Mean Wetness:	-1.1

Physiognomy Metrics:

Tree:	4	16.70%
Shrub:	2	8.30%
Vine:	1	4.20%
Forb:	13	54.20%
Grass:	3	12.50%
Sedge:	1	4.20%
Rush:	0	0%
Fern:	0	0%
Bryophyte:	0	0%

Duration Metrics:

Annual:	5	20.80%
Perennial:	19	79.20%
Biennial:	0	0%
Native Annual:	4	16.70%
Native Perennial:	16	66.70%
Native Biennial:	0	0%

Species:

Scientific Name	Family	Acronym	Native?	C	W	Physiognomy	Duration	Common Name
<i>Acalypha rhomboidea</i>	Euphorbiaceae	ACARHO	native	0	1	forb	annual	three-seeded mercury
<i>Acer saccharinum</i>	Sapindaceae	ACESAI	native	1	-1	tree	perennial	silver maple
<i>Amphicarpaea bracteata var. comosa</i>	Fabaceae	AMPBRC	native	5	-1	vine	perennial	lowland hog peanut
<i>Boehmeria cylindrica</i>	Urticaceae	BOECYC	native	5	-2	forb	perennial	swamp false nettle
<i>Bolboschoenus fluviatilis</i>	Cyperaceae	BOLFLU	native	3	-2	sedge	perennial	river bulrush
<i>Calamagrostis canadensis</i>	Poaceae	CALCAN	native	6	-2	grass	perennial	blue joint grass
<i>Cornus racemosa</i>	Comaceae	CORRAC	native	1	0	shrub	perennial	gray dogwood
<i>Eupatorium perfoliatum</i>	Asteraceae	EUPPER	native	4	-2	forb	perennial	common boneset

<i>Eutrochium maculatum</i>	Asteraceae	EUTMAC	native	5	-2 forb	perennial	spotted joe pye weed
<i>Impatiens capensis</i>	Balsaminaceae	IMPCAP	native	4	-1 forb	annual	spotted touch-me-not
<i>Leersia oryzoides</i>	Poaceae	LEEORY	native	3	-2 grass	perennial	rice cut grass
<i>Lemna turionifera</i>	Lemnaceae	LEMTUR	native	2	-2 forb	annual	red duckweed
<i>Persicaria amphibia</i> var. <i>stipulacea</i>	Polygonaceae	PERAMS	native	4	-2 forb	perennial	marsh smartweed
<i>Persicaria maculosa</i>	Polygonaceae	PERMAC	non-native	0	0 forb	annual	lady's thumb
<i>Phalaris arundinacea</i>	Poaceae	PHAARA	non-native	0	-1 grass	perennial	reed canary grass
<i>Pilea pumila</i>	Urticaceae	PILPUM	native	2	-1 forb	annual	clearweed
<i>Populus deltoides</i>	Salicaceae	POPDEL	native	0	0 tree	perennial	eastern cottonwood
<i>Quercus imbricaria</i>	Fagaceae	QUEIMB	native	4	2 tree	perennial	shingle oak
<i>Rosa multiflora</i>	Rosaceae	ROSMUL	non-native	0	1 shrub	perennial	multiflora rose
<i>Salix nigra</i>	Salicaceae	SALNIG	native	5	-2 tree	perennial	black willow
<i>Solidago gigantea</i>	Asteraceae	SOLGIG	native	4	-1 forb	perennial	late goldenrod
<i>Sparganium eurycarpum</i>	Sparganiaceae	SPAEUR	native	5	-2 forb	perennial	common bur reed
<i>Symphotrichum lateriflorum</i>	Asteraceae	SYMLAT	native	4	1 forb	perennial	calico aster
<i>Typha x glauca</i>	Typhaceae	TYPGLA	non-native	0	-2 forb	perennial	hybrid cattail

Appendix G
PUBLIC INVOLVEMENT

Notice of Survey Letter G-1
Town Council Meeting 9/28/2020 G-3
Public Hearing Opportunity Notice..... G-14
Town Council Meeting 3/27/2023 G-28
Public Hearing 8/22/2023 G-73
Comments and Response Summary G-175



September 9, 2020

RE: Indiana Department of Transportation
Preliminary Engineering for Freedom Trail,
DES No. 1802920
SEH No. LOWEL 154504

This letter is to advise you that it may be necessary for us, as consultants of the Indiana Department of Transportation (Town of Lowell), to enter upon your property in order to conduct an investigation and/or survey in connection with the proposed Freedom Trail. This inspection and/or survey is authorized by Indiana Code 8-23-7-26 and, if needed, would be conducted on the subject property on or after April 30, 2020.

The survey and investigation activities that Indiana Code 8-23-7-28 authorizes TOWN OF LOWELL to perform by "manual or mechanical means" on your property include: "(1) inspecting, (2) measuring, (3) leveling, (4) boring, (5) trenching, (6) sample-taking, (7) archeological digging, (8) investigating soil and foundation, (9) transporting equipment, (10) and any other work necessary to carry out the survey or investigation."

Please be advised that, pursuant to Indiana Code 8-23-7-28, you have the right to be compensated for damage that occurs to your property as a result of the entry upon, over or under the subject property or work performed during the entry. For more information about obtaining such compensation, please contact Craig Hendrix, TOWN OF LOWELL Town Manager at 219.696.7794. Mr. Hendrix can provide you with a form to request compensation for damages. If you are not satisfied with the compensation that TOWN OF LOWELL determines is owed to you, Indiana Code 8-23-7-28 provides that:

The amount of damages shall be assessed by the county agricultural extension educator of the county in which the land or water is located and two (2) disinterested residents of the county, one (1) appointed by the aggrieved party and one (1) appointed by TOWN OF LOWELL. A written report of the assessment of damages shall be mailed to the aggrieved party and TOWN OF LOWELL by first class United States mail. If either TOWN OF LOWELL or the aggrieved party is not satisfied with the assessment of damages, either or both may file a petition, not later than fifteen (15) days after receiving the report, in the circuit or superior court of the county in which the land or water is located. TOWN OF LOWELL shall pay any compensation awarded to an aggrieved party under this section: (1) not more than sixty (60) days after the date on which the parties agree to the amount of compensation; or (2) as ordered by the circuit or superior court.

This letter is intended to provide advance notice of any investigation and survey to be performed upon, over or under the subject property. If you are available, our field employees will show identification before coming onto your property.

While such surveys and investigations are permitted, it is TOWN OF LOWELL's sincere desire to cause you as little inconvenience as possible during this survey and/or investigation. If you own but are not currently the occupant of the subject property, please promptly contact me at 517.304.9164 with the

September 9, 2020
Page 2

name of the current occupant of the subject property so that he or she may be also notified about this inspection and/or survey.

Thank you for your cooperation in this matter.

Sincerely,

SEH OF INDIANA, LLC

A handwritten signature in black ink that reads "Josh Grabijas". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Josh Grabijas, PE
Project Manager

JG

Enclosure



TOWN OF
LOWELL
CULTIVATING COMMUNITY

LOWELL TOWN COUNCIL
AGENDA
09-28-2020

- I. CALL TO ORDER - 7:00 P.M.
- II. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE -
- III. ROLL CALL Michael Gruszka, Todd Angerman, John Alessia
Christopher Salatas, John Yelkich

Town Council Public Meeting Participation Guidelines

- 1. Meeting participants, staff and Council members shall practice social distancing guidelines including hand washing, wearing face masks, cough and sneeze etiquette and distancing.
- 2. The Council Chambers shall be limited to 25 occupants at any time including Council members, staff and audience.
- 3. Because of the Council Chambers occupancy limitation, audience members wishing to address the Council may be required to take turns listening/speaking then leaving the Council Chambers to allow others to listen/speak. All those wishing to comment will be heard.
- 4. Audience members wishing to comment publicly should address Council members only and keep their comments concise, courteous and constructive.

IV.

- V. APPROVAL OF MINUTES - 09/14 regular meeting, work session, executive session

VI. *APPROVAL OF VOUCHERS

White	# 11157 - # 11218
White - Police	# 4136 - # 4143
Water	# 2666 - # 2698
Waste Water	# 3746 - # 3780
Stormwater Utility	# 5129 - # 5136

VII. PETITIONS, COMMUNICATIONS, REMONSTRANCES, PROCLAMATIONS

VIII DEPARTMENTS -

X. SPECIAL COMMITTEES

XI. ORDINANCES & RESOLUTIONS

2nd reading - Ordinance #2020-21 - General Obligation Bond Series 2020

2nd reading - Ordinance #2020-22 - GO Bonds - \$1,000,000 Appropriation

1st reading - *Ordinance #2020-24 - Amend Section 37.062 Sick Leave - COVID

II. UNFINISHED BUSINESS

Public Works Department Update

WWTP JMOB Requests

Water Infrastructure Improvement Plan -
Streets/Sidewalks -

Water Improvement Project - Well House Improvements

*Bowen Engineering - Approve Pay Request #174,739.00 less retainage and approve
Water Voucher #2699- \$67,265.10

Tabled from previous meetings:

XIII. NEW BUSINESS

*Proposed Freedom Trail - Neighbors of Timber Springs, Stacy Brown

*Enter into agreements for professional services for General Obligation Bonds 2020

XIV ANNOUNCEMENTS

Next regular meeting - Monday, October 12, 2020 - 7:00 P.M.
Public Hearing - 2021 Budget

IV. MEDIA QUESTIONS/PUBLIC COMMENTS

XVI. ADJOURNMENT

Please Note: This notice was posted at the Lowell Town Hall and Town Web-site www.Lowell.net on September 25, 2020 at 3:00 P.M., and hand-delivered and/or faxed or emailed to the following: Town Council, Department Heads, Town Attorney, The Times, The Post, Lowell Tribune, Z-107

**LOWELL TOWN COUNCIL
REGULAR MEETING
SEPTEMBER 28, 2020**

The regular meeting of the Lowell Town Council was called to order on Monday, September 28, 2020 at 7:00 P.M. by President Michael Gruszka. The Pledge of Allegiance was recited followed by a moment of silence. Clerk-Treasurer Judith Walters called the roll. Members present were Michael Gruszka, Todd Angerman, John Alessia, John Yelkich, and Christopher Salatas. Also present were Town Manager Craig Hendrix, Public Works Director Kevin Gray, Police Chief Eric Matson, Town Attorney David Westland, Park Director Mindi Arnold Buchler, and eighteen interested citizens.

APPROVAL OF MINUTES

Councilman Angerman made a motion to approve the regular meeting, work session and executive session minutes from September 14th, seconded by Councilman Alessia and carried with five ayes.

APPROVAL OF VOUCHERS

President Gruszka stated he had reviewed White Vouchers #11157 - #11218, White-Police #4120 - #4143, Water #2666 - #2698, Waste Water #3746 - #3780, and Stormwater Utility #5129 - #5136. Councilman Salatas made a motion to approve the vouchers as listed, seconded by Councilman Alessia and carried with five ayes.

ORDINANCES & RESOLUTIONS

President Gruszka opened a Public Hearing for comments on Ordinance #2020-21, General Obligation Bond Series 2020, and Ordinance #2020-22, General Obligation Bonds, \$1,000,000 Appropriation. There being no comments, the Public Hearing was closed.

2nd reading - Ordinance #2020-21 - General Obligation Bond Series 2020 - Councilman Salatas moved to adopt Ordinance #2020-21, by name and title only, seconded by Councilman Alessia, and carried with five ayes on roll call vote.

2nd reading - Ordinance #2020-22 - GO Bonds - \$1,000,000 Appropriation - Councilman Alessia moved to adopt Ordinance #2020-22 by name and title only, seconded by Councilman Salatas and carried with five ayes on roll call vote.

1st reading - Ordinance #2020-24 - Amend Section 37.062 Sick Leave - COVID - Councilman Salatas moved to hold Ordinance #2020-24 over for a second reading, seconded by Councilman Yelkich, and carried with five ayes on roll call vote.

UNFINISHED BUSINESS

Water Improvement Project - Well House Improvements - Bowen Engineering - Approve Pay Request #1 - \$74,739.00 less retainage and approve Water Voucher #2699 - \$67,265.10 - Councilman Salatas moved to approve Pay Request # 1 to Bowen Engineering, seconded by Councilman Yelkich and carried with five ayes.

NEW BUSINESS

Proposed Freedom Trail - Neighbors of Timber Springs, Stacy Brown - Stacy Brown, 511 Timberlake Drive and Mattie Stonebraker, 533 Timberlake Drive - Ms. Stonebraker stated she was born and raised in Lowell and spoke on behalf of her subdivision stating they do not want the proposed trail in their back yards. Ms. Stonebraker stated they appreciate the idea of improvements and efforts in making Lowell a better place, expressing they have questions and a lot of apprehensions about the trail. She said their concern is the safety of themselves along with their children, and are saddened knowing the bike trail would destroy their privacy and security of their homes. Ms. Stonebraker asked who is going to police the trail? How will their privacy be protected? Who is going to keep strangers out of their yards? What is the liability with the train track and water way? What will the curfew and hours of operation be? Ms. Stonebraker stated concerns of wildlife, the mature trees, and the disruption of nature and said as Lowell grows, there are not many places for these animals to go. She stated the deer are a treat to see come through the backyards, especially the albino one they have seen many times over the years. She urged the town to come look at their backyards, stating where the property lines end, there is a major decline to the creek. She stated building up our lands, flooding erosion, and other failures are things they are distressed about. She asked how this will affect drainage, since this is what the creek was left in place for. She asked if the town would be responsible if drainage affects either side of the creek. Ms. Stonebraker stated the electricity and utility lines all run underground and asked where they will be moved to and how that will affect the residents. She said her neighbors have spent years reaping the benefits of the beautiful land behind them and have also spent a lot of time and money taking care of it. She stated one family bought, installed, and currently operates a fountain to keep the water moving so it doesn't turn green, while others have paid for or cut down trees that have fallen. Ms. Stonebraker stated they are concerned about the future care of the bike path, asking who will be maintaining it. She asked how this path will be funded. Ms. Stonebraker stated with the proposed plan, the bike path will be about 3/4 of a mile, stating an avid bike rider will think this is not worth their time when they can go a little north where paths are at least 10 miles long or more. She asked why not create bike friendly roads and stated since curbs and roads are eroding, sidewalks not available all through town, why make the bike path a priority? Ms. Stonebraker stated her understanding is the grant the town received has to be used toward transportation, and asked wouldn't a sidewalk down Nichols Street, Main Street, or finishing Commercial Avenue be higher on the to do list? She asked if connecting Carriage Crossing, Indian Heights, Deer Acres, Sierra Ridge, Heritage Falls, Timber Springs, and Misty Glen make more sense. Ms. Stonebraker stated residents from these subdivisions can't get to the parks safely, to the downtown area to patronize safely, or to other amenities our town

offers like the library. Ms. Stonebraker asked what would the best use of the funds be? What can be done to unite Lowell? What would be the best plan to give the citizens more benefits?

President Gruszka thanked her for their comments.

Enter into agreements for professional services for General Obligation Bonds 2020 - Taft Stettinuis & Hollister - \$25,000; Financial Solutions Group - \$25,000; and Westland & Bennett - \$10,000. - Council Alessia moved to accept agreements, seconded by Councilman Salatas and carried with five ayes.

Added to agenda:

Town Manager Craig Hendrix presented a financial consulting agreement from Krohn & Associates to review the water assets after appraisal is complete for the sale of the water utility to American Water. He stated the scope of work is to evaluate the cash flow and revenue side of the water utility. The cost of the study would be between \$12,500 - \$17,500. Clerk-Treasurer Judy Walters stated this is the first she is seeing this, and asked why you would be entering into an agreement with another company when your current consultant, Financial Solutions Group, already has this information and can provide the data. Councilman Salatas stated that he does not have confidence in Greg Guerrettaz. Councilman Salatas moved to accept the agreement with Krohn & Associates, seconded by Councilman Angerman and carried on roll call vote with four ayes. Councilman Alessia voting nay.

ANNOUNCEMENTS

President Gruszka announced the next regular meeting will be held on Monday, October 12, 2020 at 7:00 P.M., and a Public Hearing on the 2022 Budget will be held.

MEDIA QUESTIONS/PUBLIC COMMENTS

Craig Early, 341 Tomahawk Trail, stated Freedom Park became a town park over twenty years ago and since then there has been a lot of development, businesses and people putting a lot of money into it, as well as volunteering time for it.

Mr. Early stated it has been a long time issue for children and adults to get there, unless they get there by a vehicle, and said all the other parks are accessible by walking to them other than Freedom Park. He said it would be utilized more if there was an easier, safer way for people to get there, other than walking or riding down Nichols Street that doesn't have sidewalks. Mr. Early stated the town tried doing this years ago, which was unsuccessful due to the grant money not being there, and said his understanding is the grant money available now, is specifically to be used for trails, not sidewalks. He stated he supports and commends that town for taking on the challenge, stating trails are not new, just new to Lowell. Mr. Early said NIRPC has developed hundreds of miles of trails and he has recently spoke to them and security is the biggest issue they have had to overcome when developing these trails. He has crime statistics from NIRPC from surrounding areas with higher population than Lowell. He stated he has read Lowell is in the top ten safest places to live, having very low crime rate. He stated the crime statistics are not increased through areas the trails go through, which connect multiple municipalities. Mr. Early stated the trail is a great asset and addition to have in town, and commented that all state parks have trails going through them and still have nature and wildlife. Mr. Early stated he thinks a lot of people in the community would enjoy the

nature along the trail, as well as the people who live next to it.

Carrie Kish, 524 Timberwood Lane, stated currently she can look out her back door to see nature and watch people fish, which is why they moved there, not to have people walking through their backyard. Ms. Kish stated herself and Mr. Kish cleaned up the pond seven years ago when they moved to Timbersprings, stating she doesn't want outsiders to destroy what they have done and feels the trail can go somewhere else in town.

Fred Kiechle, 500 N. Nichols, stated he thinks it should be taken into consideration to have the bike path on the east side of the train tracks instead of the west. Mr. Kiechle stated years ago there was a bridge that went across the tracks, that the farmers would use to get back and forth. Mr. Kiechle stated he feels the town should still maintain a trail on the other side of the tracks, making it accessible to people who live on either side of the tracks, and suggested if there was a bridge there would be no problem getting into the park.

Ron Oresik, 559 Timberlake Drive, said the trail would be going behind his house, stating he has a corner lot which would have a lot of public traffic from people he doesn't know. Mr. Oresik stated there is a lot of nature behind his house, and said NIRPC trails that are being built in the northern part of Lake County were built on old train tracks and not through subdivisions.

Mattie Stonebraker, asked if the funding is for trails, how can it go on the road and through a subdivision. Town Manager Hendrix stated there were rights of way that were granted as part of the subdivision plat process, that are available for the town to use. Mr. Hendrix stated the trails that would go through the outlots would have to be acquired, which is a process. He said it is a two year process just to get designed, and there are environmental documents that need to be done and then the land will be appraised by two different appraisers. Ms. Stonebraker asked if it is so important to see the nature, why doesn't it go through the nature all the way. Mr. Hendrix stated Freedom Springs is coming in for another development and will plat trails through there, along with two detention ponds. He said the proposed path was shown to INDOT, stating the town competes for these funds, and when the town had put in for the Nichols Street project, they didn't funding. He stated this trail is part of Group 3 funds, which the town was awarded 2.2 million dollars. Mr. Hendrix stated the railroad would not be an option because it is an active railroad and would be too hard to cross. He said the town looked for outlots, and empty lots that people may have bought from a tax sale, and noted the proposed trail will be 10' wide and will not be on anyone's property. Ms. Stonebraker said she appreciates the town doing all the research, and making Lowell a better place with all the improvements, but asked why the town found it important to connect downtown to Freedom Park, instead of when there are hundreds of new development across the street. Mr. Hendrix stated the town was awarded two projects by INDOT, one being this trail and the other being a sidewalk project along Route 2 from the tracks west to Casey's. He said this trail is one phase of a bigger trail system, going from Freedom Trail, through the downtown section, out to Buckley. Ms. Stonebraker asked why it wouldn't be more efficient to take Deere Acres, Indiana Heights, the new Sierra Ridge, and Heritage Falls who don't have access to any park. Mr. Hendrix stated Sierra Ridge has a road that will have sidewalks, stating the town has created a policy where developers can pay into a fund in locations where sidewalks aren't appropriate, then the town can put them in. Mr.

Hendrix stated the Obligation Bonds that were approved tonight are for improvements to Liberty Park, and said the town did a study years ago on what residents would like to see be done and some suggestions were trails, a splash pad, a music venue, and updated bathrooms. Mr. Hendrix stated the town is working on these suggestions and also will be getting grant money next Spring to start the bathroom remodel at Evergreen Park.


Linda Loitz, 525 Timberlake Drive, asked what happens if the cost of the trail exceeds the 2.2 million dollar grant given to the town. Mr. Hendrix stated the town will try to build the trail within the grant money, stating sometimes INDOT will pay additional money to finish the project. Mr. Hendrix stated if INDOT doesn't pay, the town would be responsible. Ms. Loitz asked if the town would have to vote on paying this if they went over the grant money. Mr. Hendrix stated the town tries to stay within the grant amount.

Stacy Brown, 511 Timberlake Drive, stated she moved from Greenfield, Indiana where the Monon trail is, stating women were attacked and people were mugged while on it. Ms. Brown stated you never know what is in your back yard and expressed her concern of the safety of a trail coming in her subdivision. Ms. Brown stated she spoke to over sixty residents of Lowell who don't want the trail, especially in their back yards. She said they all bought their property for the scenery, and said she will be coming to every meeting now and would like to see Lowell grow and would like to work together with the town.

Wallace Napiwocki, 487 Timberlake Drive, stated his house goes in 50/60 ft in the woods and asked what provisions would be taken if there was a fire from cigarettes being throw. He asked how the town would put out a fire. Mr. Hendrix stated the tanker trucks would come through the subdivision or drive on the path.

ADJOURNMENT

No further business, Councilman Alessia made a motion to adjourn at 7:40 P.M., seconded by Councilman Salatas and carried with five ayes.


Michael Gruska, President

Attest:


Judith Walters, Clerk-Treasurer

To the Residents of Timber Springs

My name is John Yelkich and I am the 5th Ward Councilman for the Town of Lowell. I was present at the Lowell Town Council meeting on September 29th, 2020, and I saw the concern expressed by a number of individuals living in, and around, Timber Springs regarding the proposed bike and walking trail. I felt compelled to address those concerns and, hopefully, bring some understanding to the situation.

I used the letter that was written by Mattie Stonebreaker and given to the Council as reference. I dissected the points made in that letter and distilled them down to seven categories. I will address each category, but not in any order. Also, rather than espouse simple opinion, I encourage anybody that reads this letter to challenge the findings I have put forth by doing their own research on the subject matter. Again, facts, not opinions.

- 1) **Safety**. The safety of the citizens of Lowell is the Town Council's number one priority. In keeping with that priority, I took the time to reach out to Crown Point Chief of Police Pete Land and Hobart Chief of Police Richard Zormier. Neither agency has seen any increase in police reports nor criminal activity on their respective bike/walking trails. Further, Chief Land went on to state that the path has given his officers the opportunity to interact with the community in a positive way during patrols. In 1987, one of the first bike trail crime studies ever done was performed in Eugene, Oregon. The results of that study showed crime rates that were noticeably low for properties near and adjacent to the bike paths. In some instances rates were actually **lower** for adjacent properties than for properties not on the paths. The same results were reported in Omaha, Nebraska in 1997 and in several studies since. What the data I have seen shows is that crime rates on and near bike paths in the United States are the same **or lower** than in other areas of the same community. Another positive safety aspect of the bike path is the ability of first responders to drive emergency vehicles down the path to access areas that were inaccessible in the past.

- 2) **Preservation of nature.** Be it flora or fauna, during the planning phase of any project the town undertakes, the disruption to existing natural formations and indigenous creatures is taken into considerations. What can be done and how it can be done is closely watched by the state and, in some instances, the federal government. The Town of Lowell is considerate of the preservation of nature especially in this instance when the purpose of the trail is to encourage the citizens of our town to get out and enjoy it. One of the allures of a nature trail/bike path is the surrounding view. Altering or destroying that view would diminish the value of the construction. Obviously, the trees that are displaced by the path would not be replaced, however, the number of trees lost will be kept to a minimum. And, due to the limited footprint of the trail, the impact it will have on the animals living near it will be limited as well. Keep in mind the reason this money has been made available to the town is because it has been shown that nature trails/bike paths provide a return in quality of life for the people living in the community and that the impact to the surrounding wild life and plant species can be positive.
- 3) **Drainage.** Drainage is a major factor taken into consideration during the planning phase of any construction project undertaken by a governmental agency. This project is no exception. It has been my experience that water, either its availability or removal/redirection, is fully 50 percent of the planning of any project. The town and its partners will make sure drainage is not negatively impacted. Trails and paths, unlike roads, are tilted in their entirety not crowned. Water can be allowed to drain back to the wetland. Also, because of small elevations, the paths can even provide some protection to the properties adjacent to them from encroaching water.
- 4) **Maintenance.** The Town of Lowell will maintain the trail/path. At this time there are no plans to hire extra employees to perform this maintenance so the cost to the town is zero. And, as the town restructures its holdings, the impact to the existing maintenance crews will be minimal.
- 5) **Other Options.** Other options were considered and some of those options were addressed in the meeting of the 29th. The money that is being provided to the town for this project is limited in what it can be used for. During the application process other options were proposed and those options were not accepted; this one was. Another reason for the choosing

of this project and its location lies in the overall picture the Lowell Town Council has for our future. Managing growth for the town is a major concern for most of our citizens. This trail/path is just a small part of that growth.

- 6) **Location.** During the election I was told, almost universally, that there was, “nothing for a family to do in this town.” I am sure my fellow councilmen have heard the same thing. Collectively we have set out to remedy that concern. We have set aside funds and resources to begin several projects that will make Lowell a much more family friendly community. The plans for Liberty Park alone should help to revitalize the down town area and provide entertainment and shopping opportunities. This trail/path is just a small part of a much larger picture. We have been sharing some of the details as we can but there is still so much more to come.
- 7) **NIMBY.** NIMBY stands for “Not In My Backyard”. We, as people, like to talk about community but rarely practice being part of one. Yes, this trail/path could potentially increase foot and bike traffic through Timber Springs and nearby communities. Actually, that is the goal. However, the town is doing its best to increase safe, responsible traffic for the betterment of every citizen in Lowell at the inconvenience of a few. No matter where this project is placed there will be opposition. No matter how large and successful it ultimately proves to be the initial planning will upset somebody. We are cognizant of that fact and are doing everything we can to keep disruption to a minimum and keep safety as the number one priority. Change can be difficult but often times necessary. And, I will answer the question before it is asked of me; yes, I would be proud to have this trail in my backyard.



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**PROOF OF PUBLICATION
 LOWELL TRIBUNE
 Federal ID.: 45-2211406**

Town of Lowell

DES 1802920

COMPUTATION OF CHARGE

162 lines, 1 columns wide equals 162 equivalent lines at .9106 cents per line	\$147.52
Additional charge for notices containing rule or tabular work (50 percent of above amount)	\$
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)	\$

TOTAL AMOUNT OF CLAIM	\$147.52
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Pursuant to the provisions and penalties of Chapter 155, Acts 1953,
 I hereby certify that the foregoing account is just and correct, that the amount claimed is
 legally due, after allowing all just credits, and that no part of the same has been paid.

PUBLISHER'S AFFIDAVIT

Personally appeared before me, a notary public in and for said county and state, the undersigned
Don Hurd who, being duly sworn, says that he is publisher of the **The Clintonian** newspaper of general
 circulation printed and published in the English language in the town of **Clinton** in state and county
 aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said
 paper for

_____ 2 time(s) _____, the date of publication being as follows:

Lowell Tribune: 3/8/2023, 3/15/2023

Date: 3/15/2023

Signed: _____
 Publisher *Don Hurd*

Subscribed and sworn to before me 3/15/2023

 Notary *David L. Denton*

My commission expires January 20, 2029

DEVILS

From Page 6

Down 42-14, Lowell scored their first point of the second half after Hernandez made 1 of 2 from the line.

Coming back the other way, Michael Ridley connected on a three and then the Vikings got the ball back. Valpo junior Alice Platipodis scored inside to put the Vikings up 47-15.

At the 2:00 mark, Hernandez got fouled on a 3-point attempt and the senior hit all three free throws for a 47-18 score, but Lowell just couldn't keep the Vikings off the boards. Matt Hofer hit the glass after a Valpo miss for a 49-18 game and then they added one more point after a foul on the Devils. Platipodis split a pair from the line to give Valpo a commanding 50-18 lead after three quarters of play. Lowell did not score a basket in the third quarter.

Eight turnovers did the Devils in, giving them 15 for the game. Valpo committed three turnovers to give them six for the Vikings.

The Vikings put the bench players in the on/off fourth quarter and they moved onto the semi final game with a 62-26 win over Lowell.



Left: High in the air, Red Devil sophomore Braydon Cox scores over Viking defender Connor McCall in the Devils' game at the Crown Point Sectional. Right: Logan Krambeck goes strong to the basket.



Photos by Chuck Abraham

LEGAL Advertising

LEGAL NOTICE OF PLANNED IMPROVEMENT

DES. # 180920 Town of Lowell (Town) is developing plans for proposed trail and accessibility improvements to construct a multi-use trail between Liberty Park and Freedom Park in Lowell, Cedar Creek Township, Lake County.

The purpose of the project is to provide a direct, non-motorized link for pedestrians and bicyclists between Liberty Park and Freedom Park. The need for the project is due to the lack of a direct, non-motorized, vehicle separated connection between Freedom Park and Liberty Park. Freedom Park is in the northwest corner of Lowell's town limits and Liberty Park is located downtown. Freedom Park has little connectivity except by vehicle.

The project proposes to construct an American with Disability Act (ADA)-compliant, multi-use trail connecting Liberty Park to Freedom

Park in the Town of Lowell. This trail will be comprised of both off-road and on-road segments. Where feasible, existing dedicated right-of-way, as well as open spaces will be utilized. Trail surfaces will vary based on location. Through subdivisions, the trail will be constructed to match existing sidewalks and, in some areas, will replace the existing sidewalk, or off-road areas, the trail will be asphalt. The entire trail will be (0-6) to 12-ft wide with 2-ft shoulders. Two boardwalk sections will be constructed to minimize impacts to a large wetland in the center of the project. One section of boardwalk will be 100-ft long and the other section will be 450-ft long. The topography on the project area requires retaining walls in one location to limit the construction footprint to avoid impacts to environmental resources. The approximate length of the proposed project will be 1.2 miles. The proposed construction of this

project will require 1.00 acre of new permanent right-of-way (ROW) and 0.5 acre of temporary right-of-way. The new permanent ROW is located within the southern section of the trail that travels through the undeveloped portion of the project. This land includes forested areas and wetland. The project also requires the acquisition of approximately 0.5 acres of temporary ROW within Timber Springs Subdivision for the purpose of grading and driveway replacement. This temporary ROW consists of residential lawns and driveways. There are no relocations or displacements proposed for this project. The maintenance of traffic plan proposed the closure of the sidewalks along the southside of Fisher Lake Drive and on the east side of Redbad Lane to coexist them to the multi-use trail. The project will also require the closure of the existing sidewalk in the southeast corner of the intersection of West Main

Street and North Liberty Street. The Town will utilize signage to direct pedestrians to the opposite side of the roadway. Work within roadways is not anticipated and disruption of traffic is not anticipated. The sidewalk closures will pose a temporary inconvenience to traveling pedestrians; however, no significant delays are anticipated, and all inconveniences and delays will cease upon project completion. The proposed start of construction is January 2024, ending in July 2024. The cost associated with this project is approximately \$1,872,975 which includes preliminary engineering, right-of-way, construction with both federal and Town of Lowell (Town) funds anticipated to be used. The Federal Highway Administration (FHWA) has agreed this project falls within the guidelines of a Categorical Exclusion (CE) Level 2 environmental document. Preliminary design plans along with the CE are available for review

online at: https://www.lowell.net/Persons with limited internet access may request project information be mailed, please contact Ben Harvey, benjamin.harvey@stancie.com, 317.388.1982. All interested persons may request a public hearing be held and/or express their concerns by submitting comments to the attention of Ben Harvey, Stancie, 3901 Industrial Boulevard, Indianapolis, IN 46254, 317.388.1982, benjamin.harvey@stancie.com or before March 22, 2023. In accordance with the Americans with Disabilities Act (ADA), persons and/or groups requiring project information be made available in alternative formats are encouraged to contact the INDOT LaPorte District Office of Public Involvement for the arrangement and coordination of services. Please contact Ben Harvey, benjamin.harvey@stancie.com, 317.388.1982. In accordance with Title VI of the Civil Rights Act

of 1964, persons and/or groups requiring project information be made available in another language are encouraged to contact the INDOT LaPorte District Office of Public Involvement. This notice is published in compliance with 16 Code of Federal Regulations, Title 23, Section 771 (CFR 771.111)(b)(1) stating, "Each State must have procedures approved by the FHWA to carry out a public involvement/public hearing program." 2) 23 CFR 450.210(a) (1)(x) stating, "Provision for the periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all interested parties and revise the process, as appropriate." 7 and 3) The INDOT Project Development Public Involvement Procedures approved by the Federal Highway Administration on July 7, 2021, 38 & 3.15.2023 bcp4p

Brain Games advertisement featuring a crossword puzzle grid, a list of clues across and down, and a Sudoku puzzle grid.

Weekly Horoscopes advertisement with text for Aries, Taurus, Gemini, Cancer, Leo, Libra, Scorpio, Sagittarius, and Pisces, including advice for each sign.

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Latest Posts

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Town of Lowell

Des No 1802920

<https://www.lowell.net>



7 days ago

It's springtime Lowellians! Just in time for our first Branch Pickup of the year. Get those branches to the curb. Crews will be picking up branches from March 20-24 by zone. Dates are weather dependent and may be delayed for inclement weather. Crews will spend up to 15 minutes per residence on branches. Please stack branches behind the curb and out of the street.

It's springtime Lowellians! Just in time for our first Branch Pickup of the year. Get those branches to the curb. Crews will be picking up branches from March 20-24 by zone. Dates are weather dependent and may be delayed for inclement weather. Crews will spend up to 15 minutes per residence on branches. Please stack branches behind the curb and out of the street.



[View on Facebook](#)

Recent News

- [Environmental Assessment Form Des # 1802920 Freedom Trail](#)
- [Legal Notice of Planned Development - Des. # 1802920 Freedom Trail](#)
- [Nassau Park Press Release](#)
- [2023 Branch and Leaf Pickup Calendar](#)
- [soccer information](#)
- [2023 Trash and Recycle Calendar](#)
- [2023 Trash and Recycle Calendar](#)

Community Events

- Mar 27
- [Lowell Redevelopment Commission](#)
- ⌚ 6:30 pm - 7:00 pm
- 📍
- [Town Hall](#)
- Des No 1802920

- Mar 27
[Lowell Town Council Meeting](#)
🕒 7:00 pm - 8:00 pm
📍
[Town Hall](#)
- Apr 10
[Lowell Town Council Meeting](#)
🕒 7:00 pm - 8:00 pm
📍
[Town Hall](#)
- Apr 13
[Board of Zoning Appeals](#)
🕒 6:00 am - 7:00 am
📍
[Town Hall](#)
- Apr 13
[Lowell Plan Commission Meeting](#)
🕒 7:00 pm - 8:00 pm
📍
[Town Hall](#)
- Apr 24
[Lowell Redevelopment Commission](#)
🕒 6:30 pm - 7:00 pm
📍
[Town Hall](#)



Receive Community Email Notifications

[Click To Subscribe](#)



Contact Us

501 East Main Street Lowell, IN 46356
 📞 219.696.7794 🕒 8:00am - 4:00pm (M-F)
 ✉️ townhall@lowell.net

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Des No 1802920



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Harvey, Ben (Indianapolis)

From: Stacy (redacted for personal privacy)
Sent: Wednesday, March 15, 2023 9:09 AM
To: Harvey, Ben (Indianapolis)

Cc: Stacy (redacted for personal privacy)
Subject: Freedom Trail Lowell (against it)

Dear Mr. Harvey,

My name is Stacy Brown and I am a resident in Lowell, Indiana and reside in Timber Springs neighborhood. My husband and I have been protesting the trail that the town is trying to put right behind our house butting up to our fence line. As you know, people buy a property for a reason. It is one's largest investment. We received a notice a little over two yrs ago that Lowell planned on putting a bike trail through the back of our neighborhood right up on the wetlands. This devastated us due to all the wildlife. The Indiana Bats, other bat species, albino deer, bald eagles and other wild life. We received the letter on a Saturday and that Monday morning we called and I talked with the Town Manager numerous times. He was very combative, belittling and not pleasant at all. He used bully tactics to try and intimidate me. The town manager even threatened to put the bike trail right over the wetlands. I contacted the town council president and we discussed all of this and he made his apologizes to me. He has since left and we have a new president. I went door to door in the neighborhood informing residents of this trail, which many were not made aware of and numerous would be effected. Per the 200 plus document that the town sent to you and recently posted on the town page two days ago, no one was opposed to this. This is not factual at all. We have over 50 plus signatures on residents against this trail connecting Liberty park to Freedom park!

We have spoken our concerns at different town hall meetings. The council members could not answer any of residents concerns or questions. Even as of this morning, I reached out to one council member and they are yet to tell us exactly where the trail will go yet they are sending documents to you , INDOT and other companies to have this voted on within a few days. The council member responding this morning that he did not believe anyone could walk property yet to show exactly where it would go because they are not sure yet.

The residents of who reside in Freedom Springs and Timber Springs would like this vote set back and we are demanding our right to a public hearing per the documents state we have the right to.

The council is not being honest and forth coming in the documents as well.

The documents state that Liberty park had basketball and tennis courts, this is not true. The park has neither of these courts!

The park lines right up to a rail road track and a bar that use to be there was hit by a train I was informed at a local meeting we had last night. This is not safe for people at all.

We reached out numerous times to have a meeting with the town about this and we were denied. We are allowed 3 minute decision during town hall meeting which we have done yet, the council just looks at us without answers.

We as residents rented out the meeting room at the library and numerous residents came to the meeting to place their comments and concerns.

Some of the concerns are listed below:

- Are motorized vehicles allowed on the trail?
- will town provide fencing to block the trail from residents yards?
- forest fire
- who will keep areas supervised?
- will they shovel and keep it up to par during all weather
- vandalism and crime like at local parks in Lowell already.
- bike path gives easy access to property, such as side doors, back doors and garages.
- people scoping out property

- bike path will go right through some bus stops so children will stand on trail at times.
- construction crew told residents there will be overhang seating by freedom springs filled in pond.
- problems with speeding on timber springs road already now putting bike trail right on road
- drive way concerns, backing out right on the trail. Some areas have blind spots due to hills and shrubbery.
- if someone falls on your property off the trail who is responsible??

The town can not answer any of this yet vote is to happen. This is not right.

We as residents are against this yet town is telling INDOT and others we are not per documents.

We would like the vote to be stopped for now and for a public hearing to happen to place our concerns and receive accurate information and answers!

We have reached out to INDOT and they have sent our concerns to upper level of management. I have called your office twice and left messages. We also have tried to reach Tammy who is listed on all letters and she no longer works for company or this project.

We look forward to hearing when the public hearing is here in Lowell or via zoom.

Thank you so much,

Stacy Brown
317-967-0576

Sent from my iPhone

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Harvey, Ben (Indianapolis)

From: Craig Hendrix <chendrix@lowell.net>
Sent: Friday, March 17, 2023 2:56 PM
To: Stacy (redacted for personal privacy)
Cc: Todd Angerman; Judy Walters; Carrie Kish; Daniel Brown; Harvey, Ben (Indianapolis)
Subject: RE: Reply to Question Submitted Through EGOV

Stacy:

What I was trying to convey in our telephone conversation (although I may not have done a great job) was that this is a very formal process. As the legal notice says all comments or questions should be directed to Ben Harvey:

"All interested persons may request a public hearing be held and/or express their concerns by submitting comments to the attention of Ben Harvey, Stantec, 3901 Industrial Boulevard, Indianapolis, IN 46254, 317.388.1982, Benjamin.harvey@stantec.com on or before March 22, 2023."

Stantec is the environmental consulting firm that prepared the document. They recently acquired Cardno so you may notice documents with their logo. SEH is the engineering firm selected to design the trail.

Ben is the official keeper/collector of comments and questions. These comments/questions should be submitted in writing so the exact question/comment can be recorded and forwarded to INDOT for review – along with the information of the person that posed the question/comment. It is improper for me to address questions in the document at this time. Ben will collect these questions/comments, prepare formal responses and forward them to INDOT for review. They will then be made public so everyone knows the question/comment, the response and who provided the question/comment.

You may request a public hearing from INDOT. It doesn't necessarily mean INDOT will grant the hearing, but it is up to them not the Town. Some questions are policy related and are to be left to the local elected officials. INDOT doesn't get involved in those instances. INDOT is concerned with making sure all the rights of people, endangered species, architectural, archeological, floristic community, etc. are being preserved and protected. This NEPA document has had extensive early coordination with the regulatory agencies responsible for protecting the list mentioned.

If INDOT grants a public hearing, it is much the same as the process we are undertaking now. They will present the document and collect any questions/concerns the public may have. They will record them so responses can be prepared and formally presented to all of the public. You should not necessarily expect to receive any responses at the meeting. Responses will follow at a later date. They do this so complete and accurate responses can be provided. No off the cuff responses.

I am forwarding your email and questions/comments to Ben so he can formally record your concerns.

Regards,

Craig Hendrix, PE

Town Manager/Town Engineer



Town of Lowell

501 East Main Street
P.O. Box 157
Lowell, Indiana 46356
P: 219-696-7794
F: 219-696-7796
E: CHendrix@lowell.net
Web: www.lowell.net

From: Stacy <(redacted for personal privacy)>
Sent: Friday, March 17, 2023 12:38 PM
To: Craig Hendrix <chendrix@lowell.net>
Cc: Todd Angerman <tangerman@lowell.net>; Judy Walters <JWalters@lowell.net>; Carrie Kish <(redacted for personal privacy)>; Daniel Brown <(redacted for personal privacy)>
Subject: Re: Reply to Question Submitted Through EGOV

Yes the complaint is on you. This is the second time you have been combative with me and this is unacceptable. No one deserves to be treated the way you treat town people in Lowell. At our meeting few days ago numerous people brought up your belittling and rude behavior and how you have addressed not just me but others when someone does not see your side of you.

I have brought up publicly at a town hall meeting how you treated me before and this is not ok!

I expect a response back by Mr. Angerman (President of Town Council).

I would be ashamed of having someone represent Lowell in this manner.

All because I once again questioned items in document on the freedom trail that has items listed that are not factual.

- 1). No one is against trail. This is not true there are a large number against this trail and a large number of signatures on petition.
- 2). Listed basketball and tennis courts at liberty park which is not true.
- 3). States all notified who are effected. Many have not been notified until we have gone door to door inform the public.

I am sorry we have gone to INDOT, DNR, etc and requested public hearing on the trail.

I wish we would have more honesty and have respect with our questions and concerns. Instead we are yelled at, belittled and bully tactics!

Sincerely,

Stacy Brown

Sent from my iPhone

On Mar 17, 2023, at 12:16 PM, Craig Hendrix <chendrix@lowell.net> wrote:

Stacy:

If the complaint is me, you may contact the president of the Town Council – Todd Angerman. You can also contact any of the councilmen. Their information can be found on the Town’s website. Todd is copied on this email.

If the complaint is about one of our employees, you may file the complaint to me. Either of these complaints can be as simple as an email or a telephone call.

If the complaint is regarding Title VI or ADA, you should utilize the forms provided in our Title VI or ADA Plans. These can be found on our website under the ADA/Title VI section. I can also forward you the forms if you wish.

Thanks

Craig Hendrix, PE

Town Manager/Town Engineer



Town of Lowell

501 East Main Street
P.O. Box 157
Lowell, Indiana 46356
P: 219-696-7794
F: 219-696-7796
E: CHendrix@lowell.net
Web: www.lowell.net

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Harvey, Ben (Indianapolis)

From: Donna Gaul Bobo <(redacted for personal privacy)>
Sent: Tuesday, March 21, 2023 4:28 PM
To: Harvey, Ben (Indianapolis)
Cc: Betty Kender; Keith Kender; Russell Bobo
Subject: Public hearing request re Lake County 1802920

Hi,

I'm writing to request a public hearing about Freedom Trail / Lake County, 1802920, Multi-use Trail/Beginning at the terminus of an existing trail within Freedom Park and ending at the intersection of West Main Street and North Liberty Street. My mother and I are home owners on the affected part of N. Liberty St.

Meanwhile, I'd like some information. Our utilities were marked this past week from Liberty St to each of our homes thru our yards, unannounced. Could you please tell us why? My mother is 88yo, has a disability placard and lives alone. We need to know if/when someone is going to be on her property and if the only access to her home on the single lane road will be interrupted. This is a safety issue. My brother talked with the town planner when prior surveys and studies were done and people were showing up on her property unannounced. We were assured written notice would be given.

It appears her property is significantly impacted by the path and right of way. We'd like to know when she will find out exactly where the path will go and how she will be compensated. Also, is there is a plan for a fence to keep people on the path and out of her nicely groomed yard since the path/ROW appears to pass thru part of her well kept lawn. I feel this will be an inviting space for dogs and people with little honor for her personal space. We purchased the house next to my mom to insulate her as she ages. From what I can tell from the 240ish page document, is there will be a dimly lit (to protect the wetland), unpopulated path abutting her isolated 5 acres at the end of N Liberty. It's common knowledge there are behavior issues at the local parks. We have found condoms by my father's tombstone which is also at the end of a drive in a local cemetery. To be clear, I'm not opposed to the bike path. I look forward to having a pleasant place to walk. I'm opposed to the seeming lack of respect for my mom's privacy and safety. Communication and care can go a long way.

Thanks in advanced for sharing this vital information. We look forward to hearing from you.
Donna Bobo (spouse Russell Bobo)
351 N. Liberty St.

Betty Kender (son Keith Kender)
363 N. Liberty St.

Sent from my iPad

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Harvey, Ben (Indianapolis)

From: Mauro, Cindy E <CMauro@indot.IN.gov>
Sent: Wednesday, March 22, 2023 11:26 AM
To: Borden, Andrew A; Tammy Miller; ben.harvey@cardno.com
Cc: Passmore, Andrew D; Peterson, Glenn; chendrix@lowell.net; Joe.vonWahlde@cardno.com
Subject: FW: Des 1802920; Freedom Park Trail Project

For your attention.

If you have any questions, don't hesitate to reach out.

Cindy Mauro

Senior Environmental Manager – NEPA Major Projects/LPA Review Liaison

Indiana Department of Transportation – Environmental Services

100 North Senate Ave., N758-ES

Indianapolis, IN 46204

Phone: (317) 416-6649

Email: cmauro@indot.in.gov

Typical Work Hours: 8am-4pm



From: Stacy <[\[redacted for personal privacy\]](#)>
Sent: Wednesday, March 22, 2023 10:58 AM
To: Carmany-George, Karstin (FHWA) <k.carmanygeorge@dot.gov>
Cc: Passmore, Andrew D <APassmore@indot.IN.gov>; Foheybreting, Nicole K <NFoheyBreting@indot.IN.gov>
Subject: Re: Des 1802920; Freedom Park Trail Project

****** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ******

My number is
(redacted) for
personal privacy).

Thank you
Sent from my iPhone

On Mar 22, 2023, at 9:18 AM, Carmany-George, Karstin (FHWA) <k.carmanygeorge@dot.gov> wrote:

Drew/Nicole

Ms. Stacy Brown, a resident of the Town of Lowell, contacted me regarding the above referenced project (https://www.lowell.net/egov/documents/1678716749_15361.pdf) and requested a public hearing.

She may be reached at [\[redacted for personal privacy\]](#).

Thanks,

Kari Carmany-George (she/her)

Environmental Program Manager
Federal Highway Administration – Indiana Division
317.226.5629 (Desk)
317.226.7475 (Main Office)
K.CarmanyGeorge@dot.gov
575 N. Pennsylvania St.; Room 254
Indianapolis, IN 46204

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TOWN OF
LOWELL
CULTIVATING COMMUNITY

LOWELL TOWN COUNCIL
AGENDA
03-27-23

- WORK SESSION - 5:30 P.M.
- I. CALL TO ORDER - 7:00 P.M.
- II. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE -
- III. ROLL CALL Michael Gruszka, Todd Angerman, John Alessia
Shane Tucker, John Yelkich
- IV.
- V. APPROVAL OF MINUTES - 03/13 work session, regular meeting
- VI. *APPROVAL OF VOUCHERS
- | | |
|--------------------|-------------------|
| White | # 10283 - # 10337 |
| White - Police | # 1041 - # 1048 |
| Water | # 2005 - # 2005 |
| Waste Water | # 4219 - # 4253 |
| Stormwater Utility | # 6037 - # 6044 |
- VII. PETITIONS, COMMUNICATIONS, REMONSTRANCES, PROCLAMATIONS
- VIII
- X. SPECIAL COMMITTEES

XI. ORDINANCES & RESOLUTIONS

2nd reading - Ordinance 2023-02 - PUD - Mohawk Light Industrial

1st reading - *Ordinance #2023-03 - Additional Appropriation - PUBLIC HEARING

II. UNFINISHED BUSINESS

WWTP Improvement Project

* Act on Change Order #1 Austgen Electric - UV Disinfection Replacement - \$8,849.25

* Act on Change Order #3 Bowen Engineering - EQ Basin Drain Piping - \$4,669.68

* INDOT SR 2 Sidewalk Project Repayment of matching funds - \$ 205,604.70

Tabled from previous meetings:

3/13 - Mohawk property - PUD fees - Mike Austgen

XIII. NEW BUSINESS

NERI Architects Supplemental Agreement

Freedom Trail - Daniel & Stacy Brown

XIV ANNOUNCEMENTS

Next regular meeting - Monday, April 10, 2023- 7:00 P.M.

IV. MEDIA QUESTIONS/PUBLIC COMMENTS

Public Comment is limited to three minutes per person. Please keep your comments directed to the Town Council, respectful and constructive to public policy issues. The Chair, at its sole discretion, may recognize individuals wishing to speak on different topics at any time and may end the Public Comment session. All speakers will be timed by the Clerk-Treasurer. This portion of the meeting shall not exceed 20 minutes. Public comments may be submitted electronically. If you have a question or comment about an item on the agenda, you may email the question or comment to the Clerk-Treasurer at Clerktreasurer@lowell.net. The Clerk - Treasurer will ensure that all submissions are shared with the elected officials of the Town and that the submission is entered into the minutes of the meeting.

XVI. ADJOURNMENT

Please Note: This notice was posted at the Lowell Town Hall and Town Web-site www.Lowell.net on March 24, 2023 at 3:00 P.M., and delivered via e mail or fax to the following: Town Council, Department Heads, Town Attorney, Lowell Tribune, The Times, The Post, and Z-107

The Lowell Town Council is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/5335310327?pwd=b3ZnQnV3UGtvOTltQkpKRURNQWVrQT09>

Meeting ID: 533 531 0327

Passcode: 000000

One tap mobile

+13052241968,,5335310327#,,, *000000# US

The Town of Lowell prohibits discrimination in all its programs and activities based on race, color, sex, religion, national origin, age, disability, marital status, familial status, parental status, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program.

**LOWELL TOWN COUNCIL
REGULAR MEETING
MARCH 27, 2023**

The regular meeting of the Lowell Town Council was called to order on Monday, March 27, 2023 at 7:04 P.M. by President Todd Angerman. The Pledge of Allegiance was recited followed by a moment of silence. Clerk-Treasurer Judith Walters called the roll. Members present were Todd Angerman, Michael Gruszka, John Alessia, Shane Tucker, and John Yelkich. Also present were Police Chief James Woestman, GIS Director Greg White, Fire Chief Chris Gamblin, and Town Attorney David Westland. Also present was one member of the press, and eight interested citizens., and two via Zoom.

APPROVAL OF MINUTES

Councilman Gruszka made a motion to approve the regular meeting and work session minutes from March 13th, seconded by Councilman Alessia and carried with five ayes.

APPROVAL OF VOUCHERS

President Angerman stated he had reviewed the following vouchers: White Vouchers #10283 - #10337, White- Police - #1041-#1048, Water #2005-#2005, Waste Water #4219- #4253, and Stormwater Utility #6037 - #6044. Councilman Tucker made a motion to approve the vouchers as listed, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

ORDINANCES & RESOLUTIONS

2nd reading - Ordinance #2023-02 - PUD - Mohawk Light Industrial - The Ordinance had already been approved on first reading on March 13th.

1st reading - Ordinance #2023-03 - Additional Appropriation - General, Freedom Park, and Cumulative Fire Fund. Clerk-Treasurer Judy Walters explained the additional appropriation was for cash on hand for a full-time court clerk, police equipment, and additional funds for Freedom Park and Cumulative Fire Fund for equipment., President Angerman opened the Public Hearing. No comments, the hearing was closed. Councilman Tucker moved to hold Ordinance #2023-03 for a second reading, seconded by Councilman Alessia and carried with five ayes on roll call vote.

UNFINISHED BUSINESS

WWTP Improvements -
Act on Change Order #1 - Austgen Electric - UV Disinfection Replacement - \$8,849.25
Act on Change Order #2 - Bowen Engineering - EQ Basin Drain Piping - \$4,669.68
Councilman Alessia moved to approve Change Order #1 to Austen Electric and Change Order #3 to Bowen Engineering, seconded by Councilman Gruszka and carried with five ayes on roll call vote.

INDOT SR 2 Sidewalk Project - Repayment of matching funds - \$205,604.70 maximum - Councilman Gruszka moved to approve the repayment to INDOT from Cumulative Capital Development Funds, seconded by Councilman Yelkich and carried with five ayes on roll call vote.

Tabled from previous meeting -
3/13 Mohawk property - PUD fees - Mike Austgen - Councilman Yelkich moved to reduce the PUD fee to \$2,000, seconded by Councilman Alessia and carried with five ayes on roll call vote.

NEW BUSINESS

NERI Architects Supplemental Agreement - An Agreement for architectural services (\$25,000) for construction, administration and bidding phase (hourly) and engineering (\$12,000) for the new 16,000 square foot Public Works Facility, was approved on motion by Councilman Gruszka, seconded by Councilman Tucker and carried with five ayes.

Freedom Trail - Ben Harvey, Stantec, environmental consultant for the project was present via Zoom, and explained the environmental document is needed because it is federally funded project. INDOT is concerned with making sure all the rights of people, endangered species, architectural, archeological, floristic community are being preserved and protected. He will collect the comments and questions and prepare a formal response and forward to INDOT for review, then they will formally present to the public. Mr. Harvey stated that a citizen may request a public hearing, but it is up to INDOT to grant a hearing.

Stacy Brown, 511 Timberlake, asked that the public hearing is not being held tonight, that this is just a public meeting. Mr. Harvey agreed yes, INDOT would hold a public hearing on record if granted, and then all responses would be released at a later date. Ms. Brown stated they have been concerned about the trail for three years and felt they have received no information from the town council and town manager. She stated they were not given notice, and she has gone door to door and collected 50 signatures against the trail. Ms. Brown asked who was going to be patrolling the trail, the hours it will be open, and if a camera would be installed, and was concerned the trail was near a school bus stop. She asked if a walker fell onto their property who will be responsible? She asked if dirt bikes would be allowed, and said she felt it would be easy for people to scope out their property and have easy access to their garages. Ms. Brown stated she has spoken with the DNR and has asked INDOT for a public hearing. She stated the document filed is not factual because it stated that nobody is against the project, which is not true, and that it states that Liberty Park has basketball and tennis courts, which is does not. Ms. Brown stated she cannot hold a conversation with Mr. Hendrix and asked the Town to work with them not against them.

Carrie Kish, 524 Timberwod, stated they have lived in their house for ten years and that is why they moved there is for what is behind their house, not a trail. She stated the trail is only going to connect one park to another and there is nothing at either park. She spoke of a pond behind her house and stated they were the ones who cleaned it up and brought it back to life, and said she felt the trail was unnecessary and she was 100% against.

Ed McGuire, 7562 Independent Lane, stated the pond at Redbud has a large drop off and is unsafe. He stated the sidewalks will have to be widened and will take away from his property, and asked why the bikes can't ride on the street and leave the subdivision alone.

Brian Sylevester, 17391 Redbud, said the trail is being done to link the two parks together and asked why that couldn't be done on Nichols Street. He asked if their mailboxes will be moved and if they will be able to park on the street. He felt it was not the best solution and would not be as intrusive on Nichols Street.

Ms. Brown asked how long they will have to wait for their answers for the questions they posed. Mr. Harvey stated it would take a couple weeks for them to compile and forward to INDOT and then they will have to review, so may take up to two months.

Beth Pulley, 560 Redbud Lane, via Zoom, stated she was concerned about the safety of the trail. She stated she bought in the area to raise her family and didn't want to see random people in the subdivision, and said her front yard will be destroyed. She stated her dad was a former member of the Plan Commission, and when they tried to get information about the trial they couldn't get any information and felt the Town should be informing the citizens that this impacts.

ANNOUNCEMENTS

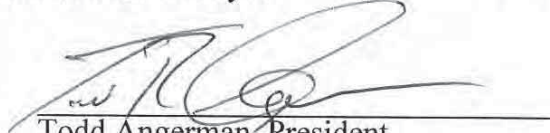
President Angerman announced the next regular meeting will be held Monday, April 9, 2023 at 7:00 P.M. A Special Meeting will be held on Tuesday, April 4th at 6:00 P.M. to award the street paving bid.

MEDIA QUESTIONS/PUBLIC COMMENTS

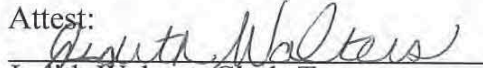
None

ADJOURNMENT

No further business, Councilman Yelkich made a motion to adjourn at 7:28 P.M., seconded by Councilman Alessia and carried with five ayes.



Todd Angerman, President

Attest:


Judith Walters, Clerk-Treasurer

The Lowell Tribune

Citizens approach Lowell Town Council over proposed trail

[▶ Open Audio Article Player](#)

March 29, 2023

By Chuck Abraham
chuck@hoosiermediagroup.com

3:06 / 4:07



Stacy Brown of Lowell expressed her concerns to town council about the proposed trail between Freedom and Nassau Parks.
Photo by Chuck Abraham

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Town manager Craig Hendrix said they would “treat this somewhat as a public hearing, although it’s not an advertised public hearing.” Hendrix then introduced Ben Harvey of Stantec of Indianapolis, the firm preparing the environmental document. Harvey joined the meeting via Zoom to collect comments regarding the proposed trail.

Harvey said since Lowell is proposing to use federal matching funds for construction of the trail, they must go through several reviews to determine its environmental impact. Stantec will prepare a document that will be submitted to INDOT on behalf of the Federal Highway Administration, who will then review the study and will look at the natural and human environmental impacts of the trail, he said.

When Stantec is near completion of the document, they will advertise it for public comment so they can include the comments on a final version of the document, Harvey explained. He also noted they “will respond to each comment (they) receive in that document itself.”

Stacy Brown of Lowell, who led the group of residents in regards to expressing concerns about the trail, said she followed up with Drew Passmore of INDOT earlier in the day. Brown said Passmore would be reaching out to the INDOT project manager and engineering manager to get a public hearing scheduled.

Brown said they received a notice in May 2020 that stated a proposed trail connecting the two parks would be built behind her residence. She said they have tried to “show their concerns with the town council, the townspeople and the town manager and many others.”

However, Brown said they “received no information when asked in regards to this” until they saw a notice several weeks ago and no further information appeared to be available.

“No one can discuss the valid concerns with Lowell residents that have placed in regards to this trail,” Brown said. “Many that will be affected by this trail were not even notified until I myself and others went door to door informing others about this trail.”

Brown expressed her concerns about safety and how the police were going to enforce laws on the proposed trail. She said after meeting with other concerned citizens and Lowell Public Library a few weeks ago, the hours of operation in which the trail would be open was another concern, including the possibility of cameras in secluded areas, and even the location.

Brown asked council members if they could “walk out, show us potentially where it is” behind their property, but said they were unable. She also asked if a trail user were to fall into someone’s yard from the trail if the liability would fall to the town or the property owner. Brown also said there could be some blind spots for those who would be “backing out” on the trail. She

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Brown also asked about the lighting on the trail, and whether or not the town would compensate fencing.

Brown also said there would be “easy access to garages.” She also said there is also a concern in regards to the wildlife, specifically the brown bats, Indiana bats and bald eagles. Brown said the Indiana DNR came to Lowell approximately three years ago to make a report on the impact on endangered species.

Brown also told council the “forms and documents (the town has) on file are not factual,” one of which that states that ‘people are not against the trail.” She also noted the updated plans for Nassau Park don’t reflect the changes already made, in particular the removal of the basketball and tennis courts.

Brown also said she has been in contact with a representative for the Federal Highway Administration, who also shares some of the same concerns regarding the construction of the trail.

Brown also noted reaching out to Hendrix, but she allegedly “cannot hold a conversation with him without being yelled at our belittled.” She did note she filed a formal complaint and got a response back from him, but this is allegedly “not the first time I’ve talked to him and I don’t want to go there anymore.”

“We’re just looking for answers,” Brown said, “and we’re looking for people to work with us and not against us.”

Council will be holding a special meeting at 6 p.m. Apr. 3 to award bids for street paving. The next regular meeting will be at 7 p.m. Apr. 10.

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The Lowell Tribune

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Harvey, Ben (Indianapolis)

From: Stacy (redacted for personal privacy)
Sent: Thursday, April 13, 2023 5:52 PM
To: Harvey, Ben (Indianapolis)
Subject: Re: Response

Thank you for info

Sent from my iPhone

> On Apr 13, 2023, at 2:24 PM, Harvey, Ben (Indianapolis) <benjamin.harvey@stantec.com> wrote:

>

> Hello Stacy,

>

> We are working through responses to all of the comments we have received, with that following the standard process for an environmental document like this one. Our intent is to get the public information packet over to INDOT in the coming week or so for their initial review. At that point we will have more information as far as next steps for the project.

>

> Anyone who submitted a comment that we have contact information for will be included on the coordination list when any new information is available or public notices are made.

>

> Thanks,

> Ben

>

>

> Benjamin Harvey PWS, CPESC

>

>

>

>

> -----Original Message-----

> From: Stacy (redacted for personal privacy)

> Sent: Thursday, April 13, 2023 2:39 PM

> To: Harvey, Ben (Indianapolis) <benjamin.harvey@stantec.com>

> Subject: Response

>

> Good Afternoon,

>

May I ask when the responses will be given to the town hall meeting few weeks back?

> Going on almost 3 weeks so just checking in.

> Also update on public hearing with indot?

>

> Date and time?

>

> Thank you

>

> Stacy Brown

> Sent from my iPhone

>

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>

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supplémentaires. Atención: Este correo electrónico proviene de fuera de Stantec. Por favor, tome

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Harvey, Ben (Indianapolis)

From: Stanley, Amy <ASTANLEY@indot.IN.gov>
Sent: Monday, April 17, 2023 2:54 PM
To: Thomas, Amber; Harvey, Ben (Indianapolis); Borden, Andrew A
Cc: Craig Hendrix; Peterson, Glenn; Blocher, Ben
Subject: RE: Lowell Freedom Trail Discussion

Attached you will find the flier that Stacy was handing out as well as the petition signatures she collected. I have also received about 15 other emails (initiated by Stacy) from property owners against the trail or requesting a public hearing. I will be happy to share those with you if you want them, but personally don't think their comments are necessary at this time since I only asked her for the flier and petition.

Amy Stanley

Customer Service Manager

Litigation Liaison

315 East Boyd Boulevard

LaPorte, IN 46350

Office: (219) 325-7475

Cell: (219) 809-7725

Email: astanley@indot.in.gov



From: Thomas, Amber <AThomas2@indot.IN.gov>
Sent: Monday, April 17, 2023 8:07 AM
To: Harvey, Ben (Indianapolis) <benjamin.harvey@stantec.com>; Borden, Andrew A <ABorden1@indot.IN.gov>
Cc: Craig Hendrix <chendrix@lowell.net>; Peterson, Glenn <gpeterson@sehinc.com>; Blocher, Ben <ben.blocher@stantec.com>; Stanley, Amy <ASTANLEY@indot.IN.gov>
Subject: RE: Lowell Freedom Trail Discussion

Ben, based off the attached comments you do have about 10 people with some legitimate concerns. If funding for right of way has been moved then I think your best bet is to move forward with the hearing and try to clear as many issues as possible up during the presentation part of the hearing. I think more time will be spent trying to placate and return comments than to just clear the air in one night.

If your side is in agreement then please let us know so that we can make sure we all relay the same message to the property owners.

Amber Thomas, PMP

Consultant Services Manager

Capital Program Management

Indiana Department of Transportation

315 East Boyd Boulevard

LaPorte, IN 46350

[Call Me on TEAMS](#)

[Chat/Message me in TEAMS](#)

Cell: (219) 344-0046

Email: AThomas2@indot.in.gov



From: Harvey, Ben (Indianapolis) <benjamin.harvey@stantec.com>
Sent: Thursday, April 13, 2023 10:35 AM
To: Borden, Andrew A <ABorden1@indot.IN.gov>; Thomas, Amber <AThomas2@indot.IN.gov>
Cc: Craig Hendrix <chendrix@lowell.net>; Peterson, Glenn <gpeterson@sehinc.com>; Blocher, Ben <ben.blocher@stantec.com>; Stanley, Amy <ASTANLEY@indot.IN.gov>
Subject: RE: Lowell Freedom Trail Discussion

**** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ****

Hi Amber and Andrew,

Per our discussion, I've attached the comments we have received to date on the Lowell Freedom trail, without the responses that we will include when this draft is finalized.

We can get working on the public information package and get that over to everyone before too long.

Thanks for your help,
Ben

Benjamin Harvey PWS, CPESC



From: Craig Hendrix <chendrix@lowell.net>
Sent: Wednesday, April 12, 2023 4:09 PM
To: Borden, Andrew A <ABorden1@indot.IN.gov>; Glenn Peterson <gpeterson@sehinc.com>; Harvey, Ben (Indianapolis) <benjamin.harvey@stantec.com>
Subject: RE: Lowell Freedom Trail Discussion

Ben:

Please see Andrew's email below. Can you respond? Also, it might be a good idea to attend the conference call with INDOT. Is that okay Andrew?

Craig Hendrix, PE
Town Manager/Town Engineer



Town of Lowell
501 East Main Street
P.O. Box 157

Lowell, Indiana 46356
P: 219-696-7794
F: 219-696-7796
E: CHendrix@lowell.net
Web: www.lowell.net

From: Borden, Andrew A <ABorden1@indot.IN.gov>
Sent: Wednesday, April 12, 2023 11:22 AM
To: Craig Hendrix <chendrix@lowell.net>
Subject: Re: Lowell Freedom Trail Discussion

Hi Craig,

The other thing I could not think of when I left a messages was the public involvement packet. Based on the timeline, it should be about assembled for the environmental document. If the packet correctly shows all of the correspondence with property owners where we are taking RW, sufficiently documents the public notice about the project, and has the record of the public comments that were received then we should be able to forgo a public hearing- unless a petition is submitted.

The questions surrounding the packet will be the main focus of tomorrow's meeting. I decided we should keep the meeting to make sure everyone is on the same page at the same time so we can move forward as quickly as possible.

Let me know if you have any questions.

Sincerely,

Andrew A. Borden

Project Manager

INDOT Capital Programs, Laporte

[Teams Chat](#)

Cell: 219.851.4481

Email: aborden1@indot.IN.gov

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Protect our neighborhood and wildlife!

If you received this notice, you could be directly affected by the proposed trail that the Town of Lowell wants to run through the neighborhood.

Please join in a neighborhood meeting:

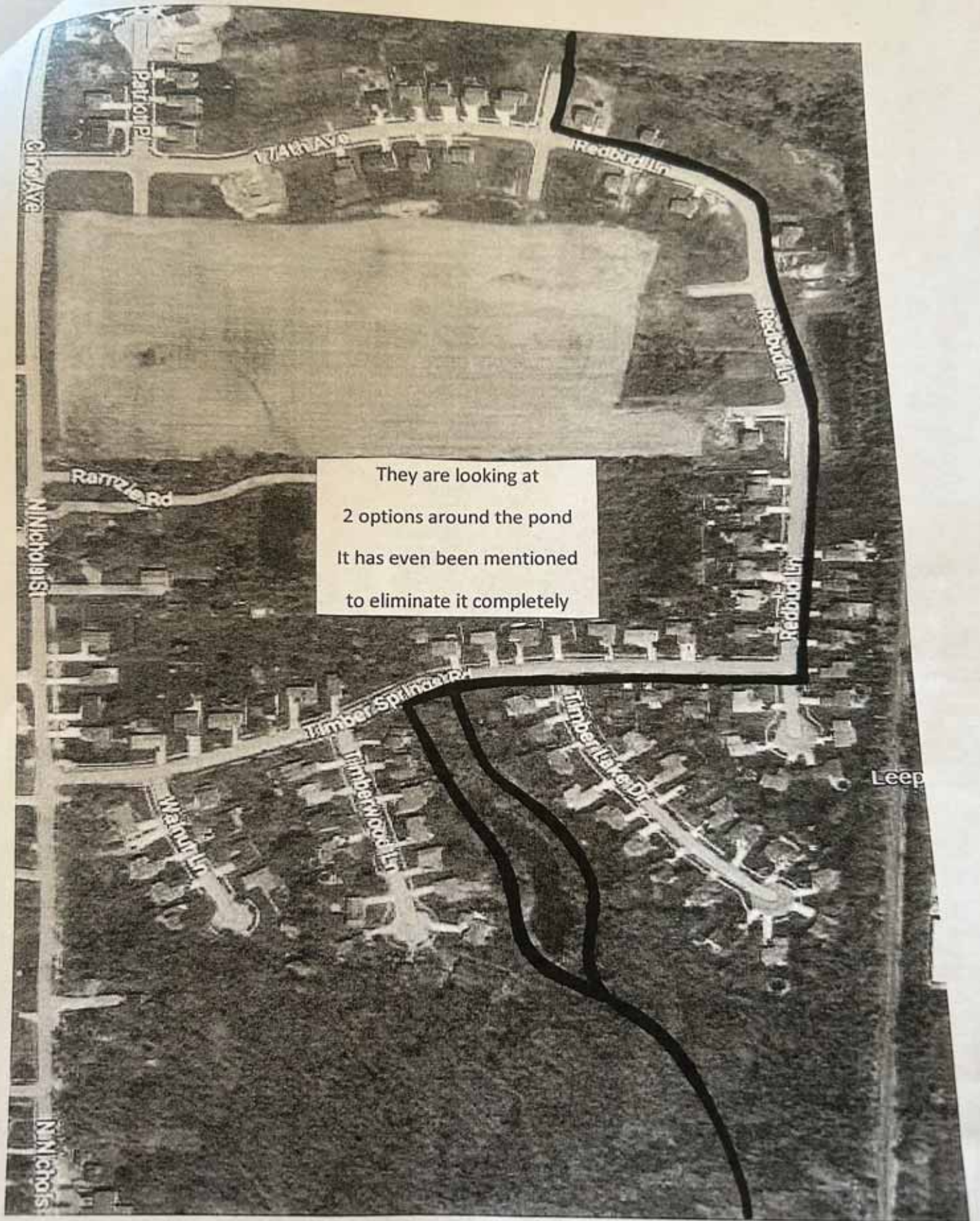
Lowell Library

March 14, 2023

6:00-7:30pm

Bring any thoughts, concerns, questions, or additional information that can assist in fighting this trail and ruining our neighborhood.





They are looking at
2 options around the pond
It has even been mentioned
to eliminate it completely

September 2020

We the following residents of Timber Springs oppose the bike trail that is being mapped out throughout the woods and streets of Timber Springs.

Name

Address

1 MARK SCHWARTZ

207 Timberspring Rd

2 Melanie Gladkowski

560 Redbud Ln

3 LISA KMETZ

547 Timberlake Dr.

4 Linda Rutz

525 Timberlake Dr

5 Becky Esprank

637 Redbud Lane

6 Carol D. Johnson

548 Timberlake Dr.

7 Jeffrey Johnson

548 Timberlake Dr.

8 Christo Ahalali

1308 Hilltop Dr.

9 Brian Sylvester

17391 Redbud Ln

10 Julie Sylvester

17391 Redbud

We the following residents of Timber Springs oppose the bike trail that is being mapped out throughout the woods and streets of Timber Springs.

Name

Address

- | Name | Address |
|------------------|--------------------------------|
| 1 Beth Oresick | 559 Timber Lake Dr. Lowell, IN |
| 2 Ron Oresick | 559 Timber Lake Dr. Lowell, IN |
| 3 David Bous | 495 Timber Lake Dr Lowell In |
| 4 Gayle Harding | 490 TIMBER LAKE DR LOWELL IN |
| 5 Stacy Piron | 511 Timber Lake Dr. Lowell |
| 6 Jenny Tatge | 550 Timberwood Lane |
| 7 Estley Johnson | 546 Timber wood Lane |
| 8 H. P. Johnson | 546 Timberwood Lane |
| 9 Carrie Kish | 524 Timberwood Lane |
| 10 Daniel B... | 511 Timber Lake Dr. Lowell, IN |

Harvey, Ben (Indianapolis)

From: Stacy (redacted for personal privacy)
Sent: Wednesday, April 26, 2023 8:30 AM
To: Craig Hendrix; Andrew D Passmore; astanley@indot.in.gov; Karstin Carmany-George; Carrie Kish; Todd Angerman; Judy Walters; Harvey, Ben (Indianapolis); Nicole K Foheybreting
Cc: (redacted for personal privacy)
Subject: Freedom Trail

Good Morning Mr. Hendrix,

It has been brought to my attention by INDOT workers along w residents, as much as just a few days ago, that you are stating I am the only one against this trail Mr. Hendrix.

I want it in written documentation that is not the case. I would think after being called out with the fabrications on the written documentation to all that this would stop but I see it has not.

Since 2020 there have been numerous residents come forth to show their concern in regards to freedom trail. We were yelled at and put down by you when showing our concerns and questions, so much by me that I put forth a verbal complaint and written one last month. At one meeting, residents came to speak concerns and were not even allowed to speak!

We started the petition back in September 2020 and continued to reach out and show concern. To be efficient and less bothersome, I was the main contact and person to reach out and then in return let residents know what was going on.

We have a thread email w residents so we all can keep each other informed.

We have been told by you personally when showing our concerns with preserving the wetlands and the erosion that “you could put trail right over the wet lands if you wanted!”

I would appreciate the lies to stop and for all of us to be honest with one another!

From the get go, we just would like for everyone to work together, Be forth coming and honest.

Thank you and hope you all have a good day!

Stacy Brown

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Harvey, Ben (Indianapolis)

From: Craig Hendrix <chendrix@lowell.net>
Sent: Wednesday, April 26, 2023 10:37 AM
To: Stacy; Andrew D Passmore; astanley@indot.in.gov; Karstin Carmany-George; Carrie Kish; Todd Angerman; Judy Walters; Harvey, Ben (Indianapolis); Nicole K Foheybreting
Cc:
Subject: RE: Freedom Trail

There will be a public meeting to provide comments and concerns. INDOT is directing us and it will most likely be in June. It will be advertised according to INDOT and FHWA rules. As I stated, you may continue to contact me regarding the hearing date. We will also make it known on our website.

Regards

Craig Hendrix, PE
Town Manager/Town Engineer

Town of Lowell
501 East Main Street
P.O. Box 157
Lowell, Indiana 46356
P: 219-696-7794
F: 219-696-7796
E: CHendrix@lowell.net

Web:

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-----Original Message-----

From: Stacy <(redacted for personal privacy)>
Sent: Wednesday, April 26, 2023 7:30 AM
To: Craig Hendrix <chendrix@lowell.net>; Andrew D Passmore <APassmore@indot.in.gov>; astanley@indot.in.gov; Karstin Carmany-George <k.carmanygeorge@dot.gov>; Carrie Kish>; Todd Angerman <tangerman@lowell.net>; Judy Walters <JWalters@lowell.net>; Ben Harvey <benjamin.harvey@stantec.com>; Nicole K Foheybreting <NFoheyBreting@indot.in.gov>
Cc: (redacted for personal privacy)
Subject: Freedom Trail

Good Morning Mr. Hendrix,

It has been brought to my attention by INDOT workers along w residents, as much as just a few days ago, that you are stating I am the only one against this trail Mr. Hendrix.

I want it in written documentation that is not the case. I would think after being called out with the fabrications on the written documentation to all that this would stop but I see it has not.

Since 2020 there have been numerous residents come forth to show their concern in regards to freedom trail. We were yelled at and put down by you when showing our concerns and questions, so much by me that I put forth a verbal complaint and written one last month. At one meeting, residents came to speak concerns and were not even allowed to speak!

We started the petition back in September 2020 and continued to reach out and show concern. To be efficient and less bothersome, I was the main contact and person to reach out and then in return let residents know what was going on.

We have a thread email w residents so we all can keep each other informed.

We have been told by you personally when showing our concerns with preserving the wetlands and the erosion that “you could put trail right over the wet lands if you wanted!”

I would appreciate the lies to stop and for all of us to be honest with one another!

From the get go, we just would like for everyone to work together, Be forth coming and honest.

Thank you and hope you all have a good day!

Stacy Brown

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Harvey, Ben (Indianapolis)

From: Stacy <(redacted for personal privacy)>
Sent: Thursday, April 27, 2023 9:26 PM
To: Craig Hendrix
Cc: Todd Angerman; Carrie Kish; Harvey, Ben (Indianapolis); astanley@indot.in.gov; Andrew D Passmore; Karstin Carmany-George
Subject: Re: Trail

Thanks for information
If the trail is not approved, did not think project would continue until you received green light.
Especially with the fabrications in the documentation.
Thank you sir
Have great evening!

Stacy Brown

Sent from my iPhone

> On Apr 27, 2023, at 4:56 PM, Craig Hendrix <chendrix@lowell.net> wrote:

>

> Stacy:

>

> I was out there with our engineer/surveyor and geotechnical consultant. We were collecting additional topographic information and reviewing the project with the geotechnical engineer. We will continue to conduct surveys and gather information to advance our project according to our project schedule. The public comment meeting does not preclude us from continuing our design efforts.

>

> Regards,

>

> Craig Hendrix, PE

> Town Manager/Town Engineer

>

>

>

> Town of Lowell

> 501 East Main Street

> P.O. Box 157

> Lowell, Indiana 46356

> P: 219-696-7794

> F: 219-696-7796

> E: CHendrix@lowell.net

> Web:

> <https://can01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.lowell.net%2F&data=05%7C01%7CBenjamin.harvey%40stantec.com%7C222f5f156d214b166e3408db47878b1f%7C413c6f2c219a469297d3f2b4d80281e7%7C0%7C0%7C638182419722067888%7CUnknown%7CTWFPbGZsb3d8eyJWljoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Iik1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=Q8nRWZnepcam0W8rIX9xN3q%2Fu6D6ik%2FFSKYEuPuicnk%3D&reserved=0>

>

> -----Original Message-----

> From: Stacy <(redacted for personal privacy)>

> Sent: Thursday, April 27, 2023 11:32 AM

> To: Craig Hendrix <chendrix@lowell.net>; Todd Angerman <tangerman@lowell.net>; Carrie Kish <(redacted for personal privacy)>; Ben Harvey <benjamin.harvey@stantec.com>; astanley@indot.in.gov; Andrew D Passmore <APassmore@indot.in.gov>; Karstin Carmany-George <k.carmanygeorge@dot.gov>

> Subject: Trail

>

> Good Morning

>

> Can you please tell me why there are multiple people doing surveys behind our home.

> With us waiting on public hearing.

>
>
> Thank you
>
> Stacy Brown
>
> Sent from my iPhone
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Harvey, Ben (Indianapolis)

From: Craig Hendrix <chendrix@lowell.net>
Sent: Friday, April 28, 2023 11:42 AM
To: Donna Gaul Bobo; Harvey, Ben (Indianapolis)
Cc: Betty Kender; Keith Kender; Russell Bobo
Subject: RE: Safety and privacy

Donna:

My sincerest apologies. I was with SEH yesterday and did speak with your mother. I didn't know the surveyor was going to park the truck on her driveway. I was reviewing the alignment of the trail with SEH. There are stakes where the centerline of the trail was planned. I would like to shift the trail slightly to allow for more restoration opportunities to her driveway. It would also allow us to install fencing and plantings to block the trail views to her house. I would like to develop some sketches to run by you to see if we are on the right track. We are trying to wrap up the design now and this area is a critical link. I also have some photos of retaining walls and boardwalk that I would like to share with you so you can anticipate what the trail will look like. You mother suggested I work with you. Happy to do so.

Regards

Craig Hendrix, PE

Town Manager/Town Engineer



Town of Lowell

501 East Main Street
P.O. Box 157
Lowell, Indiana 46356
P: 219-696-7794
F: 219-696-7796
E: CHendrix@lowell.net
Web: www.lowell.net

From: Donna Gaul Bobo <(redacted for personal privacy)>
Sent: Friday, April 28, 2023 10:26 AM
To: Craig Hendrix <chendrix@lowell.net>; Benjamin.harvey@stantec.com
Cc: Betty Kender <quilterkender@gmail.com>; Keith Kender <klkender@comcast.net>; Russell Bobo <russ_bobo@msn.com>
Subject: Safety and privacy

[You don't often get email from (redacted for personal privacy) Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hi,

A SEH truck parked in my mom's drive (Betty Kender at 363 N. Liberty St.) and men were on her property setting

flags yesterday morning. I am asking again that someone PLEASE give notice of who will be on her property and the purpose. She has enjoyed privacy for well over 50 years on her property. It's very upsetting for her to have so many people come on her property without knowing their intent. I'm asking the courtesy of a quick text, call, or message to me at (redacted for privacy) so I can let her know. This is our 3rd request.

Thank you for your consideration!

Donna Bobo

351 N. Liberty St.

External Sender: [CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe]



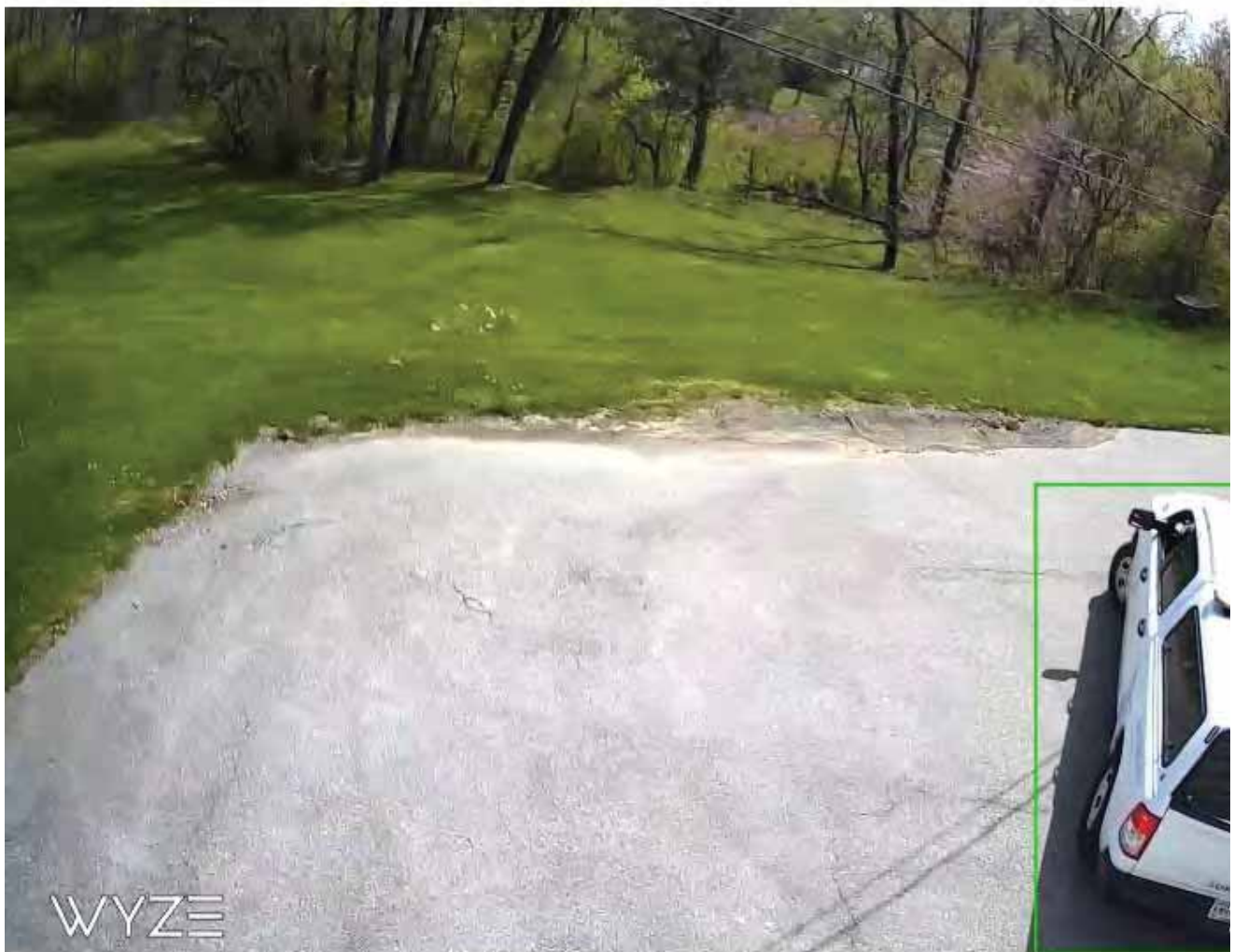
9:54

◀ Photos



Over Garage

Motion at 8:59 AM



Sent from my iPad

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Harvey, Ben (Indianapolis)

From: Donna Gaul Bobo <(redacted for personal privacy)>
Sent: Sunday, April 30, 2023 10:40 PM
To: Craig Hendrix
Cc: Harvey, Ben (Indianapolis); Todd Angerman; Keith Elmer Kender; Russell Wayne Bobo; Betty Kender
Subject: Freedom Trail / Lake County, 1802920
Importance: High

Attn: Craig Hendrix, Town Manager

The trail route that was staked last week is significantly different than the proposed route shared with us in September 2020. This new route drastically encroaches on Betty Kender's residence and would unnecessarily take up much of the yard that she enjoys. This proposed path is not acceptable and we plan to have the lath removed this week as it upsets Betty (Mom) when she sees it.

We are prepared to retain an attorney and seek legal action if necessary as we are unwilling to compromise on this new route.

We believe these actions jeopardize our mother's safety, health and are causing her unnecessary stress.

We believe we have made it clear, but want to emphasize again that nobody is to be on the property without making contact with reasonable notice and intentions.

The Kender Family

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Harvey, Ben (Indianapolis)

From: Craig Hendrix <chendrix@lowell.net>
Sent: Monday, May 1, 2023 12:33 PM
To: Donna Gaul Bobo
Cc: Harvey, Ben (Indianapolis); Todd Angerman; Keith Elmer Kender; Russell Wayne Bobo; Betty Kender
Subject: RE: Freedom Trail / Lake County, 1802920

Donna:

We are working on some new design sketches that incorporate your comments. I will send them to you to review for discussion when they are completed. I also asked our consultants not to walk about on the property without first telling me so I can inform you first. I can only control our consultants. There may be others (utilities) that walk about as well.

The project has a construction start date of Fall of 2026. We will make use of our time to assemble a design that meets your needs to the greatest extent practical.

I will keep you posted.

Regards

Craig Hendrix, PE

Town Manager/Town Engineer



Town of Lowell

501 East Main Street
P.O. Box 157
Lowell, Indiana 46356
P: 219-696-7794
F: 219-696-7796
E: CHendrix@lowell.net
Web: www.lowell.net

From: Donna Gaul Bobo <(redacted for personal privacy)>
Sent: Sunday, April 30, 2023 9:40 PM
To: Craig Hendrix <chendrix@lowell.net>
Cc: Benjamin.harvey@stantec.com; Todd Angerman <tangerman@lowell.net>; Keith Elmer Kender <k(redacted for personal privacy)>; Russell Wayne Bobo <r(redacted for personal privacy)>; Betty Kender <(redacted for personal privacy)>
Subject: Freedom Trail / Lake County, 1802920
Importance: High

Some people who received this message don't often get email from dnr1797@gmail.com. [Learn why this is important](#)

Attn: Craig Hendrix, Town Manager

The trail route that was staked last week is significantly different than the proposed route shared with us in September 2020. This new route drastically encroaches on Betty Kender's residence and would unnecessarily take up much of the yard that she enjoys. This proposed path is not acceptable and we plan to have the lath removed this week as it upsets Betty (Mom) when she sees it.

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The Kender Family

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Harvey, Ben (Indianapolis)

From: Craig Hendrix <chendrix@lowell.net>
Sent: Friday, May 5, 2023 5:44 PM
To: Donna Gaul Bobo
Cc: Harvey, Ben (Indianapolis); Todd Angerman; Keith Elmer Kender; Russell Wayne Bobo; Betty Kender
Subject: RE: Freedom Trail / Lake County, 1802920

Indiana American's contractor requested the locates for work they are doing at the intersection of Liberty and Main. The only reason I know is because we have to locate the sanitary sewers. We get the requests from 811. Has nothing to do with our project.

We are working on sketches and will forward them to you as soon as possible.

Thanks

Craig Hendrix, PE

Town Manager/Town Engineer



Town of Lowell

501 East Main Street
P.O. Box 157
Lowell, Indiana 46356
P: 219-696-7794
F: 219-696-7796
E: CHendrix@lowell.net
Web: www.lowell.net

From: Donna Gaul Bobo <(redacted for personal privacy)>
Sent: Friday, May 5, 2023 2:00 PM
To: Craig Hendrix <chendrix@lowell.net>
Cc: Benjamin.harvey@stantec.com; Todd Angerman <tangerman@lowell.net>; Keith Elmer Kender <(redacted for personal privacy)>; Russell Wayne Bobo <(redacted for personal privacy)>; Betty Kender <(redacted for personal privacy)>
Subject: Re: Freedom Trail / Lake County, 1802920

Hi Craig,

Someone has remarked the utilities at my house and my moms house again. Can you please let me know who requested the marking so I can follow up. There have been utilities marked on and off since March 20th. It's difficult to mow with red and yellow flags all over. It'd be nice to know who is requesting it and why!

Also, when can we anticipate seeing the new route design? Your earlier email mentioned "trying to wrap up the design now and this area is a critical link".

Thank you

Donna

Sent from my iPhone

On May 1, 2023, at 11:33 AM, Craig Hendrix <chendrix@lowell.net> wrote:

Donna:

We are working on some new design sketches that incorporate your comments. I will send them to you to review for discussion when they are completed. I also asked our consultants not to walk about on the property without first telling me so I can inform you first. I can only control our consultants. There may be others (utilities) that walk about as well.

The project has a construction start date of Fall of 2026. We will make use of our time to assemble a design that meets your needs to the greatest extent practical.

I will keep you posted.

Regards

Craig Hendrix, PE

Town Manager/Town Engineer

<image001.png>

Town of Lowell

501 East Main Street

P.O. Box 157

Lowell, Indiana 46356

P: 219-696-7794

F: 219-696-7796

E: CHendrix@lowell.net

Web: www.lowell.net

From: Donna Gaul Bobo <[\(redacted for personal privacy\)](#)>

Sent: Sunday, April 30, 2023 9:40 PM

To: Craig Hendrix <chendrix@lowell.net>

Cc: Benjamin.harvey@stantec.com; Todd Angerman <tangerman@lowell.net>; Keith Elmer

Kender <[\(redacted for personal privacy\)](#)>; Russell Wayne Bobo <[\(redacted for personal privacy\)](#)>;

Betty Kender <[\(redacted for personal privacy\)](#)>

Subject: Freedom Trail / Lake County, 1802920

Importance: High

Some people who received this message don't often get email from [\(redacted for personal privacy\)m](#). [Learn why this is important](#)

Attn: Craig Hendrix, Town Manager

The trail route that was staked last week is significantly different than the proposed route shared with us in September 2020. This new route drastically encroaches on Betty Kender's residence and would unnecessarily take up much of the yard that she enjoys. This proposed path is not acceptable and we plan to have the lath removed this week as it upsets Betty (Mom) when she sees it.

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The Kender Family

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Harvey, Ben (Indianapolis)

From: Craig Hendrix <chendrix@lowell.net>
Sent: Monday, May 22, 2023 5:07 PM
To: Stacy; Todd Angerman; Judy Walters; Carrie Kish; Karstin Carmany-George; Andrew D Passmore; Nicole K Foheybreting; Harvey, Ben (Indianapolis)
Subject: RE: Freedom trail public hearing

No meeting date has been set yet. We are reviewing some opportunities based upon some of the comments we have received. Probably looking at a June meeting date. Our funding year has been moved out a year so we have a little bit more time to prepare for the meeting. INDOT will decide the meeting date when they feel we are ready.

Feel free to keep checking with me on the status of the project and meeting.

Regards,

Craig Hendrix, PE
Town Manager/Town Engineer

Town of Lowell
501 East Main Street
P.O. Box 157
Lowell, Indiana 46356
P: 219-696-7794
F: 219-696-7796
E: CHendrix@lowell.net

Web:

<https://can01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.lowell.net%2F&data=05%7C01%7Cbenjamin.harvey%40stantec.com%7C2ad931b443f34babaee808db5b088feb%7C413c6f2c219a469297d3f2b4d80281e7%7C0%7C0%7C638203864566299402%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLjBjBTI6Ik1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=i3iHK3EQqKZpyImYHlh23QuUar8LfuMhbxmzK9RDyz0%3D&reserved=0>

-----Original Message-----

From: Stacy <(redacted for personal privacy)>
Sent: Monday, May 22, 2023 1:38 PM
To: Craig Hendrix <chendrix@lowell.net>; Todd Angerman <tangerman@lowell.net>; Judy Walters <JWalters@lowell.net>; Carrie Kish <(redacted for personal privacy)>; Karstin Carmany-George <k.carmanygeorge@dot.gov>; Andrew D Passmore <APassmore@indot.in.gov>; Nicole K Foheybreting <NFoheyBreting@indot.in.gov>; Ben Harvey <benjamin.harvey@stantec.com>
Subject: Freedom trail public hearing

Good Afternoon,

I have sent a few messages and have not received a response per my knowledge. I know it is A busy time for all. Any update on the indot public hearing for the freedom trail?
I see per town hall notes there might not be enough funds for this trail per what originally was displayed. Can you elaborate on this as well?

Thank you,

Stacy Brown
Concerned resident

Sent from my iPhone

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Harvey, Ben (Indianapolis)

From: Stacy <(redacted for personal privacy)>
Sent: Wednesday, June 21, 2023 5:15 PM
To: Craig Hendrix
Cc: Todd Angerman; Judy Walters; Carrie Kish; Karstin Carmany-George; Andrew D Passmore; Nicole K Foheybreting; Harvey, Ben (Indianapolis)
Subject: Re: Freedom trail public hearing

We have a question as a community.
Why is INDOT not stating when meeting is, why town of Lowell?
Why do you all have to get things in order?
We as towns people have been lied to
Yelled at
Belittled, not just myself but others as well. This feels that the town is setting things up even with the legal paperwork having lies in them.

Maybe the towns people need to hire an attorney because I have received many responses from your email you just sent and they are not happy.

Can you explain this? And in a timely manner, not weeks later.

I left you a voicemail as well Mr. Hendrix.

Thank you
Sent from my iPhone

> On Jun 21, 2023, at 3:53 PM, Craig Hendrix <chendrix@lowell.net> wrote:
>
> Stacy:
>
> The last email I received from you is below along with my response. If you have sent other correspondences, I've not received them.
>
> We are tentatively looking toward the middle of July. Maybe the week of July 17. All those that provided comments will get notifications directly. We will also advertise in the paper as required and it will be on our website.
>
> Again, the date has not been finalized yet, but we are getting very close to doing so.
>
> Regards
>
> Craig Hendrix, PE
> Town Manager/Town Engineer
>
>
>
> Town of Lowell
> 501 East Main Street
> P.O. Box 157
> Lowell, Indiana 46356
> P: 219-696-7794
> F: 219-696-7796
> E: CHendrix@lowell.net
> Web:
https://can01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.lowell.net%2F&data=05%7C01%7CBenjamin.harvey%40stantec.com%7C0377a946c44c42c83c8808db729c975e%7C413c6f2c219a469297d3f2b4d80281e7%7C0%7C0%7C638229789119972351%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLjCjBTRiI6IkhWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=5Bj3dU0ixearNCKPiUEFP%2FlykJMrEUYbAAFXXjavf8s%3D&reserved=0

>
> -----Original Message-----
> From: Craig Hendrix <chendrix@lowell.net>
> Sent: Monday, May 22, 2023 4:07 PM
> To: Stacy <(redacted for personal privacy)>; Todd Angerman <tangerman@lowell.net>; Judy Walters <JWalters@lowell.net>; Carrie Kish <(redacted for personal privacy)>; Karstin Carmany-George <k.carmanygeorge@dot.gov>; Andrew D Passmore <APassmore@indot.in.gov>; Nicole K Foheybreting <NFoheyBreting@indot.in.gov>; Ben Harvey <benjamin.harvey@stantec.com>
> Subject: RE: Freedom trail public hearing
>
> No meeting date has been set yet. We are reviewing some opportunities based upon some of the comments we have received. Probably looking at a June meeting date. Our funding year has been moved out a year so we have a little bit more time to prepare for the meeting. INDOT will decide the meeting date when they feel we are ready.
>
> Feel free to keep checking with me on the status of the project and meeting.
>
> Regards,
>
> Craig Hendrix, PE
> Town Manager/Town Engineer
>
>
>
> Town of Lowell
> 501 East Main Street
> P.O. Box 157
> Lowell, Indiana 46356
> P: 219-696-7794
> F: 219-696-7796
> E: CHendrix@lowell.net
> Web:
https://can01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.lowell.net%2F&data=05%7C01%7CBenjamin.harvey%40stantec.com%7C0377a946c44c42c83c8808db729c975e%7C413c6f2c219a469297d3f2b4d80281e7%7C0%7C0%7C638229789119972351%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLjBjBTIl6k1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=5Bj3dU0ixearNCKPiUEFP%2FlykJMrEUYbAAFXXjavf8s%3D&reserved=0
>
> -----Original Message-----
> From: Stacy <(redacted for personal privacy)>
> Sent: Monday, May 22, 2023 1:38 PM
> To: Craig Hendrix <chendrix@lowell.net>; Todd Angerman <tangerman@lowell.net>; Judy Walters <JWalters@lowell.net>; Carrie Kish <(redacted for personal privacy)>; Karstin Carmany-George <k.carmanygeorge@dot.gov>; Andrew D Passmore <APassmore@indot.in.gov>; Nicole K Foheybreting <NFoheyBreting@indot.in.gov>; Ben Harvey <benjamin.harvey@stantec.com>
> Subject: Freedom trail public hearing
>
> Good Afternoon,
>
> I have sent a few messages and have not received a response per my knowledge. I know it is A busy time for all.
> Any update on the indot public hearing for the freedom trail?
> I see per town hall notes there might not be enough funds for this trail per what originally was displayed.
> Can you elaborate on this as well?
>
> Thank you,
>
> Stacy Brown
> Concerned resident
>
> Sent from my iPhone
> External Sender: [CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe]
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>

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Harvey, Ben (Indianapolis)

From: Craig Hendrix <chendrix@lowell.net>
Sent: Thursday, July 13, 2023 12:53 PM
To: Stacy; Todd Angerman; Judy Walters; Carrie Kish; Karstin Carmany-George; Andrew D Passmore; Nicole K Foheybreting; Harvey, Ben (Indianapolis)
Cc: Linda Wagner; Cathy Womack
Subject: RE: Freedom trail public hearing & updates

We are close to determining the meeting date.

The meeting advertisement will be made available on our website and will be published in the Times. Those who provided comments and those who's property will be affected will receive the advertisement via US mail. We will also place announcements on our facebook page and on our information signs.

Thanks

Craig Hendrix, PE
Town Manager/Town Engineer

Town of Lowell
501 East Main Street
P.O. Box 157
Lowell, Indiana 46356
P: 219-696-7794
F: 219-696-7796
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<https://can01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.lowell.net%2F&data=05%7C01%7CBenjamin.harvey%40stantec.com%7C19aeb3abd1a24f21feaa08db83c19c9a%7C413c6f2c219a469297d3f2b4d80281e7%7C0%7C0%7C638248639808902255%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=6huAiKiWLVQEdMIAvyosEHwSDHZGmjf5yaPPMASG%2Bcl%3D&reserved=0>

-----Original Message-----

From: Stacy <(redacted for personal privacy)>
Sent: Tuesday, July 11, 2023 3:32 PM
To: Craig Hendrix <chendrix@lowell.net>; Todd Angerman <tangerman@lowell.net>; Judy Walters <JWalters@lowell.net>; Carrie Kish <(redacted for personal privacy)>; Karstin Carmany-George <k.carmanygeorge@dot.gov>; Andrew D Passmore <APassmore@indot.in.gov>; Nicole K Foheybreting <NFoheyBreting@indot.in.gov>; Ben Harvey <Benjamin.harvey@stantec.com>
Cc: Linda Wagner <(redacted for personal privacy)>; Cathy Womack <(redacted for personal privacy)>
Subject: Freedom trail public hearing & updates

Good Afternoon,

Is there a date yet for the public hearing for the freedom park trail?
Also few concerning points:

Today Moose park was vandalized and mulch set on fire we were told by locals. Luckily no homes are right there like it would be for this trail the town is asking for.

Little over month ago

Freedom park was vandalized and the park was damaged along w port a potty Went back few weeks later and nothing was done to fix the damage to the grass and park.

Evergreen is damaged on and off

These are all points that the town of Lowell can not keep up with problems at parks How will they keep up w a trail that is hidden and portions of homes will be butting up to the trail.

This is a huge concern for many of the people opposed to this trail.

Not to mention the numerous lies the town made when sending out documents to indot and other government officials. As I have mentioned numerous times This grant is like a scholarship a student would get to go to college. If the college doing the student lied they would take scholarship away. Why is this any different?

Town stated in documents

-no one is against the trail, this was not factual and documents were sent into indot to confirm it -town stated in documents that liberty park has sledding hill, tennis courts and basketball courts. The park has none of these 3 items.
-everyone has been notified who it will effect No one was notified but the residents on timber lake dr
- petition started May 2020 right when residents on Timberlake found out and many have talked and reached out to town manager and council and nothing has been done by it.

I have pictures of the damages at the parks after reports.

Thank you and look forward to hearing from you.

Stacy Brown
(redacted for privacy)
Sent from my iPhone

> On May 22, 2023, at 1:37 PM, Stacy <(redacted for personal privacy)>
wrote: >

> Good Afternoon,

>

> I have sent a few messages and have not received a response per my knowledge. I know it is A busy time for all.

> Any update on the indot public hearing for the freedom trail?

> I see per town hall notes there might not be enough funds for this trail per what originally was displayed.

> Can you elaborate on this as well?

>

> Thank you,

>

> Stacy Brown

> Concerned resident

>

> Sent from my iPhone

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Harvey, Ben (Indianapolis)

From: Stacy <(redacted for personal privacy)>
Sent: Wednesday, August 16, 2023 6:09 PM
To: Harvey, Ben (Indianapolis)
Cc: Blocher, Ben; Carrie Kish
Subject: Re: Lowell Freedom Trail Public Hearing Notice
Attachments: LEGAL NOTICE OF PUBLIC HEARING.pdf

Please mark
Stacy Brown to speak on Aug 22 indot hearing
Mark Daniel brown to speak on Aug 22nd indot hearing

Having a large meeting today with many residents to prepare as well for meeting
Will give them all your email to mark them down to speak also
Along with some that will announce day of public hearing.
Thank you
Stacy Brown

Sent from my iPhone

On Aug 16, 2023, at 4:19 PM, Harvey, Ben (Indianapolis) <benjamin.harvey@stantec.com> wrote:

Hello,

Attached please find a notice of public hearing for the Town of Lowell's proposed Freedom Trail Project, located in Lowell, Lake County, Indiana (INDOT Des. No. 1802920). The hearing will take place in Lowell on Tuesday, August 22, 2023 at 6:30pm.

The project alignment is the same as it has been throughout the project's NEPA process. If you or your agency has already provided comments on the project during other coordination, those comments will be incorporated into the project development process and included in the environmental document. If your recommendations or comments have not changed since a previous response and you have no further comments on the proposed project, a response is not necessary.

Thank you,
Ben

Benjamin Harvey PWS, CPESC
Project Ecologist

Direct: 317 599-4390
Mobile: 463 269-1622
benjamin.harvey@stantec.com



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Harvey, Ben (Indianapolis)

From: Harvey, Ben (Indianapolis)
Sent: Wednesday, August 16, 2023 5:14 PM
To: Donna Gaul Bobo
Cc: Keith Kender; Betty Kender
Subject: RE: LEGAL NOTICE OF PUBLIC HEARING Proposed Improvement Multi-Use Trail in Town of Lowell, Lake County

Hi Donna,

I'll copy the login information below for the meeting, and we will have instructions on providing a comment at the meeting. I think anyone can join on the meeting and no pre-registration is required. If someone doesn't feel like speaking it's fine to just send over a comment in an email or otherwise.

The route going directly north is the current preferred alternative route, so yes that goes up near Liberty Street. They shouldn't have to close the roads, but if for some reason the contractor says they want to, there would be a lot of coordination with you all before doing so. Please assume that no road closure will happen unless you hear otherwise.

Here's the meeting info:

The Town of Lowell and INDOT are inviting you to a scheduled Zoom meeting.
Join Zoom Meeting
<https://us02web.zoom.us/j/5335310327?pwd=b3ZnQnV3UGtvOTItQkpKRURNQWVrQT09>
Meeting ID: 533 531 0327
Passcode: 000000

Thanks,
Ben

Benjamin Harvey PWS, CPESC

-----Original Message-----

From: Donna Gaul Bobo <(redacted for personal privacy)>
Sent: Friday, August 11, 2023 1:55 PM
To: Harvey, Ben (Indianapolis) <benjamin.harvey@stantec.com>
Cc: Keith Kender <(redacted for personal privacy)>; Betty Kender <(redacted for personal privacy)>
Subject: LEGAL NOTICE OF PUBLIC HEARING Proposed Improvement Multi-Use Trail in Town of Lowell, Lake County

Hi Ben,

We would like to register to attend this meeting virtually. My husband Russ and I will be in Colorado for my son's wedding.

My mom, Betty Kender, would also like to register (separately from me) to attend this meeting virtually from her home in Lowell, IN.

My brother Keith Kender would like to make a comment at the meeting on my mom's behalf.

Are you able to tell me which route from Nassau park is currently the proposed preferred alignment... is it going up N. Liberty St from Main or is it going directly north from the Nassau parking lot off of Main St. In reading the notice, it seems to me, to say the alignment will be going directly North from the park lot and that the N. Liberty alignments have been abandoned because of the steep topography and wetlands. Is this accurate?

In looking at the MOT, it sounds like no roads will be closed. If N. Liberty is not passable, my elderly mom with limited mobility will be stranded and without emergency services access, since that is the only route to her residence. If the road will be blocked at any time, we will need to plan ahead for her.

Thank you,
Donna Bobo

Sent from my iPad

Caution: This email originated from outside of Stantec. Please take extra precaution.

Attention: Ce courriel provient de l'extérieur de Stantec. Veuillez prendre des précautions supplémentaires.

Atención: Este correo electrónico proviene de fuera de Stantec. Por favor, tome precauciones adicionales.

Northwest Indiana Times
 601 W. 45th Ave.
 (219) 933-3333

I, Bailee Liston, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Northwest Indiana Times, a publication that is a "legal newspaper" as that phrase is defined for the city of Munster, for the County of Lake, in the state of Indiana, that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

PUBLICATION DATES:

7 Aug 2023

14 Aug 2023

Notice ID: wuCkAUR4TIVAUYgeU3dt

Publisher ID: 39509

Notice Name: NOTICE OF PUBLIC HEARING trail 0823

PUBLICATION FEE: \$154.20

Bailee Liston

Agent

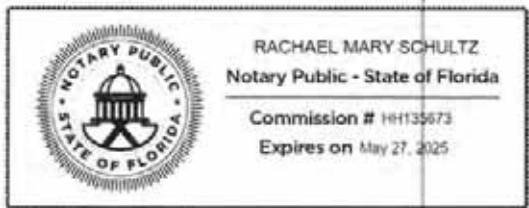
VERIFICATION

State of Florida
 County of Charlotte

Signed or attested before me on this: 08/14/2023

Rachael Mary Schultz

Notary Public
 Notarized online using audio-video communication



LEGAL NOTICE OF PUBLIC HEARING
Proposed Improvement Multi-Use Trail in Town of Lowell, Lowell County

The Indiana Department of Transportation (INDOT) will host a public hearing on Tuesday, August 22nd, 2023, from 6 am to 8 pm with a formal presentation at 6:30 pm, at the Lowell Town Hall located at 501 E Main St, Lowell, IN 46326. If you prefer to participate in the hearing virtually, contact Ben Harvey, State by Monday, August 21st of 2023, to register. The purpose of the public hearing is to offer all interested persons an opportunity to comment on current preliminary design plans to provide a walking/bike path between Nassau Park (formerly called Liberty Park) and Freedom Park in Lowell in Lake County. The purpose of the project is to provide a direct, non-motorized link for pedestrians and bicycles between Nassau Park and Freedom Park. The need for the project is due to the lack of a direct, non-motorized, vehicle separated connection between Freedom Park and Nassau Park. Freedom Park is in the northwest corner of Lowell's town limits and Nassau Park is located downtown. Freedom Park has little connectivity except by vehicle. As proposed, the project will construct an Americans with Disability Act (ADA)-compliant, multi-use trail connecting Nassau Park to Freedom Park. This trail will be comprised of both off-road and on-road segments. Through subdivisions, the trail will be concrete to match existing sidewalks and, in some areas, may replace the existing sidewalk, or off-road areas; the trail will be asphalt. The entire trail will be 10-ft to 12-ft wide with 2-ft shoulders except where it is determined to use the existing sidewalks without further improvements. Two boardwalk sections will be constructed to minimize impacts to Wetland 03, the large wetland in the center of the project. One section of boardwalk will be 100-ft long and the other section will be 450-ft long. The topography in the project area requires retaining walls in one location to limit the construction footprint to avoid impacts to environmental resources. The approximate length of the proposed project will be 1.2 miles. The proposed trail alignment will cross two wetlands and avoid an open water wetland and one stream. One wetland is located immediately south of Freedom Park and will be filled by construction of the trail. The second wetland that will be impacted is a large wetland located in the center of the project area. Two additional trail alignments that follow the higher ground to the west were considered to cross this wetland at its narrowest point; however, the steep topography would not allow for ADA-compliance. The placement of the trail in steeper terrain would require significant use of retaining walls as well as increase the risk of erosion. The project will clear approximately 0.64 acres of trees to construct the trail. Tree clearing will be restricted to the minimum needed to construct the trail and impacts will be mitigated as directed by U.S. Fish and Wildlife (USFWS), U.S. Army Corps of Engineers (USACE), and Indiana Department of Environ-

mental Management (IDEM).

The Maintenance of Traffic (MOT) plan for the project involves the closure of the sidewalks along the southside of Timber Lake Drive and on the east side of Redbud Lane to convert them to the multi-use trail. The project will also require the closure of the existing sidewalk in the southeast corner of the intersection of West Main Street and North Liberty Street. The Town will utilize signage to direct pedestrians to the opposite side of the roadway. Work within roadways is not anticipated and disruption of traffic is not anticipated.

MOT details will be presented during the public hearing. Access to all properties will be maintained during construction. INDOT will coordinate with emergency services, local school corporation officials and project stakeholders to ensure potential disruptions and impacts are minimized as much as possible. The project will require approximately 1.0 acre of permanent new right-of-way, in addition to approximately 0.5 acre of temporary right-of-way needed during construction. No displacements of properties or relocations are to occur.

Federal and local funds are proposed to be used for construction of this project. INDOT and the Federal Highway Administration have agreed that this project poses minimal impact to the natural environment. A Categorical Exclusion (CE) environmental document has been prepared for the project. The environmental documentation and preliminary design information is available to view prior at the following locations:

1. Town of Lowell Website
2. Town of Lowell - Town Hall
3. INDOT District Office (315 Boyd Blvd, La Porte, IN 46350; and INDOT 14J Toll Free Telephone Number - 1-855-463-6848)

Public statements for the record will be taken as part of the public hearing procedure. All verbal statements recorded during the public hearing and all written comments submitted prior to, during and for a period of two (2) weeks following the hearing date, will be evaluated, considered and addressed in subsequent environmental documentation. Written comments may be submitted prior to the public hearing and within the comment period to Ben Harvey, Stantec, 3901 Industrial Blvd, Indianapolis, IN 46254. E-Mail: Benjamin.Harvey@stantec.com. INDOT respectfully requests comments be submitted by September 6th, 2023. With advance notice, INDOT will provide accommodations for persons with disabilities with regards to participation and access to project information as part of the hearings process including arranging auxiliary aids, interpretation services for the hearing impaired, services for the sight impaired and other services as needed. In addition, INDOT will provide accommodations for persons of Limited English Proficiency (LEP) requiring auxiliary aids including language interpretation services and document conversion. Should accommodation be required please contact Ben Harvey, Stantec at 317-599-4390 or Benjamin.Harvey@stantec.com.

In the event of inclement weather resulting in hazardous driving conditions, please call the Benjamin

Harvey, Stantec at 317-599-4390 to learn of any postponement of the public hearing. If the public hearing is postponed due to inclement weather, it will be rescheduled for a later date and time and the public comment period will be extended.

This notice is published in compliance with Code of Federal Regulations, Title 23, Section 771 (CFR 771.111(h)(1) states: "Each State must have procedures approved by the FHWA to carry out a public involvement/public hearing program." 23 CFR 450.212(a)(7) states: "Public involvement procedures shall provide for periodic review of the effectiveness of the public involvement process to ensure that the process provides full and open access to all and revision of the process as necessary," approved by the Federal Highway Administration, U.S. Department of Transportation on July 7, 2021.

8/7, 8/14 - 39509

HSPAXLP

LEGAL NOTICE OF PUBLIC HEARING

Proposed Improvement Multi-Use Trail in Town of Lowell, Lake County

The Indiana Department of Transportation (INDOT) will host a public hearing on Tuesday, August 22nd, 2023, from 6 pm to 8 pm with a formal presentation at 6:30 pm, at the Lowell Town Hall located at 501 E Main St. Lowell, IN 46356. If you prefer to participate in the hearing virtually, contact Ben Harvey, Stantec by Monday, August 21st, 2023, to register or refer to instructions at the bottom of this notice. The purpose of the public hearing is to offer all interested persons an opportunity to comment on current preliminary design plans to provide a walking/bike path between Nassau Park (formerly called Liberty Park) and Freedom Park in Lowell in Lake County.

The purpose of the project is to provide a direct, non-motorized link for pedestrians and bicycles between Nassau Park and Freedom Park. The need for the project is due to the lack of a direct, non-motorized, vehicle separated connection between Freedom Park and Nassau Park. Freedom Park is in the northwest corner of Lowell's town limits and Nassau Park is located downtown. Freedom Park has little connectivity except by vehicle.

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2. Town of Lowell – Town Hall
3. INDOT District Office (315 Boyd Blvd, La Porte, IN 46350; and INDOT4U Toll Free Telephone Number – 1-855-463-6848)

Public statements for the record will be taken as part of the public hearing procedure. All verbal statements recorded during the public hearing and all written comments submitted prior to, during and for a period of two (2) weeks following the hearing date, will be evaluated, considered and addressed in subsequent environmental documentation. Written comments may be submitted prior to the public hearing and within the comment period to Ben Harvey, Stantec, 3901 Industrial Blvd., Indianapolis, IN 46254. E-Mail:

Benjamin.Harvey@stantec.com. **INDOT respectfully requests comments be submitted by September 6th, 2023.**

Virtual participation in the public hearing will be made available via a zoom meeting here: <https://us02web.zoom.us/j/5335310327?pwd=b3ZnQnV3UGtvOTltQkpKRURNQWVrQT09; Meeting ID: 533 531 0327; Passcode: 000000>. With advance notice, INDOT will provide accommodations for persons with disabilities with regards to participation and access to project information as part of the hearings process including arranging auxiliary aids, interpretation services for the hearing impaired, services for the sight impaired and other services as needed. In addition, INDOT will provide accommodations for persons of Limited English Proficiency (LEP) requiring auxiliary aids including language interpretation services and document conversion. Should accommodation be required please contact Ben Harvey, Stantec at 317-599-4390 or Benjamin.Harvey@stantec.com.

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Tuesday, August 21, 2023

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

Welcome to the Indiana Department of Transportation's (INDOT) public hearing regarding proposed Multi-Use Trail from Freedom Park to Nassau Park (Liberty Park) in Lake County.

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

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

1. **Complete** a comment form and return it to an INDOT representative attending the public hearing. Comment forms are available at the sign-in table and also included in your information packet
2. **Participate** as speaker during the comment session following tonight's presentation
3. **E-mail** comments to the Town's environmental consultant at benjamin.harvey@stantec.com
4. **Mail** comments to the Town's environmental consultant at Stantec - Attn: Ben Harvey, 3901 Industrial Blvd., Indianapolis, IN 46254

Submit comments (or have comments postmarked by) **Wednesday, September 6, 2023.** Comments will be reviewed and considered as part of the INDOT decision making process.

Visit the Town's webpage to learn more about this project.

Questions? Contact INDOT Customer Service at 1-855-INDOT-4-U (1-855-463-6848) INDOT@indot.in.gov.

The LaPorte District is responsible for maintaining 5,668 lane miles of state roads, 560 lane miles of interstate, 892 large culverts 824 state bridges, 170 snow routes, 618 traffic signals, 234 flashers, and 58,600 road signs.

There are five subdistricts (Gary, LaPorte, Monticello, Rensselaer and Plymouth) and 13 counties (Carroll, Cass, Fulton, Jasper, Lake, LaPorte, Marshall, Newton, Porter, Pulaski, St. Joseph, Starke and White) in this northwest Indiana district.

Public Hearing Agenda

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

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

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

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

- Town of Lowell Website: https://www.lowell.net/egov/documents/1678716749_15361.pdf
- Town of Lowell – Town Hall
- INDOT District Office (315 Boyd Blvd, La Porte, IN 46350; and INDOT4U Toll Free Telephone Number – 1-855-463-6848)
- Questions: Contact INDOT Customer Service 1-855-463-6848 (1-855-INDOT4U)
INDOT@indot.in.gov

Thank you for attending tonight’s public hearing.

Welcome to the Public Hearing

**Freedom Trail from Liberty Park to Freedom Park
Multi-Use Trail Improvements
DES. 1802920
Lowell, Lake County**


Town of Lowell
Indiana Department of Transportation
Tuesday, August 22, 2023
6:00 pm
Lowell Town Hall



1

Project Team

- Indiana Department of Transportation (INDOT)
 - Andrew Borden, Project Manager
 - Amy Stanley, Customer Service Manager
- Town of Lowell (Local Public Agency/LPA)
 - Craig Hendrix, Town Manager
- Consultant Team
 - Glenn Peterson, Project Manager (Short Elliott Hendrickson Inc./SEH)
 - Ben Harvey, NEPA Specialist (Stantec)



2

Agenda

- Purpose of Public Hearing
- Process of Public Hearing
- Project Information
 - Project Stakeholders
 - Overview of INDOT Project Development Process
 - Project Background and History
 - Purpose and Need
 - Location
 - Alternatives Considered
 - Proposed Project Improvements and Design Elements
 - Maintenance of Traffic
 - NEPA Environmental Documentation Process
 - Anticipated Schedule and Cost
 - Land Acquisition Process
 - Right-of-Way Requirements



3


Submit Public Comments

In-Person Public Hearing:

-
-
-

Via e-mail


September 6, 2023



4

Public Hearing Purpose


- Requirement of the National Environmental Policy Act (NEPA)
- Opportunity to engage the public in the decision-making process
- Solicit comments on the environmental document and design plans
- All comments submitted will become part of the public record, and they will be entered into a transcript, reviewed, evaluated, and given full consideration during the decision-making process



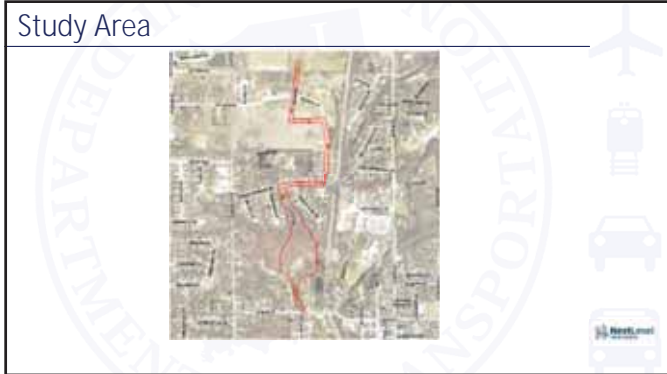
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Public Hearing Process

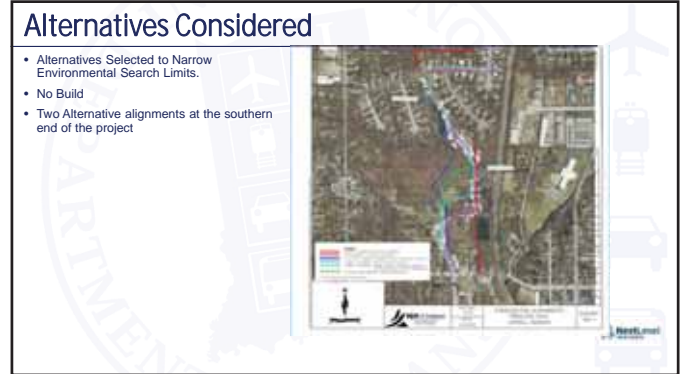
- Legal notice advertised in *Northwest Indiana Times* newspaper on August 7 and 14
- Notice was mailed/emailed to previous commentors, affected property owners or other interested parties.
- Notice published on the Town's website
 - Environmental Document is also available digitally on Lowell.net
- Physical copies of the environmental document available at:
 - Lowell Town Hall



6



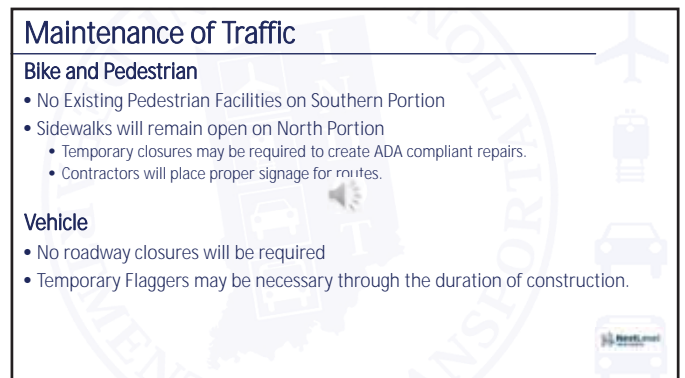
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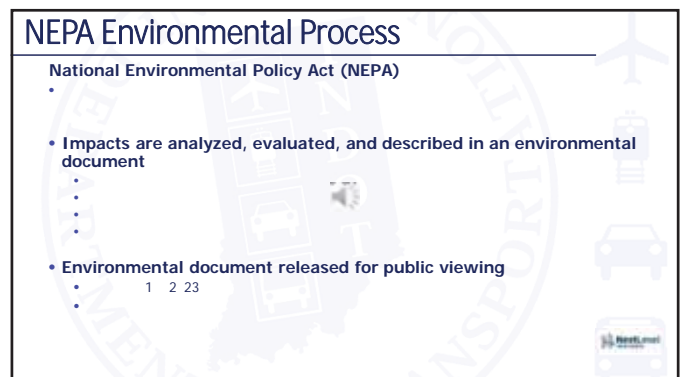
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17



18

Next Steps

- Public and project stakeholder input
 - Submit comments by September 6, 2023 via email or in-person at the hearing.
- INDOT review and evaluation
 - All comments are given full consideration during the decision-making process.
 - Address comments, edit and finalize the environmental document.
 - INDOT review and approval, and complete the project design.
- Communicate a decision
 - INDOT/Town of Lowell will notify project stakeholders of the decision.
 - Work through local media, social media outlets; paid legal notice.
 - Make project documents accessible via repositories.

25

Right-of-Way Estimates

Published in CE Document

- 1.00 Acre of Permanent Right-of-Way
- 0.50 Acre of Temporary Right-of-Way

Current Estimates

- +/- 2.12 Acres of Permanent Right of Way
- +/- 0.22 Acres of Temporary Right of Way

Final Right of Way Amounts will be determined during Final Design



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Land Acquisition Process

- New permanent right-of-way acquisition anticipated
 - Use of Town owned parcels and existing public right-of-way where possible to minimize project cost and impacts
- Zero relocations
- Land acquisition process must follow the Uniform Act of 1970 which requires offer for just compensation
- The brochure that explains process can be found at https://www.fhwa.dot.gov/real_estate/uniform_act/acquisition/real_property.cfm and is available at the sign in table at the in-person Public Hearing.

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Anticipated Schedule and Cost



The estimated cost for this project is \$3,882,000

• PE (engineering design/environmental)	\$350,000
• RW (right-of-way acquisition and services)	\$250,000
• Construction	\$2.79 Million
• Construction Inspection	\$492,000

Note: Town of Lowell is responsible for approximately 20% of these costs, with the remaining 80% being provide through FHWA

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Thank you!

29

Transcript

Speaker 3: Ben Harvey – Stantec

Speaker 6: Craig Hendrix – Town of Lowell

Speaker 1: Glenn Peterson – Short Elliot Hendrickson (SEH)

Speaker 9: Stacy Brown – Resident

Speaker 10: Beth Ann Pulley – Resident

Speaker 8: David Frizzell – Resident

Speaker 2: Daniel Brown – Resident

Speaker 7: Rich Kostner – Resident

Speaker 15: Brian Sylvester – Resident

Speaker 16: Ron Brown – Resident

Speaker 11: Carrie Kish – Resident

Speaker 13: Wallace Napleton (?)– Resident

Speaker 5: Jeff Kopica – Resident

Speaker 14: Keith Kender – Resident

Speaker 2: Greg White – Town of Lowell

Speaker 12: Renee Krambeck – Resident

Speaker 17: Kathy Midkiff – Resident

Speaker 18: Linda Lloyds – Resident

Speaker 7: John Novalni – Resident

Speaker 20: Unidentified Resident

Speaker 4: Unidentified Resident

Speaker 19: Unidentified Resident

...For the Lowell freedom.

00:00:07 Speaker 3

Trail. I'm Ben Harvey with stantec. My company prepared the environmental study and the environmental document for this Glenn is with SEH. They're the design engineer and then Craig is also the town manager. So we're kind of I guess representatives of the project here and.

00:00:28 Speaker 3

And and Andrews.

00:00:29 Speaker 3

Within dot, who is the in dot project manager?

00:00:33

As well.

00:00:35 Speaker 3

So just really quickly, the format for the hearing we generally will, you know, I'll wrap up really quick and then we have a presentation recorded gives you background on the project and.

00:00:45 Speaker 3

The environmental document.

00:00:48 Speaker 3

At which point we will anybody who wants to give a public comment can stand up. If you signed in.

00:00:55 Speaker 3

If you didn't sign in and you still want to or you decide you want to just signal us and let us know.

00:01:02 Speaker 3

Just probably take those in the order they are on the list.

00:01:07 Speaker 3

And there's also if you don't want to speak publicly, there is a I think there's a final sheet in the one of the handouts that has a comment form. You can fill that and somebody or leave it or mail it. We also there's e-mail addresses on there.

00:01:20

You have to.

00:01:26 Speaker 3

If you prefer.

00:01:27 Speaker 3

So really whatever format you'd.

00:01:30 Speaker 3

Like to deliver a comment then.

00:01:32 Speaker 3

We'll get started with.

00:01:33 Speaker 3

The presentation for now and then.

00:01:37

Go to the.

00:01:37 Speaker 3

Public comment section after that.

00:01:48 Speaker 3

Hello and welcome to the Lowell Freedom Trail public hearing. This proposed multi use trail extends from Freedom Park to Liberty Park and as will be mentioned elsewhere, Liberty Park has been renamed Nassau Park. The project is listed under in dot designation number.

00:02:04 Speaker 3

1802920 and is located in the town of Lowell, Lake County, Indiana.

00:02:16 Speaker 3

The project team involves officials from Indot and the town of Lowell, and from the design consultant team.

00:02:23 Speaker 3

Andrew Borden and Amy Stanley are out of the Indot LaPorte district office. Andrew is the project manager and Amy is the customer services manager. Craig Hendricks is the town manager for Lowell, the project sponsor.

00:02:40 Speaker 3

And the consulting team consists of Glenn Peterson, who manages the project for the design engineering firm Short Elliot Hendrickson and Ben Harvey with Stantec, who completed the environmental.

00:02:53 Speaker 3

We will go into more detail on responsibilities later in the presentation, but Indot is here to certify the environmental process and that the public hearing is conducted according to their standards.

00:03:08 Speaker 3

The agenda for tonight's public hearing will consist of a description of the purpose for this public hearing, what the process will be for tonight's meeting.

00:03:17 Speaker 3

And information about the project.

00:03:20 Speaker 3

Which will include project stakeholders and overview of the project and its history, the purpose and need for the project.

00:03:30 Speaker 3

Project location and alternatives that were considered under the environmental study.

00:03:36 Speaker 3

The proposed project design and components.

00:03:40 Speaker 3

How traffic will be maintained during construction?

00:03:43 Speaker 3

What the NEPA environmental study and document process looks like cost and schedule, as well as how land acquisition and right of way requirements will move forward.

00:04:00 Speaker 3

One of the most important parts of the public hearing is to solicit public comments and information on the proposed project. There are few ways that you may submit public comments in person during the hearing and all comments will be recorded.

00:04:17 Speaker 3

You may submit them via a public comment form which is available at the sign-in table, or you can send comments via e-mail to Benjamin Harvey.

00:04:27 Speaker 3

At stantec.com, all comments will become part of the public record and they will be entered into a transcript and the Neva environmental document comments.

00:04:39 Speaker 3

Will be reviewed.

00:04:40 Speaker 3

And evaluated and given full consideration during the decision making process.

00:04:47 Speaker 3

We would respectfully request that all comments be submitted by September 6, 2023.

00:04:53 Speaker 3

Can try to answer questions after the formal public hearing is over, but are not able to provide a response in real time as comments are made during the public hearing.

00:05:09 Speaker 3

The purpose of this public hearing is to provide an opportunity to engage the public in the decision making process. This public hearing is also a requirement of the national Environmental Policy Act, or NEPA, which is required for this project.

00:05:25 Speaker 3

Because the town of Lowell is using federal matching funds from the Federal Highway Administration and administered through INDOT.

00:05:34 Speaker 3

The public hearing is an opportunity to engage the public and also to solicit comments on what is in the environmental document and the design plans.

00:05:44 Speaker 3

All comments submitted will be part of the public record. They will be entered into a transcript, and the NEPA environmental document reviewed, evaluated, and given full consideration during the decision making process.

00:06:04 Speaker 3

As a requirement of the public hearing process, a legal notice was advertised in the times of Northwest Indiana on August 7th and August 14th, and notice was also emailed or mailed to previous commenters on the project. Affected property owners and other interested parties.

00:06:24 Speaker 3

The notice of public hearing was also published on the town's website.

00:06:29 Speaker 3

And this is also where the environmental document is available for review and download.

00:06:34 Speaker 3

Physical copies of the environmental document are available at the Lowell Town Hall.

00:06:43 Speaker 3

There are a number of project stakeholders involved in the project or who were contacted during preparation of the environmental document.

00:06:52 Speaker 3

Stakeholders may include the Indiana Department of Transportation, Indiana Division of the Federal Highway Administration, Lake County, the town of Lowell.

00:07:03 Speaker 3

Elected and local officials, residents.

00:07:07 Speaker 3

Commuters, businesses, emergency services, schools, churches and community organizations.

00:07:21 Speaker 6

Federal Highway infrastructure funding is made available to indot. Indot administers these funds and grants them to local public agencies. Indot notifies municipalities of available funding. Municipalities compete for these funds by completing project applications created by INDOC. Indot scores the applications and selects the project that will receive the grant.

00:07:43 Speaker 6

It is responsibility of the municipality who is also known as the local public agency, to develop the project. Select Pre qualified consultants to design and acquire rights of way and submit development stage submittals to INDOT for review.

00:07:57 Speaker 6

Development submittals for a trail project include Stage 1 submittal, which is approximately 30%.

00:08:05 Speaker 6

It develops the alternatives for the NEPA document or the environmental document.

00:08:10 Speaker 6

The environmental document submittal. Preliminary field check plans which is approximately 50% design.

00:08:15 Speaker 6

Right away, acquisition submittal Stage 3 submittal, which is approximately 95%.

00:08:21 Speaker 6

The final tracing submittal, which includes the bid documents.

00:08:25 Speaker 6

Contract leading and construction.

00:08:31 Speaker 6

In 2009, Lowell updated its comprehensive plan.

00:08:34 Speaker 6

This comprehensive plan is the town's blueprint for future growth.

00:08:38 Speaker 6

It is developed by the Planning Commission through a public process and adopted by the Town Council. The plan discusses Lowe's desire for a trail network and interconnections between parks.

00:08:50 Speaker 6

In 2014, that town developed the lower bike plan with the assistance of the Active Transportation Alliance.

00:08:56 Speaker 6

Public works sessions were conducted, and again Lowell indicated a desire for trails throughout town, particularly those off St. and multi use trails.

00:09:07 Speaker 6

In October of 2018, the Town council adopted the Freedom Trail master plan that depicts connections between numerous municipal facilities, including Freedom Park, to the.

00:09:17 Speaker 6

North and Buckley, Homestead and the East End of town.

00:09:21 Speaker 6

The council reviewed routes that were off St.

00:09:24 Speaker 6

All St. trails are quieter, safer and provide a better overall experience for the user.

00:09:29 Speaker 6

The Council selected a route that took advantage of rights of way and properties already available to the town.

00:09:36 Speaker 6

The CSX railroad was not seriously considered because it is an active rail and CSX would not have allowed a trail to share their.

00:09:43 Speaker 6

Right of way.

00:09:44 Speaker 6

The Freedom Trail master plan was presented and endorsed by the PED Pedal Paddle Committee of the Northwest Indiana Regional Planning Commission.

00:09:54 Speaker 6

In 2019, the lower Parks Department completed its five year master plan. Among many wants the public desired more park interconnectivity and trails.

00:10:05 Speaker 6

Although the existing town council has set aside matching grant funds and endorsed the preferred alternative, the planning work to develop this trail and the desire for trails in general has spanned several town councils and planning commissions.

00:10:22 Speaker 6

In 2016, the loan Town Council submitted an application to Indot requesting grant funding for a trail alignment that followed a path along main and Nickel streets.

00:10:32 Speaker 6

The application was unsuccessful. We're not sure why Indot did not select the project, although the project was expensive and would have required the acquisition of nearly 30 parcels.

00:10:43 Speaker 6

Obviously it does not score as well as other submittals which receive funding.

00:10:47 Speaker 6

In 2018, the Lower Town Council adopted the Freedom Trail master plan.

00:10:52 Speaker 6

In December of 2018, a funding application was submitted to INDOT.

00:10:57 Speaker 6

The application included a revised off St.

00:11:00 Speaker 6

The project was selected for funding.

00:11:03 Speaker 6

In February of 2020, the town council requested and received design proposals from numerous indot pre approved consultants.

00:11:11 Speaker 6

The request followed in dots consultant selection procedure.

00:11:15 Speaker 6

Proposals were scored, according to Indot scoring criteria.

00:11:19 Speaker 6

The town selected the highest scoring design firm of short Elliott Hendrickson.

00:11:25 Speaker 6

In the spring of 2020, short Elliott Hendrickson's environmental sub consultant, Stantec began working on the environmental document.

00:11:33 Speaker 6

In 2023, the document was released for public involvement. This public meeting is part of that public involvement process.

00:11:43 Speaker 3

The purpose and need for the project are important components of the environmental study and NEPA document.

00:11:50 Speaker 3

The primary transportation need for the project is based on the 2009 Lowell Comprehensive Plan, which included these goals.

00:11:59 Speaker 3

To improve parks and trails.

00:12:01 Speaker 3

And to provide improved access to all parks.

00:12:05 Speaker 3

The purpose of the project is to provide a direct, non motorized link for pedestrians and bicycles between Nassau Park and Freedom.

00:12:15 Speaker 3

When we began our study, Nassau Park was still named Liberty Park and the Liberty Park name is carried over in the environmental document at this time.

00:12:26 Speaker 3

The project is located in the town of Lowell in Lake County, Indiana.

00:12:31 Speaker 3

The project begins at Nassau Park and extends N to Freedom Park.

00:12:37 Speaker 3

Currently there is not a good way to access Freedom Park except via automobile.

00:12:48 Speaker 3

The map displayed here shows the study area that was considered for this environmental study.

00:12:54 Speaker 3

The study area was narrower where it begins, and at the northern end because it was determined the most feasible route would utilize existing public right of way at these locations.

00:13:06 Speaker 3

The study area was wider where it crosses undeveloped land so that the routes could be established based on environmental and design considerations.

00:13:19 Speaker 3

Several alternatives were considered in early planning and during the environmental study.

00:13:25 Speaker 3

It was determined early on that utilizing existing public right of way would be an important design consideration for the project.

00:13:34 Speaker 3

We consider two alternate alignments at the southern end of the project.

00:13:39 Speaker 3

And we are also required to evaluate a no build alternative in the environmental document.

00:13:48 Speaker 1

The preferred route.

00:13:50 Speaker 1

Is still in the preliminary design phase.

00:13:52 Speaker 1

Following the conclusion of the environmental process, the design will be reinitiated with additional public comments incorporated into the final design. Currently, the trail route is as follows. A shared Rd. on Liberty Street from Main Street to the end of the right of way where the trail will divert.

00:14:13 Speaker 1

Into a 10 foot dedicated multi use pathway.

00:14:17 Speaker 1

That will utilize retaining wall.

00:14:20 Speaker 1

And Boardwalk sections to navigate the topography.

00:14:26 Speaker 1

North of the detention basin on Timber Springs Rd.

00:14:32 Speaker 1

The trail will transition into a shared Rd.

00:14:38 Speaker 1

Or cyclists, along with the use of the ADA compliant sidewalks for pedestrians to access Freedom Park.

00:14:45 Speaker 1

We anticipate upgrading signage and striping along the corridor.

00:14:52 Speaker 1

The trail route and sections were updated based on the initial public comment period.

00:14:59 Speaker 1

Specifically, removing the expanded sidewalks through the neighborhoods.

00:15:06 Speaker 1

During the construction of the project.

00:15:08 Speaker 1

The maintenance of traffic will be as follows.

00:15:11 Speaker 1

For bicyclists and pedestrians, no existing pedestrian facilities exist on the southern portion of the project. On the northern portion of the project, sidewalks will remain open. However, there may be temporary closures required to create ADA compliance sidewalks.

00:15:29 Speaker 1

During the time of these closures, contractors will place proper signage for these routes.

00:15:35 Speaker 1

Or vehicular traffic, no permanent roadway closures will be required.

00:15:41 Speaker 1

Temporary flaggers may be necessary throughout the duration of the project. There may also be lane restrictions at certain portions of the construction.

00:15:53 Speaker 1

Given the unique characteristics of the town of Lowe's Freedom Trail corridor.

00:15:59 Speaker 1

As the project moves to final design, our team will continue to evaluate ways to minimize the construction footprint of the project.

00:16:09 Speaker 1

On your screen you are seeing.

00:16:12 Speaker 1

Examples of projects within Northwest Indiana that have been constructed in environmentally sensitive areas, such as the Indiana Dunes National Park.

00:16:23 Speaker 1

These elements were designed to minimize the impact on the surrounding environment.

00:16:29 Speaker 1

The retaining walls section was included to minimize the overall construction footprint.

00:16:35 Speaker 1

The boardwalk section that you are seeing in the bottom.

00:16:39 Speaker 1

Of your page.

00:16:41 Speaker 1

Was constructed through wetlands.

00:16:43 Speaker 1

This boardwalk construction through wetlands.

00:16:46 Speaker 1

Has been accepted by the Army Corps of Engineers and Idem as a preferred way to traverse wetlands.

00:16:55 Speaker 1

Impacts to wetlands are considered temporary because of the footing foundations and the allowance of hydraulic flow through the soils to continue on the top right, you will see a typical asphalt trail section along the left hand side of that trail.

00:17:15 Speaker 1

There is an access control front that separates.

00:17:21 Speaker 1

Private properties from the trail corridor.

00:17:25 Speaker 1

We anticipate that areas where the trail is adjacent to private properties.

00:17:32 Speaker 1

Fencing or other barriers will be placed to minimize the.

00:17:39 Speaker 1

Wandering of trail users onto private property.

00:17:46 Speaker 3

I will now provide an overview of the NEPA environmental process.

00:17:50 Speaker 3

The National Environmental Policy Act, or NEPA, requires INDOT to analyze and evaluate the impacts of a proposed project to the natural and human or socioeconomic environments.

00:18:03 Speaker 3

And environmental document is prepared to satisfy the NEPA environmental process and INDOT establishes how the environmental studies must move forward and how the environmental document is prepared.

00:18:17 Speaker 3

Impacts are analyzed, evaluated and described in an environmental document. The document will look at what impacts the project might have.

00:18:27 Speaker 3

Whether the impact can be avoided or minimized, and where they can't be avoided where mitigation may be required to make up for these impacts.

00:18:36 Speaker 3

The environmental document was released for public involvement on February 16, 2023, and it is currently available at the town hall and the town of Lowell website for review.

00:18:51 Speaker 3

There are a number of steps which take place during the environmental document preparation for the project.

00:18:57 Speaker 3

1st is to establish the purpose and need for the project.

00:19:02 Speaker 3

Then alternatives are developed to satisfy the purpose and need, and also compared against the no build alternative as a baseline comparison.

00:19:12 Speaker 3

Alternatives are evaluated and screened to identify a preferred alternative.

00:19:17 Speaker 3

Studies are performed on the alternative alignments to evaluate potential impacts to the natural and human environments.

00:19:25 Speaker 3

Comments are solicited from local, state and federal agencies.

00:19:30 Speaker 3

Public comments are solicited on the environmental document and the preliminary design plan.

00:19:37 Speaker 3

These comments are considered as part of the decision making process and addressed in the environmental document.

00:19:44 Speaker 3

When all of this is complete, the document is finalized and approved by indot.

00:19:51 Speaker 3

There are a number of specific items which must be evaluated under the NIBA process and based on guidance provided by INDOT.

00:20:00 Speaker 3

These include right of way requirements, impacts to streams, wetlands, and other surface waters, including floodplains.

00:20:08 Speaker 3

Impacts the project might have on endangered species or plant and animal habitat impacts to farmland cultural resources, including above ground, and archaeological studies.

00:20:20 Speaker 3

Impacts to park and recreation land.

00:20:23 Speaker 3

Impacts the project may have on air quality or noise impacts, community impacts, environmental justice concerns, hazardous materials and commercial development.

00:20:35 Speaker 3

There are also specific public involvement requirements.

00:20:38 Speaker 3

The document must evaluate what permits may be required for the project and mitigation for impacts that are unavoidable.

00:20:48 Speaker 3

During preparation of the environmental document, the project sponsor is required to solicit input from federal, state and local agencies.

00:20:57 Speaker 3

The agencies involved in this early coordination are shown on the slide.

00:21:03 Speaker 3

Each agency is expected to review the proposed project and provide comments on whether they believe that the project will have significant impacts on resources under their jurisdiction.

00:21:26 Speaker 3

There are a few things to highlight about the environmental document for this project.

00:21:31 Speaker 3

Indot and Federal Highway have established what are called categorical exclusions, or CES for projects and activities that have similar or lesser impacts.

00:21:40 Speaker 3

On the environment.

00:21:42 Speaker 3

The CE environmental document is still required to evaluate all of the items investigated in a higher level study.

00:21:50 Speaker 3

This project is a Level 3 categorical exclusion based on wetland impacts between a tenth and one.

00:22:05 Speaker 3

Species or their habitat, and there is little or no impact to nearly everyone of the categories and items studied in the environmental document.

00:22:16 Speaker 3

Now I will summarize some of the public questions and comments we have received to date.

00:22:22 Speaker 3

We received some questions on the project alignment and how this is selected.

00:22:27 Speaker 3

Which has been discussed earlier in the presentation.

00:22:30 Speaker 3

We were asked how the trail will be maintained and also about safety.

00:22:35 Speaker 3

The trail is considered like a public park and will have the same hours and requirements as any public park in town.

00:22:43 Speaker 3

There were questions on the use of existing sidewalks and roadways which were utilized in an effort to use existing publicly held right of way as much as possible.

00:22:54 Speaker 3

Wildlife and habitat impacts were brought up, which we've addressed in the environmental document and which were not identified to be significant by regulatory agencies.

00:23:05 Speaker 3

We also were notified of some things that will need to be updated in the final environmental document, including amenities that are currently at the park locations, the new name for Liberty Park as NASA Park, and then any additional public input that has been provided on the project in the past and tonight.

00:23:35 Speaker 3

With God, the strategy has identified a potential need for a project is to take the idea for the project and have it approved to move forward.

00:23:41 Speaker 3

By end dot, once the selection is complete, early coordination letters are sent out to agencies and local officials to get input on the proposed project. This happens at the very beginning of the environmental review and at which time we will also develop a purpose and need.

00:23:56 Speaker 3

In alternatives that may satisfy that need.

00:23:59 Speaker 3

And these will guide the environmental studies, preliminary engineering and design takes place alongside the early environmental work and once the environmental studies are completed and environmental document is drafted, the public is given an opportunity to provide input. That's the point where we are in this project.

00:24:19 Speaker 3

Once public involvement wraps up, there's additional work to finalize the environmental document and design.

00:24:25 Speaker 3

And then the public will be informed of the project decisions. If the project moves forward, it goes on to real estate acquisition and eventually construction after that.

00:24:37 Speaker 3

As far as next steps go, right now we are in the process of soliciting public and project stakeholder input.

00:24:45 Speaker 3

Public comments are due two weeks after this hearing, so September 6th, 2023.

00:24:51 Speaker 3

There are further instructions on submitting comments at the sign-in table or via spoken comments after the presentation wraps up.

00:24:59 Speaker 3

All comments will be compiled, reviewed and evaluated and given full consideration during the decision making process.

00:25:07 Speaker 3

We will address the comments in the environmental document and then Endon, we'll review and approve those resolutions prior to approving and finalizing the.

00:25:26 Speaker 3

Our direct project stakeholders of the decision via e-mail, social media and public notices.

00:25:32 Speaker 3

The town will also make the project documents available on their website and in the same locations where the current draft document may be found.

00:25:43 Speaker 6

Both temporary and permanent right of way will be required for the project.

00:25:47 Speaker 6

The temporary right of way is necessary to aid in the construction of the trail.

00:25:51 Speaker 6

It will be restored as part of the project and its ownership will remain with the property owner.

00:25:57 Speaker 6

2.12 acres of permanent and 0.22 acres of temporary are the current estimated right of way need for the project.

00:26:16 Speaker 6

Several parts, as are the existing rights of way in timber springs and freedom springs subdivisions.

00:26:22 Speaker 6

We do not anticipate any relocations.

00:26:26 Speaker 6

The land acquisition process must follow the Uniform Act of 1970, which requires property owners to receive just compensation for their property.

00:26:34 Speaker 6

A brochure that explains the process is available at the sign-in table and can be found at federal highway's website.

00:26:41 Speaker 6

In a nutshell, the town's design team determines the areas necessary.

00:26:45 Speaker 6

For the project.

00:26:47 Speaker 6

The areas are surveyed and legal descriptions to individual parcel plants are created.

00:26:52 Speaker 6

This information is forwarded to the project appraisers for evaluation.

00:26:57 Speaker 6

Each parcel is evaluated by two in dot pre qualified appraisers.

00:27:01 Speaker 6

The appraisers come to a consensus on the value and prepare a statement of basis for just compensation to be approved by the town.

00:27:09 Speaker 6

The parcel information is forwarded to an in dot certified buyer who presents an offer to the property owner.

00:27:16 Speaker 6

The buyer is the liaison between the property owner and the town and is an expert on acquiring property through the Uniform Act.

00:27:24 Speaker 6

All negotiations and property owner questions are addressed by the buyer.

00:27:29 Speaker 6

Once an agreement is reached, the buyer will prepare transfer documents for recording and present the property owner with payment.

00:27:36 Speaker 6

The appraisers and buyer are consultants hired by the town.

00:27:40 Speaker 6

Payments for parcels are also made by the town.

00:27:44 Speaker 6

The following slide shows the current project schedule and estimated project costs.

00:27:49 Speaker 6

Project construction is planned to begin with tree clearing in the fall or winter of 2026.

00:27:54 Speaker 6

The project is anticipated to be completed in one construction season.

00:27:59 Speaker 6

The Indot grant covers 80% of the design, land acquisition and construction costs.

00:28:05 Speaker 6

The town is responsible for the remaining 20% match.

00:28:10 Speaker 6

The town of Lowell and the project team would like to thank you for your time and looks.

00:28:13 Speaker 6

Forward to your comments.

00:28:21 Speaker 3

OK. So I guess go through a couple of things quickly and then we can start with the public comment period. I guess the presentation as it was recorded will be on the town's website tonight. So if there's anything that you want to go back and revisit, then it'll be available there.

00:28:43 Speaker 3

We will also stick around once the public comment period is over. If there is some Q&A or something that anybody has a question about, something specific, we have a copy of the environmental document as well over there. So I guess the the process in the public comment period.

00:29:03 Speaker 3

It is essentially just an opportunity to come up save, I guess your thoughts. We will record all of those and then.

00:29:10 Speaker 7

They get incorporated.

00:29:11 Speaker 3

Into the environmental document itself. So we're not really supposed to respond. There's not much.

00:29:19 Speaker 3

Like back and forth, it's more just deliver the comment.

00:29:22 Speaker 3

And then we will use.

00:29:23 Speaker 3

The environmental document and respond to that and then also send that back out.

00:29:30 Speaker 3

We have your contact information too. I think we, if we have people who are online now, just raise your hand. I think there should be a function to raise your hand and they'll let us know. We can patch you through on that and.

00:29:50 Speaker 3

I guess we're going to try and just in the interest of trying to get everybody through in the amount of time, we have a number of people try to limit it to around 3 minutes per.

00:29:58 Speaker 3

Comment. So we will you know.

00:30:01 Speaker 3

Try and you know flag you.

00:30:03 Speaker 3

If if things are.

00:30:04 Speaker 3

You know, get it moving past that point. But if we have time at the end, anyone wants to come up and.

00:30:10 Speaker 3

Say some additional comments.

00:30:12 Speaker 3

That as well.

00:30:15 Speaker 3

So I'll just now essentially call people as they're listed on the forms and then?

00:30:21 Speaker 3

We'll get through it.

00:30:23 Speaker 3

Stacy brown.

00:30:36 Speaker 9

Hi, my name is Stacy Brown and at first I want to thank you guys for accepting and having a public hearing. For many of us to have our voices heard. We have brought many concerns to the town council and town manager from the beginning of May 2020.

00:30:48 Speaker 9

And if that nowhere but the little then pushed aside, we started a petition on this proposed trail may of 2020. We kept going through. Now we have over 50 plus signatures.

00:30:58 Speaker 9

And we brought that to.

00:30:59 Speaker 9

The town council and town manager a few times I wanted to base my conversation on showing concern.

00:31:06 Speaker 9

Concern one is the town of Lowell.

00:31:10 Speaker 9

Kind of in our accusations, falsify documents and per your.

00:31:15 Speaker 9

Video it was the.

00:31:19 Speaker 9

Environmental. So I'm not sure if it was the town, but I'm assuming they have a part in it in regards to being sent out within that federal highways and other offices that was put on in March of 20.

00:31:30 Speaker 9

23.

00:31:32 Speaker 9

They stated that no one was against the project. They stated that Liberty Park had the sledding hill, basketball and tennis court, which you just put in there, that they're going to fix, and that all affected

residents were notified, which they were not until me and a few other neighbors went door to door to let people know when talking with.

00:31:47 Speaker 9

Drew Passmore of INDOT.

00:31:49 Speaker 9

He was shocked in regards to when I told him what was.

00:31:53 Speaker 9

On the documents and that they were not and I asked is this.

00:31:56 Speaker 9

Something that he.

00:31:56 Speaker 9

Comes across often.

00:31:58 Speaker 9

And they said that they look for the tenants, cities, to be honest with the documents.

00:32:02 Speaker 9

So spoke with Amy Stanley from LaPorte and she had me send all the documentation to her and brought up to upper management. She informed me that they had a zoom meeting with Craig Hendricks and that Drew Passmore, Craig's town manager. When he called. He actually had the audacity to yell at an INDOT employee that drew passwords colleague.

00:32:22 Speaker 9

A second concern we have is the town of Lowell cannot even control the public parks currently. How can they control and take care of a trail when many parts are hidden from eye view?

00:32:30 Speaker 9

Three different law officers that I spoke with in the last few months stated it. It would be nearly impossible to monitor hand on and that they stated that it was the worst summer of 2023 for vandalism and destruction in the town of Wall. Freedom Park was vandalized and then a few weeks later we had Evergreen Park which they had found the culprit.

00:32:50 Speaker 9

I was.

00:32:51 Speaker 9

Told along with.

00:32:53 Speaker 9

Moores Park.

00:32:55 Speaker 9

Here is exhibit.

00:32:56 Speaker 9

One of freedom.

00:32:57 Speaker 9

Park, but damage.

00:33:00 Speaker 9

That was just.

00:33:01 Speaker 9

Done a few months back.

00:33:07 Speaker 9

And then this was two to three weeks later, but it was still there. The damage then an Evergreen, multiple garbage everywhere that was picked up. And then most recently, which was very terrifying for our residence, was Moores Park, which was lit on fire during the time that townspeople were here in town.

00:33:24 Speaker 9

I'm sorry, Miss Park. That was very concerning with me. With how dry it was. If that happened behind my house during having the bike trail, we would have lost everything.

00:33:33 Speaker 9

Anyone can stand on our trail with a safety concern watching our backyard on our public property and take away our privacy. One thing that we brought up in a couple of the meetings is in regards to safety. We brought the Delphi girls in a town hall meeting and I was told that it wouldn't happen here. I'm sure they said the same thing but.

00:33:53 Speaker 9

Showing the different problems and this.

00:33:57 Speaker 9

Is in Lowell.

00:33:58 Speaker 9

Children throwing rocks at cars and breaking things here in town, a gentleman at strats just two months ago was reported to the police. I was told. And then also it's stated in regards to other places a body.

00:34:14 Speaker 9

Found on the.

00:34:15 Speaker 9

Monon Trail just a few months ago, there was.

00:34:18 Speaker 9

A rape.

00:34:18 Speaker 9

At the trail down in Lafayette a few months ago, we had Bloomington trails. Three different people were trying to be sexually assaulted. Ghost town. There was vandalism on their trails.

00:34:32 Speaker 9

Along, along with another in Charleston, Indiana, there was vandalism to the 9 Penny Branch in the Tunnel River or the Tunnel Rd. Rd. Trail where benches and stones were broken.

00:34:48 Speaker 9

I'm just asking personally, we are brought up for honesty and trust is very important. I feel that those things were taken away from the documentation and that the town took away.

00:34:57 Speaker 9

Both of it.

00:34:58 Speaker 9

Just as if you're lie. If you lie on a college application and you're getting a scholarship, that scholarship is taken away. So I don't feel that the grant should be provided to our town of low on those accusations, whether they were pickups or not. It wasn't just one thing.

00:35:12 Speaker 9

There was three different.

00:35:13 Speaker 9

Things also, if you're lying at.

00:35:15 Speaker 9

A job. You lose your job so it.

00:35:17 Speaker 9

Makes you think.

00:35:18 Speaker 9

In regards to our town members and our Council and our town manager, what else might be in fabrications out there? So it just put it down in my mind. I truly hope that in that and Federal Highway

says the right thing and sees that it's not just me, myself or a few others. There are many people that are against it and have concerns. Thank you for your time.

00:35:43 Speaker 3

Beth ann Polly (Pulley).

00:35:52 Speaker 10

My name is Beth Ann Pulley. My husband and I grew up in this town for over 30 years.

00:35:58 Speaker 10

We see the changes. This is a small town. I don't know where you guys are from, but we stick together. Our neighbors, we stick together.

00:36:07 Speaker 10

We moved back from North Dakota to.

00:36:08 Speaker 10

Lowell and I was like, gotta find.

00:36:10 Speaker 10

A good subdivision.

00:36:12 Speaker 10

We found Timber Springs raised our three.

00:36:15 Speaker 10

Year old son.

00:36:16 Speaker 10

Now I found.

00:36:17 Speaker 11

Out we have a park or a trail going through.

00:36:18 Speaker 10

Our subdivision.

00:36:20 Speaker 10

And I found out from a neighbor, not our town.

00:36:24 Speaker 10

So now I have to think of the safety of my son.

00:36:29 Speaker 10

My son playing in the front yard not only think about who's who could take my son.

00:36:35 Speaker 10

Have you ever thought about that?

00:36:36 Speaker 10

With your kids.

00:36:38 Speaker 10

I know my neighbors are watching. We all keep an eye on our own kids.

00:36:42 Speaker 10

But we have brand of people coming through our.

00:36:45 Speaker 10

Subdivision that we don't know.

00:36:48 Speaker 10

It could take a matter of seconds.

00:36:49 Speaker 10

Taking our children.

00:36:51 Speaker 10

We can't just call the cops and always call them every five.

00:36:53 Speaker 10

Minutes for a problem.

00:36:57 Speaker 10

Just think about that with our safety.

00:36:58 Speaker 10

Of our children.

00:37:07 Speaker 3

David Frizzell.

00:37:20 Speaker 8

David Frizzell. I just don't think the parks.

00:37:23 Speaker 8

Trail is necessary. There's enough parks centrally located.

00:37:28 Speaker 8

At Evergreen and liberty.

00:37:30 Speaker 8

Feels that the schools I think it's practical to go down Liberty St. and cut through personal property.

00:37:38 Speaker 8

And I don't. Privacy will be lost. Be too much traffic and people won't respect personal property.

00:37:45 Speaker 8

And I don't think anybody should be forced to give out their property.

00:37:57 Speaker 3

Daniel Brown.

00:38:07 Speaker 2

My parents moved my sister and I here back in 1994. My graduate 1980 actually graduated in 1986 (1996?) and times have changed a lot, used to think all.

00:38:18 Speaker 2

Was a you?

00:38:19 Speaker 2

Know a nice piece of community? I still feel that.

00:38:22 Speaker 2

That neighbors is that?

00:38:25 Speaker 2

You know that we've got for each.

00:38:28 Speaker 2

What I've seen lately, there's a lot of change.

00:38:31 Speaker 2

In our youth.

00:38:32 Speaker 2

And some of our neighbors destruction personal property, no regard for property or, you know, public parks. The thing that really bothers me is.

00:38:47 Speaker 2

I was when this project was brought to my attention.

00:38:52 Speaker 2

By a letter that was.

00:38:53 Speaker 2

Sent. I guess we were lucky enough to receive a letter, but many.

00:38:57 Speaker 2

Neighbors were not.

00:38:58 Speaker 2

What was concerning to me was, you know, this property is going to be running there and this trail is.

00:39:03 Speaker 13

Going to be.

00:39:03 Speaker 2

Running behind her.

00:39:04 Speaker 2

House and when I was.

00:39:07 Speaker 2

When Stacy and I were married, we moved to Indianapolis. She was working there.

00:39:11 Speaker 2

And we moved to a town called Greenfield.

00:39:13 Speaker 2

When they had a pensee trail.

00:39:15 Speaker 2

And my daughter and I rode our bike on the pensy trail, didn't go through any residential areas. There's more through an industrial area, if you will, and something that really troubled me in this one year on the Pennsy trail. A gentleman walking on the trail seemed almost zombie like. And you're approached us.

00:39:35 Speaker 2

And I ordered my daughter Addison to pedal very quickly so we could get off the trail. He started walking more faster, but we we vividly (narrowly?) eluded what could have possibly been a confrontation I don't know.

00:39:46 Speaker 2

So I started looking into.

00:39:48 Speaker 2

The safety of trails and you look online.

00:39:51 Speaker 2

And you see all these stories?

00:39:53 Speaker 2

About ohh trails are safe. It brings up property value this and that but what I was concerned about is those reports that are being mentioned.

00:40:02 Speaker 2

From stories in 2002.

00:40:04 Speaker 2

And two are actually.

00:40:06 Speaker 2

From reports that.

00:40:06 Speaker 2

Are 1/4 of a century old.

00:40:09 Speaker 2

Most recent report that I found that was written.

00:40:11 Speaker 2

Was actually 2000.

00:40:13 Speaker 2

I've done a lot of.

00:40:15 Speaker 2

Online research, I can't see nothing.

00:40:17 Speaker 2

Libraries about trail safety, but that's a big concern. Having two daughters. They're teenagers. I think of those two girls in Delphi that comes to mind seeing what happened in Moose Park recently. The Evergreen Park just really concerns me.

00:40:33 Speaker 2

And I'm worried that.

00:40:35 Speaker 2

Revalues may be impacted. Our safety will be impacted. I saw on the slide presentation that there was something about the trail would be operational during dusk to dawn.

00:40:45 Speaker 2

What's going to keep people from going on?

00:40:47 Speaker 2

Those trails in the night.

00:40:49 Speaker 2

As it is, sometimes I hear people wandering around.

00:40:51 Speaker 2

In the woods.

00:40:53 Speaker 2

That's very concerning.

00:40:55 Speaker 2

So I stay up a.

00:40:55 Speaker 2

Little later, wait to see if I see anyone coming into my property with the phone in hand and.

00:41:01 Speaker 2

Right. Call the police.

00:41:02 Speaker 2

Or a number that's supposed to get to the police.

00:41:06 Speaker 2

So I ask you.

00:41:08 Speaker 2

If you value your.

00:41:10 Speaker 2

Consider to not have this this trail built.

00:41:15

I hope.

00:41:16

INDOT.

00:41:17 Speaker 2

We'll pay attention to our voices and understand our concerns. Know that we have.

00:41:21 Speaker 2

Little it seems.

00:41:23 Speaker 2

Corruption or why it's going on in our town management?

00:41:27 Speaker 2

Our town council. So let's stop this.

00:41:30 Speaker 2

Project and maybe look for new people.

00:41:32 Speaker 2

To support us in.

00:41:34 Speaker 2

Our town.

00:41:35 Speaker 2

Thank you.

00:41:41 Speaker 3

Rich Costner?

00:41:48 Speaker 7

I'm on 174th. This will run right in front of my house, right next to my neighbors house. I can't agree anymore that (the project), in my opinion, needs to be shut down and needs to be seriously considered being shut down for other than three reasons. Safety, security and privacy. Everybody else is covered.

00:42:09 Speaker 3

Brian Sylvester.

00:42:19 Speaker 15

So we purchased our house here in Lowell just a couple of years ago, and the idea was we had a beautiful backyard, nice front yard and.

00:42:31 Speaker 15

Couple couple weeks later, we started hearing.

00:42:33 Speaker 15

About a path going through, I said. Ohh OK.

00:42:35 Speaker 15

That where where is that going to go?

00:42:38 Speaker 15

And instead of being a long nickels.

00:42:40 Speaker 15

Where it actually.

00:42:42 Speaker 15

Really should be.

00:42:43 Speaker 15

Some walkway there, they're going to put it.

00:42:45 Speaker 15

In someone's backyard.

00:42:47 Speaker 15

That I'm sure those people bought that backyard because.

00:42:50 Speaker 15

It was private and it was pretty.

00:42:52 Speaker 15

And these people spent.

00:42:54 Speaker 15

A long time getting things done there and to take that away from them.

00:42:58 Speaker 15

I just, I can't imagine.

00:43:01 Speaker 15

Someone with a real conscience would do that.

00:43:04 Speaker 15

That aside.

00:43:08 Speaker 15

There's also things that.

00:43:10 Speaker 15

Spending the money on this.

00:43:12 Speaker 15

You're going to run this pathway through, at least I count about five or six, maybe 7 different fire hydrants, people's trees that are going up, they're going to take those out old trees, you know, 15-20 years old. That seems like a lot to do when there's other alternatives. I would suggest I would guess right along.

00:43:34 Speaker 15

I I can't remember the street where the.

00:43:35 Speaker 15

Street where the where?

00:43:36 Speaker 15

That park is on and then right to.

00:43:38 Speaker 15

Nickels and run.

00:43:39 Speaker 15

Along there, widen the street do whatever that needs to be done. But there's other things that can.

00:43:44 Speaker 15

Be done here instead of.

00:43:46 Speaker 15

Taking someone's really nice backyard away.

00:43:55 Speaker 3

Ron Brown.

00:44:05 Speaker 16

My name is Ron Brown. A number of years ago.

00:44:09 Speaker 16

A group of US were.

00:44:10 Speaker 16

Involved in trying to make Lowell more bikeable.

00:44:15 Speaker 16

Trails and stuff like that.

00:44:20 Speaker 16

Put some time into it and it kind of.

00:44:24 Speaker 16

Fell through. I think the town council has kind of taken that up. But what we found is that, you know, getting money to support a trail is really tough to do.

00:44:38 Speaker 16

You know, then you know the process of going and putting it in, you know, I I support, you know, the biking trails I've been on most of, not all, but a lot of lake counties.

00:44:50 Speaker 16

Trails up north and you know I find them fairly nice.

00:44:55 Speaker 16

I don't feel feel threatened there. I never seen that, but I just would like to say that you know.

00:45:04 Speaker 16

I I I don't see where.

00:45:08 Speaker 16

Making Lowell bikeable is a problem I you know the land owners and that I I I'm not involved in that I at all and everything like that. But you know I I don't quite understand.

00:45:23 Speaker 16

You know why it's a it's a big deal as far as just making little bikeable trails and.

00:45:31 Speaker 16

If anybody, I don't know how many people are there up north, but you know, just the crown point they have a trailhead there just north of town.

00:45:39 Speaker 16

I've been on that trail and.

00:45:41 Speaker 16

You know, it's great.

00:45:44 Speaker 16

You know the the vandalism stuff. I don't. I haven't heard of and everything. I mean, there's.

00:45:50 Speaker 16

And you know, a few things happened.

00:45:52 Speaker 16

In town and stuff like that, but I just.

00:45:56 Speaker 16

Heard about this last week?

00:45:58 Speaker 16

And wanted to stop, stop by and just say that I.

00:46:03 Speaker 16

Like the idea of trying to make a community bikeable, it's tough to get money down here to do anything because there's a lot going on up north and.

00:46:15 Speaker 16

But I think something like this would make it so maybe Lowell can and just.

00:46:23 Speaker 16

Where, Wherever, wherever you put one, I mean.

00:46:25 Speaker 16

I'm not going to get into the location. I I I don't live there and.

00:46:31 Speaker 16

Everything but I. I just think that you know, we always thought it was a good thing and we had some bike rides we did based on the on county roads and stuff like that.

00:46:41 Speaker 16

That well supported.

00:46:45 Speaker 16

And I just would like to say that.

00:46:47 Speaker 16

For me.

00:46:49 Speaker 16

I think it's a good thing.

00:46:59 Speaker 3

Jeff and Carrie Kish.

00:47:04 Speaker 11

Separate. No, just here (Carrie Kish).

00:47:10 Speaker 11

So I have concerns that the town of Lowell does not.

00:47:12 Speaker 11

Listen to or care about its.

00:47:13 Speaker 11

Residents when the.

00:47:14 Speaker 11

Town is questioned on.

00:47:15 Speaker 11

Anything. And it's been very difficult to get answers and when there are answers it comes across aggressive and spiteful and we just.

00:47:21 Speaker 11

Or just inconveniencing them. I have concerns for people.

00:47:25 Speaker 11

Who have bought homes.

00:47:25 Speaker 11

In the area after the trail was already proposed, they purchased their home for the area for the.

00:47:31 Speaker 11

They did because of the neighborhood, the safety they felt when choosing this home, they chose the living home because of the above and.

00:47:37 Speaker 11

May now feel.

00:47:39 Speaker 11

This is all going to change.

00:47:40 Speaker 11

And are sad and.

00:47:41 Speaker 11

Disgusted or have many mixed emotions.

00:47:45 Speaker 11

I have concerns the proposed trail will not be utilized to capacity. The town will think it will be. Most people currently will not walk 1.2 miles to go from one park to another.

00:47:55 Speaker 11

They have an intended purpose.

00:47:57 Speaker 11

In each part, they will drive to 1 location or the other with underutilized utilization of the proposed trail.

00:48:02 Speaker 11

Become a waste of time.

00:48:03 Speaker 11

Money and destruction of.

00:48:04 Speaker 11

Nature I have concerns that this proposed trail is making more priority, taking more priority over just having sidewalks drop down having side.

00:48:14 Speaker 11

In a town is also a non motorized path from one area to another. I have concerns on the construction access. How will construction crews have access to get to the densest locations of the proposed trail? Will neighboring properties have to deal with the possibility of their property being utilized and damaged? If this occurs, how will they go about repair and or compensation compensation if something is damaged?

00:48:34 Speaker 11

I have concerns about the monitoring of monitoring of the proposed trail. We'll be looking over. There will be police will be town personnel and how often will this trail be walked by the said people?

00:48:45 Speaker 11

I have concerns about possible vandalism along the proposed trail.

00:48:49 Speaker 11

Vandalism to.

00:48:50 Speaker 11

Areas that the proposed trail will run could become a major problem. Who will protect the woods upon the animals? Everyone's properties? We all know this summer has had multiple cases of animalism throughout the parks here in town in the last four to five months. If the trail was complete, the fire that occurred at Moose Park, mind you in the middle of the day across the street from here, was set out in the woods. There would be much more catastrophic results.

00:49:11 Speaker 11

Homes could have been destroyed if this were the case. I have concerns about garbage along the post trail. Will there be receptacles?

00:49:20 Speaker 11

Along the entirety of the.

00:49:21 Speaker 11

Trail. How often will they be tended to? What is the plan to make sure all property that runs along the proposed trail be tended to when littering becomes an issue?

00:49:29 Speaker 11

I have concerns about the maintenance of the proposed trail as well as its surroundings. There will be a boardwalk that I will have to look at across the pond from my home and I.

00:49:37 Speaker 11

I have to know how this will be maintained. I know what decking looks like after a year or two, so who will keep this from becoming an eyesore to the ones who must look at it? I know the pond.

00:49:47 Speaker 11

That the said boardwalk.

00:49:48 Speaker 11

Is being built to protect. Was not being maintained by the town in any way. My husband and I contacted the town

00:49:54 Speaker 11

Nine years ago about the drain that was there.

00:49:58 Speaker 11

And it was rusting out and falling over. They did nothing. My husband and I have put our own money into take caring of this during for the time as well as bringing life back to this pond 10 years ago when we bought our home. It was an algae filled duck, weed covered and just downright nasty pond that no one will want to look at walking past it. So please tell me how this will all be maintained.

00:50:20 Speaker 11

I have concerns about keeping trail walkers out of my yard.

00:50:23 Speaker 11

Yes, there was about the fence, but it's not against my property line.

00:50:27 Speaker 11

How I have concerns about keeping trail walkers?

00:50:30 Speaker 11

Out of my yard, what will be done to keep people from wandering off the trail and into my?

00:50:34 Speaker 11

Along with others in their yards along the.

00:50:37 Speaker 11

Path of those trail.

00:50:39 Speaker 11

I have concerns about the proposed trail opening up our.

00:50:42 Speaker 11

Properties to break INS and thefts. This will give a person an easy way to scope out people's properties.

00:50:47 Speaker 11

And then an easy getaway.

00:50:49 Speaker 11

Especially if near the wooded portion of the.

00:50:51 Speaker 11

Trail. Lastly, this proposed trail will absolutely change the key reason my husband and I purchased our home. We purchased our home for the backyard, the woods, the.

00:51:01 Speaker 11

The nature and the.

00:51:03 Speaker 11

Of what it brings to us when we are in it. I knew this House was to be ours as soon as I walked into the backyard, I said we are getting this place and that was before even taking a step inside the.

00:51:13 Speaker 11

Home, we thought what we found inside the home was just a bonus. To what? What? What the outside gave us this approach. The proposed trail will destroy the scenery and that it has offered us for the last 10 years. Everyone in life worked so hard.

00:51:28 Speaker 11

For things they want.

00:51:29 Speaker 11

And need our.

00:51:30 Speaker 11

Home, backyard and everything surrounding it is the want and need, my husband and.

00:51:35 Speaker 11

I worked hard.

00:51:35 Speaker 11

For it, please do not take that away from us.

00:51:38 Speaker 11

Thank you for your time.

00:51:47 Speaker 3

487 Timberlake (Wallace Napleton?).

00:52:07 Speaker 13

Freedom and liberty, I think it should be called imposition trail. We didn't ask for it. We don't want it. Period.

00:52:18 Speaker 13

I have a few questions with regard to fire.

00:52:21 Speaker 13

Are you planning to continue?

00:52:25 Speaker 13

We also lose privacy.

00:52:28 Speaker 13

What do you do about that?

00:52:32 Speaker 13

Why not build a sidewalk? I mean, it's a straight line. It goes without impact coming on property, specifically through woods.

00:52:43 Speaker 16

We don't need it, I.

00:52:44 Speaker 13

Don't see the point of it? What is?

00:52:46 Speaker 13

The projected traffic.

00:52:48 Speaker 13

1500 people a day 1500 a week.

00:52:53 Speaker 13

1500 a month, 1500 a year 15,000 a year. How many people are going to really use the trail and you can't use it in the winter?

00:53:05 Speaker 13

That's about all I can say to summarize I.

00:53:07 Speaker 13

Don't see how it's practical.

00:53:17 Speaker 3

Jeff Kopica

00:53:20

"Kopka"

00:53:25 Speaker 5

Two issues. I have. Our main issue is.

00:53:28 Speaker 5

My house right here on the edge of all the woods here, there's a walkway from across from the back here across the pond, in between, where it goes to my house.

00:53:40 Speaker 5

What's going to?

00:53:41 Speaker 5

Stop people from walking across that walkway coming out of my property or assaulting my grandchildren.

00:53:48 Speaker 5

Or my wife.

00:53:52 Speaker 5

The reason I moved here two years ago because my house was in the back of the woods where I could not worry about people coming onto my property or assaulting my grandchildren or anything like that. I think today we need to worry about the town need to worry about taking care of. What's.

00:54:11 Speaker 5

We need not spending.

00:54:13 Speaker 5

All this money on something that's not a necessity at this point.

00:54:16 Speaker 5

The economy is just too bad.

00:54:19 Speaker 5

I think we can take away from tonight is I don't see one town Councilman here to discuss or look at this and that should tell us a lot. We should remember that when.

00:54:29 Speaker 5

We go to the poll.

00:54:36 Speaker 3

Keith Kander.

00:54:40 Speaker 14

Hi, I'm Keith Kander. I'm speaking behalf tonight on my mother, Betty Kander. But a lot of it is my personal perception of the project and and my input. Ron, I don't think anybody in this group is necessarily against making the town bikeable, but we are against intrusion.

00:54:59 Speaker 14

In the personal properties and there's a lot of history in this group, but I think she's got you all beat. My parents made the choice to move down here about 57 years ago. They said when I was 2.

00:55:11 Speaker 14

And they chose the town because a lot of the character traits that you people mentioned, they they like the small town feel they like the integrity of the people. They like that people look out for each other

and care about each other. They liked at the time that the town acted on behalf of the people they represent. And I think the people that.

00:55:31 Speaker 14

Spoken and they're telling you what the people want and I think.

00:55:37 Speaker 14

People that are in positions to listen need to start paying attention.

00:55:43 Speaker 14

She's on the South end of town with the the trails proposed now to start.

00:55:50 Speaker 14

The original documents that were submitted to end that, my understanding is there's a a red line that goes around here.

00:55:57 Speaker 14

And Brandy and Clint here tonight.

00:56:01 Speaker 14

So we don't want to push the trail around you guys. That's not fair. It's not fair to anybody.

00:56:07 Speaker 14

Who's being in position by this?

00:56:10 Speaker 14

But that was the route that was originally submitted and I think approved for grant money from Indot. I want to know why it got moved and why nobody in the group has been kept up to date on information regarding this. I've tried multiple times to get information from people. My sister Donna has spent hours.

00:56:31 Speaker 14

Trying to get communication and she's.

00:56:33 Speaker 14

Had the best luck.

00:56:34 Speaker 14

But that has been pretty minimal.

00:56:38 Speaker 14

But you know, as it stands right now, my understanding of this trail, we're.

00:56:44 Speaker 14

Going to contest it in its entirety, I mean, just it's affecting everybody's personal property. They're worried about safety. I'm from the Delphi area. I knew Abby and living personally, my daughter coached them on their volleyball team. My kids went to school with them.

00:57:04 Speaker 14

That's a sore point.

00:57:06 Speaker 14

Moving along.

00:57:08 Speaker 14

This part of Liberty St. on the most recent drawing, somehow now the town's claiming because we've asked for help with maintaining that road.

00:57:20 Speaker 14

Going back, at least in 1976.

00:57:26 Speaker 14

Go by there and look at the condition of that road.

00:57:30 Speaker 14

Your your predecessor, Jeff Sheridan, said town has no responsibility for that.

00:57:38 Speaker 14

Anything that would be done improve that would be a a cost borne by the people that live on North Liberty St.

00:57:46 Speaker 14

The GIS.

00:57:49 Speaker 14

Let's you know if you want to look up your property, lines and any property histories, show this as belong in the Betty tender.

00:57:58 Speaker 14

You can't have it both ways. You you can't decide, just you own it when it's going to be convenient. That's going to cost you less money to put in something that people don't want.

00:58:11 Speaker 14

I'm probably past my 3 minutes. Does anybody object?

00:58:13 Speaker 14

To me, continuing.

00:58:16 Speaker 16

There's plenty of time.

00:58:21 Speaker 14

So again, I've I've heard people talk about how much is this trail going?

00:58:27 Speaker 14

To get.

00:58:28 Speaker 14

Used. I haven't been around town a lot over the last 20 years. I went to Purdue. I started working at the YMCA camp and I've spent my career there.

00:58:38 Speaker 14

My parents had spent the majority of their lives.

00:58:43 Speaker 14

In careers helping people.

00:58:46 Speaker 14

My mom's a nurse. They've raised.

00:58:47 Speaker 14

Kids that have spent.

00:58:49 Speaker 14

Their adult careers.

00:58:51 Speaker 14

Helping people.

00:58:53 Speaker 14

And I think a big part of that is because it came from a good town where people supported each other. Three of my sisters are nurses, another sister.

00:59:02 Speaker 14

Has been a school teacher.

00:59:05 Speaker 14

I've spent my entire career at a YMCA camp.

00:59:09 Speaker 14

Trying to provide an atmosphere that that builds good character for people and a place for kids to earn values and and respect other people.

00:59:21 Speaker 14

If we are unsuccessful and stop on the trail.

00:59:24 Speaker 14

Let's talk about the route.

00:59:26 Speaker 14

Access to her house, you say no roads are going to be closed again. I've been at a facility that's done a lot of construction over the years. I've seen roads built.

00:59:38 Speaker 14

You know, and this this proposed route, some of this you've got marked with dashed lines. Legend says that's shared Rd. this looks like.

00:59:45 Speaker 14

A solid line.

00:59:47 Speaker 14

I I don't see how that's not shared road, and regardless the other way, I don't see how a trail is going to be built through there. That's not going to create a a problem with access to her house and and a big problem for Bill.

01:00:05 Speaker 14

Again, if it's shoved down our throats and it's forced to proceed.

01:00:09 Speaker 14

You're going to need to provide access to her before the construction starts. And again, I don't want to impose on other people, but there is.

01:00:18 Speaker 14

One possible solution, and that's been bickered about over the years, too. There's an alley up between 260 and 266 W main that goes up and down on the north side of the Highland addition. I know those people don't want it open. I'm content to leave it closed.

01:00:34 Speaker 19 (unknown)

We've got a garage out.

01:00:36 Speaker 14

You know, people are thinking they're going to take it over by adverse possession. I think that needs to be looked at. The town needs to.

01:00:43 Speaker 14

Pay attention to that too.

01:00:49 Speaker 14

I've also been an EMT on a volunteer role and a part time to plan on what it's like.

01:00:55 Speaker 14

To be an emergency provider trying to access the property like that. My community is extremely rural.

01:01:03 Speaker 14

You don't have time to.

01:01:04 Speaker 14

Move dozers out.

01:01:05 Speaker 14

Of the way, dump trucks out of.

01:01:07 Speaker 14

The way she's far enough back.

01:01:10 Speaker 14

So there's a fire or a health need. You're going to have to have access pretty clear before this starts.

01:01:24 Speaker 14

The the big jump too. Again, I started saying.

01:01:26 Speaker 14

I haven't been around town a lot recently.

01:01:29 Speaker 14

I've I've made.

01:01:29 Speaker 14

The trip up here a couple times, it's not a big deal. It's a.

01:01:32 Speaker 14

Little over an.

01:01:32 Speaker 14

Hour. But and I've gone around, looked at the parks, you know, one of these and I said 2009.

01:01:39 Speaker 14

You know, efforts to be made improvement parks.

01:01:44 Speaker 14

Liberty Park the the equipment there looks like stuff that was got in an auction at 72. There's there's plywood up that's painted yellow with caution on it.

01:01:56 Speaker 14

That's a semi permanent fix. It's embarrassing.

01:02:00 Speaker 14

The bathrooms are locked up. They're.

01:02:02 Speaker 14

Using a porta potty.

01:02:03 Speaker 14

To provide access for bathrooms Sunday afternoon and.

01:02:06 Speaker 14

It's a beautiful day, I.

01:02:08 Speaker 14

Stopped at Evergreen Park which?

01:02:09 Speaker 14

I think is a gem.

01:02:12 Speaker 14

There were 17 people in that park.

01:02:16 Speaker 14

There was 7 at Freedom Park.

01:02:20 Speaker 14

And there was 0 at Liberty Park.

01:02:25 Speaker 14

I don't think we need a trail connecting them, and I don't think.

01:02:29 Speaker 14

The majority of the people are are telling you that they don't want it. They you need to listen.

01:02:36 Speaker 14

The roads in the town.

01:02:38 Speaker 14

What percentage of roads are beyond ten years past?

01:02:42 Speaker 14

Due to be repaired.

01:02:45 Speaker 14

Take the money that's available. Fix up the roads.

01:02:47 Speaker 14

Fix up the current parks.

01:02:49 Speaker 14

But people don't want it. You need to listen.

01:03:00 Speaker 3

I think that's it, I don't think.

01:03:03 Speaker 3

We had anyone raised their.

01:03:04 Speaker 3

Hands online.

01:03:16 Speaker 2

You have one, Renee cramp back.

01:03:21 Speaker 3

Renee Krambeck is.

01:03:24 Speaker 3

Raise their hand so.

01:03:28 Speaker 12

Yes, hi, can you hear me?

01:03:32 Speaker 12

Thank you. My name is Renee. I've currently been living in Lowell for over five years, and I share a lot of the same sentiments the others do. My concern is safety, security and and privacy. We moved in this area for the reason.

01:03:51 Speaker 12

Of our of our backyard, we weren't surrounded by.

01:03:54 Speaker 11

OK.

01:03:55 Speaker 12

A bunch of houses we had that space in between the homes. My concern also lies with the maintenance of it. If you go outside.

01:04:05 Speaker 12

On Timberwood Lane, just look at the the sidewalks. You.

01:04:09 Speaker 12

Can, if you weren't paying attention well enough, you could trip them fall with the.

01:04:12 Speaker 12

Amount of repairs that are needed and so I I would really like the like everyone to consider not moving forward this.

01:04:22 Speaker 12

Project I do.

01:04:23 Speaker 12

Believe there is an alternative solution for.

01:04:26 Speaker 12

A pathway and that would be on nickels. It would be a.

01:04:30 Speaker 12

Path that it would be.

01:04:32 Speaker 12

Public it would also be easier accessible to the others on the other side of nickels, and would also be able to bring the community together through the into Freedom Park as well that way. So thank you.

01:04:49

That's it.

01:04:52 Speaker 17

I didn't check, but can I make a quick one because I thought maybe it would be addressed, but it wasn't.

01:05:00 Speaker 17

I'm Kathy midkiff. I'm her daughter and.

01:05:05 Speaker 17

One of the documents I read that I couldn't find it quick enough that said it the trail is supposed to be ADA accessible through the whole thing I'm I'm guessing I would you do just part of it, but I thought I had read that this was not going to work because.

01:05:24 Speaker 17

The the drive up to my moms is A 1 lane and then it just goes like almost straight down a hill and at the bottom of the hill is this other.

01:05:35 Speaker 17

The house and I thought when I read it, it said it was going to be too much to build, like a retaining wall and for like somebody ADA accessible to that the grade would be too steep. So that was just a concern I had mostly because I worked a lot.

01:05:56 Speaker 17

Special needs kids at school and so I'm like, you know, was a little concerned about if that was being addressed.

01:06:08 Speaker 18

Can I add one thing real?

01:06:10 Speaker 18

Quick, I didn't know I had to check it. I.

01:06:14 Speaker 18

Didn't know I had to.

01:06:14 Speaker 18

Check to speak, but just to get.

01:06:16 Speaker 18

I'm Linda Lloyds, I.

01:06:18 Speaker 18

Live on Timberlake Dr. and my backyard.

01:06:21 Speaker 18

Is one of.

01:06:21 Speaker 18

Those houses one.

01:06:22 Speaker 18

6 whatever that it's going to be right out of my property line and I oppose this bike trail.

01:06:28 Speaker 18

I I bought the house 29 years ago, the developer told me. Don't worry, no houses will ever go back there. Well, this is worse. This is the whole town. This is people from other. I don't want that in my backyard. I'm a nurse too. And we work hard all day long. I want to go out in my backyard where it's peaceful, where there's just nature.

01:06:49 Speaker 18

There's, I can hear the fountain from.

01:06:50 Speaker 18

The pond that.

01:06:51 Speaker 18

They have so well maintain.

01:06:52 Speaker 18

Hey, I hear that I might want to read a book now. I'm not going to have my privacy. I'm not gonna have my safety gets a little dark. Who's out there? Who's looking at me through those trees? Who can see us on this deck?

01:07:05 Speaker 7

Who can see?

01:07:06 Speaker 18

Them swimming. It's it's creepy. It's, you know, just snowing. And look, it just scares me. I don't like it.

01:07:13 Speaker 18

And I'm just saying.

01:07:14 Speaker 18

I work hard all day. I bought this house. I did everything. The garden is nice. I want.

01:07:18 Speaker 18

To go back there.

01:07:19 Speaker 18

And I want to enjoy it.

01:07:21 Speaker 18

Thank you.

01:07:26 Speaker 9

I just wanted to add on your PowerPoint presentation, you said that the schools are stakeholders and I wanted to document it. I talked to Superintendent Anderson. He has never been made aware of anything in regards to the trail and I asked him also one of the safety concerns is the trail would go where?

01:07:43 Speaker 9

Children are being dropped off.

01:07:45 Speaker 9

And picked up on bus stops.

01:07:47 Speaker 9

He has never been notified of this. He knows nothing of it. When I talked to the Superintendent a few days ago, along with stated in the presentation that the people were notified, please raise your hand on anyone that received any notification via mail or got notified by me and other people that went door to door. So that tells you right there that the town did. And OK, I'll give benefit.

01:08:07 Speaker 9

With mail, maybe one or two people were missed. You can't have all these different people saying that they were not notified. And what really concerns me is we should be a town we should.

01:08:16 Speaker 9

Be a team.

01:08:18 Speaker 9

And be notified, especially when things like that are going to affect your families, your home, and your value. And we were told by the Council Member that this can raise your property value. There's no documentation that I've done a lot of research in regards to that and all.

01:08:31 Speaker 9

It's doing is.

01:08:32 Speaker 9

Giving me more fear and not money to live in this town or volunteer where I have a daughter who has a not for profit and it works with police departments.

01:08:38 Speaker 9

Because of that, thank you.

01:08:44

I'm done now.

01:08:49 Speaker 3

I guess is there anyone else who?

01:08:51 Speaker 7

I'll just make it fast my.

01:08:52 Speaker 7

Name is Johnny Novalni to go up there. Me, my wife and daughter. We moved here about a year.

01:08:56 Speaker 7

And a.

01:08:57 Speaker 7

Half ago we also live.

01:09:00 Speaker 7

Where the trail would go

01:09:01 Speaker 7

From behind us.

01:09:04 Speaker 7

We don't want.

01:09:04

It I mean it's just plain simple.

01:09:06 Speaker 7

You don't feel safe you don't like.

01:09:09 Speaker 7

The privacy issue.

01:09:12 Speaker 7

Again, people could just walk right into our backyard now, right up to our back door. And that's a very.

01:09:18 Speaker 7

Big concern, especially when I have a 10 year old.

01:09:19 Speaker 7

Daughter and I'll just be.

01:09:21

Asked if we would have.

01:09:22 Speaker 7

Known this trail was being built.

01:09:24 Speaker 7

We wouldn't want to.

01:09:25 Speaker 7

Move here. It's as simple. As that

01:09:26 Speaker 20 (unidentified)

and we even have big windows in.

01:09:28

The back of.

01:09:28 Speaker 20 (unidentified)

Our house, but we.

01:09:29 Speaker 20 (unidentified)

Don't even have curtains because we like to see.

01:09:32 Speaker 20 (unidentified)

The the nature we have deer and grabits in our backyard.

01:09:37 Speaker 20 (unidentified)

All that will be gone.

01:09:41 Speaker 2

That's another thing I'd like to add. There was something with presentation about endangered species. When did DNR come out and take a look at the species that bats?

01:09:54 Speaker 9

Because the DNR came.

01:09:55 Speaker 2

This spring on my front.

01:09:55 Speaker 9

Out with us, we called them out personally.

01:10:03

Across the street.

01:10:09 Speaker 3

Is there anyone else?

01:10:12 Speaker 3

Like to speak.

01:10:12 Speaker 4

These squirrels sounds like no one here is a Walker. I walk a lot and I I just don't like walking through the streets here in Lowell. It's just no enjoyment in it at all. So I went to Buckley Homestead. The trails are just too small. There's not enough mileage there. Let's go way around and walk to the grass.

01:10:32 Speaker 4

But I was looking forward to something like that coming to Lowell because I used to live in Michigan.

01:10:38 Speaker 4

And we where we lived, there was a Hines drive there, there was miles and miles and miles and miles of trail. You go from one town to another town and we bike there all the time and hear the Lowell one place you can write us out on the street and you have to watch.

01:10:54 Speaker 4

Your cars.

01:10:54 Speaker 4

All the time. So I like the idea of a trail.

01:10:57 Speaker 4

There. But if it's interrupting their yards or put about 8 foot fence and so they can't get over or something or move it along the.

01:11:07 Speaker 4

Make the street a little bit wide. I have 3 or 4 feet to the street and you can have a.

01:11:11 Speaker 4

Trail right alongside the street.

01:11:13 Speaker 4

That's what I gotta say.

01:11:22 Speaker 3

Anyone else for now?

01:11:28 Speaker 19

Myself and my mortgage company is interested on land acquisition.

01:11:33 Speaker 19

Because as he was saying, if you're going to put an 8 to 10 foot wide trail, I'm at the very South end of.

01:11:40 Speaker 19

I'm on the West side of liberty.

01:11:43 Speaker 19

You get up halfway through my property. The property on the other side of the drive is a foot and a half, and then it goes to about 45 degree angle down about 30 feet.

01:11:57 Speaker 19

Are they going to buy into me?

01:11:59 Speaker 19

I take I have to take some of my.

01:12:01 Speaker 19

Yard out trees.

01:12:04 Speaker 19

That's what I'm wondering at because you're not going to put an 8 to 10 foot wide path along there.

01:12:11 Speaker 19

Unless you shore up the whole hill.

01:12:21 Speaker 3

Thank you.

01:12:25 Speaker 3

Is there anyone else?

01:12:26 Speaker 14

I'll throw out one more comment if you don't mind. Thought I had it gone through my notes. So last week there was a A community meeting in response to it too. And I I read part of it that that, that the trail would be maintained as a park and park hours would be enforced. And with those say dusk. So after the meeting last week, it was dark and.

01:12:47 Speaker 14

Again, I hadn't been through town and.

01:12:48 Speaker 14

Looked at the parks. So we drove out.

01:12:51 Speaker 14

Freedom park.

01:12:53 Speaker 14

As I was going in notice, there were gates that were wide open. As I continue to drive a little further past one car coming out and go on further down to the the bar park, there's another car that came out and then we left there. But I did notice again that the gravel roads in the park or.

01:13:12

Full of potholes.

01:13:14 Speaker 14

So then we went down to Liberty Park across from their house and and pulled in the parking area where the tennis courts used to be and looked across towards the old Garden City. That's how old.

01:13:24 Speaker 14

I am past.

01:13:25 Speaker 14

This building that sat there for years, another shame on the town in my opinion, that's me personally.

01:13:33 Speaker 14

That looking across there, there was a car parked in the parking area where the old livery stable used to be with their parking lights on, and I could see in in the background lights that there was someone on the swing. So.

01:13:47 Speaker 14

People are going to do what they want. I'm not taking on the Police Department at all.

01:13:53 Speaker 14

And guys, the job is.

01:13:53 Speaker 14

Too tough as it is, you got a lot of territory. Cover your understaffed, but again, so many people these days are disrespectful. You know, whether it's hours, guidelines, personal property.

01:14:07 Speaker 14

You go into Walmart and there will be families in there with kids and people walk through there, you know, talking like they're working on a dock. There's just no personal integrity. And and again, I, I, I want to back off from.

01:14:21 Speaker 14

That statement, there's tons.

01:14:23 Speaker 14

Of good people out there. But society has become too acceptable.

01:14:27 Speaker 14

Of of people of integrity and the minority of people that are making the noise.

01:14:34 Speaker 14

Are are getting the rights that are infringing on on the people that have a hard time to speak up and being heard by the people that represent them?

01:14:52

Anyone else?

01:14:56 Speaker 3

Yeah. So I think that's probably that sounds like it's it.

01:14:59 Speaker 3

We'll do it if anybody has any other comments, definitely fill out.

01:15:03 Speaker 3

Sheet, send a message. Let.

01:15:04 Speaker 3

Us know if you come up with anything as you're, you know, once you.

01:15:09 Speaker 3

Leave. We will stick around a little.

01:15:12 Speaker 3

While you know and try to answer.

01:15:16 Speaker 3

Otherwise, that pretty well, I think, concludes the the public hearing for the night.

01:15:21 Speaker 3

So we can get to.

01:15:23 Speaker 3

compiling everything going from there.

01:15:26 Speaker 3

So I appreciate everybody coming very much.

01:15:28 Speaker 3

Thank you. It's a very good.

01:15:30 Speaker 3

Turn out.

**Lowell Freedom Trail – Public Hearing
August 22, 2023 - Lowell Town Hall
Sign-In Sheet**

Name	Address (optional)	Contact (optional)	Mark if you would like to leave a verbal comment at tonight's hearing
Sohn Cooper	14267 W. 185th		
Brian Sylvester	17391 Redbud		✓
GENE WOSCIRENIEWSKI	7604 W 174th		✓
Ron Brown	22404 HARRISON		✓
Betty Kender	363 N Liberty		
William Pandozzo	202 W. MAIN		
Beth Oresick	559 Timber Lake Dr.		
Ron Oresick	"		
CLINT & BRANDI MACE	102 AND 132 W MAIN		
Jeff + Corrie Kish	524 Timberwood Ln	ckish26@yahoo.com	✓
William N. Naperth	487 TIMBER LAKE		✓
JEFF KOPKA	520 TIMBERWOOD LN		✓
Sherri Diebel	528 Timberwood Lane		
John Diebel	528 Timberwood Lane		✓
Keith Kender			✓

Lowell Freedom Trail – Public Hearing
August 22, 2023 - Lowell Town Hall
Sign-In Sheet

Name	Address (optional)	Contact (optional)	Mark if you would like to leave a verbal comment at tonight's hearing
Stacy Brown	511 Timberlake Dr. Lowell IN		✓
LINDA KIECHLE	PURPLE FRONT DOOR		
Beth Ann Pulley	560 Redbird Ln		✓
Brandon Pulley	500 Redbird Ln		
Liso Kmetz	547 Timber Lake Dr.		
Linda Lortz	525 Timberlake		
Mattie Stonebraker	535 Timberlake Dr 219-213-4365		
Cary Narsko	18274 Platinum Dr		
Kathy Mickiff	4715 W. 20 th Ave		
Karen Frizzell	3900 W. Main		
David A. Frizzell	3900 W. MAIN ST LOWELL, IN 46339		✓
Daniel Brown	511 Timberlake Dr Lowell		✓
Chris Marcinek	536 Timberwood Dr		
Joellen Marcinek	536 Timberwood Dr		
Rich Kostner	7661 W 74th		✓

Harvey, Ben (Indianapolis)

From: Stacy <(redacted for personal privacy)>
Sent: Friday, August 25, 2023 2:44 PM
To: Harvey, Ben (Indianapolis); Carrie Kish; Craig Hendrix; Todd Angerman; Andrew D Passmore; Karstin Carmany-George; Nicole K Foheybreting; INDOT Customer Service
Subject: Proposed Freedom Trail

Hello,

I spoke on few items from the INDOT public hearing but would like a few things added please.

- 1). I know town council members did not need to attend but being citizens of Lowell. Representing Lowell as our council it saddens me that no one was there from our council.
- 2). The president of our council wants this trail, why is he having it across the street from him and not on his property if he wants it so bad?
- 3). If INDOT is going to approve this trail Even with the fabrications filled out on the documents sent to state:
A). No one is against trail. (That is blatant lie). The town spoke this past week at indot showing what is not true. The petition brought forth since 2020 with 50 plus signatures against trail! So many residents are against it. Only two people spoke saying they were for it. Do not go through with this trail! The majority spoke and showed we don't want it in Lowell!
B). Liberty park has sledding hill, basketball and tennis courts. Park has none of these items C). That all effected residents were notified. I asked per group at indot hearing if anyone received letter, not one person raised hand. Please don't approve grant but if you do, don't put it in our back yard for the six homes Go along side easement of the back two homes on Timberlake drive Up by the tracks come and and through those two homes.
Do not take away the privacy and safety of our children.
There still w be nature on trail
What is six homes to do going along the back?
Don't do that. All others are in front of home With the town of Lowell taking away trust and honesty I do not know why one would still offer the grant but if you do don't go behind our homes!

Thank you
Stacy Brown

Sent from my iPhone

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Atención: Este correo electrónico proviene de fuera de Stantec. Por favor, tome precauciones adicionales.

Thank you for attending this evening's public hearing. Please submit comments by using the space provided below. INDOT and the Town of Lowell appreciate your attendance and participation this evening.

TODAY'S DATE:

Please submit comments by September 6, 2023 for inclusion into the public hearings transcript:

Thanks For the informative meeting.
Apparantly Most Residents knew nothing about it. It was totally one-sided. I don't live near the proposed trail and I can understand the residents complaint if the trail goes through their back yard. I propose a massive fence in their back yards. Another proposal is to run the trail alongside existing streets. Those in attendance were obviously non-walkers and would have no use for the trail. I am a walker and bike rider. The town of Lowell is not bicycle friendly or walker friendly community. It's time to get on board. Since it's such a contentious proposal perhaps another location might work. I think from Liberty park to Edshaw Road to Buckley.
If you would have sent a notice of the meeting to all residents of Lowell I wouldn't feel like I walked into a hornets nest. A lot of people walk, run or bike in town.

Thanks For your Time

Gary Naasko
18274 Platinum Dr
Lowell 46356
219 577-5917
gwnaasko@hotmail.com

SIGNATURE:

Comments may be submitted by mail to:

Stantec, attn: Benjamin Harvey

3901 Industrial Blvd.

Indianapolis, IN 46254

or

Via email to:

benjamin.harvey@stantec.com



Gary Naasko
18274 Platinum Dr.
Lowell, IN 46356

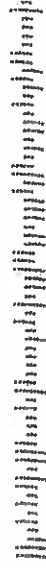
100

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Stantec, Attn: B. Harvey
3901 Industrial Blvd.
Indianapolis, IN 46254

46254-250901



Harvey, Ben (Indianapolis)

From: Donna Gaul Bobo <(redacted for personal privacy)>
Sent: Wednesday, September 6, 2023 5:10 PM
To: Harvey, Ben (Indianapolis)
Cc: Craig Hendrix; Betty Kender; Keith Elmer Kender; Russell Wayne Bobo
Subject: formal request to dispute apparent ROW

To the Relevant Parties,

For a span of 50 years or more, Betty Kender has dutifully fulfilled her tax obligations and upheld the property located within the proposed Freedom Trail area—a property currently claimed as an "apparent right of way" (ROW) by the town of Lowell. We hereby formally dispute the town's claim of an apparent ROW and respectfully request a comprehensive legal review of property ownership status, as well as a consideration of compensation for the taxes paid over this period.

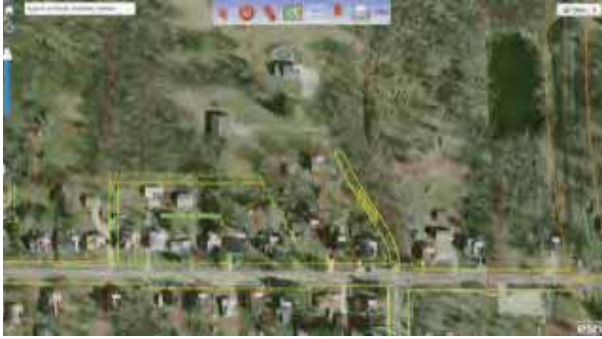
Furthermore, we wish to highlight that we have previously engaged in a face-to-face discussion regarding property ownership with the former town manager, Jeff Sheridan. During this conversation, Mr. Sheridan explicitly denied any town ownership of the property in question and declined our requests for assistance in maintaining the single lane, referred to as N. Liberty St., located north of Main St.

We kindly request that you initiate a legal review process to resolve this matter, clarifying the ownership status and addressing any rightful compensation for the taxes paid over the years. Your prompt attention to this issue is greatly appreciated.

Sincerely,

Betty Kender Family





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Atención: Este correo electrónico proviene de fuera de Stantec. Por favor, tome precauciones adicionales.

Harvey, Ben (Indianapolis)

From: Donna Gaul Bobo <(redacted for personal privacy)>
Sent: Wednesday, September 6, 2023 11:20 PM
To: Harvey, Ben (Indianapolis)
Cc: Todd Angerman; Craig Hendrix; Betty Kender; Keith Elmer Kender; Russell Wayne Bobo
Subject: NEPA comments to Freedom Trail, Lowell Indiana
Importance: High

To Whom It May Concern,

We are writing to express our objections and concerns regarding the proposed Freedom Trail project. Our objections encompass issues related to safety, privacy, land value, and overall project considerations. Please find below a detailed account of the facts and concerns:

Property Ownership and Stakeholders:

- The property in question is owned by my 88-year-old mother, who has a disability status. This property is held within a Family Trust.
- The stakeholders in this Family Trust include Betty and her five children: Karen Frizzell, Kathy Midkiff, Diana Repasky, Donna Bobo, and Keith Kender.
- In 2016 we contacted then town manager Jeff Sheridan to ask for N Liberty St to be maintained. Mr Sheridan denied town ownership or responsibility for the road north of Main Street. In 2017, we tried to reopen the conversation after my mom was recovering from bilateral knee replacements and her eroding road was increasingly hazardous to walk on. A summary of the 2016 in-person discussion and following emails is...

1. We referred to the affidavit of Leonard Nichols dated 1966, copy provided, North Liberty Street, also referred to as the lane, was used as a public street, and maintained by the Town of Lowell as a public street since 1946. The legal description of the property referred to in that affidavit matches 363 North Liberty current legal description.
2. The Town of Lowell repaved North Liberty street to Mrs. Kenders' driveway pad around 2002. Aerial photograph shared to see the blacktop transitioned out onto lighter colored driveway pad.
3. In the title records of Lake County, 363 North Libertys' legal description refers to a rectangle, and does not include the "peninsula" that North Liberty Street rests on.
4. Betty Kender recalls that her grandfather deeded a triangle involving 'the lane' to the City of Lowell sometime before his death in 1965. We were unable to locate a record of that, but asked that he check.
5. We discussed the alley owned by the Town of Lowell. Neighboring property owners have blocked the alley with timbers, large objects, and trash. We included photos. If the town would clear the alley, we offered to help keep it clear for alternate emergency access to Betty's property. The town previously voted not to vacate the alley as noted in TC meeting minutes.
6. Betty has continually paid property taxes since the property purchase on the area in question and now labeled "apparent ROW".

Lack of Legal Notice:

- Betty, one of the stakeholders, has not received legal notice regarding the Freedom Trail project.
- A recent notice posted on lowell.net states, "Two additional trail alignments that follow the higher ground to the west were considered to cross this wetland at its narrowest point;

however, the steep topography would not allow for ADA-compliance. The placement of the trail in steeper terrain would require significant use of retaining walls as well as increase the risk of erosion.”

Impact on Property:

- The recorded presentation by INDOT states that the preferred trail route significantly affects our property and is the "route on higher ground to the west that will not allow for ADA-compliance."

Objections to Property Sale:

- My mother vehemently opposes selling any part of her property for a recreational trail, especially when this trail is preferred for economic reasons and not essential for basic living needs such as utilities, water, or septic systems.

Emotional Impact:

- The prospect of the trail construction is causing significant distress to my mother, who views her property as a private sanctuary. She has expressed her hope that she does not live to see the construction begin.

Property Devaluation and Loss of Privacy:

- At a recent town council meeting, my brother-in-law pleaded for the town not to disturb the beautiful property my mother has nurtured for over 50 years. One board member suggested she should share the beauty. The concern is that the 5 acres of private property will lose its beauty and land value with the loss of privacy.

Neighboring Property Purchase:

- We purchased the adjacent property to my mother's to provide insulation as she ages.

Safety Concerns:

- This lane is currently 10-12 feet wide, but serves two-way traffic and lacks a shoulder. There is a steep slope on one side of the lane which is directly above the proposed trail. When encountering a car from the opposite direction, someone has to back up to pull into the yard or “apparent ROW”. Trash trucks back up the entire lane to collect the trash. The lane is often icy during the winter months. There is no plan, nor space, to widen the lane.
- There are concerns about the safety of placing a recreational trail on or next to a narrow, single-lane road, potentially creating a more dangerous traffic situation by introducing pedestrian and bike traffic.

Vandalism and Behavior Issues:

- The area is known to have behavior issues in the local parks, with multiple instances of serious vandalism reported. There is no plan for a fence, lights, patrol, closure enforcement or activity monitoring.

Eminent Domain Threat:

- Mr. Hendrix has informed us that the town can and will use eminent domain to acquire my mother's property if she does not agree to sell it. This approach feels coercive.

Budget and Road Maintenance:

- It has been suggested that the town will further damage the road during trail construction, promising improvements afterward if my mother sells her property. This tactic seems akin to blackmail or bribery rather than genuine ADA compliance.

Alternative Routes:

- We believe that if property acquisition is necessary, the trail should follow the east property line, which would be the least intrusive option. Alternatively, we request a reconsideration of the project if budget constraints dictate unwilling property sales. The original approved red path (attached below) going directly north without steep topography or single lane two-way traffic seems much more safe and ADA compliant. However, I do not wish this invasion on my neighbor.

Lack of Transparency and Notice:

- Talks with the town seemed to break down when there was no notification about who would be on the property and their intentions, resulting in trespassing multiple times.
- Laths marking a trail thru the yard significantly impacting her property appeared without explanation or notice.
- After objecting to the marked path, we met in person and discussed the trail path going along the property line only to have a follow up email map showing the proposed trail thru the yard.

Emergency Access During Construction:

- Concerns about emergency access during construction have been raised, particularly since the narrow single lane is the ONLY access route to our homes.
- INDOT will coordinate with emergency services, local school corporation officials and project stakeholders to ensure potential disruptions and impacts are minimized as much as possible.
- Work within roadways is not anticipated and disruption of traffic is not anticipated.
- On May 23, 2023, a town notice for recent street reconstruction of curbs and sidewalks states, "Milestone will do everything possible to ensure access to driveways during construction. However, during the excavation phase, there may be periods of time when driveway access is restricted. In some cases, it may be best to leave your home prior Milestone beginning work and return after they have finished for the day. You may also consider temporarily parking vehicles on adjacent streets during construction."
- The excavation planned for this project is much grander than curbs and sidewalks. To not anticipate and plan for disruption is to put my mom with limited mobility at risk.
- 3/21/23 I notified TC President Angerman, Ben Harvey and Craig Hendrix of a disabled person residing at 363 N. Liberty. The response when specifically asking Ben, Craig and Todd about access to my mom's home, I was told, "They shouldn't have to close the roads, but if for some reason the contractor says they want to, there would be a lot of coordination with you all before doing so. Please assume that no road closure will happen unless you hear otherwise." Assuming is not an acceptable response. I am advocating for a vulnerable person.

National Fire Protection Standards:

- The National Fire Protection standards require unobstructed 20-foot access for fire trucks and ambulances. That currently does not exist. There is no plan on widening the lane. Emergency access will be blocked by construction of the trail. Adding anticipated pedestrian, bike, and ADA traffic to this already compromised lane raises additional safety concerns.
- Assurances that access to all properties will be maintained during construction and coordination with emergency services will be in place to minimize disruptions yet the the issue is not acknowledged.
- There are concerns about previous issues with blocked alleys and the need for the town to maintain existing infrastructure.

Inconsistencies in Budget Allocation:

- The town has allocated funds for various projects, including a \$355k pickleball court, \$80K for engineering work on Nassau Park, 20% match of \$750 grant, matching \$308K grant,

\$75K for an electronic sign, \$250 for a property on 136 Washington, and more. Yet, the town seemingly can't afford a boardwalk on this trail, improve the roads, existing parks, sidewalks and alleys.

- There exists questions about the town's budget sources and allocation for various projects.

ADA Compliance and Project Necessity:

- Trail construction will impact the ingress and egress to two homes, one with a resident with limited mobility. What are the town regulations and accommodations for an individual with limited mobility during construction? How is this compliant with INDOT and federal guidelines?
- There are questions regarding the town's commitment to ADA compliance, especially when the proposed trail alignment may not adhere to ADA guidelines.
- We suggest considering alternative solutions that prioritize ADA compliance and community connectivity, such as creating safe paths connecting schools and parks by improving existing sidewalks. The schools can easily be connected to Liberty Park, Reservation Park then potentially Freedom Park by neighborhood sidewalks. The new Lennar subdivision could also connect if they are not allowed to pay a fee in lieu of installing sidewalks. Town council minutes state Lennar's objection is another subdivision was allowed to install berms instead of sidewalks so there is nothing to connect to.
- The town's commitment to constructing an ADA-compliant, multi-use trail connecting Nassau Park to Freedom Park, but the proposed alignment may not meet these standards.
- The town's recent introduction to ADA transition plan for compliance.
- The potential for alternative solutions that prioritize ADA compliance and community connectivity.

Additional Note from NEPA Document:

- The NEPA document notes issues with standing water and steep slopes at the proposed trail site near the southern end of the project area. This area was not studied. This raises concerns about environmental impact and safety.

In conclusion, while we are not inherently opposed to the concept of a bike path, we have significant concerns about the potential impacts on our property, safety, privacy, and the overall transparency and fairness of the project. We urge a thorough reconsideration of the project in light of these concerns and the best interests of all involved parties.

Thank you for your attention to this matter. Please add these concerns to the NEPA document for review

Donna Bobo

P.S. Please see attachments. We hope these photos help clarify our concerns.

Additional note from the NEPA document.

"The disturbed probes adjacent to North Liberty Street at the southern end of the project area exhibited graded soils that were then further disturbed by dumped asphalt and brick fragments along the slope edge next to the road. This material was likely deposited to help slow erosion of the slope along the North Liberty Street."

Per the NEPA, on page 110 or D10 "Two small portions of the proposed trail near the southern end of the project area were not surveyed due to the presence of wetlands with standing water. Another section of the project area near the southern end of the proposed trail route was not surveyed due to slope in excess of 20 percent." That is the exact place the "preferred alternate" trail is planned. It wasn't even studied. Page 39-40 of the NEPA document show the 20 ft elevation drop. the steepest appears to be a 20ft drop in ~50 ft distance.



water main break flowing onto 363 parking pad



water flowing from the water main break



completed "repair" after water main fixed



363 parking pad after water main break



Erosion from water main break on Betty's private lane. The town did not fix this. We paid to have rocks fill in the ruts.



Lane obstructed again after 2nd water main break



The sand is the completed "repair" after water main was fixed. This was done by the town prior to the water project sell. After 6 months and the sand failed to settle, I hired a landscaper to dig out the sand, fill with soil and plant grass



I repaired the lawn destroyed by the water main break repair done by the town



Private landscaper filling pot holes on the lane at my expense



Water retention in lane after rain. Note the tilting power line from erosion. We made multiple requests since 2016 to have road upkeep.



NIPSCO blocked the access to 363 and 351 N Liberty an entire day while replacing one tipping power line due to the erosion. I don't know how many days would be required to replace multiple poles for the trail.



Project crews repeatedly trespassed without notice to disabled homeowner. We asked repeatedly to have notice of who would be on the property and what the intent was. They drove past 2 private property signs and parked in front of the third sign. As you can tell by the lights on top of the truck, this is at least 3 documented instances. There were many more and that doesn't include the NEPA, wetland surveyors she also wasn't given the courtesy of any notice.



9:54
Photos

Over Garage

Motion at 8:59 AM



Driveway

Motion at 1:26 PM



Laths marking a path thru the middle of the yard appeared without notice or explanation. Betty didn't know what they were for or who placed them. She felt intruded on. We mowed around them until we just removed them as they were upsetting to Betty.



My mom texted me she was concerned there were intruders on her property and she didn't know what they were doing. I later found out this was town personal and SEH employees.



View is obstructed by power line that was replaced but not removed. There is also a large rut where a gas line was repaired and the road not restored.



The red line was the original approved INDOT path.



NOTE: below is the prior correspondence with Mr Sheridan the town manager. 9/29 came and went. No street work was done. A few pot holes were filled.

On Sep 29, 2017, at 10:56 AM, Town Manager <townmanager@lowell.net> wrote:

Sorry to disappoint you but only the southern end of the street was given additional work.

D. Jeffrey Sheridan
Town Manager

Town of Lowell
501 East Main Street
Post Office Box 157
Lowell, IN 46356

office 219 696 7794
mobile 219 730 4455
townmanager@lowell.net

On Thu, Sep 28, 2017 at 6:18 PM, Donna Gaul Bobo <(redacted for personal privacy)> wrote:
Mr Sheridan,

Would you please clarify the section of the road to be fixed by the town?

Our hope is that North Liberty will be maintained up to my mom's driveway, as it has for the past 51 years. There are many deep holes and parts of the road that are eroding off the steep hill to the east.

My mom is currently recuperating after having both knees replaced. We look forward to her having a safe road to walk and drive on.

It's great news that the road will be worked on tomorrow! We will be so disappointed if only the small 25 foot section off of Main St. is fixed.

Thank you,

Donna Bobo and Betty Kender

From: Town Manager <townmanager@lowell.net>

Date: September 28, 2017 at 3:04:17 PM MDT

To: Russ Bobo <(redacted for personal privacy)>, Betty Kender <(redacted for personal privacy)>

Subject: North Liberty

The additional road patching on North Liberty is scheduled for tomorrow (September 29th).

D. Jeffrey Sheridan
Town Manager

Town of Lowell
[501 East Main Street](#)
Post Office Box 157
Lowell, IN 46356

office [219 696 7794](tel:2196967794)
mobile [219 730 4455](tel:2197304455)
townmanager@lowell.net

On Jun 23, 2017, at 9:41 AM, Town Manager <townmanager@lowell.net> wrote:
Mr. Bobo,

I did call Ms. Kender to offer an update but never connected with her. Earlier this week our town crew did some patching on the road to help eliminate the washout area and will return after the asphalt sets and use our total patch machine to chip and seal the entire hill side.

Please let me know if you or Mrs. Kender has any other questions.

D. Jeffrey Sheridan
Town Manager
Town of Lowell
501 East Main Street
Post Office Box 157
Lowell, IN 46356
office 219 696 7794
mobile 219 730 4455
townmanager@lowell.net

From: Russ Bobo <(redacted for personal privacy)>

Sent: Tuesday, September 27, 2016 12:45 PM

To: townmanager@lowell.net

Subject: North Liberty Street

Mr. Sheridan:

Thank you for listening to our concerns.

Here is a recap of what we know:

1. Referring to the affidavit of Leonard Nichols dated 1966, that I gave you a copy of, North Liberty Street was used as a public street, and maintained by the Town of Lowell as a public street since 1946. The legal description of the property referred to in that affidavit matches 363 North Liberty current legal description.
2. The Town of Lowell repaved North Liberty street to Mrs. Kenders' driveway pad around 2002. Refer to the aerial photograph I copied you to see the blacktop transitioned out onto lighter colored driveway pad.
3. In the title records of Lake County, 363 North Liberty's legal description refers to a rectangle, and does not include the "peninsula" that North Liberty Street rests on.
4. Betty Kender recalls that her grandfather deeded a triangle involving 'the lane' to the City of Lowell sometime before his death in 1965. I cannot find a record of that, but perhaps you can.

Regarding North Liberty Street, we agree it would be best to repave the street, or do a chip and seal project. Financial assistance to the Town of Lowell for that project is beyond the resources of an elderly widowed citizen of the town relying only on Social Security and a small fixed pension.

Of a lower priority to us is the alley owned by the Town of Lowell. We do not have the resources or will to both survey and clear town property. Our previous estimate just for a survey of Mrs. Kender's property which partially bounds this alley was nearly \$3000 two years ago. Had other owners not blocked the alley, we would have helped keep it clear. I

have pictures of the other owners along the alley blocking the alley with timbers, large objects, and trash. We feel access through the alley to the Highland Addition residents and the residents of North Liberty Street for emergency responders and vehicles remains our concern, and we could assist in maintaining the alley access once cleared, since a major portion of it borders on Mrs. Kender's property. Please refer to the town meeting minutes I copied you on.

Thank you again for your consideration and respect.

Russell Bobo, on behalf of Betty Kender and her family

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Harvey, Ben (Indianapolis)

From: Russ Bobo <(redacted for personal privacy)>
Sent: Wednesday, September 6, 2023 5:19 PM
To: Harvey, Ben (Indianapolis)
Cc: chendrix@lowell.net; (redacted for personal privacy); tangerman@lowell.net
Subject: Proposed Freedom Trail in Lowell IN
Attachments: Proposed Easments S part of Freedom Trail.jpg

To whom it concerns:

I represent Daisy B&B LLC, the owner of the real property at 351 N Liberty St in Lowell IN, and we have a comment on the proposed trail to add to the INDOT public comments.

1. Daisy B&B LLC was never notified of the public hearing. The postal address is in the public property records- 3007 Colt Ct, Fort Collins, CO 80526
2. The proposed temporary construction easement and the "apparent" North Liberty St ROW provide the only residential and emergency responder access for our property, therefore, cannot be blocked.
3. We request there be fencing and other effective directing structures to prevent persons from 'wandering' off trail onto private property. Signage alone is not effective. There have been many occasions strangers have entered the private property at the end of N Liberty St despite No Trespassing signage.
4. Because the irregularly paved portion of N Liberty Street is only 10-12 ft wide, the proposal is for shared space, and emergency and residential access is needed, there needs to be **no parking** on the already narrow road.

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Harvey, Ben (Indianapolis)

From: Craig Hendrix <chendrix@lowell.net>
Sent: Thursday, September 7, 2023 9:19 AM
To: Donna Gaul Bobo; Harvey, Ben (Indianapolis)
Cc: Betty Kender; Keith Elmer Kender; Russell Wayne Bobo; Todd Angerman
Subject: RE: formal request to dispute apparent ROW

We can confirm who has what ownership in the pathway during the land acquisition process. The public hearing process closed yesterday. Once the status of the environmental document is determined, we will begin RW work including title searching, legal description writing, appraisals, offers, etc. We also need to further our design to determine the amount of RW necessary to construct and maintain the trail.

If, for some reason, the trail does not move forward, we will search to determine the ownership of this pathway anyway.

Regards

Craig Hendrix, PE

Town Manager/Town Engineer



Town of Lowell

501 East Main Street
P.O. Box 157
Lowell, Indiana 46356
P: 219-696-7794
F: 219-696-7796
E: CHendrix@lowell.net
Web: www.lowell.net

From: Donna Gaul Bobo <(redacted for personal privacy)>
Sent: Wednesday, September 6, 2023 4:10 PM
To: Benjamin Harvey PWS <benjamin.harvey@stantec.com>
Cc: Craig Hendrix <chendrix@lowell.net>; Betty Kender <(redacted for personal privacy)>; Keith Elmer Kender <(redacted for personal privacy)>; Russell Wayne Bobo <(redacted for personal privacy)>
Subject: formal request to dispute apparent ROW

To the Relevant Parties,

For a span of 50 years or more, Betty Kender has dutifully fulfilled her tax obligations and upheld the property located within the proposed Freedom Trail area—a property currently claimed as an "apparent right of way" (ROW) by the town of Lowell. We hereby formally dispute the town's claim

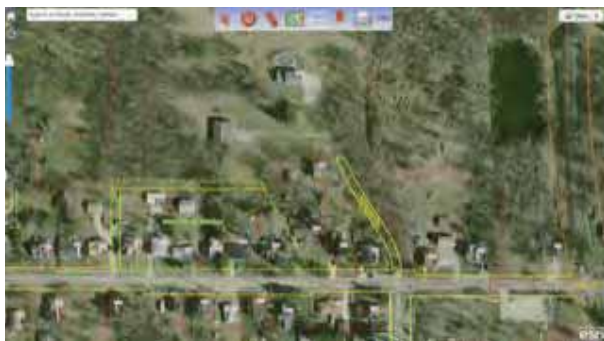
of an apparent ROW and respectfully request a comprehensive legal review of property ownership status, as well as a consideration of compensation for the taxes paid over this period.

Furthermore, we wish to highlight that we have previously engaged in a face-to-face discussion regarding property ownership with the former town manager, Jeff Sheridan. During this conversation, Mr. Sheridan explicitly denied any town ownership of the property in question and declined our requests for assistance in maintaining the single lane, referred to as N. Liberty St., located north of Main St.

We kindly request that you initiate a legal review process to resolve this matter, clarifying the ownership status and addressing any rightful compensation for the taxes paid over the years. Your prompt attention to this issue is greatly appreciated.

Sincerely,

Betty Kender Family



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Thank you for attending this evening's public hearing. Please submit comments by using the space provided below. INDOT and the Town of Lowell appreciate your attendance and participation this evening.

TODAY'S DATE: SEPT. 1, 2023

Please submit comments by September 6, 2023 for inclusion into the public hearings transcript:

I SPOKE ABOUT MY MOTHER INLAW BETTY KENDER WHO LIVES AT 363 N. LIBERTY STREET, LOWELL, IN. 46356 AT THE INDOT MEETING 8-21-2023 AND LOWELL TOWN HALL MEETING 8-28-2023. I DO NOT THINK THE TRAIL IS NECESSARY DUE TO THERE ARE ENOUGH PARKS IN LOWELL CENTRAL LOCATED FOR EVERYONE. I HAVE BEEN TO THE PARKS AND THEY ARE NOT EVEN THAT BUSY, EVEN SUMMERTIME WHEN SCHOOL WAS OUT. SAFETY AND SECURITY HAS BEEN BROUGHT UP WITH NO ANSWERS. THE TOWN WANTS TO FORCEFULLY TAKE BETTY KENDERS PROPERTY WHICH IS WRONG. "NO ONE SHOULD HAVE TO DO THIS." THE PROPOSED FREEDOM PARK TRAIL IS NOT EVEN PRACTICAL OR NECESSARY. PRIVACY WILL BE LOST IF TRAIL GOES THROUGH AND THERE WILL BE TRASH ALSO. LIBERTY STREET HAS NO OUTLET AND PEOPLE WILL STILL COME DOWN AND TURN AROUND IN HER DRIVEWAY AS IT DOES NOW, BUT GET WORSE. AT THE TOWN HALL MEETING ON 8-28-2023, THE BOARD WAS RUDE AND CRITICAL TO THOSE WHO SPOKE INCLUDING MYSELF. THE QUESTION "WHAT HAPPENED TO THE ORIGINAL TRAIL PLAN THAT WAS MUCH SIMPLER, WAS DECIDED AGAINST AND WAS DECIDED AGAINST?", WAS ASKED SEVERAL TIMES - "NO ONE WOULD ANSWER THE QUESTION!" - IT APPEARS SOMETHING IS WRONG ABOUT THIS AS NO ONE WILL REPLY!! "PLEASE DO NOT LET THE FREEDOM PARK TRAIL HAPPEN AS IT IS NOT "NECESSARY AND "NO ONE" SHOULD BE FORCED TO GIVE UP THEIR PROPERTY!!"

SIGNATURE:

David A. Frizzell
DAVID A. FRIZZELL
3900 W. MAIN STREET LOWELL, IN. 46356

Comments may be submitted by mail to:

Stantec, attn: Benjamin Harvey
3901 Industrial Blvd.
Indianapolis, IN 46254

or

Via email to:

benjamin.harvey@stantec.com

Harvey, Ben (Indianapolis)

From: Stacy <(redacted for personal privacy)>
Sent: Friday, September 29, 2023 8:58 PM
To: Carrie Kish; Harvey, Ben (Indianapolis); Cathy Womack; Craig Hendrix; Karstin Carmany-George; Nicole K Foheybreting; Andrew D Passmore; Todd Angerman; INDOT Customer Service; MARTY MAUPIN; Elizabeth Johnson
Subject: Lowell freedom trail

Good evening,
It was brought to my attention by a resident who lives in freedom springs and is against the trail, that the Lowell Fire Dept just put out a fire that would be around where the trail is looking to go in freedom springs. They talked w an officer to find out what was going on.
It is very scary to think this just happened. Luckily we had some rain but if it was like it was few months ago, families could have lost their homes like the town lost moose park from the juveniles few months ago.
For some reason there are too many problems with fires, vandalism to handle a bike trail with such seclusion!
It is bad enough the documentation that was sent to indot by our town was not factual!
Please protect our most valued possessions, our home! Our sanctuaries!
Would you be able to sleep peacefully if all of this was going on and your home and property was in jeopardy?
Please do not let this trail go through!

Sent from my iPhone

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Commentor	Address/Communication method	Date of Comment	Comment	Response or Resolution
Linda Wagner	7586 174th Ave	15-Mar-23	Concerned about the safety of the bike path for kids crossing driveways. Concerned that the sidewalk will be used for the trail/bike path and go over everyone in the neighborhood driveways. Anybody backing out of their driveway will be backing out on the walk/bike path. This has never been heard of, never heard of to have walk/bike path done this way.	The proposed condition is similar to the existing configuration with driveways and the existing sidewalks within the neighborhood. Bicycle traffic is anticipated to be directed along the street through the neighborhood.
Linda Wagner	Phone Message	15-Mar-23	Requesting a public hearing regarding concerns of the walk/bike path in the front of her home.	Public Hearing was held 8/22/2023.
Stacy Brown	511 Timberlake Drive, Lowell, IN	15-Mar-23	My name is Stacy Brown and I am a resident in Lowell, Indiana and reside in Timber Springs neighborhood. My husband and I have been protesting the trail that the town is trying to put right behind our house butting up to our fence line. As you know, people buy a property for a reason. It is one's largest investment. We received a notice a little over two yrs. ago that Lowell planned on putting a bike trail through the back of our neighborhood right up on the wetlands. This devastated us due to all the wildlife. The Indiana Bats, other bat species, albino deer, bald eagles and other wild life.	There are no documented Threatened, Endangered, and Rare species in the project area at either the state or federal level. Coordination with the required state and federal agencies has occurred per the NEPA process.
			Are motorized vehicles allowed on the trail?	The trail is for non-motorized transportation between Freedom Park and Liberty Park
			The town can not answer any of this yet vote is to happen. This is not right.	Public information process has been completed according to INDOT/FHWA guidelines.
			Regarding "Freedom Springs Trail" - Request for open session and would like to postpone 'the vote' for/against the trail as there are numerous people against it.	There is not a vote or approval at this stage, other than the INDOT/FHWA approval that the NEPA process was followed. The project has been under consideration by the Town since at least 2019.
			We received the letter on a Saturday and that Monday morning we called and I talked with the Town Manager numerous times. He was very combative, belittling and not pleasant at all. He used bully tactics to try and intimidate me. The town manager even threatened to put the bike trail right over the wetlands. I contacted the town council president and we discussed all of this and he made his apologies to me. He has since left and we have a new president. I went door to door in the neighborhood informing residents of this trail, which many were not made aware of and numerous would be effected.	Outside the scope of the environmental document.
			Per the 200 plus document that the town sent to you and recently posted on the town page two days ago, no one was opposed to this. This is not factual at all. We have over 50 plus signatures on residents against this trail connecting Liberty park to Freedom park!	The statement that no one is against the trail has been revised in the CE document per the comment response. Information was reviewed and petition with 20 signatures was provided to the project team. The petition has been included in the project NEPA document.
			We have spoken our concerns at different town hall meetings. The council members could not answer any of residents concerns or questions. Even as of this morning, I reached out to one council member and they are yet to tell us exactly where the trail will go yet they are sending documents to you, INDOT and other companies to have this voted on within a few days. The council member responding this morning that he did not believe anyone could walk properly yet to show exactly where it would go because they are not sure yet. The residents of who reside in Freedom Springs and Timber Springs would like this vote set back and we are demanding our right to a public hearing per the documents state we have the right to.	Town Council concerns need to be addressed by the Town Council. The path of the trail has not officially been determined but there is a preferred path that has been proposed in the Environmental Document that minimizes impacts. Public Hearing was held 8/22/2023.
			The council is not being honest and forth coming in the documents as well.	Outside the scope of the environmental document.
			The documents state that Liberty park had basketball and tennis courts, this is not true. The park has neither of these courts!	The statement regarding the basketball and tennis courts has been removed from the Environmental Document.
			The park lines right up to a rail road track and a bar that use to be there was hit by a train I was informed at a local meeting we had last night. This is not safe for people at all.	Trail would be constructed in accordance with INDOT safety design criteria. Trail will be operated as a public park and safety addressed by local police.
			We reached out numerous times to have a meeting with the town about this and we were denied. We are allowed 3 minute decision during town hall meeting which we have done yet, the council just looks at us without answers.	Comments noted within the NEPA document. Public information process has been completed according to INDOT/FHWA guidelines.
			will town provide fencing to block the trail from residents yards?	The design team will consider this during development of the project. This requirement for Town of Lowell and Designer to consider privacy screening has been added to the project NEPA document as a firm commitment.
			forest fire	The trail is not anticipated to increase the risk of forest fire
			who will keep areas supervised?	Trail will be operated as a public park, and Parks Department will be responsible for cleaning and maintaining park. Other emergency services will be provided by police, fire department, or other appropriate emergency services.
			will they shovel and keep it up to par during all weather	See previous response
			vandalism and crime like at local parks in Lowell already.	See previous response
			bike path gives easy access to property, such as side doors, back doors and garages and for people scoping out property	Trail will be operated as a public park and safety addressed by local police. Design team has not located any studies that show an increase in crime due to trails relative to local crime rates.

Commentor	Address/Communication method	Date of Comment	Comment	Response or Resolution
			bike path will go right through some bus stops so children will stand on trail at times.	The proposed condition is similar to the existing configuration with driveways and existing sidewalks within the neighborhood able to be used by pedestrians. Bus stops will be located where the schools decide and children may at times be standing on the trail. However, only pedestrian traffic is anticipated on the trail as bicycle traffic is anticipated to be directed along the street through the neighborhood. Design team has not located any studies that show an increase in crime due to trails relative to local crime rates.
			construction crew told residents there will be overhang seating by freedom springs filled in pond.	The referenced construction crews would not have been associated with this project since construction has not started. No overhang seating by freedom springs filled pond is proposed in the design at this stage of design. No further information provided by the resident.
			problems with speeding on timber springs road already now putting bike trail right on road	Local police are responsible for enforcing speeding limits within the town. Outside the scope of the environmental document.
			drive way concerns, backing out right on the trail. some areas have blind spots due to hills and shrubbery.	The proposed condition is similar to the existing configuration with driveways and the existing sidewalks within the neighborhood.
			If someone falls on your property off the trail who is responsible??	Outside the scope of the environmental document. Generally, adjacent property owners are not liable for actions on town-owned right-of-way.
			We as residents are against this yet town is telling INDOT and others we are not per documents.	The statement that no one is against the trail has been revised in the CE document per the comment response.
			We would like the vote to be stopped for now and for a public hearing to happen to place our concerns and receive accurate information and answers!	There is not a vote or approval at this stage, other than the INDOT/FHWA approval that the NEPA process was followed. Public Hearing was held 8/22/2023
			We have reached out to INDOT and they have sent our concerns to upper level of management. I have called your office twice and left messages. We also have tried to reach Tammy who is listed on all letters and she no longer works for company or this project.	Project team contact information was provided in the published notices. Follow-ups from all messages have occurred and official comments have been included in the project NEPA document.
			We look forward to hearing when the public hearing is here in Lowell or via zoom.	Public Hearing was held 8/22/2023.
			Yes the complaint is on you [in response to Craig Hendrix, Lowell Town Manager]. I expect a response back by Mr. Angerman (President of Town Council). I would be ashamed of having someone represent Lowell in this manner. All because I once again questioned items in document on the freedom trail that has items listed that are not factual.	
Stacy Brown	511 Timberlake Drive, Lowell, IN	17-Mar-23	I am sorry we have gone to INDOT, DNR, etc. and requested public hearing on the trail. I wish we would have more honesty and have respect with our questions and concerns. Instead we are yelled at, belittled and bully tactics!	Outside the scope of the Environmental Document. Public Hearing held 8/22/2023.
			No one is against trail. This is not true there are a large number against this trail and a large number of signatures on petition.	The statement that no one is against the trail has been revised in the CE document per the comment response. Information was reviewed and petition with 20 signatures was provided to the project team. The petition has been included in the project NEPA document.
			Listed basketball and tennis courts at liberty park which is not true.	This statement has been revised in the CE document.
			States all notified who are effected. Many have not been notified until we have gone door to door inform the public.	Notifications are sent to immediately adjacent property owners and are typically only sent one time. Public information process has been completed according to INDOT/FHWA guidelines.
Stacy Brown	511 Timberlake Drive, Lowell, IN	22-Mar-23	Requested a public hearing	Public Hearing was held 8/22/2023.
Donna Gaul Bobo (spouse Russell Bobo)	351 N. Liberty St	22-Mar-23	Our utilities were marked this past week from Liberty St to each of our homes thru our yards, unannounced. Could you please tell us why?	Work crews under the direction of the Town have been informed to notify this property owner before entering the property.
Betty Kender (mother of Donna Bobo and Keith Kender)	363 N. Liberty St	22-Mar-23	My mother is 89yo, has a disability placard and lives alone. We need to know if when someone is going to be on her property and if the only access to her home on the single lane road will be interrupted. This is a safety issue. My brother talked with the town planner when prior surveys and studies were done and people were showing up on her property unannounced. We were assured written notice would be given.	Notice of Survey Letter was sent in -2020. Work crews under the direction of the Town have been informed to notify this property owner before entering the property.
			It appears her property is significantly impacted by the path and right of way. We'd like to know when she will find out exactly where the path will go and how she will be compensated.	Additional information provided to the resident, and additional coordination on here.
			Also, is there a plan for a fence to keep people on the path and out of her nicely groomed yard since the path/ROW appears to pass thru part of her well kept lawn. I feel this will be an inviting space for dogs and people with little honor for her personal space.	The design team will consider this during development of the project. This requirement for Town of Lowell and Designer to consider privacy screening has been added to the project NEPA document as a firm commitment.

Commentor	Address/Communication method	Date of Comment	Comment	Response or Resolution
			We purchased the house next to my mom to insulate her as she ages. From what I can tell from the 240ish page document, is there will be a dimly lit (to protect the wetland), unpopulated path abutting her isolated 5 acres at the end of N Liberty. It's common knowledge there are behavior issues at the local parks.	Trail would be constructed in accordance with INDOT safety design criteria. Trail will be operated as a public park and safety addressed by local police.
			To be clear, I'm not opposed to the bike path. I look forward to having a pleasant place to walk. I'm opposed to the seeming lack of respect for my mom's privacy and safety. Communication and care can go a long way.	Thank you for your comment.
Public Meeting - Town Council		27-Mar-23		
Stacy Brown	511 Timberlake Drive, Lowell, IN	27-Mar-23	Spoke with Drew Passmore of INDOT Environmental and requested a public hearing.	Public Hearing was held 8/22/2023.
			She has over 50 signatures on a petition regarding the trail and received more signatures recently.	Information was reviewed and petition with 20 signatures was provided to the project team. The petition has been included in the project NEPA document.
			She held a meeting at the library to inform our residents of the trail and also informed the council that they were meeting	Thank you for your comment.
			A list of comments was then provided regarding concerns with the trail:	Trail will be operated as a public park, and Parks Department will be responsible for cleaning and maintaining park. Other emergency services will be provided by police, fire department, or other appropriate emergency services.
			Patrol of the trail	Like other town parks, dawn to dusk.
			Hours of the trail	Trail runs directly through town.
			Seclusion of the trail	Final design configuration is not developed, but will adhere to the preferred alternative in the NEPA document.
			Location of the trail	Outside the scope of the environmental document.
			We asked the council to walk and show where the trail would go behind the private properties and that couldn't do it	Outside the scope of the environmental document. Generally, adjacent property owners are not liable for actions on town-owned right-of-way.
			if someone falls on your property off the trail who is responsible??	The proposed condition is similar to the existing configuration with driveways and the existing sidewalks within the neighborhood.
			drive way concerns, backing out right on the trail. some areas have blind spots due to hills and shrubbery.	Construction crews would not be associated with this project since construction has not started. No further information provided by the resident.
			Construction crew in Freedom Springs told residents there will be overhang seating area where the pond is to be filled in?	Non-motorized vehicles only.
			Will dirt bikes be allowed on this trail?	The proposed condition is similar to the existing configuration with regard to public access within the neighborhood.
			Easy access to garages?	The proposed condition is similar to the existing configuration with driveways and existing sidewalks within the neighborhood able to be used by pedestrians. Bus stops will be located where the schools decide and children may at times be standing on the trail. However, only pedestrian traffic is anticipated on the trail as bicycle traffic is anticipated to be directed along the street through the neighborhood. Design team has not located any studies that show an increase in crime due to trails relative to local crime rates.
			The trail goes through bus stops and children will be standing there while waiting for the bus.	Trail will be operated as a public park and safety addressed by local police. Design team has not located any studies that show an increase in crime due to trails relative to local crime rates.
			The trail will be public property and people will be scoping out properties, who do we call it will be	There are no documented Threatened, Endangered, and Rare species in the project area at either the state or federal level. Coordination with the required state and federal agencies has occurred per the NEPA process.
			animal and wildlife: Indiana bats, brown bats, bald eagles, crane: She has a report from the DNR from 3 years ago when DNR came out to the property.	Property negotiation would take place at later stages of project development. Outside the scope of the environmental document.
			Lighting and fencing: will the town compensate fencing?	Environmental document was updated per the outdated items that were brought to our attention.
			Forms on file (environmental document), the forms are not factual: people are against the trail but the form states there is no opposition	Environmental document was updated per the outdated items that were brought to our attention.
Carrie Kish	524 Timberwood Lane	27-Mar-23	Liberty Park is stated as having basketball and tennis courts but the park does not have those features	Outside the scope of the environmental document.
			She bought home 10 years ago for what is behind her home, not a trail that is going to eliminate why she chose where she lives.	Purpose and need for the project are evaluated in the environmental document.
			This is something that everybody feels is going to be used and go from one part to another, but there is nothing at either park right now.	Trail will be operated as a public park, and Parks Department will be responsible for cleaning and maintaining park. Other emergency services will be provided by police, fire department, or other appropriate emergency services.
			Freedom Park just had cars drive through there and plow into things: Who is going to monitor this trail?	Trail will be operated as a public park and safety addressed by local police.
			Who is going to make sure hoodlums in her opinion aren't unnecessarily killing things in the pond, turtles, tortoises.	

Commentor	Address/Communication method	Date of Comment	Comment	Response or Resolution
			Her and her husband cleaned out the pond and got rid of the mess that was back there and brought life back to the pond. There was a drain that was not maintained that her and her husband cleaned out.	Thank you for your comment.
			The unnecessary trail walk/bike path is something else that is going to give reasons and ways for people to destroy things. She is 100% against it.	Trail will be operated as a public park and safety addressed by local police.
Ed McGulre	7561 Independence Lane	27-Mar-23	The pond on Redbud has a steep 10-foot drop off with no fencing that will be directly on the walking path. That is very unsafe. It states that they could widen the sidewalks up to 12-feet throughout the subdivision, which would take away all the parkways for all those homes, which years of trees already growing there. Why can you ride a bike on a city street but you can't ride it through a subdivision? Put a painted line on a road and leave the sidewalks alone.	Trail would be constructed in accordance with INDOT safety design criteria, and will be ADA compliant. This is being considered by the design team. The project will avoid tree clearing to the maximum extent practicable.
Brian Sylvester	17391 Redbud Lane	27-Mar-23	I understand wanting to link the two parks. It seems to me it would make a lot more sense to link the two parks right down Nickel (Road). I understand that it is not within the INDOT grant money or matching, but if you put this where 'you' want it through some peoples backyards. It is not going through my backyard, which I would be 'honked off', because we bought our place because of our backyard. But this will go right across our front yard, which makes it a little difficult. I am imagining when it is time to back a car up and there is a lot more distance you have to be mindful of and more traffic potentially is concerning.	Other alignments were considered, including a route along Nichols Street, but this was not approved for further development during initial project submittals to INDOT. A Nichols Street project was submitted to INDOT LaPorte District that was denied project development approval prior to the pursuit and development of the current Freedom Trail project.
			Will I be able to park on the street at all?	Street parking is not anticipated to change as a result of this project.
			Are mailboxes being moved?	Mailbox relocation is not anticipated at this time.
			It doesn't seem like it is the best solution considering especially that people in that little valley there have been there quite some time and to yank that away from them does not seem very neighborly.	Project alignment was selected to use existing town-owned property wherever possible to reduce project costs. Right-of-way from adjacent property owners consists of 0.5 acre of temporary ROW for the entire project.
			It makes a lot more sense for us to put the path down Nickel. I understand it is more and that INDOT would help match some of those funds if you do it through the valley there, but just because they are paying a price for that doesn't mean it is the right thing to do. It makes more sense I think to put that sidewalk down Nickel where it is a little more open. I don't think it will be as intrusive to the people that are there as people with the trail in the backyard. People don't buy their house for the front yard, they buy it for the backyard.	Other alignments were considered, including a route along Nichols Street, but this was not approved for further development during initial project submittals to INDOT. A Nichols Street project was submitted to INDOT LaPorte District that was denied project development approval prior to the pursuit and development of the current Freedom Trail project.
Beth Ann Pulley	560 Redbud Lane	27-Mar-23	My biggest concern is the safety. We moved to this subdivision two years ago. We picked it out to raise our family. And now my biggest concern is my son. I am afraid to let him out with random people who are not my neighbors in my neighborhood walking around. What are you guys going to do about the safety?	Trail will be operated as a public park and safety addressed by local police. Design team has not located any studies that show an increase in crime due to trails relative to local crime rates.
			My front yard is going to be destroyed because it is going to be the whole trail that you plan on doing across my front yard.	Property owner impacts will be minimized to the maximum extent practicable.
			I just found out about this trail a couple of weeks ago because of a friendly neighbor. I am very disappointed of the lack of information.	Public information notice requirements were performed, consistent with INDOT and FHWA policies. A physical mailing was not completed, however, an email was sent to the Pulley's announcing the public hearing.
			My husband, Brandon Pulley, and I have been part of this town, we grew up in this town. My father, Douglas Nix, was part of the planning commission for a decade. My father tried to help us out and get information but he couldn't get information from you guys. It was just the lack of information and being a part of this town, I know you guys want to see it grow and turn something new, but letting us know as citizens of this town, you have to let us know first. This is impacting us, is it impacting you? That is our biggest concern in the subdivision.	Public information process has been conducted consistent with INDOT and FHWA guidelines.
General Public Comments Received				
Stacy Brown		13-Apr-23	Comment response from public meeting. Is there an update with the public hearing.	Responded in person directly on email chain. We will follow the standard INDOT format for comment response. Public Hearing was held 8/22/2023.
			Petition and information created by Stacy provided in this email chain by INDOT.	Information was reviewed and petition with 20 signatures was provided to the project team. The petition has been included in the project NEPA document.
Stacy Brown		26-Apr-23	There are numerous residents opposed to the project.	Information was reviewed and petition with 20 signatures was provided to the project team. The petition has been included in the project NEPA document.
			There are errors in the environmental document	Town Manager responded directly to resident via email. Environmental document was updated per the outdated items that were brought to our attention.
Stacy Brown		26-Apr-23	There are errors in the environmental document	Environmental document was updated per the outdated items that were brought to our attention.
Donna Gaul Bobo		28-Apr-23	Give notice whenever town work will take place on the property of Betty Kender	Town Manager responded directly to resident via email.
Donna Gaul Bobo		30-Apr-23	Existing trail route is different than the proposed route in 2020.	Trail route was shifted from the 2020 alignment to avoid wetlands and in an effort to utilize as much right-of-way already owned by the town as possible.
Donna Gaul Bobo		5-May-23	Someone has marked utility locations on Betty Kinder property.	Town Manager responded directly to resident via email. The utility marking was not done by city-affiliated contractors.

Commentor	Address/Communication method	Date of Comment	Comment	Response or Resolution
Stacy Brown		22-May-23	Any update on public hearing for the Freedom trail project?	Town manager responded directly to resident via email. Public Hearing was held 8/22/2023.
Stacy Brown		21-Jun-23	Question on trail funding. When is the meeting date.	Town manager responded directly to resident via email. Funding has been moved out. Public Hearing was held 8/22/2023.
			Why do you all have to get things in order?	Project team needed time to prepare for the public hearing and find a date that worked for all parties and the facility's schedule.
			There are errors in the environmental document	Environmental document was updated per the outdated items that were brought to our attention.
Stacy Brown		11-Jul-23	How will the Town keep up the trail.	Trail will be operated as a public park, and Parks Department will be responsible for cleaning and maintaining park. Other emergency services will be provided by police, fire department, or other appropriate emergency services.
			There are errors in the environmental document	Environmental document was updated per the outdated items that were brought to our attention.
Donna Gaul Bobo		11-Aug-23	What is the alignment on the southern limits of the project?	Responded via email on the southern project alignment.
			Asked about potential road closure on N Liberty Street	Responded via email that no road closure is anticipated.
Public Hearing	8/22/2023			
Stacy Brown			There are errors in the environmental document.	Environmental document was updated per the outdated items that were brought to our attention.
			Concern with safety and police patrolling the trail	Trail will be operated as a public park, and Parks Department will be responsible for cleaning and maintaining park. Other emergency services will be provided by police, fire department, or other appropriate emergency services.
			Concern with vandalism and trail upkeep.	See previous response.
			Are there additional errors or omissions in the environmental document	The document is accurate based on internal reviews, and no information was deliberately kept out of the environmental study.
Beth Ann Pulley			Were not notified about the trail during project development/early enough in project development	The project has been under consideration by the Town since at least 2019. Notice of Survey Letter was sent in 2020 and no additional notice is required to be given. Public information notice requirements were performed, consistent with INDOT and FHWA policies.
			Safety of the trail, especially with regard to children	Trail would be constructed in accordance with INDOT safety design criteria. Trail will be operated as a public park and safety addressed by local police.
David Frizzell			Does not think the trail is necessary	Purpose and need for the project are evaluated in the environmental document.
			Privacy concerns	Privacy screening will be evaluated by the project team during future stages of the project.
			Personal property acquisition	Property negotiation would take place at later stages of project development. Outside the scope of the environmental document.
Daniel Brown			Trail will be running behind their house	Project alignment was selected to use existing town-owned property wherever possible to reduce project costs. Right-of-way from adjacent property owners consists of 0.5 acre of temporary ROW for the entire project.
			Safety on the trail	Trail will be operated as a public park and safety addressed by local police.
			What will prevent trail access at night	Trail will be operated as a public park and safety addressed by local police.
Rich Costner			Safety and security	Trail will be operated as a public park and safety addressed by local police. Design team has not located any studies that show an increase in crime due to trails relative to local crime rates.
			Privacy concerns	Privacy screening will be evaluated by the project team during future stages of the project.
Brian Sylvester			Trail alignment should be along Nichols	Other alignments were considered, including a route along Nichols Street, but this was not approved for further development during initial project submittals to INDOT. A Nichols Street project was submitted to INDOT LaPorte District that was denied project development approval prior to the pursuit and development of the current Freedom Trail project.
Ron Brown			Neighborhood/property impacts - hydrants and mature trees	Property owner and tree impacts will be reduced to the maximum extent practicable on the project.
			Supportive of trails and bikeable community	Thank you for your comment.

Commentor	Address/Communication method	Date of Comment	Comment	Response or Resolution
Carrie Kish			Answers have not been forthcoming from the town	Public information process has been completed according to INDOT/FHWA guidelines.
			Safety concerns	Trail will be operated as a public park and safety addressed by local police. Design team has not located any studies that show an increase in crime due to trails relative to local crime rates.
			Trail will not be used	Purpose and need for the project are evaluated in the environmental document.
			Destruction of nature	Natural environment impacts were evaluated as part of the environmental document preparation process. There are no anticipated significant impacts and impacts have been minimized as much as possible.
			Concerns on construction access - property damage during construction - compensation for damages	No property owner access will be eliminated during construction. Any property damage would be compensated by the Town of Lowell or the construction contractor.
			Trail maintenance, vandalism, and rubbish	Trail will be operated as a public park, and Parks Department will be responsible for cleaning and maintaining park.
Wallace Napleton (?)			Fire on the trail	Emergency services will be provided by police, fire department, or other appropriate emergency services.
			Loss of privacy	Privacy screening will be evaluated by the project team during future stages of the project.
			Lack of need for the trail	Purpose and need for the project are evaluated in the environmental document.
Jeff Kopica			Safety concerns	Trail will be operated as a public park and safety addressed by local police.
			Town Council not present for public hearing	Thank you for your comment.
Keith Kender			Trail alignment has changed since initial map, with trail going straight up and not along N Liberty Street	Trail route was shifted from the 2020 alignment to avoid wetlands and in an effort to utilize as much right-of-way already owned by the town as possible.
			Concerns about safety	Trail will be operated as a public park and safety addressed by local police.
			Lack of maintenance on existing N Liberty Street - Ownership of that R/W	Property negotiation would take place at later stages of project development. Outside the scope of the environmental document.
			Closing N Liberty Street during project construction	There is no plan to limit any property owner access during construction.
			Lack of need for the trail	Purpose and need for the project are evaluated in the environmental document.
Renee Krambeck			Safety concerns	Trail will be operated as a public park and safety addressed by local police. Design team has not located any studies that show an increase in crime due to trails relative to local crime rates.
			Loss of privacy	Privacy screening will be evaluated by the project team during future stages of the project.
			Maintenance of the trail	Trail will be operated as a public park, and Parks Department will be responsible for cleaning and maintaining park.
			Trail alignment should be along Nichols	Other alignments were considered, including a route along Nichols Street, but this was not approved for further development during initial project submittals to INDOT. A Nichols Street project was submitted to INDOT LaPorte District that was denied project development approval prior to the pursuit and development of the current Freedom Trail project.
Kathy Midkiff			ADA Compliance of the trail	Trail will be ADA compliant.
Linda Loyds			Opposed to the trail	Thank you for your comment.
			Loss of peace	Project not anticipated to increase noise significantly.
			Lack of privacy	Privacy screening will be evaluated by the project team during future stages of the project.
			Safety concerns	Trail will be operated as a public park and safety addressed by local police. Design team has not located any studies that show an increase in crime due to trails relative to local crime rates.
Stacy Brown			Schools not notified of the project	That was a mistake in the presentation, upon a review the schools were not included in early coordination mailings. Public information process has been completed according to INDOT/FHWA guidelines.
			Notification was not widely enough distributed	Public information process has been completed according to INDOT/FHWA guidelines.

Commentor	Address/Communication method	Date of Comment	Comment	Response or Resolution
John Novalni			Safety concerns	Trail will be operated as a public park and safety addressed by local police. Design team has not located any studies that show an increase in crime due to trails relative to local crime rates.
			Lack of privacy	Privacy screening will be evaluated by the project team during future stages of the project.
Speaker 20 (unidentified)			Impacts to nature and wildlife	Natural environment impacts were evaluated as part of the environmental document preparation process. There are no anticipated significant impacts and impacts have been minimized as much as possible.
Daniel and Stacy Brown			Endangered species impacts - IDNR coordination	The resident mentioned a meeting with the IDNR regarding natural resources impacts on the project, but no additional information was provided to the project team. Coordination has occurred per INDOT CE standards and no significant impacts to natural resources were identified.
Speaker 4 (unidentified)			Trail should be alongside the street Generally supportive of the trail	Other alignments were considered, including a route along Nichols Street, but this was not approved for further development during initial project submittals to INDOT. A Nichols Street project was submitted to INDOT LaPorte District that was denied project development approval prior to the pursuit and development of the current Freedom Trail project.
Speaker 19 (unidentified)			Concerned with property acquisition on their property	Property negotiation would take place at later stages of project development. Outside the scope of the environmental document.
Keith Kender			Lack of oversight in existing parks	Trail will be operated as a public park, and Parks Department will be responsible for cleaning and maintaining park.
General Public Comments Received				
Stacy Brown		25-Aug-23	The president of our council wants this trail, why is he having it across the street from him and not on his property if he wants it so bad? There are errors in the environmental document.	To the best of our knowledge, there has not been direct input from the town council president regarding the project alignment. In addition, the alignment process includes minimization of impacts. Environmental document was updated per the outdated items that were brought to our attention.
			Residents were not notified about the project.	Notice of Survey Letter was sent in 2020 and no additional notice is required to be given. Public information notice requirements were performed, consistent with INDOT and FHWA policies.
			Concerns with privacy and safety	Trail will be operated as a public park, and Parks Department will be responsible for cleaning and maintaining park. Other emergency services will be provided by police, fire department, or other appropriate emergency services. Privacy screening will be evaluated by the project team during future stages of the project.
			Go along side easement of the back two homes on Timberlake drive Up by the tracks come and through those two homes. What is six homes to do going along the back?	This alignment would result in property acquisition from these homes and result in the trail encroaching very close onto these homes. It would also lengthen the trail and potentially impact additional wetland resources. This comment not clear in its intent.
Gary Naasko		28-Aug-23	Proposes a massive fence along the backyards of residents. Also proposes to run the trail along existing streets, consider other locations.	Comment will be considered as design is finalized on the project. This requirement for Town of Lowell and Designer to consider privacy screening has been added to the project NEPA document as a firm commitment. Other alignments were considered, including a route along Nichols Street, but this was not approved for further development during initial project submittals to INDOT. A Nichols Street project was submitted to INDOT LaPorte District that was denied project development approval prior to the pursuit and development of the current Freedom Trail project.
Donna Gaul Bobo		6-Sep-23	Dispute the town's claim that right-of-way along N. Liberty Street is town-owned.	Final right-of-way determinations would be made later in project development. All right-of-way acquisition, including re-acquisition of apparent right-of-way, would be handled in accordance with INDOT and FHWA guidelines.
			Initiate a legal review of this right-of-way and address compensation for taxes paid on this area.	The request to initiate a legal review and address compensation for taxes paid is outside the scope and purpose of the NEPA environmental document. However, the right-of-way process for the project will determine ownership. Additional coordination regarding the legal request would be required with the County or Town.

Commentor	Address/Communication method	Date of Comment	Comment	Response or Resolution
Donna Gaul Bobo		6-Sep-23	Object to the project on issues related to safety, privacy, land value, and overall project considerations.	Comment addressed elsewhere in the responses. Specific issues not listed.
			Former town manager denied town ownership of North Liberty Street.	Outside the scope of the environmental document. Right-of-way would be formally addressed in a later stage of project development.
			Additional items brought up with regard to the parcel limits, ownership of N Liberty Street, and deed information.	Outside the scope of the environmental document. Right-of-way would be formally addressed in a later stage of project development.
			Legal notice not provided to resident.	Notice of Survey Letter was sent in 2020 and no additional notice is required to be given. Public information notice requirements were performed, consistent with INDOT and FHWA policies.
			My mother vehemently opposes selling any part of her property for a recreational trail, especially when this trail is preferred for economic reasons and not essential for basic living needs such as utilities, water, or septic systems	Property impacts will be minimized to the maximum extent practicable, and would be addressed in future potential phases of the project.
			This lane is currently 10-12 feet wide, but serves two-way traffic and lacks a shoulder. There is a steep slope on one side of the lane which is directly above the proposed trail. When encountering a car from the opposite direction, someone has to back up to pull into the yard or "apparent ROW". Trash trucks back up the entire lane to collect the trash. The lane is often icy during the winter months. There is no plan, nor space, to widen the lane.	All road configuration will meet the appropriate design criteria in INDOT specifications and design manuals.
			There are potential issues related to vandalism or safety on the trail.	Trail will be operated as a public park, and Parks Department will be responsible for cleaning and maintaining park. Other emergency services will be provided by police, fire department, or other appropriate emergency services.
			What are the town regulations and accommodations for an individual with limited mobility during construction? How is this compliant with INDOT and federal guidelines?	There is no plan to limit any property owner access during construction.
			There are questions regarding the town's commitment to ADA compliance, especially when the proposed trail alignment may not adhere to ADA guidelines.	The trail will be ADA compliant.
			The NEPA document notes issues with standing water and steep slopes at the proposed trail site near the southern end of the project area. This area was not studied. This raises concerns about environmental impact and safety.	These items were addressed during initial project alignment and scoping. All areas within the NEPA study limit boundaries were investigated per INDOT and FHWA guidelines. The item specified in this comment is from the Section 106 study, and this methodology is consistent with best practices for archeological investigations.
Russ Bobo		6-Sep-23	Public hearing notice was not provided to them.	Public information notice requirements were performed, consistent with INDOT and FHWA policies.
			North Liberty Street should not be closed or blocked.	There is no plan to limit any property owner access during construction. INDOT Specifications require property owners have access during construction.
			Request fencing along the trail and other means to direct trail users.	The design team will consider this during development of the project. This requirement for Town of Lowell and Designer to consider privacy screening has been added to the project NEPA document as a firm commitment.
			North Liberty Street should be designated as no parking along this area.	No changes to parking are currently proposed as a result of this project. The Town Engineer and Town Council would have to consider changes related to parking on public streets.
David Frizzell		6-Sep-23	Trail is not necessary, enough parks already, parks under-used.	The purpose and need for the trail is documented in the environmental document.
			Safety along the trail. Trail upkeep, trash.	Trail will be operated as a public park, and Parks Department will be responsible for cleaning and maintaining park. Other emergency services will be provided by police, fire department, or other appropriate emergency services.
			Trail will impact privacy.	Privacy screening will be evaluated by the project team during future stages of the project.
			Existing trail route is different than the proposed route in 2020.	Trail route was shifted from the 2020 alignment to avoid wetlands and in an effort to utilize as much right-of-way already owned by the town as possible.
Stacy Brown		29-Sep-23	Too much vandalism and fires in the town to handle a recreational trail.	Trail will be operated as a public park, and Parks Department will be responsible for cleaning and maintaining park. Other emergency services will be provided by police, fire department, or other appropriate emergency services.
			There are errors in the environmental document.	Environmental document was updated per the outdated items that were brought to our attention.

Appendix H
AIR QUALITY

NIRPC FY 2022-2026 Transportation Improvement Program H-1
INDOT FY 2024-2028 Statewide Transportation Improvement Program H-2
NIRPC TIP Administrative Modification 24-00 H-3

NIRPC FY 2022-2026 Transportation Improvement Plan

TIP ID	Work Type	Project Title	Lead Agency	Funding Type	FED	STATE	LOC	PE	RW	CN	CE	Funding in Prior Years	2022	2023	2024	2025	2026	Total Project Costs	Air Quality Exempt	
1382598	Roadway Reconstruction/R rehabilitation	Roadway Improvement Program at County Line Rd	Hobart	STBG Chicago UZA	\$7,129,800	\$0	\$1,782,450	\$0	\$316,000	\$8,596,250	\$0	\$0	\$316,000	\$0	\$0	\$0	\$0	\$8,912,250	No	
1401034	Intersection or Intersection Groups	Roadway Improvement Program at Colorado St	Hobart	HSIP Chicago UZA	\$3,243,171	\$0	\$360,352	\$391,190	\$879,000	\$2,333,333	\$0	\$1,270,190	\$2,333,333	\$0	\$0	\$0	\$0	\$0	\$3,603,523	No
1902675	Bike/Pedestrian Facilities	Veteran's Memorial Trail (P1)	Lake County	STBG Chicago UZA	\$1,074,203	\$0	\$268,551	\$0	\$0	\$1,212,810	\$129,944	\$0	\$0	\$0	\$1,342,754	\$0	\$0	\$1,342,754	Yes	
1902676	New Bridge	Veteran's Memorial Parkway Trail Bridge	Lake County	STBG Chicago UZA	\$1,571,717	\$0	\$747,293	\$0	\$0	\$2,094,590	\$224,420	\$0	\$0	\$0	\$2,319,010	\$0	\$0	\$2,319,010	Yes	
2101129	Bridge Replacement	Bridge Replacement Colorado St over Deep River	Lake County	STBG Chicago UZA	\$836,000	\$0	\$605,501	\$0	\$0	\$1,441,501	\$0	\$0	\$0	\$0	\$1,441,501	\$0	\$0	\$1,441,501	Yes	
1702831	Bridge Replacement	Lake County Bridge	Lake County	Local Bridge	\$0	\$0	\$1,765,000	\$305,000	\$80,000	\$1,200,000	\$180,000	\$385,000	\$1,380,000	\$0	\$0	\$0	\$0	\$1,765,000	Yes	
1702830	Bridge Replacement	Lake County Bridge	Lake County	Local Bridge	\$0	\$0	\$1,766,600	\$306,600	\$80,000	\$1,380,000	\$0	\$306,600	\$80,000	\$1,380,000	\$0	\$0	\$0	\$1,766,600	Yes	
1902819	Bridge Replacement	Bridge #45 Bridge Replacement	Lake County	Local Bridge	\$0	\$0	\$5,770,550	\$535,550	\$60,000	\$4,500,000	\$675,000	\$485,550	\$0	\$110,000	\$0	\$5,175,000	\$0	\$5,770,550	Yes	
9980080	Existing Roadway Capacity Improvement	Added Travel Lanes at 45th Ave	Lake County	DEMO: STBG Chicago UZA	\$8,873,142	\$0	\$3,205,786	\$0	\$2,496,928	\$9,582,000	\$0	\$2,496,928	\$9,582,000	\$0	\$0	\$0	\$0	\$12,078,928	No	
1173429	Pavement Reconstruction/R rehabilitation	Road reconstruction Central Ave & Fairview	Lake Station	STBG Chicago UZA	\$750,000	\$61,875	\$344,301	\$68,750	\$0	\$1,087,426	\$0	\$0	\$0	\$68,750	\$0	\$0	\$1,087,426	\$1,156,176	Yes	
1802924	Bike/Pedestrian Facilities	ADA ramps & sidewalk installation/repair	Lowell	STBG Group III	\$2,321,839	\$0	\$580,459	\$735,410	\$440,000	\$1,501,642	\$225,246	\$735,410	\$440,000	\$0	\$1,726,888	\$0	\$0	\$2,902,298	Yes	
1802920	Bike/Pedestrian Facilities	Freedom Trail	Lowell	STBG Group III	\$0	\$1,732,080	\$433,020	\$183,625	\$108,500	\$1,689,350	\$183,625	\$183,625	\$108,500	\$0	\$1,872,975	\$0	\$0	\$2,165,100	Yes	
2100031	Intersection or Intersection Groups	Roundabouts at Mississippi & 79th FUTURE PROJECT	Merrillville	STBG Chicago UZA	\$3,927,129	\$0	\$981,782	\$0	\$0	\$4,908,911	\$0	\$0	\$0	\$0	\$0	\$0	\$4,908,911	\$4,908,911	Yes	
2100030	Intersection or Intersection Groups	Roundabout at Mississippi & 69th	Merrillville	STBG Chicago UZA	\$100,000	\$0	\$25,000	\$0	\$125,000	\$0	\$0	\$0	\$0	\$0	\$125,000	\$0	\$0	\$125,000	Yes	

Indiana Department of Transportation (INDOT)
 State Preservation and Local Initiated Projects FY 2024 - 2028

SPONSOR	CONTR ACT # / LEAD DES	STIP NAME	ROUTE	WORK TYPE	DISTRICT	MILES	FEDERAL CATEGORY	Total Cost of Project*	PROGRAM	PHASE	FEDERAL	MATCH	2024	2025	2026	2027	2028
Lake County																	
Schererville	35981 / 1382603	M 02	ST 1001	Added Travel Lanes	LaPorte	.93	STBG	\$10,323,384.00	Local Funds	RW	\$0.00	-\$368,000.00	(\$368,000.00)				
									Northwest Indiana MPO	RW	-\$1,471,000.00	\$0.00	(\$1,471,000.00)				
Performance Measure Impacted: Pavement Condition																	
Location: Kennedy Ave added travel lanes from Junction St. to Oak Ave																	
Comments: Decreasing RW in FY 24 by \$1,839,000 NIRPC Mod 22-64																	
Indiana Department of Transportation	41430 / 1703004	M 03	US 30	Bridge Replacement	LaPorte		0 NHPP	\$3,105,581.30	Bridge Construction	CN	\$2,086,910.40	\$521,727.60	\$2,608,638.00				
Performance Measure Impacted: Bridge Condition																	
Location: US 30 @ -Dyer Ditch, 01.10 W US 41																	
Comments: NIRPC admin mod 22-63																	
Lowell	42065 / 1802920	M 09	ST 3035	Bike/Pedestrian Facilities	LaPorte		1 STBG	\$3,919,775.26	Local Funds	RW	\$0.00	\$88,000.00	\$88,000.00				
									Local Transportation Alternatives	RW	\$352,000.00	\$0.00	\$352,000.00				
Performance Measure Impacted: Reliability and Freight Reliability																	
Location: Bike/Pedestrian Freedom Park Trail in Lowell																	
Comments: moved RW from FY 23 to FY 24 NIRPC Mod 22-67 AOC Exempt																	
Crown Point	43177 / 1901948	M 02	ST 1008	Intersection Improvement, Roundabout	LaPorte		0 STBG	\$2,145,409.00	Northwest Indiana MPO	CN	\$1,469,199.00	\$0.00		\$1,469,199.00			
									Local Funds	CN	\$0.00	\$367,300.00		\$367,300.00			
Performance Measure Impacted: Safety																	
Location: Roundabout at the intersection of US 231 and 113th.																	
Comments: Move project from FY 24 to FY 25 NIRPC Admin Mod 22-63 dated Friday Oct 6, 2023. Moved CN because of delays with sec 106, New TIP																	
Crown Point	43177 / 1901948	M 08	ST 1008	Intersection Improvement, Roundabout	LaPorte		0 STBG	\$2,295,409.00	Northwest Indiana MPO	CN	\$496,699.00	\$0.00	(\$972,500.00)	\$1,469,199.00			
									Local Funds	CN	\$0.00	\$174,500.00	(\$192,500.00)	\$367,000.00			
Performance Measure Impacted: Safety																	
Location: Roundabout at the intersection of US 231 and 113th.																	
Comments: Move CN from FY 24 to FY 25 and increased. NIRPC involved. NIRPC modification 22-63 approved on 10-9-23. AOC exempt																	
Valparaiso	44008 / 2101141	M 09	ST 1033	Bike/Pedestrian Facilities	LaPorte	.36	STBG	\$5,105,676.00	Northwest Indiana MPO	CN	\$3,618,008.00	\$0.00	\$3,618,008.00				

Des No 1802920
 *Estimated Costs left to Complete Project column is for costs that may extend beyond the four years of a STIP. This column is not fiscally constrained and is for information purposes.

1802920		(Ver 4) 24-00	STATUS Programmed				STATE	
Title:	Freedom Trail					Route:	N/A	
Description:	Trail from Freedom Park located on Nichols St and ends at Liberty Park							
Project Type:	Pedestrian Enhancement	AQ Exempt:	Exempt				District:	LaPorte
County:	Lake	Limits:	Freedom Trail from Freedom Park to Liberty Park of Distance (mile) 1.3					
Narrative:	Kathy approved for RW funds to move to FY23 and CN funds to move to FY25							
FED FY	REVENUE SOURCE	PE	RW	CN	CE	TOTAL		
2023	Local Fund	\$0	\$21,700	\$0	\$0	\$21,700		
2023	TAP State	\$0	\$86,800	\$0	\$0	\$86,800		
2025	Local Fund	\$0	\$0	\$337,870	\$36,725	\$374,595		
2025	TAP State	\$0	\$0	\$1,351,480	\$146,900	\$1,498,380		
<2022	Prior	\$183,625	\$0	\$0	\$0	\$183,625		
2022-2026 TOTAL		\$0	\$108,500	\$1,689,350	\$183,625	\$1,981,475		
ALL YEARS TOTAL		\$183,625	\$108,500	\$1,689,350	\$183,625	\$2,165,100		
Region: Northwestern MPO				Lead Agency: Lowell				

Previously Approved Version

1802920 (Ver 3) 22-00

Title: Freedom Trail **Route:** N/A
Description: Trail from Freedom Park located on Nichols St and ends at Liberty Park
Project Type: Pedestrian Enhancement **AQ Exempt:** Exempt **District:** LaPorte
County: Lake **Limits:** Freedom Trail from Freedom Park to Liberty Park of Distance (mile) 1.3
Narrative: Project was not amended properly into TIP & STIP

FED FY	REVENUE SOURCE	PE	RW	CN	CE	TOTAL
2022	Local Fund	\$0	\$21,700	\$0	\$0	\$21,700
2022	TAP State	\$0	\$86,800	\$0	\$0	\$86,800
2024	Local Fund	\$0	\$0	\$337,870	\$36,725	\$374,595
2024	TAP State	\$0	\$0	\$1,351,480	\$146,900	\$1,498,380
<2022	Prior	\$183,625	\$0	\$0	\$0	\$183,625
2022-2026 TOTAL		\$0	\$108,500	\$1,689,350	\$183,625	\$1,981,475
ALL YEARS TOTAL		\$183,625	\$108,500	\$1,689,350	\$183,625	\$2,165,100

Region: Northwestern MPO

Lead Agency: Lowell

Appendix I Additional Studies

Section 4(f)

Section 4(f) consultation I-1

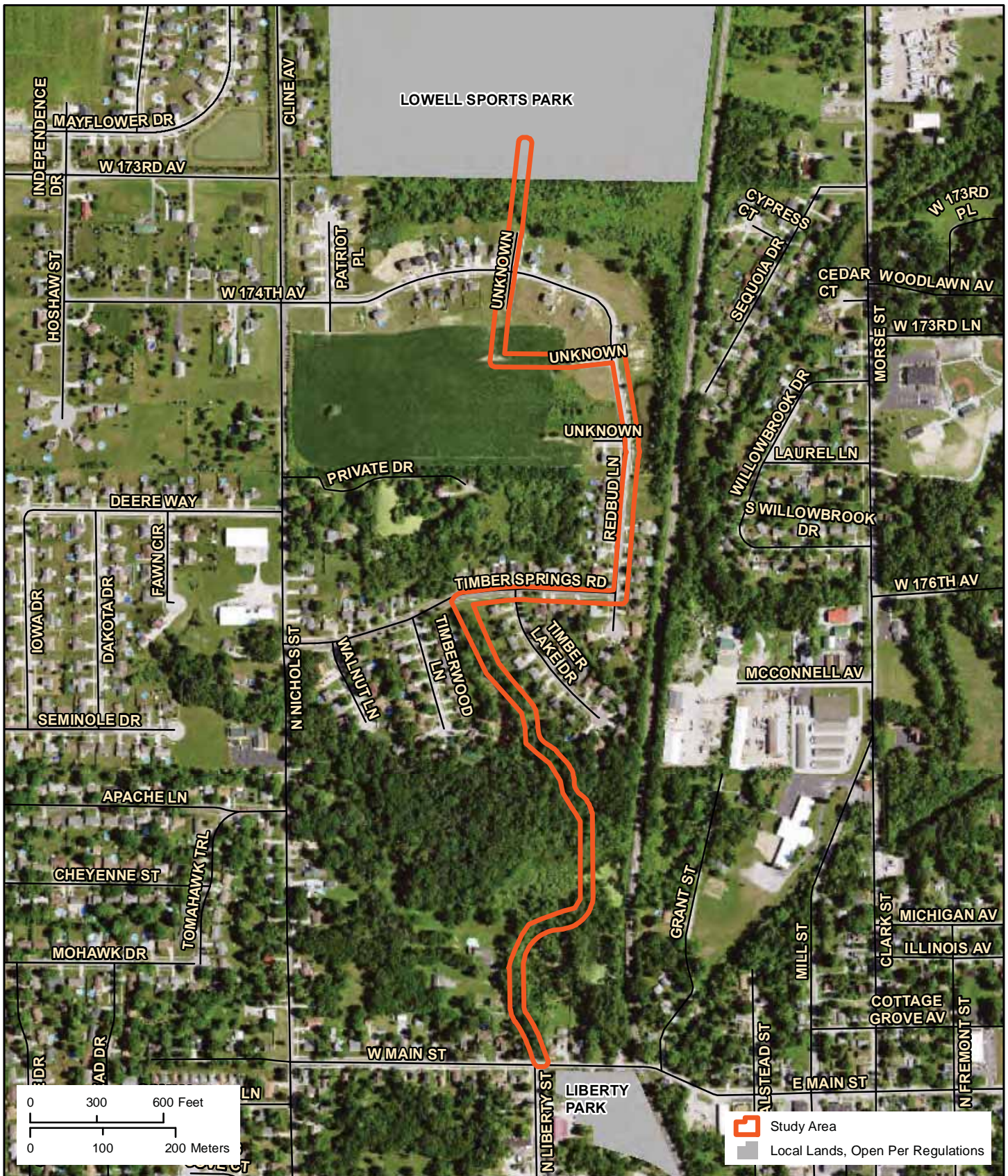
Section 6(f)

LWCF Lake County Property List I-5

Environmental Justice

Maps..... I-6

U.S. Census Data and Analysis..... I-8



2

PLSS:
T33N R9W S14,23
Project No.
J19Z524300

This map and all data contained within are supplied as is with no warranty. Cardno, Inc. expressly disclaims responsibility for damages or liability from any claims that may arise out of the use or misuse of this map. It is the sole responsibility of the user to determine if the data on this map meets the user's needs. This map was not created as survey data, nor should it be used as such. It is the user's responsibility to obtain proper survey data, prepared by a licensed surveyor, where required by law.

Figure 2. Project Aerial
Lowell Freedom Trail
Environmental Documentation
INDOT Des No. 1802920
Lake County, Indiana



3901 Industrial Blvd., Indianapolis, IN 46254
Phone (+1) 317-388-1982 Fax (+1) 317-388-1986
www.cardno.com

Date: 1/26/2022

File Path: D:\GIS\GIS\SEH\FreedomTrail\F1_Location.mxd

Saved By: Tamara Miller

Basemap: National Agriculture Imagery Program (NAIP), Farm Services Agency (FSA), U. S. Department of Agriculture (USDA), UITS, Indiana Spatial Data Portal , Indiana Department of Natural Resources, Indiana Natural Heritage Database, Indiana State Land Office



TOWN OF
LOWELL
CULTIVATING COMMUNITY

January 27, 2021

Mr. Todd Angerman
Lowell Town Council President
501 East Main Street
Lowell, IN 46356

Subject: Section 4(f) Net Benefit finding for Multi-use Trail Project, Freedom Trail,
INDOT Des No. 1802920

Dear Mr. Angerman:

The Town of Lowell (Town) has received Federal Highway Administration (FHWA) funds for a project involving construction of a multi-use trail to connect Freedom Sports Park to Liberty Park in Lowell, IN. Existing dedicated rights-of-way, as well as open spaces would be utilized to complete the connection of the two parks.

On behalf of the Town, Cardno is preparing a Categorical Exclusion (CE) for the proposed trail project, including determinations regarding Section 4(f) resources located within the project area. Section 4(f) of the U.S. Department of Transportation Act of 1966 prohibits the use of certain public and historic lands for federally funded transportation facilities unless there is no feasible and prudent alternative. The law applies to significant publicly owned parks, recreation areas, and wildlife/ waterfowl refuges, and National Register eligible or listed historic properties. The trail will begin at an existing sidewalk at the entrance of Liberty Park and will end at an existing gravel path within the boundary of Freedom Park. Approximately 170 feet of the trail is located within Freedom Park. Both parks are publicly owned parks, and therefore, Section 4(f) resources. As the Town manages both parks, you are being contacted as the official with jurisdiction (OWJ) over these resources. The purpose of this letter is to officially update the Town of Lowell of the construction of the trail between Liberty Park and Freedom Park as well as notify you of the proposed Section 4(f) finding.

The Town is proposing to construct approximately 1.2 miles of multi-use trail. This American with Disability Act (ADA) compliant, non-motorized (bike/pedestrian) trail is anticipated to be a 12-ft wide, asphalt trail with 2-ft shoulders on either side and 6:1 side slopes for a total width of 22-ft. This trail would be comprised of both off-road and on-road segments. Through subdivisions, the trail would be concrete to match existing sidewalks, in off-road areas, the trail would be asphalt, and boardwalks will be utilized to cross wetlands. The project would require the acquisition of approximately seven (7) acres of permanent and two (2) acres of temporary right-of-way. Right-of-way will not be acquired to construct the portions of the trail within

Freedom Park. No road or pedestrian facility closures or detours are anticipated for this project. Construction is anticipated to begin in January 2024. The trail project would convert approximately 0.04 acre of Freedom Park from maintained grass to multi-use trail. Based on FHWA guidance documents, the Town has determined that impacts meet the conditions of an Enhancement Exemption and will not constitute a Section 4(f) use.

Transportation enhancement projects must meet the following conditions of 23 CFR 774.13(g):

1. The use of the Section 4(f) property is solely for the purpose of preserving or enhancing an activity, feature, or attribute that qualifies the property for Section 4(f) protection.

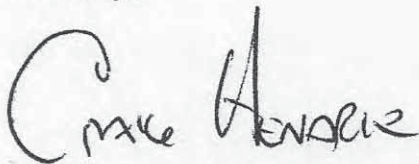
Freedom Park and Liberty Park are public use parks that provide recreational activities to the community. The addition of a multi-use trail enhances the properties of each of these parks by providing a new connection between the parks increasing the recreational opportunities within the Town. The project will also increase the utilization of Freedom Sports Park by improving non-motorized access to the newly developed subdivisions to the south of the park.

2. There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

Please see below for a comment and signature line that will serve as your concurrence that these conditions have been met.

Please contact me if you have any question or concerns regarding this determination or would like additional information. Thank you for your cooperation with this project.

Sincerely,



Craig Hendrix, PE
Town Manager

Attachments:

1. Project Location Overview
2. Trail Alignment – Plan and Profile

I concur that the project meets the above conditions for an Enhancement Exemption and the proposed trail project will not constitute a Section 4(f) use.

Impacts to Freedom Sports Park and Liberty Park are anticipated due to the following reasons:



Signature

Town Council President

Title

2/15/2022

Date

Land and Water Conservation Fund (LWCF) County Property List for Indiana (Last Updated March 2022)

ProjectNumber	SubProjectCode	County	Property
1800005	1800005	Lake	Dowling Park
1800011	1800011	Lake	Tolleston Park
1800012	1800012	Lake	Washington Park
1800040	1800040	Lake	Homestead Park
1800055	1800055	Lake	Sheppard Memorial Park
1800059	1800059	Lake	Cheever Park
1800062	1800062	Lake	Leroy Township Park
1800063	1800063	Lake	Markley Memorial ParkEllendale Park
1800071	1800071	Lake	Cheever Park
1800087	1800087	Lake	Sheppard Memorial Park
1800102	1800102	Lake	Grand Boulevard Lake Recreation Area
1800108	1800108	Lake	Riverview Park
1800137	1800137	Lake	Northgate Park
1800150	1800150	Lake	Meadows Park
1800168	1800168	Lake	Sunnyside Park
1800170	1800170	Lake	Howe Park
1800189	1800189	Lake	Dowling Park
1800193	1800193	Lake	Harrison Park
1800194	1800194	Lake	Martin Luther King Jr. Park (Formerly Maywood Park)
1800199	1800199	Lake	Ridgeway Park
1800202	1800202	Lake	Hatcher Park
1800206	1800206	Lake	Meadows Park
1800226	1800226	Lake	Hoosier Prairie Nature Preserve
1800227	1800227	Lake	Liberty Park
1800231	1800231	Lake	Pheasant Hills Community Park & Cherry Hill Tot-Lot
1800237	1800237	Lake	Wolf Lake Park (N & S)
1800239	1800239	Lake	Bluebird Park
1800253	1800253	Lake	Centennial Park
1800272	1800272	Lake	Wolf Lake Park (N & S)
1800273	1800273	Lake	Grand Kankakee Marsh County Park
1800302	1800302	Lake	Munster Community Park
1800329	1800329	Lake	Jackson Park
1800369	1800369H	Lake	Harrison Park
1800369	1800369D	Lake	Lemon Lake County Park
1800377	1800377	Lake	Main Square Park
1800386	1800386	Lake	Gibson Woods Nature Preserve & Tolleston Ridges Nature Preserve
1800405	1800405G	Lake	Clark and Pine Dune Swale Nature Preserve
1800414	1800414	Lake	Wolf Lake Park (N & S)
1800417	1800417	Lake	Centennial (Dan Rabin) Plaza & Trail
1800424	1800424	Lake	Lake Etta County Park
1800455	1800455	Lake	Deep River - Woods Mill County Park
1800464	1800464	Lake	Festival Park & Lakefront Park
1800473	1800473	Lake	Oak Ridge Prairie Co. Park
1800488	1800488	Lake	Marquette Park
1800489	1800489	Lake	Festival Park & Lakefront Park
1800522	1800522	Lake	Pavese Park
1800523	1800523	Lake	Lakewood Park
1800523.5	1800523.5	Lake	River Drive Park
1800528	1800528	Lake	Lowell Sports Park
1800533	1800533	Lake	Hobart City Ball Park
1800555	1800555	Lake	Scherwood Golf Course
1800580	1800580	Lake	Oak Ridge Park
1800586	1800586	Lake	Teibel Nature Park
1800586.1	1800586.1	Lake	Teibel Nature Park
1800590	1800590	Lake	Deep River County Park
1800622	1800622	Lake	Fireman's Park
1800636	1800636	Lake	Parrish Avenue Park

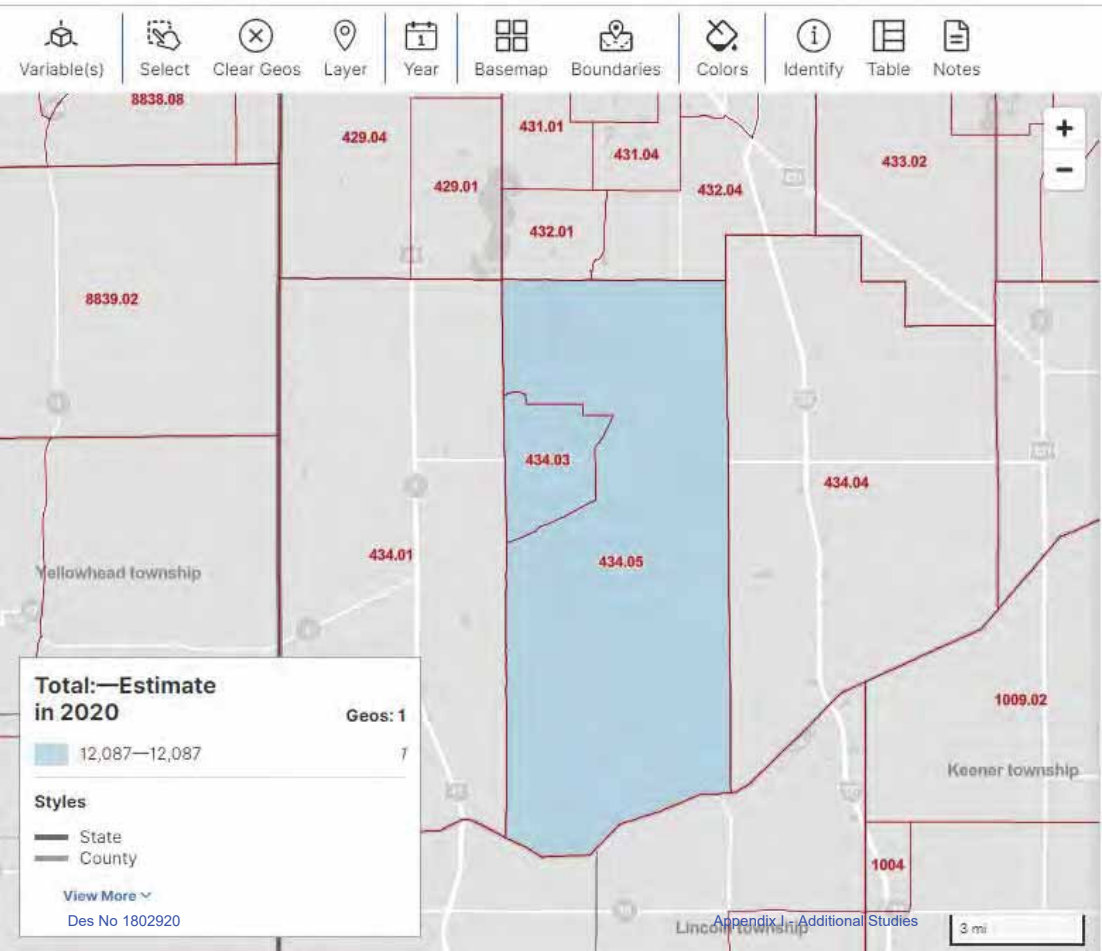
*Park names may have changed. If acquisition of publically owned land or impacts to publically owned land is anticipated, coordination with IDNR, Division of Outdoor Recreation, should occur.

Selection Map

AC- CENSUS TRACT 434.03

- Select
- Clear Geos
- Layer
- Year
- Basemap





Boundaries

Boundary Line	Boundary Label ^
<input type="checkbox"/> [Blue line]	<input type="checkbox"/> Region
<input type="checkbox"/> [Light blue line]	<input type="checkbox"/> Division
<input checked="" type="checkbox"/> [Black line]	<input checked="" type="checkbox"/> State
<input checked="" type="checkbox"/> [Grey line]	<input checked="" type="checkbox"/> County
<input type="checkbox"/> [Yellow-green line]	<input type="checkbox"/> Place
<input type="checkbox"/> [Yellow-green line]	<input type="checkbox"/> State-County-Place
<input checked="" type="checkbox"/> [Black line]	<input checked="" type="checkbox"/> County Subdivision
<input type="checkbox"/> [Yellow-green line]	<input type="checkbox"/> Place/Remainder
<input type="checkbox"/> [Green line]	<input type="checkbox"/> Subminor Civil Division
<input type="checkbox"/> [Dark purple line]	<input type="checkbox"/> Consolidated City
<input type="checkbox"/> [Yellow-green line]	<input type="checkbox"/> Consolidated City-Place Within Consolidated City
<input type="checkbox"/> [Purple line]	<input type="checkbox"/> ZIP Code Tabulation Area
<input type="checkbox"/> [Purple line]	<input type="checkbox"/> State-ZIP Code Tabulation Area
<input checked="" type="checkbox"/> [Red line]	<input checked="" type="checkbox"/> Census Tract
<input type="checkbox"/> [Red line]	<input type="checkbox"/> State-County-County Subdivision-Place/Remainder-Census Tract
<input type="checkbox"/> [Red line]	<input type="checkbox"/> State-Place-County-Census Tract


HISPANIC OR LATINO ORIGIN BY RACE		
Note: The table shown may have been modified by user selections. Some information may be missing.		
DATA NOTES		
TABLE ID:	B03002	
SURVEY/PROGRAM:	American Community Survey	
VINTAGE:	2020	
DATASET:	ACSDT5Y2020	
PRODUCT:	ACS 5-Year Estimates Detailed Tables	
UNIVERSE:	Total population	
FTP URL:	None	
API URL:	https://api.census.gov/data/2020/acs/acs5	
USER SELECTIONS		
GEOS	Census Tract 434.03, Lake County, Indiana; Cedar Creek township, Lake County, Indiana	
EXCLUDED COLUMNS		
	None	
APPLIED FILTERS		
	None	
APPLIED SORTS		
	None	
PIVOT & GROUPING		
	None	
WEB ADDRESS	https://data.census.gov/cedsci/table?text=B03002&g=0600000US1808911026_1500000US180890434031&tid=ACSDT5Y2020.B03002	
TABLE NOTES		
	<p>Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, for 2020, the 2020 Census provides the official counts of the population and housing units for the nation, states, counties, cities, and towns. For 2016 to 2019, the Population Estimates Program provides estimates of the population for the nation, states, counties, cities, and towns and intercensal housing unit estimates for the nation, states, and counties.</p>	
	<p>Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Technical Documentation section.</p> <p>Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.</p>	
	Source: U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates	
	<p>Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.</p>	
	<p>The Hispanic origin and race codes were updated in 2020. For more information on the Hispanic origin and race code changes, please visit the American Community Survey Technical Documentation website.</p>	
	<p>The 2016-2020 American Community Survey (ACS) data generally reflect the September 2018 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.</p>	
	<p>Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.</p>	
	<p>Explanation of Symbols:- The estimate could not be computed because there were an insufficient number of sample observations. For a ratio of medians estimate, one or both of the median estimates falls in the lowest interval or highest interval of an open-ended distribution.N The estimate or margin of error cannot be displayed because there were an insufficient number of sample cases in the selected geographic area. (X) The estimate or margin of error is not applicable or not available.median- The median falls in the lowest interval of an open-ended distribution (for example "2,500-")median+ The median falls in the highest interval of an open-ended distribution (for example "250,000+").** The margin of error could not be computed because there were an insufficient number of sample observations.*** The margin of error could not be computed because the median falls in the lowest interval or highest interval of an open-ended distribution.***** A margin of error is not appropriate because the corresponding estimate is controlled to an independent population or housing estimate. Effectively, the corresponding estimate has no sampling error and the margin of error may be treated as zero.</p>	
COLUMN NOTES		
	None	

Table: ACSDT5Y2020.B03002

	Cedar Creek township, Lake County, Indiana		Census Tract 434.03, Lake County, Indiana	
Label	Estimate	Margin of Error	Estimate	Margin of Error
Total:	12,296	±24	6,716	±314
Not Hispanic or Latino:	11,415	±374	6,196	±425
White alone	11,327	±376	6,108	±426
Black or African American alone	19	±21	19	±21
American Indian and Alaska Native alone	0	±19	0	±17
Asian alone	0	±19	0	±17
Native Hawaiian and Other Pacific Islander alone	0	±19	0	±17
Some other race alone	0	±19	0	±17
Two or more races:	69	±49	69	±49
Two races including Some other race	0	±19	0	±17
Two races excluding Some other race, and three or more races	69	±49	69	±49
Hispanic or Latino:	881	±375	520	±247
White alone	244	±166	159	±144
Black or African American alone	0	±19	0	±17
American Indian and Alaska Native alone	5	±10	5	±10
Asian alone	0	±19	0	±17
Native Hawaiian and Other Pacific Islander alone	0	±19	0	±17
Some other race alone	409	±281	133	±120
Two or more races:	223	±173	223	±173
Two races including Some other race	223	±173	223	±173
Two races excluding Some other race, and three or more races	0	±19	0	±17

MINORITY	Township	Census Tract
Total:	12,296	6,716
White alone	11,327	6,108
Number non-white/minority	969.0	608.0
Percent non-white/minority	7.9%	9.1%
125 percent of COC	9.9%	AC<125% COC
Potential Minority EJ Impact?	No	

POVERTY STATUS IN THE PAST 12 MONTHS BY SEX BY AGE		United States [®] Census Bureau
Note: The table shown may have been modified by user selections. Some information may be missing.		
DATA NOTES		
TABLE ID:	B17001	
SURVEY/PROGRAM:	American Community Survey	
VINTAGE:	2020	
DATASET:	ACSDT5Y2020	
PRODUCT:	ACS 5-Year Estimates Detailed Tables	
UNIVERSE:	Population for whom poverty status is determined	
FTP URL:	None	
API URL:	https://api.census.gov/data/2020/acs/acs5	
USER SELECTIONS		
GEOS	Cedar Creek township, Lake County, Indiana; Census Tract 425.03, Lake County, Indiana	
EXCLUDED COLUMNS		
	None	
APPLIED FILTERS		
	None	
APPLIED SORTS		
	None	
PIVOT & GROUPING		
	None	
WEB ADDRESS		
	https://data.census.gov/cedsci/table?text=B17001&g=0600000US1808911026_1400000US18089042503&tid=ACSDT5Y2020.B17001	
TABLE NOTES		
	Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, for 2020, the 2020 Census provides the official counts of the population and housing units for the nation, states, counties, cities, and towns. For 2016 to 2019, the Population Estimates Program provides estimates of the population for the nation, states, counties, cities, and towns and intercensal housing unit estimates for the nation, states, and counties.	
	Supporting documentation on code lists, subject definitions, data accuracy, and statistical testing can be found on the American Community Survey website in the Technical Documentation section. Sample size and data quality measures (including coverage rates, allocation rates, and response rates) can be found on the American Community Survey website in the Methodology section.	
	Source: U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates	
	Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see ACS Technical Documentation). The effect of nonsampling error is not represented in these tables.	
	The 2016-2020 American Community Survey (ACS) data generally reflect the September 2018 Office of Management and Budget (OMB) delineations of metropolitan and micropolitan statistical areas. In certain instances, the names, codes, and boundaries of the principal cities shown in ACS tables may differ from the OMB delineation lists due to differences in the effective dates of the geographic entities.	
	Estimates of urban and rural populations, housing units, and characteristics reflect boundaries of urban areas defined based on Census 2010 data. As a result, data for urban and rural areas from the ACS do not necessarily reflect the results of ongoing urbanization.	
	Explanation of Symbols:- The estimate could not be computed because there were an insufficient number of sample observations. For a ratio of medians estimate, one or both of the median estimates falls in the lowest interval or highest interval of an open-ended distribution.N The estimate or margin of error cannot be displayed because there were an insufficient number of sample cases in the selected geographic area. (X) The estimate or margin of error is not applicable or not available.median- The median falls in the lowest interval of an open-ended distribution (for example "2,500-")median+ The median falls in the highest interval of an open-ended distribution (for example "250,000+").** The margin of error could not be computed because there were an insufficient number of sample observations.*** The margin of error could not be computed because the median falls in the lowest interval or highest interval of an open-ended distribution.***** A margin of error is not appropriate because the corresponding estimate is controlled to an independent population or housing estimate. Effectively, the corresponding estimate has no sampling error and the margin of error may be treated as zero.	
COLUMN NOTES		
	None	

Table: ACSDT5Y2020.B17001

	Cedar Creek township, Lake County, Indiana		Census Tract 425.03, Lake County, Indiana	
Label	Estimate	Margin of Error	Estimate	Margin of Error
Total:	12,087	±139	3,183	±703
Income in the past 12 months below poverty level:	763	±515	337	±152
Male:	337	±245	137	±96
Under 5 years	25	±28	30	±43
5 years	0	±19	0	±12
6 to 11 years	79	±104	9	±15
12 to 14 years	46	±56	0	±12
15 years	20	±31	0	±12
16 and 17 years	70	±65	35	±51
18 to 24 years	0	±19	0	±12
25 to 34 years	3	±7	2	±4
35 to 44 years	26	±30	20	±22
45 to 54 years	51	±85	1	±2
55 to 64 years	17	±28	18	±24
65 to 74 years	0	±19	10	±16
75 years and over	0	±19	12	±14
Female:	426	±290	200	±81
Under 5 years	0	±19	0	±12
5 years	0	±19	0	±12
6 to 11 years	90	±105	8	±12
12 to 14 years	0	±19	4	±16
15 years	0	±19	0	±12
16 and 17 years	0	±19	9	±14
18 to 24 years	89	±107	6	±19
25 to 34 years	32	±38	6	±19
35 to 44 years	107	±93	61	±54
45 to 54 years	45	±64	10	±15
55 to 64 years	6	±11	11	±14
65 to 74 years	35	±36	44	±33
75 years and over	22	±26	41	±34
Income in the past 12 months at or above poverty level:	11,324	±566	2,846	±713
Male:	5,744	±402	1,131	±360
Under 5 years	278	±132	58	±61
5 years	113	±101	0	±12
6 to 11 years	416	±169	16	±21
12 to 14 years	292	±162	28	±25
15 years	79	±72	40	±60
16 and 17 years	124	±100	50	±61
18 to 24 years	567	±253	201	±143
25 to 34 years	792	±238	72	±43
35 to 44 years	673	±137	193	±100
45 to 54 years	629	±171	148	±69
55 to 64 years	740	±201	97	±46
65 to 74 years	892	±224	182	±79
75 years and over	149	±67	46	±31
Female:	5,580	±439	1,715	±416
Under 5 years	272	±145	102	±84
5 years	116	±83	0	±12
6 to 11 years	331	±135	25	±25
12 to 14 years	292	±156	101	±98
15 years	68	±65	22	±23
16 and 17 years	224	±120	51	±68
18 to 24 years	322	±160	191	±169
25 to 34 years	626	±207	170	±104
35 to 44 years	754	±169	228	±107
45 to 54 years	648	±158	208	±88
55 to 64 years	983	±269	157	±64
65 to 74 years	694	±243	187	±106
75 years and over	250	±95	273	±90

LOW-INCOME

Population for whom poverty status is determined: Total

Township (COC)

12,087

Census Tract (AC)

3,183

Population for whom poverty status is determined: Income in
past 12 months below poverty level

763

337

Percent Low-income

6.31%

10.59%

125 Percent of COC

7.89%

AC<125% COC

Potential Low-income EJ Impact?

Yes