

**APPENDIX M-4**  
**Consulting Parties**

## List of Consulting Parties

Name	Company	Accepted Invitation?	Tier 2 2004 CP	New CP
Mark Dollase	Indiana Landmarks-Central Regional Office	Yes	X	
Mr. Stewart Sebree	Indiana landmarks-Southwestern Field Office		X	
Mr. Marsh Davis, President	Indiana Landmarks-Central Regional Office		X	
Mr. Greg Sekula, Director	Historic Landmarks Foundation of Indiana-Southern office		X	
Mr. Tommy Kleckner, Director	Historic Landmarks Foundation of Indiana-Western office	No	X	
Ms. Edith Sarra	Owen County CARR/Owen County Preservations		X	
Ms. Joanne Raetz Stuttgen	Morgan County Historic Preservation Society & Martinsville Plan Commission	Yes	X	
Ms. Sandra Tokarski	CARR		X	
Mr. Tim Maloney	Hoosier Environmental Council		X	
Pauline Spiegel		Yes	X	
Paul Brandenburg	Historic SPANs Task Force	Yes		X
Mr. David Baker, Administrator	Indianapolis Historic Preservation Commission	Yes	X	
Mr. David Vanderstel	Marion County Historian		X	
James Cooper		Yes	X	

Dr. Francis Parker	Professor of Urban Planning-Ball State University		<b>X</b>	
Mayor Robert Howard	Mayor of Southport			<b>X</b>
Jon Kay	Traditional Arts Indiana		<b>X</b>	
Stephanie Belch	Indianapolis Metropolitan Planning Organization			<b>X</b>
Mitchell Zoll	Indiana SHPO	Yes	<b>X</b>	
John Carr	Indiana SHPO	Yes		<b>X</b>
Chad Slider	Indiana SHPO	Yes		<b>X</b>
Wade Tharp	Indiana SHPO	Yes		<b>X</b>
Paula Baldwin, President	Decatur Township Historical Society			
<b>Morgan County</b>				
Joe Mills, President	Morgan County Historic Preservation Society		<b>X</b>	
Joanne R. Stuttgen	Morgan County Historian			<b>X</b>
Anita Zike, President	Morgan County History and Genealogy Association			<b>X</b>
Norman Voyles	Morgan County Commissioner	Yes	<b>X</b>	
Mayor Phil Deckard	Mayor of Martinsville			

Ross Holloway	City of Martinsville	Yes		
<b>Johnson County</b>				
Max Fitzpatrick	Johnson County Historian	Yes		<b>X</b>
Lyman Synder, President	Johnson County Historical Society/Johnson County Museum of History			<b>X</b>
Ms. Eva Shiley	Hilliard Lyons Trust Company			<b>X</b>
Mr. Brian Baird, Chairman	Johnson County Board of Commissioners			<b>X</b>
Ms. Debra Underwood	Property Owner	Yes		<b>X</b>
<b>Eligible Property Owners 2016</b>				
Larry and Loretta Hess	Property Owner, Clear Creek Fisheries and Percy Farm	Yes (Automatic with AI Memo No. 2)		
<b>Eligible Property Owners 2015</b>				
<i>South Side German Market</i>				
Brehob Nursery Inc.				<b>X</b>
Mapa Properties, LLC Attn: Paul Schlegel				<b>X</b>
Peaper & Proctor Real Estate LLC				<b>X</b>
Erelyn Novicki Trust and Trustee				<b>X</b>

John W. Demaree	Summit Realty Group-- Lane Bluff LLC	Yes		<b>X</b>
Scott Greenhouse LLC				<b>X</b>
Brehob Nursery Inc.	Wegehof House & Nursery			<b>X</b>
Julie and Ryan Gettum	Brehob House			<b>X</b>
John and Sandra Harrison		Yes		
<i>Glennwood Homes Association HD</i>				
Ann Bilodeau	Glennwood Homes Association HD & Baecke House	Yes		<b>X</b>
Melvin J. Crichton	Shepard House	Yes		<b>X</b>
Henry and Mary Scheid	Enright House	Yes		<b>X</b>
Jeffrey and Beth Line	Rice House	Yes		<b>X</b>
<i>Travis Hill Historic Distric</i>				
Raymond and Linda Piontkowski				<b>X</b>
Todd Bylsma and Beth Dillman		Yes		<b>X</b>
Kent and Kelly Fights				<b>X</b>
Jerome and Linda Sue Koester				<b>X</b>
Jerry D. and Karen Y. Rumple				<b>X</b>
<i>Individual Properties</i>				
Charles F Laughner	"Le Ciel"	Yes		<b>X</b>
Jerry L. Barnett	Cleary-Barnett House			<b>X</b>
Donald Covlin, City of Indianapolis Department of Public Works	Glenns Valley Nature Park Retreat House	Yes		<b>X</b>

Lonnie and Marcia Smith	Reuben Aldrich Farm	Yes		<b>X</b>
<b>Eligible Property Owners 2004-2008 Study</b>				
Rick Underwood	John Sutton House			<b>X</b>
Joseph Cleveland, Ozark Fisheries Inc.	Grassyfork Fisheries	Yes		<b>X</b>
M. Duane and C. Dean Leonard	Top Notch Farm			<b>X</b>
Ginger Fitzpatrick	W.E. Nutter House			<b>X</b>

# Consulting Party Meeting Packets

***Consulting Party Meeting No. 1***





U.S. Department  
of Transportation

**Federal Highway  
Administration**

Indiana Division

575 North Pennsylvania Street, Room 254  
Indianapolis, Indiana 46204

June 16, 2004

Dear Consulting Party:

**SUBJECT: I-69: Section 6: SR 39 to I-465- Section 106  
Meeting on July 2, 2004  
Formal Invitation to Consulting Parties**

The Federal Highway Administration (FHWA), in cooperation with the Indiana Department of Transportation, is conducting a Tier 2 Environmental Impact Study for I-69 from SR 39 to I-465. Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic and archaeological properties. For a map of the sections, you are invited to visit the website at [www.i69indyevn.org](http://www.i69indyevn.org).

As a willing consulting party, we cordially invite you to attend a Section 106 meeting for this project. This meeting will focus only on Section 106 issues: historic and archaeological properties in Section 6. FHWA, INDOT and its consultants will be there to explain the Section 106 process and the role of consulting parties in that process. They will also discuss the Area of Potential Effects and the timeline for the project. (We have enclosed a map of the APE and a list of potentially eligible properties identified in the Tier 1 study.)

Please join us on:

**Friday, July 2 at 10:00 am  
I-69 Project Office  
7550 South Meridian Street, Suite B  
Indianapolis, IN 46217**

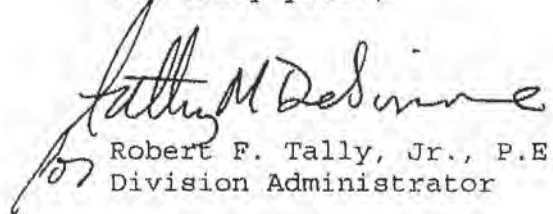
The agenda will include: 1) welcoming remarks by FHWA and an introduction of the principals involved in the process, 2) discussion of the National Historic Preservation Act (NHPA) and its purpose, 3) an overview of the steps in the Section 106 process, 4) the role of consulting parties in the process, 5) discussion of the Tier 1 Memorandum of

Agreement, 6) a description of the Area of Potential Effects for Section 3, 7) a discussion of listed and potentially-eligible properties identified in Tier 1, 8) archaeological resources in the area, 9) next steps, and 10) question and answer period.

Please come prepared to discuss any additional historic properties that have not been identified in Section 6.

We look forward to seeing you on July 2, 2004. If you should have any questions, comments, or written correspondence after the meeting(s), please direct them to Tim M. Miller at the I-69 Project Office, by telephone 317-881-6408, or by email Section6@I69indyevn.org.

Sincerely yours,



Robert F. Tally, Jr., P.E.  
Division Administrator

cc:  
Lyle Sadler, INDOT




I-69 Evansville to Indianapolis Tier 2 Studies

## Section 6 – SR39 to I-465 Consulting Parties Meeting #1

### **Agenda** July 2, 2004

- Welcoming remarks by FHWA
- Introduction of the principals involved in the process
- Tier 1 Memorandum of Agreement
- Discussion of the National Historic Preservation Act (NHPA)
- Overview of the steps in the Section 106 process
- Role of consulting parties in the process
- Description of the Area of Potential Effects
- Discussion of listed and potentially-eligible properties identified in Tier 1
- Archaeological update
- Next Steps
- Question and answer period




## Section 106 First Consulting Party Meeting

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Section 6  
July 2, 2004

I-69 Evansville to Indianapolis Tier 2 Studies




## Tier 1: Memorandum of Agreement

- Stipulations re consultation in Tier 2
  1. Separate undertakings
  2. Applicable requirements
  3. Coordination of studies in adjacent sections
  4. Consulting parties



## Tier 1: Memorandum of Agreement


- Avoidance & Minimization
- Preservation & Enhancement
- Education & Interpretation
- Technical Support for Section 106 Activities



## Section 106

### National Historic Preservation Act (1966)


- Take into account the effects of the undertaking on eligible or listed National Register properties
- Afford Advisory Council the opportunity to consult ([www.achp.gov](http://www.achp.gov))



## Section 106 Review


4 Step Process:

1. Initiate the process
2. Identify historic properties
3. Assess effects of undertaking on historic properties
4. Resolve any adverse effects




## Consultation-what is it?

- “The process of seeking, discussing, and considering the view of other participants, and where feasible, seeking agreement with them regarding matters arising in the section 106 process”




**Step 2: Identify Historic Properties**

- Identify historic properties
  - “Reasonable and good faith effort”
  - Background research
  - Field work (GIS mapping & database)
  - In-depth research / draft historic context



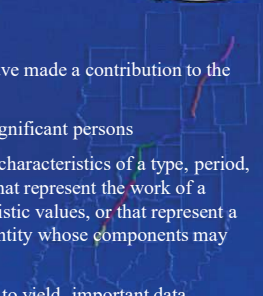
**Step 2: Identify Historic Properties**

- Evaluate Historic Properties
  - Assess integrity
  - Apply National Register criteria



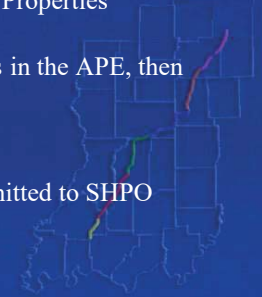
**Assessing Integrity**

- Location
- Design
- Setting
- Materials
- Workmanship
- Feeling
- Association



**Applying NR Criteria**

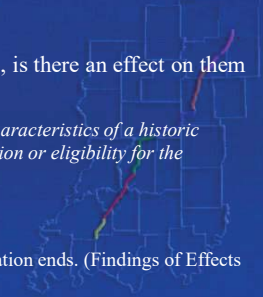
- Association with events that have made a contribution to the broad patterns of history
- Association with the lives of significant persons
- Embodiment of the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant or distinguishable entity whose components may lack individual distinction
- Have yielded, or may be likely to yield, important data



**Step 2: Identify Historic Properties**

If no historic properties in the APE, then consultation ends.

Eligibility Findings Submitted to SHPO




**Step 3: Assess Effects**

If there are historic properties, is there an effect on them ...

“effect” means *alteration to the characteristics of a historic property qualifying it for inclusion or eligibility for the National Register.*  
[36 CFR 800.16(i)]


If no adverse effects, then consultation ends. (Findings of Effects Report is submitted to SHPO)



**Step 4: Resolve Adverse Effects**


If there are adverse effects, then,

- Continue Consultation
- Develop a Memorandum of Agreement
- Section 106 Report Published



**Section 106-Tier 2 Section #**

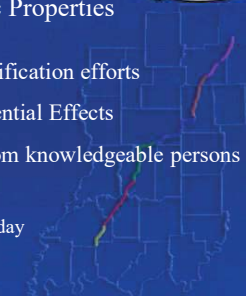
Where are we in the process?



**Step 1: Initiate the Process**

Established that there is an undertaking ...


- ✓ Identified SHPO/THPO
- ✓ Identifying Consulting Parties
  - § Tier 1 list
  - § Section consultants identifying additional
  - § Informational tables at public meetings



**Step 2: Identify Historic Properties**


- Determined scope of identification efforts
- ✓ Developed Area of Potential Effects
- ✓ Seeking information from knowledgeable persons

Meeting today



**Area of Potential Effects - Section 6**

Developed by FHWA in consultation with SHPO, per regulations



**Potentially Eligible Properties (Tier 1)**

Marion County

- Riverbrook Farms, 6900 Tibbs Avenue, 1917-1919
- Isaac Sutton House, 1846 W. Banta Road, 1879
- House, 1845 W. Banta Road, 1915

Johnson County

- Stutton House, 988 N. Bluff Road, 1875




### Potentially Eligible Properties (Tier 1)

Morgan County

- House, 8015 S. Bluff Road, c. 1930
- Teeters Farm, 2590 Centennial Road, c. 1866
- Farm, 2110 Centennial Road, c. 1840/c. 1860
- Reuben Aldrich Sr. Farm, 7045 Old SR 37, 1869
- House, 6310 Old SR 37, c. 1885
- Waverly Episcopal Church, Main Street, 1890
- Farm Complex, Smokey Row, c. 1890
- Fox Cliff Estate, Fox Cliff Drive East, 1934-1935
- County Bridge No. 224, Old SR 37, c. 1925






### Potentially Eligible Properties (Tier 1)

Morgan County (continued)

- Morgan County Courthouse, Court House Square, 1859, (NRHP)
- Vandalia Depot, 210 N. Marion Street, 1911 (NRHP)
- House, 910 E. Harrison Street, c. 1900
- House, 990 E. Harrison Street, c. 1890/c. 1910
- Kennedy House, 1060 E. Harrison Street, 1927
- House, 1090 E. Harrison Street, c. 1890
- House, 1089 E. Harrison Street, c. 1925
- House, 183 N. Jefferson Street, c. 1850

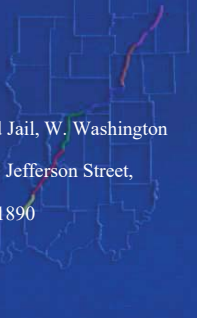





### Potentially Eligible Properties (Tier 1)

Morgan County (continued)

- House, 119 W. Morgan Street, c. 1920
- House, 489 E. Morgan Street, c. 1870
- House, 629 E. Morgan Street, c. 1900
- Morgan County Sheriff's Residence and Jail, W. Washington Street, c. 1870/c. 1940
- Martinsville Carnegie Public Library, S. Jefferson Street, 1906/1990
- House, 109 E. Jackson Street, c. 1850/c. 1890
- House, 90 S. Ohio Street, c. 1830
- House, 189 S. Jefferson Street, c. 1890







### Potentially Eligible Properties (Tier 1)



Morgan County (continued)

- House, 210 S. Jefferson Street, c. 1895
- House, 127 S. Main Street, c. 1870/c. 1895
- House, 89 W. Columbus Street, c. 1870/c. 1910
- Sighting House, 239 W. Columbus Street, 1890
- House, 40 E. Walnut Street, c. 1865
- House, 339 S. Ohio Street, c. 1865
- House, 389 S. Ohio Street, c. 1870
- House, 490 S. Jefferson Street, c. 1915
- Mitchell Mansion, S. Sycamore Street, c. 1865/c. 1910
- Martinsville High School Gym, 759 S. Main Street, 1924 (NRHP)





House, 1845 W. Banta Road, 1915  
Marion County



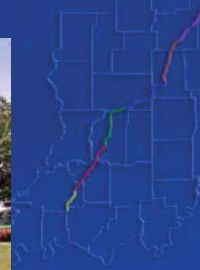
Stutton House, 988 N. Bluff Road, 1875  
Johnson County




Waverly Episcopal Church, Main Street, 1890  
Morgan County



House, 6310 Old SR 37, c.1885  
Morgan County



House, 1089 E. Harrison Street, c.1925  
Martinsville

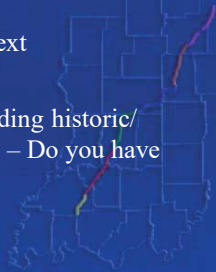


County Bridge No. 224, Old SR 37, c.1925  
Morgan County



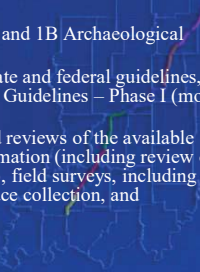
### Ongoing work:

- Developing historic context
- Fieldwork
- Gather information regarding historic/archaeological properties – Do you have knowledge?



### Archaeology

- Section 6 will perform a Phase 1A and 1B Archaeological Survey
- Archaeology survey will follow state and federal guidelines, as well as the Indiana Archaeological Guidelines – Phase I (most recent edition).
- Section 6 will perform background reviews of the available archaeological and historical information (including review of previous reports in I-69 Tier I EIS), field surveys, including a walkover reconnaissance and surface collection, and systematic shovel probing.







## Archaeology

- Existing right-of-way (ROW) within the 26 miles of the study area will be considered “Disturbed Soils”. The only exception to this will be at isolated locations where the original soils were not disturbed when State Road 37 was constructed.
- Systematic shovel testing along the preferred alternative at intervals of not more than 10 meters (+/- 33 ft) in undisturbed areas with slopes of less than 25 percent. Shovel probes will be a minimum of 30 cm in diameter and will extend into undisturbed soils
- Collections will be made sufficient to determine a site’s cultural affiliation, temporal placement, and function.



## Section 6 Contact Information

Laura Thayer, Historian  
Section 6 I-69 Project Office  
7550 South Meridian Street, Suite B  
Indianapolis, Indiana 46217  
Phone: 317-881-6408  
Fax: 317-917-5211  
Email: [section6@indyevn.org](mailto:section6@indyevn.org)



I-69 Evansville to Indianapolis Tier 2 Studies

**Consulting Party Meeting**  
**I-69 Evansville to Indianapolis Study: Section 6**  
**July 2, 2004, 10:00 am**  
**Section 6 Project Office**

Attendees:

Sam Cline, Morgan County Historian  
Joseph Mills, Morgan County Historic Preservation Society  
Joanne Stuttgen, Traditional Arts of Indiana  
Shannon Hill, Historic Landmarks of Indiana  
Anthony DeSimone, Federal Highway Administration  
Lyle Sadler, Indiana Department of Transportation (INDOT)  
Mary Crowe, Indiana Department of Transportation (INDOT)  
Paul Schmidt, Indiana Department of Transportation (INDOT)  
Greg Richards, Indiana Department of Transportation (INDOT)  
Amanda Hamm, Indiana Department of Transportation (INDOT)  
Bryan Golichajeh, Indiana Department of Transportation (INDOT)  
Curtis Tomak, Indiana Department of Transportation (INDOT)  
Rick Jones, IDNR, Historic Preservation and Archaeology  
Karie Brudis, IDNR, Historic Preservation and Archaeology  
Brock Hoegh, HNTB  
Tim Miller, HNTB  
Ty Simmons, HNTB  
Laura Thayer, Project Historian, Section 6  
Connie Zeigler, Weintraut & Associates  
Linda Weintraut, Weintraut & Associates

Anthony DeSimone, Federal Highway Administration, welcomed everyone to the first Section 106 consulting party meeting for I-69 Evansville to Indianapolis Study: Section 6. DeSimone asked each participant to introduce him or herself.

DeSimone said that the purpose of this meeting is to familiarize consulting parties with the Section 106 process. He gave a general review of the Tier 1 process, which resulted in selection of Alternative 3C.

Dr. Weintraut described the Tier 1 Memorandum of Agreement (MOA), entered into by FHWA, INDOT and SHPO. Tier 1 located the pool of potentially eligible properties and established Tier 2 Section 106 activities. In Tier 2, each of 6 sections is a separate undertaking that follows Section 106 and Indiana Law; consulting parties may consult on more than one section; every consulting party on Tier 1 may be a consulting party on Tier 2; and resources in adjoining sections will be inspected. Other commitments address avoidance and minimization. Conceptual mitigation may include ways to preserve and protect historic properties as well as ways to

interpret and educate regarding historic properties. The MOA contains a commitment for funding and technical assistance to update or provide field surveys for counties along 3C. The MOA outlines eight specific counties for surveys. Morgan is included in those. Work on the interim surveys will commence after Section 106 work is completed. Weintraut said that FHWA will work with SHPO to develop GIS technology to help make decisions. If anyone has questions about the MOA, it can be found on the Internet in an appendix of the "Final Environmental Impact Statement." Information cards with the website are available at the Section 6 project office.

Laura Thayer gave a power point presentation, briefly touching on the NHPA and the basic steps of Section 106 review. She said that Tier 2 will go into more detail in identifying properties and developing historic context studies. She said that consulting parties would be an important part of that process. The National Register criteria and integrity were discussed.

In reference to Criterion C, Paul Schmidt asked what defines a "master"? Thayer replied that there must be supporting information, and usually it's somebody that everyone agrees on.

Cline asked who signs the MOA. DeSimone answered that FHWA and SHPO will sign the agreement. Other consulting parties may be invited to concur. Mills asked if property owners would be signatories. DeSimone answered that this would happen only if the MOA requires something from them. They can be a signing party if they have an action as part of the MOA. Weintraut said there are generally three kinds of signatories: required, invited signatories and then, concurring signatories. Brudis added that the agreement is binding even if concurring signatories don't sign.

DeSimone then discussed the consulting party invitations sent to the SHPO, Indian Tribes and others. Others may be invited to join as the process moves forward. He invited those present to suggest other consulting parties and he distributed the list of consulting parties who had responded to the initial invitation. Information on Section 106 was distributed at the open house for section 6. Mills noted that there is no one from Johnson County on the consulting party list. Weintraut said that the list presented at the meeting was only a response list; others had been invited but declined or had not replied.

DeSimone explained that the APE of Tier 1 was 2 miles wide, but historians looked at an additional 1500 feet. Tier 2 looked closely at that APE and modified it where the viewshed was blocked. Some parts are now 2 miles wide and others are narrower. Some points were reduced based on topography. The consulting parties were sent information showing the APE and lists of historic properties identified in Tier 1.

Thayer showed slides of potentially eligible historic properties identified in Tier 1. Resource identification will be an ongoing process, integrated with research, historic context development and fieldwork. DeSimone asked for comments on the information mailed to the consulting parties, especially further information on potentially eligible properties.

Tim Miller discussed archaeology. A records check was done in Tier 1. For Tier 2, a Phase 1a investigation will be done for the preferred alternative. The archaeologist for Section 6 is Pat Trader from the University of Kentucky. In this effort, State Road 37 is considered disturbed ground. Shovel probes will only be done on undisturbed ground.

DeSimone said FHWA had received a letter from the Peoria Indian tribe saying they don't have Indian lands in the area. Also FHWA has received a letter from SHPO agreeing with the APE.

He asked if another time would be preferable for subsequent consulting party meetings. It was suggested that evenings would be better. Miller suggested that meetings might be held in Morgan County.

Cline raised concerns about three cemeteries: one is between 134 and Green in Washington townships; the Williams cemetery is north of Egbert; and a small cemetery behind the Kentucky Fried Chicken north of SR 39. DeSimone noted that cemeteries are not typically protected by 106 but are by state law. Weintraut said information is being gathered to record undocumented cemeteries in this study. Cline said he had documented the cemeteries in Greene County and others did Morgan County in 2003, but that he had discovered two more undocumented cemeteries. He noted that early maps had shown possible interchanges in areas that had cemeteries. DeSimone said that the interchanges were not yet decided. They were being restudied.

Other issues that were brought up: access to the fire station on 234 and to the hospital and access roads.

Joanne Stuttgen has several additional properties to be considered. She also questioned the 50-year rule, especially if the project is not completed for 10 years. DeSimone said Section 106 looks at properties that are eligible or listed. He said if the project is delayed, new properties might have to be considered. He said there is a possibility of "late discovery" that might cover properties that aren't considered initially.

Stuttgen also expressed concern from Traditional Arts of Indiana in preserving culture and traditional ways such as orcharding. This might not be just historic structures, but resources such as the Grassy Fork fishponds. She suggested to Thayer to pay attention to specific crops, such as broom corn, apples, basket willow, or stands of white oak that might be used for basket making. Stuttgen's concerns will be passed on to other EEACs. Weintraut reminded those present that the Section 106 process is bound by the National Register criteria.

DeSimone asked consulting parties to submit other properties that should be considered in writing. DeSimone adjourned meeting.

***Consulting Party Meeting No. 2***



U.S. Department  
of Transportation

**Federal Highway  
Administration**

Indiana Division

575 North Pennsylvania Street, Room 254  
Indianapolis, Indiana 46204

August 15, 2005

HDA-IN

Dear Consulting Party:

The Federal Highway Administration (FHWA), in cooperation with the Indiana Department of Transportation, is preparing an Environmental Impact Statement (EIS) for Section 6 of the I-69 Evansville to Indianapolis Tier 2 project. Section 6 connects SR 39 to I-465. Section 106 of the National Historic Preservation Act (1966) requires Federal agencies to take into account the effects of their undertakings on historic and archaeological properties.

Because you have agreed to be a willing consulting party, we cordially invite you to attend the second Section 106 Consulting Party meeting for Section 6. This meeting will be held on **August 31, 2005, 6:00 pm EST** at the:

**I-69 Section 6 Project Office  
7550 South Meridian Street, Suite B  
Indianapolis, IN 46217  
(317)881-4608**

Please review the enclosures before that meeting. Included are: 1) the executive summary of the Historic Property Report, 2) a description of all eligible properties, 3) a table listing all properties surveyed in Section 6, 4) a map indicating the location of all properties surveyed, and 5) a map showing the location of the Section 6 project office.

FHWA and its consultants will discuss the findings of eligibility for Section 6 of this study at the consulting party meeting. There were historic properties listed or eligible for listing in the National Register of Historic Places in Section 6.

If you wish to read the complete draft Historic Property Report, it is available at the Section 6 Project Office (Mon-Fri 8:00 a.m. – 5:00 p.m.). The report will also be available at the Section 5 Project Office in Bloomington and the Section 4 Project Office near Bloomington. Please go to the website <http://www.i69indyevn.org> for directions and hours. If these hours are not

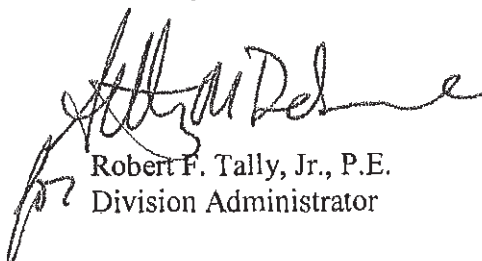


convenient, the Project Manager of the office will make certain that the report is available to you at a mutually convenient time.

An update regarding Phase I (a) archaeological investigations for Section 6 will also be presented at the meeting.

We look forward to seeing you. If you should have any questions, comments, or written correspondence after the meeting regarding the Findings of Eligibility, please direct them to the I-69 Section 6 Project Office (see address above) by September 14, 2005. You may also contact Tony DeSimone with FHWA at (317) 226-5307.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert F. Tally, Jr.", is written over the typed name. The signature is fluid and cursive, with a large initial "R" and "T".

Robert F. Tally, Jr., P.E.  
Division Administrator

5 Enclosures

cc:

Janice Osadczuk, INDOT N848

Karie Burdis, IDNR-DHPA



## I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDIES


Consulting Party Meeting: Section 6  
August 31, 2005, 6:00 pm EST

### Agenda

- 1) Welcoming and introductions
- 2) Review of the NHPA and the four steps in the Section 106 process
- 3) Role of consulting parties in this stage of the process
- 4) Discussion of National Register criteria and elements of integrity
- 5) Archaeological update
- 6) Other issues/Next steps
- 7) Discussion/questions and answers.

- ① Section 6 only
- ② Identification only
- ③ Hold ? until end
- ④ Arch - confidential






## Section 106 – Findings of Eligibility Consulting Party Meeting

Section 6  
August 31, 2005


I-69 Evansville to Indianapolis Tier 2 Studies



## Section 106

National Historic Preservation Act (1966)


- Take into account the effects of the undertaking on eligible or listed National Register properties
- Afford Advisory Council the opportunity to consult ([www.achp.gov](http://www.achp.gov))



## Section 106 Review


4 Step Process:

1. Initiate the process
2. Identify historic properties
3. Assess effects of undertaking on historic properties
4. Resolve any adverse effects



## Section 106-Tier 2 Section 1


Where are we in the process?



## Step 1: Initiation of the Process

Established that there is an undertaking ...

- ✓ Identified SHPO/THPO
- ✓ Identified Consulting Parties
  - Section consultants identifying additional properties
  - Tier 1 list
  - Informational brochures at public meetings



## Consultation - What is it?

“The process of seeking, discussing, and considering the view of other participants, and where feasible, seeking agreement with them regarding matters arising in the Section 106 process.”

**Step 2: Identification of Historic Properties**

Determined scope of identification efforts:  
 “Reasonable and good faith effort”

- ✓ Developed Area of Potential Effects: APE
- ✓ SHPO Ape Concurrence: June 25, 2004

**Area of Potential Effects**

**Step 2: Identification of Historic Properties**

Reviewed Existing Data

Sought information from knowledgeable persons

1. Consulting party meeting (July 2, 2004)
2. Talked with consulting parties
3. Talked with others who have information

**Step 2: Identification of Historic Properties**

- “Reasonable and Good Faith Efforts” included:
  - ✓ Research
  - ✓ Historic context
  - ✓ Fieldwork

**Step 2: Identification of Historic Properties**

- Evaluated Historic Properties
  - ✓ Assessed integrity
  - ✓ Applied National Register criteria

**Integrity**

- ✓ Location
- ✓ Design
- ✓ Setting
- ✓ Materials
- ✓ Workmanship
- ✓ Feeling
- ✓ Association

**Applied NR Criteria**

- A. Association with events that have made a contribution to the broad patterns of history
- B. Association with the lives of significant persons
- C. Embodiment of the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant or distinguishable entity whose components may lack individual distinction
- D. Have yielded, or may be likely to yield, important data (i.e.: archaeology)

**Step 2: Identification of Historic Properties**

**Identification Findings:**

**Historic Properties in Section 6**

**National Register District**

- East Washington Street Historic District  
Martinsville, Morgan County

**Step 2: Identification of Historic Properties**

**Identification Findings:**

**Historic Properties in Section 6**

**Eligible Properties**

- Morgan County Bridge No. 224 (Morgan 60030)
- Top Notch Farm (Morgan 60028)
- W.E. Nutter House (Morgan 64053)
- Grassyfork Fisheries (Morgan 60012)
- Stockwell Bridge (Morgan 60053)
- Morgan County Bridge No. 166 (Morgan 30017)
- John Sutton House (Johnson 10002)

**Step 2: Identification of Historic Properties**

**Identification Findings:**


**Historic Properties in Section 6**

**Eligibility Findings Submitted to SHPO**

August 15, 2005

**National Register District**


**East Washington Street Historic District**



- NRHP 1997
- Criteria A and C
- 1869 - c 1940
- Residential District
- 64 Contributing Resources

**Eligible Properties**

**Morgan County Bridge No. 244 (Morgan 60030)**



- Warren pony truss
- 1926
- State highway bridge
- Vincennes Bridge Company
- Eligible under Criterion C

**Eligible Properties**


**Top Notch Farm (Morgan 60028)**



- Dairy farm
- 1932 - 1950
- Eligible under Criterion A

**Eligible Properties**


**W.E. Nutter House (Morgan 64053)**



- Craftsman style
- c 1915
- Eligible under Criterion C

**Eligible Properties**


**Grassyfork Fisheries (Morgan 60012)**



- Prairie/Craftsman style
- 11 contributing buildings, structures and sites
- c 1900 - 1955
- Eligible under Criterion A

**Eligible Properties**


**Stockwell Bridge (Morgan 60053)**



- Luten trussed-concrete girder
- 1916
- NRC in concrete bridge survey
- Eligible under Criterion C

**Eligible Properties**


**Morgan County Bridge No. 166 (Morgan 30017)**



- Concrete slab
- 1925
- State highway bridge
- NRC in concrete bridge survey
- Eligible under Criterion C

**Eligible Properties**

**John Sutton House (Johnson 10002)**



- Italianate style
- 1875
- Eligible under Criterion C

## Archaeology



- Phase Ia Archaeological Investigations have been initiated for Section 6.
- Background research and site files checks have been completed.
- Archaeological fieldwork is scheduled to commence in 2006.

## NEXT STEPS:



- Consulting parties: submit comments by September 14, 2005
- If SHPO concurs with finding of eligibility, then we begin assessing the effects of the undertaking upon listed and eligible NR properties.

## Section 6 Contact Information



**For project information, or to provide input, please visit or call the project office:**

1-69 Section 6 Project Office  
7550 South Meridian Street, Suite B  
Indianapolis, Indiana 46217  
Phone: 317-881-6408  
Fax: 317-917-5211  
[section6@indyevn.org](mailto:section6@indyevn.org)  
[www.i69indyevn.org](http://www.i69indyevn.org)

Tim Miller, Project Manager



# MEETING NOTES

7550 South Meridian St., Suite B \* Indianapolis, IN 46217 \* (317) 881-6408 \* Fax: (317) 917-5211

**Consulting Party Meeting  
I-69 Evansville to Indianapolis Study: Section 6  
August 31, 2005, 6:00 pm  
Section 6 Project Office**

Attendees:

Anthony DeSimone, Federal Highway Administration (FHWA)  
Robert Dirks, Federal Highway Administration (FHWA)  
Mary Kennedy, Indiana Department of Transportation (INDOT)  
Rick Jones, IDNR, Historic Preservation and Archaeology  
Karie Brudis, IDNR, Historic Preservation and Archaeology  
Norman Voyles, Morgan County Commissioner  
Brock Hoegh, HNTB  
Tim Miller, HNTB  
Laura Thayer, Project Historian, Section 6  
Connie Zeigler, Weintraut & Associates  
Linda Weintraut, Weintraut & Associates  
Alice Roberts, Gray & Pape

Anthony DeSimone, Federal Highway Administration, welcomed everyone to the second Section 106 Consulting Party meeting for I-69 Evansville to Indianapolis Study: Section 6. DeSimone asked each participant to introduce him or herself.

DeSimone said that the purpose of this meeting is to review the Section 6 Draft Historic Property Report (DHPR) and to discuss those properties in the Area of Potential Effects (APE) that are eligible for listing in the National Register of Historic Places (NRHP) and that the consultant has deemed eligible for listing in the NRHP. Laura Thayer gave a power point presentation, briefly touching on the National Historic Preservation Act and the basic steps of Section 106 review. She then went into more detail in identifying the listed and eligible properties. There is one property listed on the National Register of Historic Places (NRHP): the East Washington Street Historic District and seven (7) eligible properties: Morgan County Bridge No. 224; Top Notch Farm; W. E. Nutter House; Grassyfork Fisheries; Stockwell Bridge; Morgan County Bridge No. 166 and the John Sutton House. Thayer noted that 113 properties were surveyed within the Section 6 Corridor.

With respect to the eligible Bridge 224, Thayer noted that the rating for the bridge would rise to 9 points because the original drawings of the bridge had been located [7 points are necessary for a bridge to be considered eligible].

Norman Voyles, Morgan County Commissioner, asked how the APE was developed. DeSimone and Thayer explained that the APE for the Tier II study was developed based on view shed from the corridor and topography. As a result the APE is wider in some areas than other areas.

## MEETING NOTES

Voyles also asked about the eligible Nutter House, and asked why this was included since it is not close to SR 37. Thayer said that the APE was wider in that area based on the potential for effect.

Tim Miller discussed archaeology. The archaeologist for Section 6 is Pat Trader from the University of Kentucky. In this effort, State Road 37 is considered disturbed ground. Phase IA Archaeological investigations have been initiated for Section 6. Background research and site files checks have been completed. Archaeological fieldwork in undisturbed areas in the preferred alternative is scheduled to commence in 2006.

Since there were no further questions, DeSimone asked consulting parties to submit written comments on the DHPR to Section 6 Project Office by September 14, 2005. It was also noted that a copy of the DHPR is located in Section 4, 5, and 6 Project Offices. DeSimone adjourned the meeting.

*[Note: After adjournment of the official meeting, Pauline Spiegel, a consulting party, arrived. She was given opportunity to ask questions. She asked why there was no information on the East Washington Street Historic District in Martinsville in the packet of information sent to the consulting parties. She was shown the Historic Property Report, which did have information on the NRHP-listed district.]*

*Spiegel also asked if the Grassyfork Fisheries still operated. Thayer noted that the buildings are no longer being used, but the Ozark fisheries currently use the ponds. Spiegel asked why the ponds were not included in the historic property boundaries. Thayer said there are ponds that are contributing to the property included within the boundaries. These are shown in the Historic Property Report.]*

*Details discussed in this meeting are subject to change, but are a reflection of how things stood at the close of the meeting.*

*Note: This meeting summary documents ongoing, internal agency deliberations. Accordingly, the information contained in this summary is considered to be pre-decisional and deliberative.*

***Consulting Party Meeting No. 3***





November 19, 2015

Dear Consulting Party:

The Federal Highway Administration (FHWA), in cooperation with the Indiana Department of Transportation (INDOT), is preparing an Environmental Impact Statement (EIS) for Section 6 of the I-69 Evansville to Indianapolis Tier 2 Studies (Des. No. 0300382; DHPA No.: 4615). Section 106 of the National Historic Preservation Act (1966) requires Federal agencies to take into account the effects of their undertakings on historic properties. Historic properties are those properties that are listed in, or eligible for listing in, the National Register of Historic Places. In the spring of 2015, FHWA and INDOT initiated an Additional Information survey for the State Road (SR) 37 Alternatives for Section 6.

On October 16, 2015, FHWA re-initiated consultation for the I-69 Section 6 Study by extending invitations to join in consultation to those who had previously been consulting parties and those individuals, groups, and tribes with a demonstrated interest in the project.

The consultants for the aboveground study have completed a “Historic Property Report Additional Information” for the SR 37 Alternatives that 1) identifies and evaluates “recent past” aboveground resources (in this case, properties constructed between 1954 and 1972 that would merit a “Contributing” rating) within the Area of Potential Effects (APE), 2) reviews, from public right-of-way, previously-identified properties greater than fifty years of age receiving a Contributing or higher rating in the 2004/2005 Section 6 survey, and 3) identifies and evaluates aboveground resources constructed during or prior to 1972 within the newly defined APE.

You may access the eligibility recommendations for this aboveground study: “Historic Property Report Additional Information” for the State Road 37 Alternatives at the IN-SCOPE website located at the following link.

<http://netservices.indot.in.gov/Section106Documents/Default.aspx>

The Des No. is the most efficient search term, once in IN-SCOPE

**As a willing consulting party, FHWA is inviting you to a Consulting Party Meeting to be held on December 7, 2015 from 1:30 – 3:30 pm at:**

**Southland Church  
5800 West Smith Valley Road  
Greenwood, Indiana 46142**

The purpose of this meeting is to 1) review the Section 106 process to date; 2) provide an update on archaeology; 3) discuss changes to the aboveground APE and, 4) discuss the eligibility



recommendations in the Additional Information Report. Please review the Historic Property Report located on IN-SCOPE prior to the consulting party meeting.

*If you wish to provide written comments, please send them by post to Linda Weintraut, Weintraut & Associates, P.O. Box 5034, Zionsville, Indiana, 46077 or by email to linda@weintrautinc.com by December 21, 2015.*

As specified in 36 CFR 800.5(c), consulting parties have 30 days from receipt of this documentation to review and comment on the finding. We hope to see you at the consulting party meeting on December 7, 2015.

Best regards,

Shaun Miller  
Acting Manager  
INDOT Cultural Resources

Michelle Allen, FHWA  
Christine Meador, HNTB  
Kia Gillette, Lochmueller Group.  
Dr. Linda Weintraut, Weintraut & Associates, Inc.  
Beth McCord, Gray & Pape



November 19, 2015

Dear Consulting Party:

The Federal Highway Administration (FHWA), in cooperation with the Indiana Department of Transportation (INDOT), is preparing an Environmental Impact Statement (EIS) for Section 6 of the I-69 Evansville to Indianapolis Tier 2 Studies (Des. No. 0300382; DHPA No.: 4615). Section 106 of the National Historic Preservation Act (1966) requires Federal agencies to take into account the effects of their undertakings on historic properties. Historic properties are those properties that are listed in, or eligible for listing in, the National Register of Historic Places. In the spring of 2015, FHWA and INDOT initiated an Additional Information survey for the State Road (SR) 37 Alternatives for Section 6.

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The consultants for the aboveground study have completed a “Historic Property Report Additional Information” for the SR 37 Alternatives that 1) identifies and evaluates “recent past” aboveground resources (in this case, properties constructed between 1954 and 1972 that would merit a “Contributing” rating) within the Area of Potential Effects (APE), 2) reviews from public right-of-way previously-identified properties greater than fifty years of age receiving a Contributing or higher rating in the 2004/2005 Section 6 survey, and 3) identifies and evaluates aboveground resources constructed during or prior to 1972 within the newly defined APE. The consultants for the archaeological study have completed a records check report for the SR 37 Alternatives, as well.

In this mailing, you will find the eligibility recommendations for this aboveground study: “Historic Property Report Additional Information” and “Phase Ia Archaeological Literature Review, Section 6 Preliminary Alternatives in Hendricks, Johnson, Marion and Morgan Counties, Indiana, I-69 Tier 2 Studies, Evansville to Indianapolis” on CD.

**As a willing consulting party, FHWA is inviting you to a Consulting Party Meeting to be held on December 7, 2015 from 1:30 – 3:30 pm at:**

**Southland Church  
5800 West Smith Valley Road  
Greenwood, Indiana 46142**

The purpose of this meeting is to 1) review the Section 106 process to date; 2) provide an update on archaeology; 3) discuss changes to the aboveground APE and, 4) discuss the eligibility



recommendations in the Additional Information Report. Please review the reports on the enclosed CD prior to the meeting.

*If you wish to provide written comments, please send them by post to: Weintraut & Associates, P.O. Box 5034, Zionsville, Indiana, 46077 or by email to: linda@weintrautinc.com by December 21, 2015.*

As specified in 36 CFR 800.5(c), consulting parties have 30 days from receipt of this documentation to review and comment on the finding. We hope to see you at the consulting party meeting on December 7, 2015.

Best regards,

Shaun Miller  
Acting Manager  
INDOT Cultural Resources


Michelle Allen, FHWA  
Christine Meador, HNTB  
Kia Gillette, Lochmueller Group.  
Dr. Linda Weintraut, Weintraut & Associates, Inc.  
Beth McCord, Gray & Pape



## **AGENDA**

***I-69 Section 6 Consulting Party Meeting 1***  
Southland Church  
5800 West Smith Valley Road  
December 7, 2015 at 1:30 p.m. EDT

- I. Welcome and Introductions**
- II. Present Status of Section 106 Process**
- III. New APE areas**
- IV. Additional Information Report**
  - 1. Methodology**
  - 2. Findings**
- V. Updates for Archaeology**
- VI. Question & Answer**
- VII. Next Steps: Comments in writing by December 21, 2015**



**Section 106 – Additional Information**  
**Consulting Parties Meeting**  
**Martinsville to Indianapolis**  
**Section 6**  
 December 7, 2015


1

**Meeting Purpose**

- Provide Section 106 Update
- Present Results of Above-ground Survey for SR 37 Alternatives
- Discuss Status of Archaeology
- Describe Section 106 Schedule & Next Steps

2

**Preliminary Alternatives**



3

**What is Section 106?**

National Historic Preservation Act (1966)

- Take into account the effects of the undertaking on properties listed in, or eligible for listing in, the National Register of Historic Places (NRHP)
- Afford the Advisory Council on Historic Preservation (ACHP) the opportunity to consult

4

**Section 106: Steps**

- **Initiate** consultation
- **Identify** historic properties
- **Assess** effects of undertaking on historic properties
- **Resolve** any adverse effects

5

**2004/2005 Study**

- Initiated Consultation
- Developed an Area of Potential Effects (APE)
- Conducted an aboveground survey of historic properties constructed before 1954
- Prepared a Historic Property Report (2008)

6

## Historic Properties (2004-2008)

- East Washington Street Historic District (listed in NRHP)
- Grassyfork Fisheries (Morgan County)
- W.E. Nutter House (Martinsville)
- Top Notch Farm (Morgan County)
- Morgan County Bridge No 224
- John Sutton House (Johnson County)



7



## Historic properties (2008-2015)

- Grassyforks Farm (NRHP, 2012)
- The following were determined eligible per Historic Bridge Inventory (2009):
- Marion County Bridge 4513 (Non-Select)
  - Morgan County Bridge 166 (Select)
  - Morgan County Bridge 224 (Select)
  - Morgan County Bridge 56 (Non-Select)



8



## 2015 Additional Information

- Re-initiated Consultation
- Reviewed & extended Area of Potential Effects (APE) where appropriate
- Conducted field survey of properties constructed in or before 1972 in new APE
- Conducted a field survey of properties constructed 1955 to 1972
- Reviewed status of properties from 2004-2005 survey & make recommendations



9



## What is Consultation?

*"The process of seeking, discussing, and considering the view of other participants, and where feasible, seeking agreement with them regarding matters arising in the Section 106 process."*

[CFR 800.16(f)]



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## Who was invited to Consult?

- Consulting Parties from 2004-2008
- Others with a demonstrated interest (i.e.: county historians, consulting parties for bridges, new preservation groups)
- Native American tribes with ancestral connections to Indiana
- Owners of properties recommended as eligible in Report
- Others who requested status



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## Area of Potential Effect (APE)



12



## APE for SR 37 Alternatives



13

## Review of previous survey

- Drove all roads
- Photographed Contributing from previous survey using a GIS app (geo-codes photos)
- Reviewed Integrity
- Re-evaluated Significance
- Made recommendations in regards to NRHP status

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## Survey: Resources 1955-1972

- Drove all roads
- Photographed properties in GIS app
- Took videos or "landscape photos" of subdivisions Recorded notes
- Used DHPA's Handout on Recent past properties as basis for Contributing and Non-Contributing
- Divided properties into Contributing and Non-Contributing

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## Evaluation of Resources

- Used online GIS databases and historic maps to review construction data
- Talked with property owners / knowledgeable parties
- Conducted site surveys of high Contributing
- Met with SHPO and conducted a field review of those resources that had high integrity

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## What is integrity?

- Design
- Materials
- Workmanship
- Setting
- Location
- Feeling
- Association



17

## Recent past integrity

<p><b>Contributing</b></p> 	<p><b>Non-Contributing</b></p> 
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18



## NRHP Eligibility

To be listed a property must possess:

- Integrity
- Significance under NRHP criteria



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## NRHP Criteria

- A. Associated with events that have made a contribution to broad patterns of history;
- B. Associated with lives of significant persons;
- C. Embodiment of distinctive characteristics of a type, period or method of construction, or that represents the work of a master, or that possess high artistic values, or that represent a significant or distinguishable entity whose components may lack individual distinction;
- D. Have yielded or likely to yield, important data.



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## Recommended Eligible (2015)



**Southside German Market Growers  
Historic District**



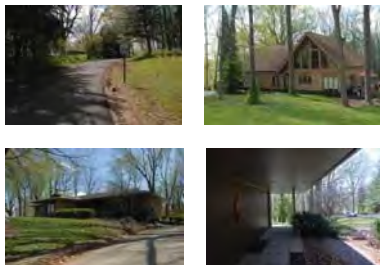
21



**Glennwood Homes Association Historic  
District**



22



**Travis Hills Historic District**



23



**Le Ciel (Chas. Laughner House) Belmont Ave**



24





25



26



27

### Archaeology Records Check

- 2015 Records Check of Preliminary Alternatives updated the 2006 Records Check
- Purpose was to facilitate alternative analysis

28

### Archaeology Records Check

- Research identified 496 previously recorded archaeological sites
  - Range from Paleoindian to Historical 20<sup>th</sup> century resources
  - NRHP eligibility
    - 254 sites not eligible
    - 13 sites destroyed
    - 208 sites unevaluated
    - 21 sites potentially eligible (Criterion D)

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### What's Next?

**Project Team:**

- Archaeology Fieldwork
- Effects Study
- 800.11(e) documentation

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**Comments:**

**Mail to:** Weintraut & Associates  
PO Box 5034  
Zionsville, Indiana 46077

**Email to:** Weintraut & Associates  
[linda@weintrautinc.com](mailto:linda@weintrautinc.com)

**By:** December 21, 2015



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**Section 6 Project Office**

7847 Waverly Road  
Martinsville, IN 46151  
Phone: (317) 881-6408  
Email: [section6pm@indot.in.gov](mailto:section6pm@indot.in.gov)

[www.i69indyevn.org](http://www.i69indyevn.org)



## MEETING MINUTES

### *I-69 Section 6 Consulting Party Meeting 1*

Southland Church

5800 West Smith Valley Road

December 7, 2015 at 1:30 p.m. - 3:30 p.m. EDT

Attendee	Organization
Raina Regan	Indiana Landmarks
Christopher Myers	Indianapolis Historic Preservation Commission (IHPC)
John Carr	Indiana Division of Natural Resources-Division of Historic Preservation & Archaeology/Indiana State Historic Preservation Office (IDNR-DHPA/SHPO)
Melvin Crichton	Glennwood Home Association
Cathy Drook	Glennwood Home Association
Beth Line	Glennwood Home Association
Joseph Cleveland	Ozark Fisheries, Inc.
Diane Hunter	Miami Tribe of Oklahoma
Patrick Carpenter	Indiana Department of Transportation (INDOT)
Sarah Rubin	INDOT
Laura Hilden	INDOT
Mary Kennedy	INDOT
Michelle Allen	Federal Highway Administration
Tim Miller	HNTB
Chris Meador	HNTB
Beth McCord	Gray & Pape
Kia Gillette	Lochmueller Group
Linda Weintraut	Weintraut & Associates (W&A)
Bethany Natali	W&A
Doug Fivecoat	W&A



## Summary

Sarah Rubin, Indiana Department of Transportation (INDOT) Section 6 Project Manager, welcomed the parties and initiated introductions. She said that INDOT has kept SR 37 as an alternative to be carried to the Draft Environment Impact Statement (DEIS); there are a total of five alternatives presently under consideration, and public meetings have occurred.

Linda Weintraut, Weintraut & Associates (W&A), summarized the purpose of the Section 106 process and its steps, including: initiating consultation, identifying historic properties, assessing effects of undertaking in historic properties, and resolving adverse effects.

Weintraut discussed the history of the I-69 Section 6 project. She noted that the original survey was conducted in 2004/2005 and it evaluated properties constructed before 1954. A Historic Property Report was produced in 2008, using data from the 2004/2005 survey. The 2008 Report identified the following National Register of Historic Places (NRHP) listed or eligible districts and properties: East Washington Street Historic District, Grassyfork Fisheries, W.E. Nutter House, Top Notch Farm, Morgan County Bridge No. 224, Morgan County Bridge 166, Morgan County Bridge 56, and John Sutton House.

Between 2008 and 2015, Grassyfork Fisheries was listed in the NRHP and the following bridges were determined eligible per the Indiana History Bridge Inventory: Marion County Bridge 4513 (Non-Select), Morgan County Bridge 166 (Select), Morgan County Bridge 224 (Select), and Morgan County Bridge 56 (Non-Select). Select bridges are those that are good candidates for preservation.

Weintraut stated that in 2015, INDOT and FHWA re-initiated consultation. Weintraut noted that all consulting parties from the 2004-2008 study were invited to join in consultation in 2015. In addition, owners of properties recommended eligible, Native American tribes with ancestral connections, and others determined to have a demonstrated interest (including county officials and new preservation groups) were sent invitations. In 2015, W&A reviewed and extended the Area of Potential Effects (APE), where appropriate, based on additional information about the SR 37 Alternatives. A survey was conducted of the new areas of the APE, looking at properties built prior to, or in, 1972. (1972 was the ending date because it is fifty years prior to an anticipated construction date of 2022.) Similarly, the areas surveyed in 2004/2005 APE were reviewed to ascertain if there had been changes in integrity to the previously identified Contributing resources and to document properties built between 1955 and 1972.

Weintraut stated that W&A drove all roads within the APE and photographed properties and recorded notes using a GIS app. Historians also took videos and “landscape photos” of subdivisions. Later, individual properties were divided into “Contributing” and “Non-Contributing” using guidance from DHPA and the State Historic Preservation Officer. Then the historians evaluated properties for eligibility in the NRHP based on integrity and significance.

Weintraut discussed “integrity” and noted elements that make up the integrity (including: design, materials, workmanship, setting, location, feeling and association). She also briefly described each and offered an example of the differences between Contributing and Non-Contributing using photos of two Ranch-style homes as an example. She then discussed “significance” and noted that a resource must possess both integrity and significance to be listed on the NRHP. The criteria for significance were briefly discussed, including: (A) association with events that made a contribution to the broad patterns of history, (B) an association with the life (lives) of a significant person(s), (C) distinctive characteristics of a type,



period, method of construction, or that represents the work of a master or high artistic values, or (D) have yielded or will yield important data.

Bethany Natali, W&A, then walked through the resources that were recommended as eligible for the NRHP from the latest survey and described some of the elements that made historians recommend them. There are three districts and four individual resources recommended eligible. These properties included:

- *Southside German Market Growers Historic District* located on Bluff Road, Perry Township, Marion County, represents a rare but important type of agricultural production and illustrates a vernacular design of a market garden district. The period of significance is circa 1900 to 1972.
- *Glennwood Homes Association Historic District* located on Bluff Road and West Stop 11 Road, Perry Township, Marion County, has Outstanding examples of Ranch and Modern homes and is an example of a post-war cooperative suburb with Outstanding architecture and community design. The period of significance is 1949 to circa 1960.
- *Travis Hills Historic District* located at Stones Crossing Road, White River Township, Johnson County, is an early example of suburban development in the area (predating other developments by almost a decade). It has a high level neighborhood design with common setbacks and hill top positioning. The period of significance is 1962 to 1968.
- *Le Ciel (Charles Laughner House)*, is located at Belmont Road, Perry Township, Marion County, at the apex of “Pill Hill.” It is an important example of a new Traditional French-style - residence. The period of significance is 1967.
- *Cleary-Barnett House* located at Bluff Road, Perry Township, Marion County, is significant as a 1950s Ranch house with high integrity. The period of significance is circa 1955.
- *Glenn’s Valley Nature Park Retreat House*, located on Bluff Road, Perry Township, Marion County, is an Interwar example of Colonial Revival-style with high integrity. The period of significance is circa 1935.
- *Reuben Aldrich Farm* has an Italianate house with barn, 1915 detached garage, field and lane patterns, and mature trees. It was recommended as non-eligible in 2008, but now is recommended eligible as an increasingly rare resource that represents a vernacular farm from the “golden age of agriculture” in Harrison Township. The period of significance is 1869-1915.

Beth McCord, Gray & Pape, spoke about the archaeological records check, which updated records from the previous 2006 records check. Research identified 496 previously recorded archaeological sites. These range from Paleoindian to historical twentieth century resources. Of these sites: 254 were not eligible for the NRHP, 13 had been destroyed, 208 were unevaluated, and 21 were potentially eligible under Criterion D

McCord indicated that archaeologists have begun reconnaissance-level surveys looking at sites near Martinsville that are “common” to all alternatives. Weintraut asked if there were any trends in the current archaeological findings she could share. While it was too early to tell, McCord noted that there was one historical Native American site, which was reported as a trading post for the Delaware Indians.



Beth Line from the Glennwood Homes Association asked McCord if archaeologists were just looking for artifacts. McCord responded that they were mostly looking for artifacts but they also were seeking sources of chert because many artifacts were manufactured of chert.

When queried about next steps, Weintraut indicated that there would be a period in which Section 106 would seem “quiet,” but that historians and archaeologists would still be working on the next work product.

Beth Line asked how eligible properties identified in the survey might affect the building or roads in the area. Weintraut responded that once historians make a recommendation about eligibility, SHPO will respond. After that, FHWA will make a determination of eligibility. The effect of the undertaking on the historic property is then assessed. If there is an adverse effect, a Memorandum of Agreement (MOA) will be negotiated and written to minimize or to mitigate the adverse effect.

Tim Miller, HNTB, added that the current meeting is only for the SR 37 Alternatives. If other alternatives are carried forward, then there would be a study of historic properties within that APE. Beth Line asked if they were going to carry three alternatives forward to the DEIS. Sarah Rubin responded saying that they have not determined how many alternatives they might carry forward. Instead, INDOT was letting the data they are collecting determine how many alternatives would be considered. Weintraut added that the same level of effort and analysis would be performed on all alternatives carried forward.

Cathy Drook of the Glennwood Homes Association asked if both listed and eligible resources would get the same level of scrutiny for effects. HNTB responded that they would.

Raina Regan, Indiana Landmarks, asked if any properties from the 2008 report were no longer recommended eligible based upon the new survey. Weintraut stated that none had been removed. Landmarks asked who to contact with concerns on historic properties located in or near other alternatives. Sarah Rubin of INDOT said that Landmarks could contact her via email. Landmarks indicated they had a covenant on a property near an area not within the SR 37 Alternatives APE.

Christopher Myers, Indianapolis Historic Preservation Commission, asked how general project updates would be disseminated. INDOT stated that he could subscribe to the project listserv or visit the I-69 project website. All major updates are announced on the listserv and listed on the website under the Section 6 tab.

Weintraut asked John Carr, Indiana Department of Natural Resources-Division of Historic Preservation & Archaeology/representing the State Historic Preservation Officer, if he had any comments to add. He did not. He said that the speakers had done a good job of explaining the 106 process.

Weintraut then asked if there were any final questions or comments. None were offered. Weintraut then asked that any comments be sent to her prior to December 21, 2015. The meeting was adjourned.

*This summary reflects the result of informal consultation between the agencies, project team members, and consulting parties at the time of the meeting. Accordingly, the information contained in this summary is considered to be pre-decisional and deliberative.*

*Details discussed in this meeting are subject to change. This summary is a reflection of the status of these items at the close of the meeting.*



Doug Fivecoat <dfivecoat@weintrautinc.com>

## I 69 Section 6 Consulting Party Meeting

1 message

**Linda Weintraut** <linda@weintrautinc.com>

Tue, Dec 22, 2015 at 5:04 PM

To: Mark Dollase <mdollase@indianalandmarks.org>, jstuttgen@comcast.net, Paul Brandenburg <indianabridges@sbcglobal.net>, "James L. Cooper" <jlcooper@crtc.com>, dbaker@indygov.org, dhpa@dnr.in.gov, "Carr, John" <Jcarr@dnr.in.gov>, "Tharp, Wade" <WTharp1@dnr.in.gov>, "Slider, Chad" <Cslider@dnr.in.gov>, nvoyles@morgancounty.in.gov, Ross@hollowayengineering.com, maxlois@sbcglobal.net, jdemaree@summitrealttygroup.com, bilodeau.ann@gmail.com, kj9c@iquest.net, don.colvin@indy.gov, smithfirepro@aol.com, lpappenfort@peoriatribes.com, alvin@nei-yahw.com, Kelsey Noack Myers <kelsey.myers@nei-yahw.com>, dhunter@miamination.com, joseph@ozarkfisheries.com, ppspiegel@gmail.com, Lisa LaRue-Baker - UKB THPO <ukbthpo-larue@yahoo.com>

Cc: "Rubin, Sarah" <SRubin@indot.in.gov>, "Kennedy, Mary" <mkennedy@indot.in.gov>, "Carpenter, Patrick A" <PACarpenter@indot.in.gov>, "Miller, Shaun (INDOT)" <smiller@indot.in.gov>, Timothy Miller <tmiller@hntb.com>, "wwiedelman@hntb.com" <wwiedelman@hntb.com>, "Gillette, Kia" <KGillette@lochgroup.com>, Christine Meador <CMeador@hntb.com>, Beth McCord <bmccord@graypape.com>, "Hilden, Laura" <lhilden@indot.in.gov>, Doug Fivecoat <dfivecoat@weintrautinc.com>, Bethany Natali <bethany@weintrautinc.com>

Dear Consulting Party,

We wish to thank those who participated in the first Consulting Party Meeting for I-69 Section 6 held on December 7, 2015.

Please see attached summary of that meeting for your records.

Linda Weintraut

--  
 Linda Weintraut, Ph.D.  
 Weintraut & Associates, Inc.  
 PO Box 5034  
 4649 Northwestern Drive  
 Zionsville, Indiana 46077  
 317.733.9770 ext. 310  
 www.weintrautinc.com

 **20151207\_169 Section 6 CP Mtg Minutes.pdf**  
 74K



***Consulting Party Meeting No. 4***



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Indiana Division** 575 North Pennsylvania Street, Room 254  
Indianapolis, IN 46204  
(317) 226-7475

August 2, 2016

In Reply Refer To:  
HDA-IN

Dear Consulting Party,

The Federal Highway Administration (FHWA), in cooperation with the Indiana Department of Transportation (INDOT), is preparing an Environmental Impact Statement (EIS) for Section 6 of the I-69 Evansville to Indianapolis Tier 2 Studies (Des. No. 0300382; DHPA No.: 4615). Section 106 of the National Historic Preservation Act (1966) requires Federal agencies to take into account the effects of their undertakings on historic properties. Historic properties are those properties that are listed in, or eligible for listing in, the National Register of Historic Places.

On October 16, 2015, FHWA re-initiated consultation for the I-69 Section 6 Study by extending invitations to join in consultation to those who had previously been consulting parties and to those individuals, groups, and tribes with a demonstrated interest in the project. In November 2015, consulting parties were provided a copy of the Historic Property Report (HPR) Additional Information (AI) for the State Road 37 Alternatives. On December 7, 2015, a consulting party meeting was held to review the Section 106 process to date, provide an update on archaeology, and discuss the eligibility recommendations in the HPR AI Report. On June 15, 2016, the project consultants notified consulting parties that an AI Memorandum—No. 2 was available on IN-SCOPE.

Since that time, the project consultants have prepared an Identification of Effects Report for I-69 Evansville to Indianapolis: Tier 2 Studies, Section 6 that discusses the effects upon historic properties of the three alternatives carried forward. The three alternatives carried forward are: C1, C2, and C3. You may access the Identification of Effects Report at the IN-SCOPE website located at the following link.

<http://netservices.indot.in.gov/Section106Documents/Default.aspx>

The Des No. (0300382) is the most efficient search term, once in IN-SCOPE

**As a willing consulting party, FHWA is inviting you to a Consulting Party Meeting to be held on Wednesday August 17, 2016 from 9 a.m. to 11 a.m. at:**

**Southland Church  
5800 West Smith Valley Road  
Greenwood, Indiana 46142**

The purpose of this meeting is to 1) review the Section 106 process to date; 2) provide an update on archaeology; 3) discuss effects of the three alternative alignments on historic properties, especially the data presented in the Identification of Effects Report; and, 4) discuss the Section 4(f) impact on the Southside German Market Gardeners Historic District and 5) discuss potential mitigation measures.

Per Section 4(f) of the US Department of Transportation Act of 1966, once FHWA and INDOT determine that there are no prudent and feasible avoidance alternatives to acquiring land from a historic property (in this case, Southside German Market Gardeners Historic District), FHWA may approve only the alternative that causes the least overall harm to historic properties. Therefore, concurrently with our Section 106 consultation process, we are also seeking the opinion of the State Historic Preservation Officer (SHPO) as an Official with Jurisdiction, on which alternative results in the Least Overall Harm. For more information on Section 4 (f) please refer to the following website:

<https://www.environment.fhwa.dot.gov/4f/4fpolicy.asp>

*If you wish to request a paper copy or to provide written comments on the Identification of Effects Report, please send them by post to: Weintraut & Associates, P.O. Box 5034, Zionsville, Indiana, 46077 or by email to: linda@weintrautinc.com.*

For questions regarding Section 106, Tribal contacts may contact Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317-226-7344 or Shaun Miller at [smiller.indot.in.gov](mailto:smiller.indot.in.gov) or 317-233-2061.

To facilitate the development of this project, please respond with your comments on the Identification of Effects Report for I-69 Evansville to Indianapolis: Tier 2 Studies, Section 6 (DES No.: 0300382; DHPA No.: 4615) **within thirty (30) days** from the date of receipt of this letter. Should you find that an extension to the response time necessary, a reasonable amount may be granted upon request.

Thank you for your participation in this project.

Best regards,

Sincerely,



Jermaine R. Hannon  
Acting Division Administrator



Enclosure

Cc: Michelle Allen, FHWA  
Christine Meador, HNTB  
Kia Gillette, Lochmueller Group.  
Dr. Linda Weintraut, Weintraut & Associates, Inc.  
Beth McCord, Gray & Pape



## **AGENDA**

### ***I-69 Section 6 Section 106 Consulting Party Meeting***

Southland Church, 5800 W. Smith Valley Road

August 17, 2016, 9:00 a.m. EDT

- I. Welcome and introductions**
- II. Update on Section 106 Process**
- III. Additional Information Report No. 2**
- IV. Updates for Archaeology**
- V. Discussion of Effects Report**
- VI. Discussion of Ways to Mitigate Adverse Effects**
- VII. Next Steps & Action Items**



**Section 106 Consulting Parties Meeting**

**Martinsville to Indianapolis  
I-69 Section 6**



**August 17, 2016**




1

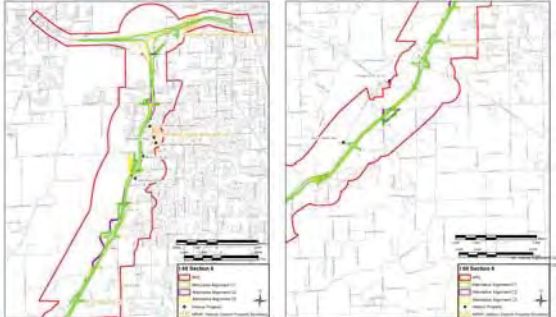


**Meeting Purpose**

- **Welcome and Introductions**
- **Update on Section 106 Process**
- **Additional Information Report No. 2**
- **Updates for Archaeology**
- **Discussion of Effects Report**
- **Discussion of Ways to Mitigate Adverse Effects**
- **Next Steps & Action Items**

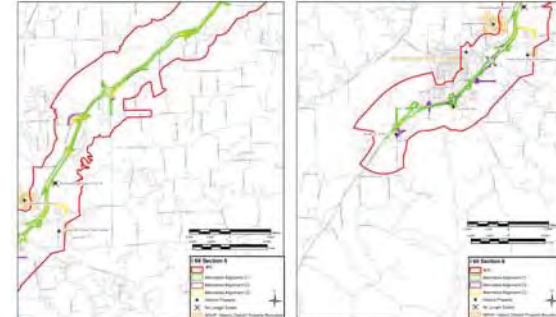


2

**Alternatives C1, C2, and C3**

3



**Alternatives C1, C2, and C3**

4

**What is Section 106?**



- **National Historic Preservation Act (1966)**
- **Take into account the effects of the undertaking on properties listed in, or eligible for listing in, the National Register of Historic Places (NRHP)**
- **Afford the Advisory Council on Historic Preservation (ACHP) the opportunity to consult**

5

**Section 106: Steps**

- **Initiate consultation**
- **Identify historic properties**
- **Assess effects of undertaking on historic properties**
- **Resolve any adverse effects**

6

## Step 1: Initiated the Process

- Established that there is an undertaking ...
- (initiated in 2004/re-initiated in 2014)
  - Identified Consulting Parties
  - Identified State Historic Preservation Officer (SHPO)/Tribal Historic Preservation Officer (THPO)



7

## Step 2: Identification

- Area of Potential Effects (APE)
  - Developed in Consultation with SHPO (2004/2015)
  - Expanded in 2016, as documented in Additional Information No. 2



8

## Step 2: Identification



9

## Historic Properties (2004-2008)

- East Washington Street Historic District (listed in NRHP)
- Grassyfork Fisheries (Morgan County)
- W.E. Nutter House (Martinsville)
- Top Notch Farm (Morgan County)
- Morgan County Bridge No. 224
- John Sutton House (Johnson County)



10

## Historic Properties (2008-2015)

- Listed in the NRHP in 2012:
  - Grassyfork Fisheries Farm No. 1
- Determined eligible per Historic Bridge Inventory (2009):
  - Marion County Bridge 4513 (Non-Select)
  - Morgan County Bridge 166 (Select)
  - Morgan County Bridge 224 (Select)
  - Morgan County Bridge 56 - Demolished



11


## Additional Information: No. 1

- Reuben Aldrich Farm
- Travis Hill Historic District
- Cleary-Barnett House
- Glenn's Valley Nature Park Retreat House
- Glennwood Homes Association HD
- La Ciel (Charles Laughner House)
- Southside German Market Gardeners HD



12

## Additional Information—No. 2






**Pearcy Farm & Clear Creek Fisheries**


13


## Archaeology Records Check


- **2015 Records Check of Preliminary Alternatives**
- **Research identified 496 previously recorded archaeological sites**
- **NRHP eligibility**






14


## 2015-2016 Archaeological


- **Survey area from Indian Creek to Teeters Road**
- **Identified eight previously unrecorded sites**
- **Resurveyed one previously recorded precontact village but no cultural material identified**






15


## 2015-2016 Archaeological



- **Recommendations**
  - Seven of the previously undocumented sites were determined to not be eligible for the NRHP
  - The historical school adjacent to the APE was unevaluated and will be investigated by future survey
  - The previously recorded village was not re-identified in the APE. The area will be noted as sensitive and areas outside the APE will be avoided
  - One section of floodplain has a potential for buried cultural deposits and will be investigated by future work (Phase Ic)




16


## Step 3: Assess Effects

- **Effects could be:**
  - No Historic Properties Affected, or
  - Historic Properties Affected
    - No Adverse Effect, or
    - Adverse Effect




17


## Step 3: Assess Effects

- **What is an effect?**

**An "effect" means alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register.**

**[36 CFR 800.16(i)]**


18


### Step 3: Assess Effects

- 36 CFR § 800.5(a)(1) states:

An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. ...



19

### NRHP Eligibility Criteria

- A. Association with events that have made a contribution to the broad patterns of history
- B. Association with the lives of significant persons
- C. Embodiment of the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant or distinguishable entity whose components may lack individual distinction
- D. Have yielded, or may be likely to yield, important data (i.e.: archaeology)



20

### Kinds of Effects

- **Direct**
  - Acquisition
- **Indirect**
  - Setting
  - Visual
  - Traffic
  - Noise



21

### Assess Effects

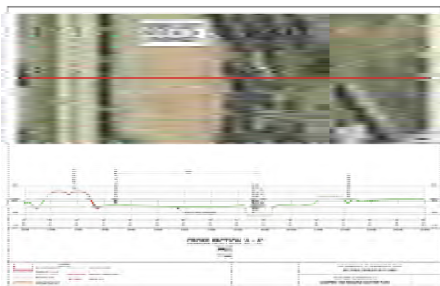


Morgan County Bridge No. 224 (NBI No. 5500142):  
Select Bridge, Eligible under Criterion C



22

### Effect Recommendation

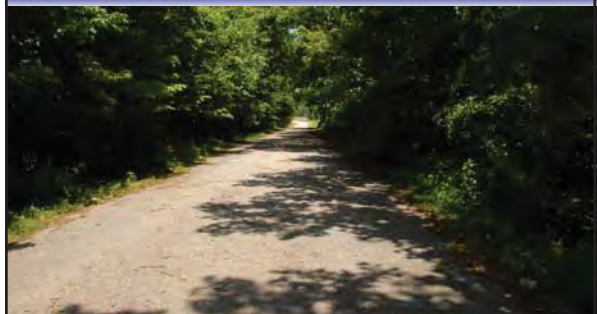


Morgan County Bridge No. 224: No Adverse Effect



23

### Effect Recommendation



Morgan County Bridge No. 224: No Adverse Effect



24



### Assess Effects

**Top Notch Farm: Eligible under Criterion A**

### Effect Recommendation

**Top Notch Farm: No Adverse Effect**

### Effect Recommendation

**Top Notch Farm: No Adverse Effect**

### Assess Effects

**East Washington Street Historic District:  
Listed in 1997 under Criteria A & C**

### Effect Recommendation

**East Washington Street HD: No Historic Properties Affected**

### Assess Effects

**W.E. Nutter House: Eligible under Criterion C**

### Effect Recommendation

**W.E. Nutter House: No Historic Properties Affected**

31

### Assess Effects

**Percy Farm and Clear Creek Fisheries: Eligible under Criteria A & C**

32

### Effect Recommendation

**Percy Farm & Clear Creek Fisheries: No Historic Properties Affected**

33

### Assess Effects

**Grassyfork Fisheries Farm No. 1: Listed in 2012 under Criteria A, B & C**

34

### Effect Recommendation

**Grassyfork Fisheries Farm No. 1: No Adverse Effect**

35

### Effect Recommendation

**Grassyfork Fisheries Farm No. 1: No Adverse Effect**

36

### Assess Effects

**Reuben Aldrich Farm, Old SR 37  
Eligible under Criteria A and C**

37

### Effect Recommendation

**Reuben Aldrich Farm: Adverse Effect**

38

### Effect Recommendation

**Reuben Aldrich Farm: Adverse Effect**

39

### Assess Effects

**Morgan County Bridge No. 166 (NBI No. 5500153):  
Select Bridge, Eligible under Criterion C**

40

### Effect Recommendation

**Morgan County Bridge No. 166: No Historic Properties Affected**

41

### Assess Effects

**Travis Hill Historic District: Eligible under Criteria A & C**

42


### Effect Recommendation



Travis Hill Historic District: No Adverse Effect

43


### Effect Recommendation



Travis Hill Historic District: No Adverse Effect

44


### Effect Recommendation



Travis Hill Historic District: No Adverse Effect

45


### Assess Effects



John Sutton House Eligible under Criterion C

46

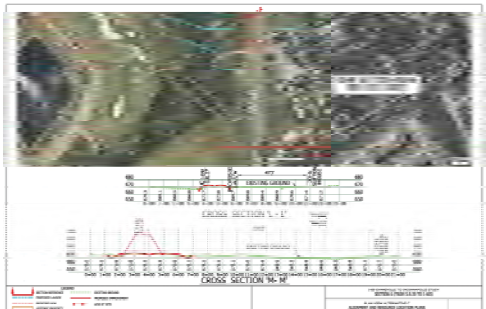
### Effect Recommendation



John Sutton House: No Adverse Effect

47


### Effect Recommendation



John Sutton House: No Adverse Effect

48

### Assess Effects



**Marion County Bridge No. 4513 F**  
Eligible under Criterion C – Non-Select

49


### Effect Recommendation



**Marion County Bridge No. 4513 F : No Adverse Effect**

50

### Effect Recommendation



**Marion County Bridge No. 4513 F : No Adverse Effect**

51

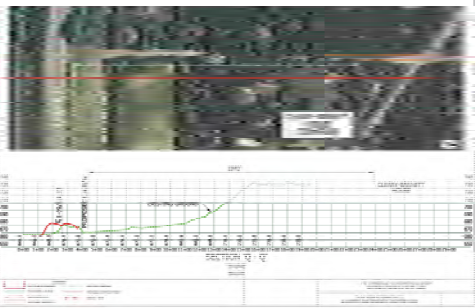
### Assess Effects



**Cleary-Barnett House: Eligible under Criterion C**

52

### Effect Recommendation



**Cleary-Barnett House: No Historic Properties Affected**

53

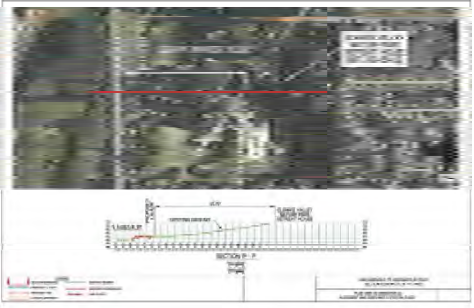
### Assess Effects



**Glenn's Valley Nature Park Retreat House: Eligible under Criterion C**

54


### Effect Recommendation



**Glenn's Valley Nature Park Retreat House:  
No Historic Properties Affected**

55

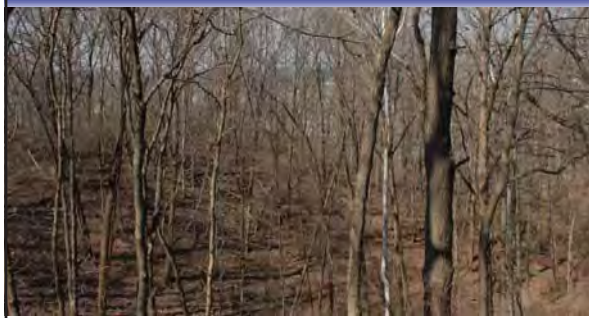
### Assess Effects



**Glennwood Homes Association Historic District:  
Eligible under Criterion A & C**

56

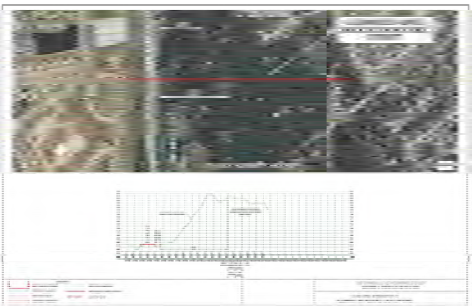
### Effect Recommendation



**Glennwood Homes Association Historic District:  
No Adverse Effect**

57


### Effect Recommendation



**Glennwood Homes Association Historic District:  
No Adverse Effect**

58

### Assess Effects



**Le Ciel (Charles Laughner House): Eligible under Criterion C**

59

### Effect Recommendation



**Le Ciel (Charles Laughner House): No Adverse Effect**

60

### Effect Recommendation

**Le Ciel (Charles Laughner House): No Adverse Effect**

61

### Assess Effects

**Southside German Market Gardeners Historic District Eligible under Criterion A & C**

62

### Effect Recommendation

**Southside German Market Gardeners Historic District: Adverse Effect**

63

### Effect Recommendation

**Southside German Market Gardeners Historic District: Adverse Effect**

64

### Effect Recommendation

**Southside German Market Gardeners Historic District: Adverse Effect**

65

### Step 4: Resolve Adverse Effects

- **Adversely Affected historic properties:**
  - Rueben Aldrich Farm
  - German Market Gardeners Historic District

66

## Mitigating Adverse Effects

- **Types of Mitigation:**
  - Minimization & Avoidance
  - Preservation
  - Education & Interpretation
  - Other



67



## What's Next?

- **Archaeology Fieldwork**
- **800.11(e) Documentation**
- **Notify Advisory Council of Adverse Effect**
- **Negotiate a Memorandum of Agreement**



68



## Comments:

**Mail to: Weintraut & Associates  
PO Box 5034  
Zionsville, Indiana 46077**

**Email to: Weintraut & Associates  
linda@weintrautinc.com**

**By: September 1, 2016**



69



### **Section 6 Project Office**

7847 Waverly Road  
Martinsville, IN 46151  
Phone: (317) 881-6408  
Email: [section6pm@indot.in.gov](mailto:section6pm@indot.in.gov)  
**Facebook:** I-69 Section 6  
**Twitter:** @i69Section6  
[www.i69indyevn.org](http://www.i69indyevn.org)





***I-69 Section 6 Consulting Party Meeting 1***

Southland Church  
 5800 West Smith Valley Road  
 August 17, 2016 at 9:00 am EDT

**Meeting Summary**

**Individuals Present:**

<b>Name</b>	<b>Organization</b>
Norman Voyles	Morgan County Commissioner
Debra & Rick Underwood	Innovative Construction Services Inc. (OCI) / Property Owners of John Sutton House
Jerry & JoNell Barnett	Property Owners of Cleary-Barnett House
John Carr	Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology, Office of the State Historic Preservation Officer (IDNR, DHPA—SHPO)
Michelle Allen	Federal Highway Administration (FHWA)
Laura Britton	FHWA
Sarah Rubin	Indiana Department of Transportation (INDOT)
Jim Earl	INDOT
Anuradha Kumar	INDOT—Cultural Resources Office (CRO)
Patrick Carpenter	INDOT—CRO
Christine Meador	HNTB
Tim Miller	HNTB
Beth McCord	Gray & Pape
Linda Weintraut	Weintraut & Associates, Inc. (W&A)
Bethany Natali	W&A

**Summary**

Michelle Allen, FHWA, welcomed attendees to the Section 106 consulting party meeting. Since Section 6 will utilize federal funds, Section 106 of the National Historic Preservation Act (NHPA) must be followed. Allen then asked attendees to introduce themselves.

Sarah Rubin, INDOT, explained the Section 6 project is in the second phase of environmental study. INDOT is in the process of writing the Draft Environmental Impact State (EIS) which is schedule to be issued in the first quarter of 2017. The Final EIS would be issued in the first quarter of 2018. The Record of Decisions (ROD) is the final stage of the environmental process; design and construction would follow the ROD.

Linda Weintraut, W&A, then provided an overview of the Section 106 process and an update of the Section 106 process for Section 6. After a screening process, the Section 106 investigations have focused on the State Road (SR) 37 alternatives C1, C2, and C3.

Section 106 of the National Historic Preservation Act (NHPA) of 1966 requires federal agencies to take into account the effects of their undertakings on properties listed in, or eligible for listing in, the National Register of Historic Places (NRHP). It also requires the Advisory Council on Historic Preservation (ACHP) be afforded the opportunity to consult on the project. Section 106 is a four-step process: 1.) Initiate consultation; 2.) Identify historic properties; 3.) Assess effects of undertaking on historic properties; and 4.) Resolve any adverse effects.

In 2004, the Section 106 process for this project was initiated, and then it was re-initiated in 2014; consulting parties, the SHPO, and Tribal Historic Preservation Officers (THPOs) were identified. The area of potential effects (APE) was developed in consultation with the SHPO in 2004, expanded in 2015, and expanded once more in 2016 to take into account new information about design alternatives.

The following properties were identified in the earlier 2004-2008 study: East Washington Street Historic District (listed in NRHP), Grassyfork Fisheries (Morgan County), W.E. Nutter House (Martinsville), Top Notch Farm (Morgan County), Morgan County Bridge No. 224, and John Sutton House (Johnson County). The Indiana Statewide Historic Bridge inventory determined the following bridges eligible in 2009: Marion County Bridge 4513 (Non-Select), Morgan County Bridge 166 (Select), Morgan County Bridge 224 (Select), and Morgan County Bridge 56 (Demolished in 2015 or 2016). Select bridges are good candidates for preservation. In 2012, Grassyfork Fisheries Farm No. 1 was listed in the NRHP.

In 2015, historians prepared an Additional Information Report--No. 1 and recommended the following resources eligible: Reuben Aldrich Farm, Travis Hill Historic District, Cleary-Barnett House, Glenn's Valley Nature Park Retreat House, Glennwood Homes Association HD, Le Ciel (Charles Laughner House), and the Southside German Market Gardeners HD. The Reuben Aldrich Farm was considered in the 2008 HPR and recommended as not eligible. However, by 2015, the farm was recommended eligible due to the increasing scarcity of agricultural properties in Indiana from the nineteenth century. In 2016, the Additional Information Report—No. 2 recommended the Peary Farm & Clear Creek Fisheries as eligible under Criteria A and C.

Beth McCord, Gray & Pape, provided an overview of archaeological efforts for Section 6. The records check of preliminary alternatives was completed in 2015. Research identified 496 previously recorded archaeological sites. Of those, 254 sites were not eligible, thirteen destroyed, 208 unevaluated, and twenty-one potentially eligible under Criterion D. In 2015-2016, archaeologists initiated Phase Ia survey at the southern terminus of Section 6 from Indian Creek to Teeters Road in an area common to alternatives C1, C2, and C3. Archaeologists found eight previously unrecorded sites: three precontact isolated finds, one precontact artifact scatter, one mixed precontact/historical scatter, one historic artifact scatter, and one historic

house site. One historic school was found, but it was adjacent to the survey area and not within project boundaries.

Seven of the previously undocumented sites were determined to not be eligible for the NRHP. The historic school adjacent to the APE was unevaluated and will be investigated by a future survey. The previously recorded village was not re-identified in the APE. The area will be noted as sensitive, and areas outside the APE will be avoided. One section of floodplain has a potential for buried cultural deposits and will be investigated by future work (Phase Ic).

Weintraut noted that we are now at the stage of assessing effects to historic property. Effects to properties may be: No Historic Properties Affected or Historic Properties Affected. If the finding is No Historic Properties Affected, it may mean that there are either no historic properties in the APE or that there are historic properties and they will not be affected. A Historic Properties Affected may be either No Adverse Effect, or an Adverse Effect.

An “effect,” according to the Section 106 regulations (36 CFR 800.16(i)), means alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register. The regulations also state “An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association.” (36 CFR Sect. 800.5(a)(1)).

Weintraut added that there are two components to a property’s eligibility: significance and integrity. Location, design, setting, materials, workmanship, feeling, or association are aspects of integrity. The National Register provides four Criteria under which a property may be eligible: **A. Association with events that have made a contribution to the broad patterns of history; B. Association with the lives of significant persons; C. Embodiment of the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant or distinguishable entity whose components may lack individual distinction; D. Have yielded, or may be likely to yield, important data.** Archaeological resources are usually eligible under Criterion D.

There are two types of effects: direct and indirect. A direct effect is the acquisition of all or part of a property. Indirect effects may be changes to the setting, visual changes, traffic effects, or noise effects.

Bethany Natali, W&A, then discussed the effect findings for the sixteen historic resources: two resources would have an adverse effect, eight would have no adverse effect, and six would have no effect. Because of the two adverse effect findings to individual resources, **the overall project finding is recommended as Adverse Effect.**

**Morgan County Bridge No. 224** presently has a view to SR 37; it will also have a distant view to I-69. It may also have a view to improvements on Burton Lane in winter months under C2. The recommended finding is: No Adverse Effect since it will be affected but not adversely.

**Top Notch Farm** has an interchange or overpass proposed at the current State Road 37/Ohio Street intersection. Modern construction between Top Notch and the intersection presently includes apartments, a storage facility, and commercial buildings. Improvements would occur near the property but not within its boundaries. Since the historic setting of Top Notch has already been altered, the recommended finding is: No Adverse Effect.

**East Washington Street Historic District** is located more than 4,000 feet from the district under all alternatives and there would be no view to the mainline at this distance. The resource should not be affected by the undertaking.

**W.E. Nutter House** is located more than 3,500 feet from the district under all alternatives and there would be no view to the mainline at this distance. The resource should not be affected by the undertaking.

**Pearcy Farm and Clear Creek Fisheries** is located more than 3,000 feet from the undertaking under all alternatives: there would be no view to the mainline at this distance. Traffic along Hess road is predicted to decrease under all alternatives; therefore, the resource should not be affected by the undertaking.

**Grassyfork Fisheries Farm No.1** is 1,300 feet from the mainline and is not visible due to topography. North of the property, Morgan Street would connect to an overpass at Teeters Road, and traffic would increase under all alternatives. However, this property is not sensitive to traffic impacts since the Office Display and Show Room along Old SR 37 was designed to attract customers; therefore, the recommended finding is: No Adverse Effect.

**Reuben Aldrich Farm** is 1,300 to 1,400 feet from the mainline and an overpass along Big Bend/Tunnel Road would be between 658 and 664 feet from the property (the overpass would likely not be visible from the property). The setting would be impacted by an increase in traffic. Unlike Grassyfork Fisheries, this property was not designed to attract customers or vehicular traffic, therefore the impact to the setting would be adverse. The recommended finding for this property is: Adverse Effect.

John Carr, IDNR, DPHA/SHPO, asked why truck traffic would increase at this location. Jim Earl, INDOT, and Christine Meador, HNTB, stated that Old SR 37 in this location would be used more as a local access point after the limited access interstate was constructed.

**Morgan County Bridge No. 166** is located on Old SR 37 over Bluff Creek. The mainline is located more than 3,500 feet from the property under all alternatives and there would be no view to the mainline at this distance. The resource should not be affected by the undertaking.

**Travis Hill Historic District** is located along Stones Crossing Road near SR 37. A local service road is planned for Stones Crossing Road; the realignment of Stones Crossing would require about twenty trees to be cleared near, but outside of, the historic district. There would be no direct effect to the district, but the local road would terminate about fifty feet from property boundary.

Carr asked if green area on the slide illustration represented tree clearing [slide 45 of the attached PowerPoint document]. The green area shows right-of-way, including the slope and tree clearing.

Rick Underwood, property owner, asked what would happen to the properties nearest I-69 at Stones Crossing. Those homes were not included in the Section 106 study as historic resources; HNTB offered to show project activities at that location after the meeting concluded.

Natali added that access to SR 37 would be modified since Stones Crossing would be an overpass only. Traffic would also increase overall, but truck traffic is expected to decrease. The traffic and visual changes would constitute an indirect effect, but the houses within the district are on heavily wooded lots that would screen houses within the district from the undertaking. The recommended finding is No Adverse Effect.

**John Sutton House** is approximately 400 feet from the mainline improvements. An interchange is proposed at County Line Road about 1,500 feet to the north. Under C1, Bluff Road would connect to a roundabout interchange. Under C2 and C3, Bluff would be diverted east to join County Line Road. Traffic would increase under C1 and C2 but decrease under C3. The increase would be due to Bluff Road's use as a local access road. The recommended finding is No Adverse Effect.

**Marion County Bridge No. 4513 F** is between 90 to 125 feet from the mainline under all alternatives from a mid-point on the bridge. There would be an indirect effect to the bridge's setting; the interstate would be elevated 10 to 15 feet higher than the current elevation of State Road 37. This bridge will still be accessible, but travel to bridge may take longer coming from the limited access interstate. The recommended finding is No Adverse Effect.

**Cleary-Barnett House** is located more than 1,900 feet from the mainline on a heavily wooded lot. No noise or traffic increases would occur under any of the alternatives. The resource should not be affected by the undertaking.

**Glenn's Valley Nature Park Retreat House** is located more than 1,670 feet from the mainline at its nearest point within a heavily wooded city park. No noise or traffic increases would occur under any of the alternatives. The resource should not be affected by the undertaking.

**Glennwood Homes Association Historic District** is located, at its nearest point, between 578 and 619 feet from the mainline under all alternatives. The neighborhood is on a heavily wooded tract of land, but the undertaking would be visible during certain times of the year. Traffic along

Bluff Road is expected to decrease in comparison to the “No Build” projections. The recommended finding is No Adverse Effect. The current ambient noise is 52 decibels. Traffic modelers do not expect levels to increase to be an adverse effect. Final noise projections are expected to be completed in September and if the noise level shows a significant increase, the effect finding will be revisited for this property.

**Le Ceil, the Charles Laughner House**, is located at the nearest point of its historic property boundary between 60 and 80 feet from the mainline. The house is set farther back on a hill, about 1,500 feet from the undertaking. Le Ceil would have a view to the undertaking during times of minimal foliage. Belmont Avenue would be closed under all alternatives.

Carr asked where Belmont would be closed. The location of the closure is not shown on the alternative renderings but would be located near the modern log cabin house along SR 37 and south of the Aspen Lake Apartments.

Natali added that although access to State Road 37 would change, the relationship of the house to the roadways would not change. The current ambient noise is 57 decibels. Traffic modelers do not expect levels to increase to be an adverse effect. Final noise projections are expected to be completed in September; if the noise level shows a significant increase, the effect finding for this property will be revisited.

Under alternatives C1, C2, and C3, the I-465 Bridge over Bluff Road within the **Southside German Market Gardeners Historic District** would be replaced, widened, and raised. C2 and C3 have the same profile and would use a retaining wall along the entire south side and the northeast quadrant of Bluff and 465. Alternative C1 would also use a wall, but the locations would vary with interchange configuration. There would be a direct effect under alternatives C1, C2, and C3. All alternatives would acquire the house at 4401 Bluff Road, a contributing resource to the district. In total, alternative C1 would acquire 5.1 acres, C2 would acquire 5.0 acres, and C3 would acquire 5.0 acres.

A variation of C2 is also being considered. This version draws from the interchange location of C2 and C3 but is refined to reduce costs and accommodate additional design considerations. In C2, the wall would be replaced with earthen slope on the northeast quadrant and would also acquire 4401 Bluff Road. Variation C2 would acquire 6.0 acres of land. There would also be an indirect effect under all alternatives as the walls and/or slope would be changes to the setting. The recommended effect finding is Adverse Effect.

Weintraut asked the group is there would be “less harm” to the district with the walls or the walls and slope option. Carr said he thought there may be less harm with the walls because they would not extend as far into the district. Rick Underwood added that a landscaped slope may be more conducive to a garden district like this one.

Weintraut stated that because of the Adverse Effects to the Reuben Aldrich Farm and the Southside German Market Gardeners Historic District, the project would mitigate adverse

effects. Examples of mitigation include Minimization & Avoidance; Preservation; Education & interpretation; or other migration.

Earl noted there are things that could be done to mitigate effects under each of the alternatives. Carr asked if the home on the southeast quadrant of the German Market Gardeners District would be acquired. The driveway may be affected but the building would remain.

JoNell Barnett noted that although the traffic models show a decrease in traffic along Bluff Road, she believed that more people would use Bluff as a local access road. Many people in that area would not want to use I-69. Earl said INDOT would check those numbers. He also added that there may be more traffic along Bluff while construction is taking place.

Carr revisited Marion County Bridge No. 4315 F and said he may ask some addition questions via email. He noted that while setting may be a lesser consideration for Criterion C properties, it was not an irrelevant aspect of integrity. INDOT added that Wicker Road would become an underpass north of the bridge.

Underwood asked if the Marion County Bridge No. 4315 F would remain open for Bluff Road property owners. Earl stated that it would.

Weintraut asked for additional mitigation ideas. Underwood asked if INDOT would be open to a wall that was conducive to the growth of vegetation. Earl said there are certain wall types that would attract vegetation.

Carr asked when archaeology would be released relative to the Memorandum of Agreement (MOA). McCord said that archaeology fieldwork would begin in the late fall after the crops are harvested. It would likely be ongoing after the draft MOA is circulated. Weintraut said that stipulations for completion of incomplete phases of the archaeology study would be included in the MOA.

The next steps for the project are archaeology fieldwork, 800.11(e) documentation, and notification to the Advisory Council on Historic Preservation. The MOA would be negotiated during this time and circulated for signature prior to the Draft EIS.

Weintraut asked all comments on effects be sent via email to [linda@weintrautinc.com](mailto:linda@weintrautinc.com) or to Weintraut & Associates, PO Box 5034, Zionsville, Indiana 46077, **by September 1, 2016**.

The meeting concluded at 10:30 am.

*This summary reflects the result of informal consultation between the agencies, project team members, and consulting parties at the time of the meeting. Accordingly, the information contained in this summary is considered to be pre-decisional and deliberative.*

**Bethany Natali** <bethany@weintrautinc.com>  
To: Doug Fivecoat <dfivecoat@weintrautinc.com>

----- Forwarded message -----  
From: **Linda Weintraut** <linda@weintrautinc.com>  
Date: Thu, Sep 1, 2016 at 9:12 AM  
Subject: I 69 Section 6 (Des. No. 0300382) Consulting Party Meeting Summary  
To: Mark Dollase <mdollase@indianalandmarks.org>, sseebree@indianalandmarks.org, jstuttgen@comcast.net, Pauline Spiegel <psspiegel@gmail.com>, Paul Brandenburg <indianabridges@sbcglobal.net>, dbaker@indygov.org, "James L. Cooper" <jlcooper@ccrtc.com>, dhpa@dnr.in.gov, "Carr, John" <Jcarr@dnr.in.gov>, "Slider, Chad" <Cslider@dnr.in.gov>, "Tharp, Wade" <WTharp1@dnr.in.gov>, nvoyles@morgancounty.in.gov, Ross@hollowayengineering.com, maxlois@sbcglobal.net, jdemaree@summitrealttygroup.com, Ann Bilodeau <bilodeau.ann@gmail.com>, Mel Crichton <kj9c@quest.net>, bethannebyisma@gmail.com, barney8000@comcast.net, don.colvin@indy.gov, Marcia Smith <smithfirepro@aol.com>, dKunderwood@rdc-ics.com, joseph@ozarkfisheries.com, "N. B. Line" <bethline78@gmail.com>, lpappenfort@peoriatribe.com, Diane Hunter <dhunter@miamination.com>, Lisa LaRue-Baker - UKB THPO <ukbthpo-larue@yahoo.com>, alvin@nei-yahw.com, melody.henry@nei-yahw.com  
Cc: "Carpenter, Patrick A" <PACarpenter@indot.in.gov>, "Kumar, Anuradha" <akumar@indot.in.gov>, "Kennedy, Mary" <mkennedy@indot.in.gov>, "Rubin, Sarah" <SRubin@indot.in.gov>, "michelle.allen@dot.gov" <michelle.allen@dot.gov>, "Gillette, Kia" <KGillette@lochgroup.com>, Timothy Miller <tnmiller@hntb.com>, Christine Meador <CMeador@hntb.com>, Bethany Natali <bethany@weintrautinc.com>

Dear Consulting Party,

The meeting summary has been posted at the IN-SCOPE website, located at the following link.

<http://netservices.indot.in.gov/Section106Documents/Default.aspx>

The Des No. (0300382) is the most efficient search term, once in IN-SCOPE.

Thank you for your participation in this project.



--

Linda Weintraut, Ph.D.  
Weintraut & Associates, Inc.  
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4649 Northwestern Drive  
Zionsville, Indiana 46077  
[317.733.9770 ext. 310](tel:317.733.9770)

[www.weintrautinc.com](http://www.weintrautinc.com)

--

Bethany Natali  
Historian  
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## ***Southside German Market Gardeners Historic District***



## I-69 SECTION 6: MARTINSVILLE TO INDIANAPOLIS

7847 Waverly Road  
Martinsville, Ind. 46151

September 23, 2016

John W. Demaree  
Summit Realty Group  
Lane Bluff LLC  
241 N Pennsylvania Street, Ste 300  
Indianapolis, IN 46204

Dear John W. Demaree:

The Indiana Department of Transportation (INDOT) and the Indiana Division of the Federal Highway Administration (FHWA) are preparing a Tier 2 Environmental Impact Statement (EIS) for Section 6 of the I-69 Evansville to Indianapolis project. I-69 Section 6 will upgrade 26 miles of existing SR 37 to interstate standards between SR 39 in Martinsville and I-465 in Indianapolis. The project also proposes to improve I-465 from approximately Mann Road to US 31.

As part of the EIS process, the I-69 Section 6 Study Team is evaluating potential benefits and impacts to both the human and natural environment. One component of this evaluation is an assessment of properties that are either listed, or eligible for listing, in the National Register of Historic Places (NRHP). This assessment is required by Section 106 of the National Historic Preservation Act. Protection of historic properties is also provided under Section 4(f) of the U.S. Department of Transportation Act of 1966.

INDOT and FHWA have consulted with the Indiana State Historic Preservation Officer (SHPO) and have determined that a community along Bluff Road and I-465 is eligible to be included in the NRHP as a historic district (See Attachment). This area is known as the *Southside German Market Gardeners Historic District*. Although it is *eligible* to be a historic district, there are no known plans at this time to *formally nominate the District for listing in the NRHP*.

As part of its ongoing I-69 Section 6 public outreach program, INDOT is hosting a neighborhood meeting to discuss the Section 6 project in relation to the eligible Southside German Market Gardeners Historic District. Our records indicate that you are a resident or property owner within this District. As such, we invite you to attend this neighborhood meeting. The purpose of the neighborhood meeting will be to:

- 1) Update residents on the I-69 Section 6 project, including a discussion of the alternatives under consideration;
- 2) Provide information on how and why the historic district is eligible for the NHRP;
- 3) Discuss potential project impacts and potential mitigation measures for any unavoidable impacts to the historic district;
- 4) Solicit feedback from residents and property owners.



**I-69 SECTION 6: MARTINSVILLE TO INDIANAPOLIS**

**7847 Waverly Road  
Martinsville, Ind. 46151**

The meeting time and location are as follows:

**Date: Tuesday, October 4, 2016**  
**Time: 6:30-8pm**  
**Location: Edelweiss Restaurant Ballroom**  
**German American Klub of Indianapolis**  
**8602 S. Meridian Street**  
**Indianapolis, IN 46217**

If you have any questions, please do not hesitate to contact the I-69 Section 6 project office at 317-881-6408. Additional information about the I-69 Section 6 project is available at [www.i69indyevn.org](http://www.i69indyevn.org). We hope to see you on October 4.

Sincerely,

A handwritten signature in blue ink that reads "Sarah E. Rubin".

Sarah Rubin  
INDOT Section 6 Project Manager

Attachment



2015 Aerial Photograph, Marion County Parcels



1,000



0 250 500 1,000

Feet



**I-69 Section 6**

Southside German Market  
Gardeners Historic District

Historic District  
Proposed ROW

Contributing  
Non Contributing



**MEETING MINUTES**

***I-69 Section 6 Southside German Market Gardeners Historic District Meeting***

German American Klub, Edelweiss Restaurant Ballroom

8602 S. Meridian Street

Indianapolis, IN 46217

October 4, 2016 from 6:30 p.m. – 8:00 p.m. EDT

<b>Attendee</b>	<b>Organization</b>
Charles Jordan	Historic District Property Owner
Jon Brehob	Historic District Property Owner
Judy Brehob	Historic District Property Owner
John Harrison	Historic District Property Owner
Sandy Harrison	Historic District Property Owner
Marie Lawson Miller	Historic District Property Owner
Ron Kocher	Historic District Property Owner
Mary Kocher	Historic District Property Owner
Paul Peaper	Historic District Property Owner
Sarah Rubin	Indiana Department of Transportation (INDOT)
Jim Earl	INDOT
Mary Kennedy	INDOT
Michelle Allen	FHWA
Linda Weintraut	Weintraut & Associates
Tim Miller	HNTB
Kia Gillette	Lochmueller Group

I. Welcome and Introductions

- a. The Indiana Department of Transportation (INDOT) opened the meeting and introduced members of the I-69 Section 6 project team.

II. Meeting Purpose

- a. INDOT discussed the purpose of the meeting. The purpose is to update residents on the status of I-69 Section 6, discuss potential impacts and potential mitigation measures to historic properties, and solicit feedback and answer questions regarding the project and historic properties.

III. Project Update

- a. INDOT provided an update on the status of the I-69 Section 6 project. In March 2016, INDOT announced that Alternative C, along SR 37 from SR 39 to I-465, was the preferred corridor. The I-69 Section 6 project also includes improvements along I-465.
- b. There are currently three alternative alignments along the SR 37 corridor, C1, C2 and C3. The differences among the three alignments include: interchange locations and configurations, local service roads, grade separation locations, environmental impacts, and right of way impacts.
- c. The number of lanes would be the same for each alternative alignment with two lanes in each direction from Indian Creek (at the southern project limits) to SR 144, three lanes in each direction from SR 144 to Southport Road, and four lanes in each direction from Southport Road to I-465. In addition, there will be added capacity along I-465 from Mann Road (at the western project limits) to US 31 (at the eastern project limits).



- d. The project schedule includes publishing a Draft Environmental Impact Statement (DEIS) in early 2017 with a public hearing in the second quarter of 2017. The Final EIS (FEIS) is anticipated to be published in early 2018.

#### IV. Historic Properties

- a. Weintraut & Associates (W&A) discussed the Section 106 consultation process and the definition of a historic property. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of the undertaking (the project) upon historic properties when federal funds are being spent or if a federal permit is being issued. Historic properties are those listed in or eligible for the National Register of Historic Places (NRHP).
- b. There are four criteria that can make a property eligible for the NRHP: A) association with events that have made a contribution to the broad patterns of history, B) association with the lives of significant persons, C) embodiment of the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant or distinguishable entity whose components may lack individual distinction, or D) have yielded, or may be likely to yield, important data (i.e.: archaeology).
- c. The Southside German Market Gardeners Historic District is eligible for the NRHP under Criteria A and C. It is located along Bluff Road when it intersections with I-465 and extends north and south within the Area of Potential Effects (APE) for the I-69 Section 6 project. It is possible the district extends further north and south, but for the purposes of the project the boundaries are drawn at the APE line. The district extends west to the railroad tracks and east to the modern residential development. The Indiana Division of Historic Preservation and Archaeology (DHPA) agreed the district was eligible for the NRHP.
- d. "Contributing" properties are those that are 50 years or older and relate to the theme of the district. The types of "Contributing" resources present in the district are homes, greenhouses and fields. They contribute to the historic feeling of the area. The DEIS will have a map showing the "Contributing" and "Non Contributing" structures in the historic district.

#### V. Effects to the Southside German Market Gardeners Historic District

- a. INDOT discussed the potential impacts to the historic district. Additional widening is anticipated along I-465 to tie the interchange ramps down to the existing interstate. This could include retaining walls on the south side of the interstate and retaining walls or a vegetated slope on the north side.
- b. According to cross sections prepared by project designers, in the southeast corner of Bluff Road and I-465, if a retaining wall is constructed, it would be approximately 90 feet from the house at 4425 Bluff Road. If a fill slope is constructed, it would likely impact this house.
- c. According to cross sections prepared by project designers, in the northeast corner of Bluff Road and I-465, if a retaining wall is constructed, it would be approximately 35 feet from the house at 4401 Bluff Road. If a fill slope is constructed, it would impact this house. The fill slope in this area would be approximately 80 feet wide from I-465.
- d. The retaining wall could be a mechanically stabilized earth (MSE) wall with wire fabric that holds back the soil and is covered with concrete.



## VI. Mitigation

- a. INDOT would like to get feedback from property owners within the Southside German Market Gardeners Historic District regarding potential measures to mitigate for impacts to the historic district. Mitigation could be vegetation plantings for landscaping or screening, stamped or textured concrete walls, interpretive signage, a nomination form for the NRHP or other measures. Comment forms are available at the sign in sheet. Please provide comments by October 14.
- b. FHWA added there are other federal requirements that require investigations on what is best for the historic district as a whole. It may be better for the historic district to have a fill slope with vegetation or a retaining wall with less right of way impact. It could be important to you to recognize the historic significance of the area and the project could help facilitate nominating the historic district for the NRHP. Comments from property owners weigh heavily on the decision.

## VII. Questions

- a. INDOT opened the meeting for questions
- b. Question: Referring to the two illustrations in the powerpoint presentation that show what is proposed on the east side of Bluff Road, what is proposed for the west side of Bluff Road?  
Answer: There is currently a modern block structure in the northwest. This structure is “Non Contributing” to the historic district. A fill slope is proposed for the northwest side, and a retaining wall is proposed for the southwest side.
- c. Question: How many lanes will be added along I-465 for capacity?  
Answer: The traffic analysis is still being completed. This analysis is being completed for the region, not just I-465. It is anticipated one lane will need to be added.
- d. Question: The noise is very loud and almost unbearable in the summer. We cannot sit outside because of the noise. Is a retaining wall the same as a noise wall?  
Answer: No, it is not the same as a sound barrier. A noise analysis will be completed and included in the DEIS. The noise analysis is a separate process that will look at existing and future noise levels. Certain thresholds must be met for a sound barrier.
- e. Question: How much additional property are you going to acquire in the northeast side?  
Answer: It depends upon whether a retaining wall or a fill slope is constructed. There are also utility towers that are a concern.
- f. Question: Is the fence the right of way line?  
Answer: It is likely very close to it. The retaining wall would not directly impact the house, but the fill slope would impact it. The retaining wall would be 30-35 feet from the house. The fill slope would likely require an additional 40-50 feet of right of way from the property.
- g. Question: What construction is occurring on I-465 near Mann Road now?  
Answer: This is maintenance work on the pavement.
- h. Question: Do you have a tentative date and anticipated length of construction?  
Answer: There is not a date yet, the project will still need to be designed and right of way acquired. Construction is still several years out and will depend upon funding. It could be in 2020 or later. The project could also be constructed in small pieces.
- i. Question: Will there be a new interchange at I-465?  
Answer: Yes, it will be west of the existing interchange with SR 37.
- j. Question: Who was informed of this meeting?  
Answer: Invitations were just sent to those property owners within the historic district.





- k. Question: What makes this area a historic district?  
Answer: It is eligible for listing in the NRHP because of its long association with German Market Gardening/Farming. For the project, properties eligible for listing are treated the same as properties already listed in the NRHP.
- l. Question: If the historic district is listed in the NRHP, how would this impact the area?  
Answer: No one can tell you what to do with your property. If there is a federal action, such as the construction of a federally funded highway project, they must take into account effects to the historic district. If there are too many alterations to properties within the historic district, it could be delisted. It is more of a recognition. Restrictions of use could come from its designation as a local district but that is not the case in this area now. More information about NRHP listing can be found here: <http://www.in.gov/dnr/historic/3654.htm>.
- m. Question: In the DEIS, is there an analysis of property values?  
Answer: The DEIS will discuss the value of properties to be impacted. It will not speculate on the potential change in use or change in value of properties. An economic analysis will be completed from a regional standpoint, but it will not be parcel specific. Indiana's right of way acquisition process requires that when an offer is made on the property it is based on the fair market value based on comps in the area.
- n. Question: Is there a website or photos of the potential walls or slope options?  
Answer: INDOT could do some research and provide that to you. If landscaping is provided, it could be grass, shrubs or trees.
- o. INDOT added that comments could be provided to the project office email ([section6pm@indot.gov](mailto:section6pm@indot.gov)) or via the website ([www.i69indyevn.org](http://www.i69indyevn.org)). The project also has Facebook ([i-69 Section 6](https://www.facebook.com/i69Section6)) and Twitter ([@i69Section6](https://twitter.com/i69Section6)) accounts. INDOT also thanked meeting participants for attending the meeting.

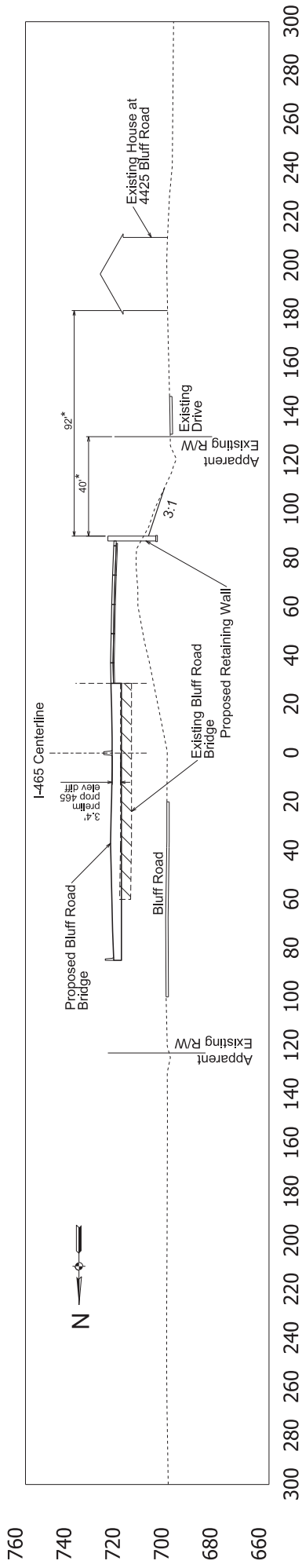
## VIII. Adjourn

# Southside German Market Gardeners Historic District

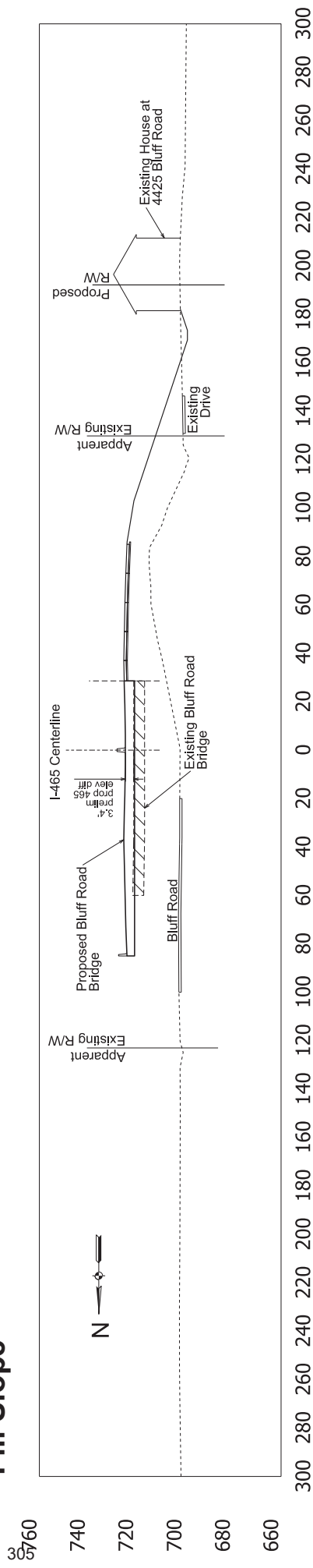


# Southside German Market Gardeners Historic District

## Wall



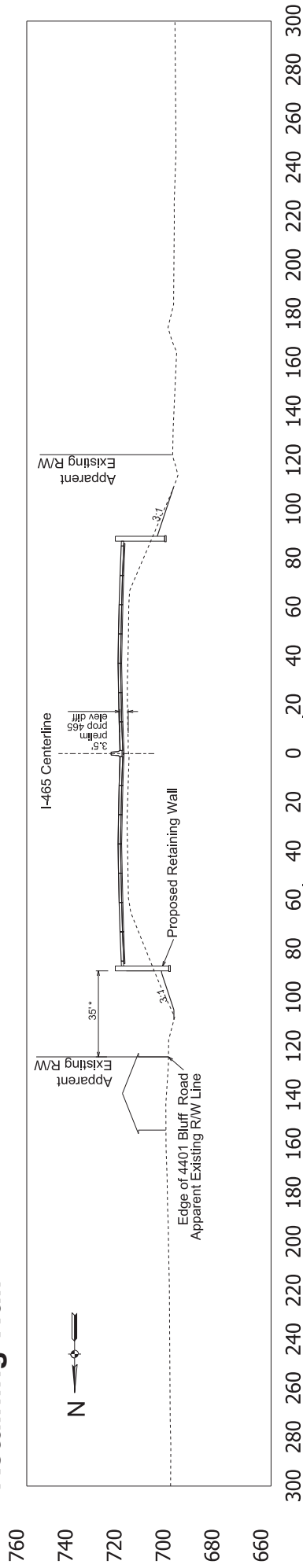
## Fill Slope



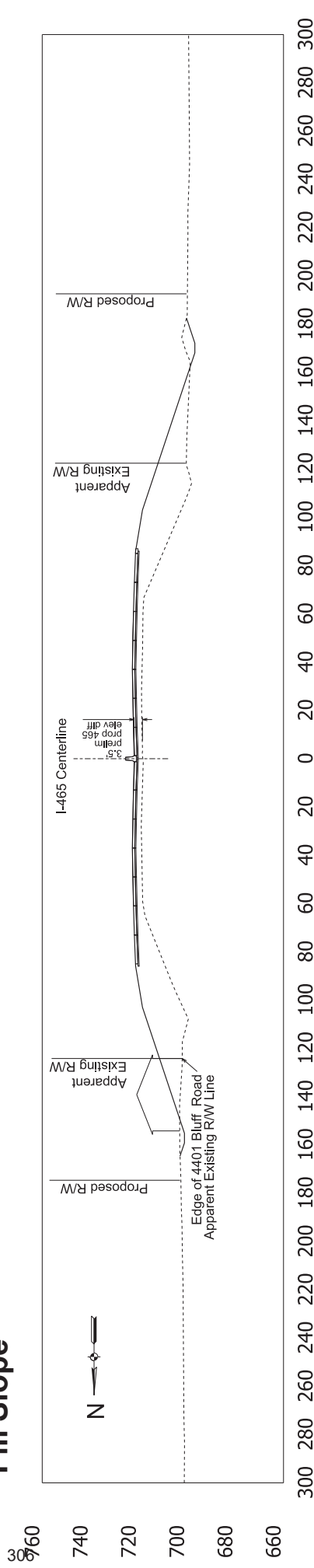
## South of I-465

# Southside German Market Gardeners Historic District

## Retaining Wall



## Fill Slope



North of I-465

## Consulting Party Correspondence



U.S. Department  
of Transportation  
Federal Highway  
Administration

Indiana Division

575 North Pennsylvania Street, Room 254  
Indianapolis, Indiana 46204

May 18, 2004  
HDA-IN

Dear Interested Party:

Subject: Section 106 Consulting Party Invitation for I-69  
Evansville to Indianapolis, Tier 2 Studies

The Federal Highway Administration (FHWA), in cooperation with the Indiana Department of Transportation, is conducting Tier 2 Environmental Impact Studies for the six (6) sections of the I-69 Project from Evansville to Indianapolis.

As part of the Tier 1 study, a Memorandum of Agreement (MOA) was developed and in December 2003 signed by the FHWA, the State Historic Preservation Officer, and the Indiana Department of Transportation. That Tier 1 MOA stipulates that Section 106 study and consultation will occur for each of the six Tier 2 sections. This includes identification and evaluation of historic and archaeological properties, assessing effects, and resolving any adverse effects for each section. This Tier 1 MOA will be discussed in greater detail at the first consulting party meeting for each section.

Section 106 of the National Historic Preservation Act (1966) requires Federal agencies to take into account the effects of their undertakings on historic and archaeological properties. In accordance with 36 CFR 800.2(c) you are hereby invited to be a consulting party for this Section 106 process.

As a consulting party, it will be your responsibility to participate in efforts to identify and evaluate historic properties by providing information about the history of the area and of specific properties, to consult on effects on this undertaking upon any National Register listed or eligible properties, and to consult on ways to resolve any adverse effects. As a consulting party, you will be invited to consulting party meetings where these issues will be discussed.

This project has been divided into six sections; each will have its own Section 106 consultation.

Section 1: I-64 to IN 64  
Section 2: IN 64 to US 50  
Section 3: US 50 to US 231  
Section 4: US 231 to IN 37  
Section 5: IN 37 to IN 39  
Section 6: IN 39 to I-465

For a map of the sections, you are invited to visit the website [www.i69indyevn.org](http://www.i69indyevn.org).

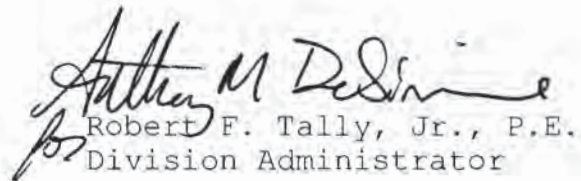
Please return the enclosed postcard indicating if you "do not" agree or "do" agree to be a consulting party for each section. Please check only those sections for which you have specific interest and knowledge of historic and/or archaeological properties. We request that you mail the postcard by May 28, 2004, so that you will be properly notified of the first consulting parties meeting for each section in which you are interested.

If the postcard is not returned indicating your desire to participate in the Section 106 process as a consulting party, you will not be included on the list of consulting parties for this project.

FHWA will be available at upcoming public meetings for each section to answer questions regarding the Section 106 process. Information regarding the date and time will be published on the project website and in local newspapers. You may seek more information about the process at the website [www.achp.gov/usersguide.html](http://www.achp.gov/usersguide.html). The booklet, "Protecting Historic Properties - A Citizen's Guide to Section 106 Review" will be available at that meeting.

Thank you for considering this opportunity to be a consulting party for this project. If you have any questions concerning becoming a consulting party, please contact Mr. Tony DeSimone of this office at (317) 226-5307.

Sincerely yours,

  
Robert F. Tally, Jr., P.E.  
Division Administrator

Enclosure

cc:

John Goss, Indiana State Historic Preservation Officer  
Janice Osadczuk, INDOT N848

RECEIVED MAY 1 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

We "**do**" wish to be a consulting party for (check only those that apply):

- Section 1: I-64 to IN 64
- Section 2: IN 64 to US 50
- Section 3: US 50 to US 231
- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465
- We "**do not**" wish to be a consulting party.

*Sorry -  
been out  
of town!  
CW*

Name DAVID G. VANDERSTEL  
 Organization MARION CO. HISTORIAN  
 Address 445 BROADWAY  
EUPLES 46205  
 Telephone Number 317-926-6752 Fax: 317-278-5230  
 Email Address dvanders@iupui.edu

RECEIVED MAY 26 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

We "**do**" wish to be a consulting party for (check only those that apply):

- Section 1: I-64 to IN 64
- Section 2: IN 64 to US 50
- Section 3: US 50 to US 231
- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465
- We "**do not**" wish to be a consulting party.

Name Mayor Vannette Tunget  
 Organization City of Southport  
 Address 6901 Derbyshire Rd  
Southport, IN 46227  
 Telephone Number 317-786-3585 Fax: 317-784-6299  
 Email Address ANTUNGET@CS.COM



RECEIVED MAY 24 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

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- Section 1: I-64 to IN 64
- Section 2: IN 64 to US 50
- Section 3: US 50 to US 231
- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465
- We "**do not**" wish to be a consulting party.

Name NORMAN VOYLES  
Organization MORGAN COUNTY COMMISSIONER  
Address 1620 CRAMERTOWN LOOP  
MARTINSVILLE IN 46151  
Telephone Number 765-342-4513 Fax: \_\_\_\_\_  
Email Address \_\_\_\_\_

RECEIVED JUN 1 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

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- Section 3: US 50 to US 231
- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465

~~We "**do not**" wish to be a consulting party.~~

Name Sandra Tokarski  
Organization CART  
Address P.O. Box 54  
Stanford IN 47463  
Telephone Number 812-825-9555 Fax: same  
Email Address \_\_\_\_\_

**RECEIVED JUN 1 2004**  
**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

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- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465
- We "**do not**" wish to be a consulting party.

*This card received in my office on 6/3/04. Traditional Arts Indiana wants to be involved.*

*NOTE change of address below. This will expedite communications. Thanks!*

Name Joanne Rietz Stuttgart  
 Organization Traditional Arts Indiana  
 Address 759 E. Washington St.  
Martinsville, IN 46151  
 Telephone Number (765) 349-1537 Fax: \_\_\_\_\_  
 Email Address stuttgart@insightbb.com

**RECEIVED JUN 1 2004**

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

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- Section 3: US 50 to US 231
- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465
- We "**do not**" wish to be a consulting party.

Name SHAWNEE TRIBE MR. RON SPARKMAN  
 Organization \_\_\_\_\_  
 Address PO Box 189  
MIAMI OK 74355  
 Telephone Number 918-542-2441 Fax: 2922  
 Email Address shawneetrib@neok.com

RECEIVED JUN 1 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

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- Section 3: US 50 to US 231
- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465

We "**do not**" wish to be a consulting party.

Name Stephanie Gilbre  
 Organization Historic Landmarks Foundation  
 Address P.O. Box 29215  
Evansville, IN 47708  
 Telephone Number 812-423-2988 Fax: \_\_\_\_\_  
 Email Address \_\_\_\_\_

RECEIVED JUN 14 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

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- Section 3: US 50 to US 231
- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465

We "**do not**" wish to be a consulting party.

Name EDITH SARRA  
 Organization Owen County PARR / Owen County Preservations  
 Address 1816 Concord Rd  
Gosport, IN  
 Telephone Number (812) 829-0451 Fax: 47433  
 Email Address esarra@indiana.edu

RECEIVED MAY 25 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

We "do" wish to be a consulting party for (check only those that apply):

- Section 1: I-64 to IN 64
- Section 2: IN 64 to US 50
- Section 3: US 50 to US 231 *Keene County*
- Section 4: US 231 to IN 37 *Keene County*
- Section 5: IN 37 to IN 39 *Morgan County*
- Section 6: IN 39 to I-465 *Morgan County*
- We "do not" wish to be a consulting party.

Name Samuel M. Cline  
 Organization Morgan Co. Historian / Greene Co. Very Interested Party  
 Address 3540 East Mahalasville Road  
Martinsville Indiana 46151-6585  
 Telephone Number 1-765-342-8647 Fax: \_\_\_\_\_  
 Email Address scline@hoosierweb.org

RECEIVED MAY 24 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

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- Section 3: US 50 to US 231
- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465
- We "do not" wish to be a consulting party.

Name Mark Dollase  
 Organization Historic Landmarks Foundation  
 Address 1028 N. Delaware St.  
Indianapolis, IN 46250  
 Telephone Number 317/639-4534 Fax: 317/639-6720  
 Email Address central@historiclandmarks.org

RECEIVED JUN 1 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

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- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465
- We "**do not**" wish to be a consulting party.

Name Tamara Francis - NAGPRA Director  
 Organization Delaware Nation  
 Address P.O. Box 825  
Anadarko, OK 73005  
 Telephone Number (405) 247-2498 ext 130 Fax: (405) 247-9393  
 Email Address tfrancis@the-delawarenation-nsn.gov

RECEIVED JUN 1 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

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- Section 3: US 50 to US 231
- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465
- We "**do not**" wish to be a consulting party.

Name John P. Froman, Chief  
 Organization Peoria Tribe of Indians of Oklahoma  
 Address PO Box 1527  
Miami, OK 74355  
 Telephone Number 918-540-2535 Fax: 918-540-2538  
 Email Address jfroman@peoriatribe.com

RECEIVED MAY 26 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

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- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465
- We "**do not**" wish to be a consulting party.

Name Shannon Hill  
 Organization HLEFI  
 Address 340 W. Michigan St.  
Indpls, IN 46202  
 Telephone Number 317.639.4534 Fax: 317.639.6734  
 Email Address Survey@historiclandmarks.org

RECEIVED MAY 25 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

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- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465
- We "**do not**" wish to be a consulting party.

Name TOMMY KLECKNER, Director  
 Organization HISTORIC LANDMARKS FOUNDATION - WESTERN REGIONAL OFFICE  
 Address 643 WABASH AVENUE  
TERRE HAUTE IN 47807  
 Telephone Number 812/232-4534 Fax: 812/234-0156  
 Email Address tkleckner@historiclandmarks.org

RECEIVED JUL 07 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

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- Section 3: US 50 to US 231
- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465
- We "**do not**" wish to be a consulting party.

Name Tim Maloney  
Organization Hoosier Environmental Council  
Address 1915 W 18th Street, Suite A  
Indianapolis IN 46202  
Telephone Number 317-685-8800 Fax: 317-686-4754  
Email Address tmaloney@heweb.org

RECEIVED JUN 1 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

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- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465
- We "**do not**" wish to be a consulting party.

Name Joseph E Mills III  
Organization Morgan County Historic Preservation Society  
Address 350 E Washington St  
MARTINSVILLE, IN 46151  
Telephone Number 7653420351 Fax:  
Email Address mills@rnetinc.net

RECEIVED JUL 26 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

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- Section 3: US 50 to US 231
- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465
- We "**do not**" wish to be a consulting party.

Name Julie Olds  
 Organization Miami Tribe of Oklahoma  
 Address P.O. Box 1326  
Miami, OK 74355  
 Telephone Number 918 542 1445 Fax: 918 542 7260  
 Email Address jolds@miamination.com

RECEIVED JUN 7 2004

**Consulting Party Response: I 69 Evansville to Indianapolis Study**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following sections. Thank you.

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- Section 3: US 50 to US 231
- Section 4: US 231 to IN 37
- Section 5: IN 37 to IN 39
- Section 6: IN 39 to I-465

We "**do not**" wish to be a consulting party.

Name ZACH PAHMAHMIE  
 Organization PRAIRIE BAND POTAWATOMI NATION  
 Address 16281 Q ROAD  
MAXETTA, KS 66509  
 Telephone Number 785.966.9007 Fax: 785.966.9009  
 Email Address zachp@pbnation.org



**Mail this postcard to people and businesses that send you mail**

RECEIVED JUN 7 2004  
 Please send mail to my new address beginning: 10/5/07/0/44  
Month Day Year

My Name (Last Name, First Name, Middle Initial) **Rob Schilts**

**Franklin Heritage, Inc.**

**OLD** Complete Street Address, PO Box, or Rural Route and RR Box No. **550 East Jefferson Street** Apt./Suite No. **201**

City or Post Office **Franklin** State **IN** ZIP Code or ZIP+4 **46131**

**NEW** Complete Street Address, PO Box, or Rural Route No. and Box No. **57 North Main Street** Apt./Suite No.

City or Post Office **Franklin** State **IN** ZIP Code or ZIP+4 **46131**

Account Number (if Applicable) **phi@iei.net** New Telephone No. (Optional) **( )**

Signature **Sant. B** **317-736-6823** **FAX: 317-736-4223** Today Date **10/5/07/0/44**  
Month Day Year

Recipient: Be sure to record the above new address.

PS Form 3576, February 1995

From: Joanne [<mailto:jstuttgen@comcast.net>]  
Sent: Monday, June 21, 2010 11:21 AM  
To: Peterson, Staffan (INDOT)  
Subject: please remove my name

Please remove my name from the list of consulting parties for all Sections of the I-69 studies. I am no longer represent Traditional Arts Indiana.

Joanne Stuttgen

759 E. Washington St.

Martinsville, IN 46151

(765) 349-1537

**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
**DES No.: 0300382; DHPA No. 4615**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following project. Thank you.

- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6  
 We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name Henry & Mary Scheid  
Organization N/A  
Address 1910 Timber Hill Trail  
Indianapolis, IN 46217  
Telephone Number 317-881-8030  
E-mail Address \_\_\_\_\_

RECEIVED OCT 27 2015

**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
**DES No.: 0300382; DHPA No. 4615**

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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6  
 We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name JOAN W DEMAREE  
Organization Summit Realty Group - LAKE BLUFF, LLC  
Address 241 N Pennsylvania  
INDPS 46204 Suite 300  
Telephone Number 317 713 2100  
E-mail Address jdemaree@SummitRealtyGroup.com

RECEIVED OCT 26 2015

**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
**DES No.: 0300382; DHPA No. 4615**

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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6
- We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name Lonnie Smith  
Organization \_\_\_\_\_  
Address 7020 Old St. Rd. 37 W.  
Martinsville, IN 46151  
Telephone Number \_\_\_\_\_  
E-mail Address Smithfivepro@aol.com

RECEIVED OCT 26 2015

**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
**DES No.: 0300382; DHPA No. 4615**

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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6
- We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name DONALD COLVIN  
Organization DEPARTMENT OF PUBLIC WORKS CITY OF INDPLS.  
Address 1200 MADISON AVE. SUITE 200 INDIANAPOLIS  
IN 46225  
Telephone Number 317-327-7031  
E-mail Address DON. COLVIN@INDY.GOV

RECEIVED OCT 26 2015

**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6
- We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name PAUL BRANDENBURG  
Organization INDIANA HISTORIC SPAMS TAKEFORLE  
Address 5868 CRONIN CIRCLE  
INDIANAPOLIS IN 46254  
Telephone Number 317-347-1001  
E-mail Address \_\_\_\_\_

INDIANA BRIDGES @ SBC GLOBAL.NET  
RECEIVED OCT 26 2015

**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6
- We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name Ann Bilodeau  
Organization Greenwood Homes Assn  
Address 7639 Timber Hill Dr North  
Indpls IN 46217  
Telephone Number 317 627-3347  
E-mail Address bilodeau.ann@gmail.com

RECEIVED OCT 26 2015

**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
**DES No.: 0300382; DHPA No. 4615**

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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6  
 We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name Max R. Fitzpatrick  
Organization Jackson County Historian  
Address 975 Smock Drive  
Greenwood, IN 46183-2424  
Telephone Number 317-881-5295  
E-mail Address maxlois@sbcglobal.net

RECEIVED OCT 26 2015

**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
**DES No.: 0300382; DHPA No. 4615**

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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6  
 We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name James L. Cooper  
Organization \_\_\_\_\_  
Address 629 E. Seminary St, Greentaste 46135  
Telephone Number \_\_\_\_\_  
E-mail Address jcooper@ccrtc.com

RECEIVED OCT 23 2015

**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
**DES No.: 0300382; DHPA No. 4615**

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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6
- We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name Mark Dollase  
Organization Indiana Landmarks  
Address 1201 N Central  
Indianapolis, IN 46202  
Telephone Number 317-639-4524  
E-mail Address mdollase@indianalandmarks.org

RECEIVED OCT 23 2015

**Consulting Party Response:**  
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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6
- We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name Joanne Stuttgart  
Organization Morgan County Historic Preservation Society + Martinsville  
Address 759 E. Washington St. Plan Commission  
Martinsville, IN 46151  
Telephone Number 765-349-1537  
E-mail Address jstuttgart@comcast.net

RECEIVED OCT 23 2015

**Consulting Party Response:**  
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**DES No.: 0300382; DHPA No. 4615**

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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6
- We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name Norman Voyles  
Organization Morgan County Commissioner  
Address 180 S. main st  
Martinsville IN 46151  
Telephone Number 765-342-1007  
E-mail Address NVOYLES@MORGANCOUNTY.IN.GOV

RECEIVED OCT 23 2015

**Consulting Party Response:**  
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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6
- We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name MELVIN J CRICHTON  
Organization Homeowner - Glennwood Homes  
Address 2025 Timber Hill Trail } part time,  
Indianapolis IN 46217 }  
Telephone Number 317-691-7736  
E-mail Address kj9c@iquest.net

RECEIVED OCT 28 2015



**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
**DES No.: 0300382; DHPA No. 4615**

You are hereby invited to be a consulting party. As a consulting party you will participate in consultation to identify and evaluate historic properties, assess effects, and resolve any adverse effects. Please complete and return this postcard. Check if you "do" or "do not" wish to be a consulting party for the following project. Thank you.

- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6
- We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name Ross Holloway  
Organization CITY OF MARTINSVILLE  
Address PO Box 1415  
MARTINSVILLE, IN 46151  
Telephone Number 317-831-7918  
E-mail Address Ross@HollowayEngineering.com

RECEIVED NOV 23 2015

**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
**DES No.: 0300382; DHPA No. 4615**

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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6  
 We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name: Beth Bilsma  
Organization:  
Address: 6782 Travis Place, Greenwood, IN 46143  
Telephone Number: 317-292-6644  
E-mail Address: Bethannebilsma@gmail.com

RECEIVED DEC 0 2 2015

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**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
**DES No.: 0300382; DHPA No. 4615**

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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6  
 We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name: Logan Appertort  
Organization: Peor of Tribe of Indians of Oklahoma  
Address: 118 S. Eight Tribes Trail, Miami, OK 74354  
Telephone Number: 918-546-7535  
E-mail Address: lappertort@peorotribe.com

RECEIVED DEC 0 2 2015

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RECEIVED NOV 03 2015

- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6
- We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name Tommy Kleckner  
Organization Indiana Landmarks  
Address 669 Ohio St  
TERRE HAUTE IN 47787  
Telephone Number \_\_\_\_\_  
E-mail Address \_\_\_\_\_



**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
**DES No.: 0300382; DHPA No. 4615**

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RECEIVED OCT 30 2015

- We do wish to be a consulting party for I-69 Tier 2 Studies; Section 6
- We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name N. Beth Line  
Organization Glennwood Homes  
Address 7902 Timber Hill Dr, Indianapolis IN 46217  
Telephone Number 317-884-4934  
E-mail Address BethLine78@gmail.com



**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
**DES No.: 0300382; DHPA No. 4615**

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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6  
 We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name Joseph Cleveland  
Organization Ozark Fisheries, Inc  
Address 2195 SR 37 North  
Martinsville, IN 46151  
Telephone Number 573-284-3883  
E-mail Address Cleveland07@gmail.com

RECEIVED NOV 09 2015

**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
**DES No.: 0300382; DHPA No. 4615**

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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6  
 We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name Christopher Myers  
Organization Indianapolis Historic Preservation Commission  
Address 200 E. Washington Street, Suite 1842, Indianapolis, IN 46204  
Telephone Number 317-327-4432  
E-mail Address Chris.Myers@indy.gov

↓  
MYERS

RECEIVED NOV 09 2015

**Consulting Party Response:**  
**I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis**  
**DES No.: 0300382; DHPA No. 4615**

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- We do wish to be a consulting party for I-69 Tier 2 Studies, Section 6
- We do not wish to be a consulting party for I-69 Tier 2 Studies, Section 6

Name Pauline Spiegel

Organization \_\_\_\_\_

Address 4410 N. Pennsylvania St  
Ind., IN 46205

Telephone Number 317 926 6617

E-mail Address pspiegel@gmail.com

---

**Ann Bilodeau** <bilodeau.ann@gmail.com>  
To: Bethany Natali <bethany@weintrautinc.com>

Wed, Oct 21, 2015 at 10:02 PM

Hi Bethany,

I will accept the invitation and would be grateful if the materials could be dropped off. My cell is 317-627-3347 if the person wishes to contact me. I am planning to be at Butler until 630 tomorrow if that might work (Thursday) or they can just drop off the items at Fairbanks Hall room 218 under my name. Thanks so much, Ann

**From:** Bethany Natali [mailto:[bethany@weintrautinc.com](mailto:bethany@weintrautinc.com)]  
**Sent:** Wednesday, October 21, 2015 10:31 AM  
**To:** Ann Bilodeau <[bilodeau.ann@gmail.com](mailto:bilodeau.ann@gmail.com)>  
**Cc:** Linda Weintraut <[linda@weintrautinc.com](mailto:linda@weintrautinc.com)>  
**Subject:** I-69 Sec. on 6 and Glennwood Homes materials

Ms. Bilodeau,

Bill Selm passed along your email and email address yesterday afternoon. We would be happy to drop off the Glennwood Homes materials whenever is convenient for you. (We even have a staff member who lives close to Butler, if you would like the materials right away.) Thank you again for sharing these materials with us.

An invitation to join consultation as part of Section 106 studies was sent out late last week; you may have received this invitation or should receive it shortly. Initiating consultation is the first step in the Section 106 process.

If you choose to accept this invitation, you will be involved in the next step in the Section 106 process: the identification and evaluation of historic properties within an area of potential effects. At this time, the Historic Property Report will be released. As a consulting party, you will be made aware of the link to the Historic Property Report as soon as it is available.

Best regards,

Bethany

--

Bethany Natali  
Historian  
Weintraut & Associates, Inc.  
PO Box 5034  
Zionsville, Indiana 46077  
T: (317) 733-9770 ext. 311  
F: (317) 733-9773  
[www.weintrautinc.com](http://www.weintrautinc.com)

----- Forwarded message -----

From: **Bethany Hughes** <[bhughes@weintrautinc.com](mailto:bhughes@weintrautinc.com)>  
Date: Thu, Nov 19, 2015 at 8:58 AM  
Subject: Consultation for I-69 Section 6  
To: [ssebree@indianalandmarks.org](mailto:ssebree@indianalandmarks.org)

Good morning,

I work with Weintraut & Associates historians and we attempted to send you an invitation to consult for this project in October, but it was sent to the incorrect address. The invitation will be on its way to your current address today. The mailing for the first meeting invitation will be sent out soon and we will go ahead and send one to you as well. If you could please send the postcard back to our office that is enclosed with the invitation to consult we would greatly appreciate it. Sorry for any inconvenience.

--

Bethany Hughes  
Archaeology Technician  
Weintraut & Associates, Inc.  
PO Box 5034  
Zionsville, Indiana 46077  
T: (317)733-9770  
[www.weintrautinc.com](http://www.weintrautinc.com)

--

Bethany Hughes  
Archaeology Technician  
Weintraut & Associates, Inc.  
PO Box 5034  
Zionsville, Indiana 46077  
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[www.weintrautinc.com](http://www.weintrautinc.com)

# WEINTRAUT & ASSOCIATES, INC.

April 19, 2016

Mr. & Mrs. Charles and Elizabeth Laughner  
7719 Belmont Avenue  
Indianapolis, Indiana 46217

**Re: "Le Ciel" Charles Laughner House, described in "Historic Property Report  
Additional Information, I-69 Evansville to Indianapolis Tier 2 Studies, Section 6";  
INDOT Des No.: 0300382; DHPA No.: 4615**

Dear Mr. & Mrs. Laughner:

Please find enclosed a copy of the Historic Property Report prepared in conjunction with the environmental studies for Section 6 of the I-69 Evansville to Indianapolis, Tier 2 project. Please note that following our conversation this afternoon, you have been added to the list of consulting parties for the Section 106 studies for the I-69 project. As a consulting party, you will receive information about the project and be invited to any consulting party meetings that may take place. Any information provided as part of the I-69 project will include the INDOT Des No. listed above.

Beginning on page 44 of the Historic Property Report, you will find a discussion of "Le Ciel" at 7719 Belmont Avenue. This report recommended "Le Ciel" eligible for listing in the National Register of Historic Places (NRHP) due to its architectural significance (Criterion C).

The Division of Historic Preservation and Archaeology (DHPA), which is part of the Indiana Department of Natural Resources (IDNR), oversees the review and maintenance of NRHP nominations for all properties within the State of Indiana. The Survey and Registration Staff at DHPA can provide information and answer questions about the NRHP application process. Paul Diebold, the Assistant Director of Preservation Services, may be reached at (317) 232-3493. The DHPA offices are located at: 402 W. Washington Street, Indianapolis, Indiana 46204.

If you have additional questions about this letter or the I-69 Project, please feel free to contact me or Patrick Carpenter of the Indiana Department of Transportation—Cultural Resources Office (INDOT-CRO) at (317) 233-2061.

Best regards,



Bethany Natali  
Weintraut & Associates, Inc.  
4649 Northwestern Drive  
PO Box 5034  
Zionsville, IN 46077  
(317) 733-9770



Enclosures:

- Historic Property Report

Electronic Mail Copy:

- Patrick Carpenter, INDOT-CRO
- Paul Diebold, IDNR-DHPA
- John Carr, IDNR-DHPA/Staff of the State Historic Preservation Officer

## I 69 Section (0300382) Letter to consulting parties regarding the Southside German Market Gardeners Historic District and additional information regarding noise.

1 message

**Linda Weintraut** <linda@weintrautinc.com>

Fri, Oct 28, 2016 at 3:53 PM

To: Mark Dollase <mdollase@indianalandmarks.org>, ssebree@indianalandmarks.org, jstuttgen@comcast.net, Pauline Spiegel <ppspiegel@gmail.com>, Paul Brandenburg <indianabridges@sbcglobal.net>, dbaker@indygov.org, "James L. Cooper" <jlcooper@ccrtc.com>, dhpa@dnr.in.gov, "Carr, John" <Jcarr@dnr.in.gov>, "Slider, Chad" <Cslider@dnr.in.gov>, "Tharp, Wade" <WTharp1@dnr.in.gov>, nvoyles@morgancounty.in.gov, Ross@hollowayengineering.com, maxlois@sbcglobal.net, jdemaree@summitrealttygroup.com, Ann Bilodeau <bilodeau.ann@gmail.com>, Mel Crichton <kj9c@quest.net>, bethannebylsma@gmail.com, barney8000@comcast.net, don.colvin@indy.gov, Marcia Smith <smithfirepro@aol.com>, dKunderwood@rdc-ics.com, joseph@ozarkfisheries.com, "N. B. Line" <bethline78@gmail.com>, lpappenfort@peoriatribe.com, Diane Hunter <dhunter@miamination.com>, Lisa LaRue-Baker - UKB THPO <ukbthpo-larue@yahoo.com>, alvin@nei-yahw.com, melody.henry@nei-yahw.com, Joseph Cleveland <cleveland07@gmail.com>, chrismeyers@indygov.com, eeoosahwee-voss@unitedkeetoowahband.org  
Cc: "Rubin, Sarah" <SRubin@indot.in.gov>, "Carpenter, Patrick A" <PACarpenter@indot.in.gov>, Timothy Miller <tmiller@hntb.com>, "Gillette, Kia" <KGillette@lochgroup.com>, Christine Meador <CMeador@hntb.com>, "Kumar, Anuradha" <akumar@indot.in.gov>, "Miller, Shaun (INDOT)" <smiller@indot.in.gov>, "michelle.allen@dot.gov" <michelle.allen@dot.gov>

Dear Consulting Party,

You may access the **Consulting Party Letter October 2016** at the IN-SCOPE website located at the following link.

<http://netservices.indot.in.gov/Section106Documents/Default.aspx>

**Des. No. 0300382** is the most efficient search term, once in IN-SCOPE. The letter provides additional information regarding this project.

For questions regarding Section 106, Tribal contacts may contact Michelle Allen at FHWA [atmichelle.allen@dot.gov](mailto:atmichelle.allen@dot.gov) (phone: 317-226-7344) or Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) (phone: 317-233-2061).

Thank you for your participation in this project

--  
Linda Weintraut, Ph.D.

336

10/28/2016 Weintraut Inc Mail - I 69 Section (0300382) Letter to consulting parties regarding the Southside German Market Gardeners Historic District and additional information regarding noise.

Weintraut & Associates, Inc.

PO Box 5034

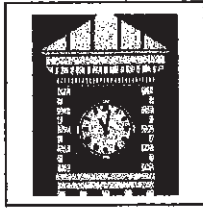
4649 Northwestern Drive

Zionsville, Indiana 46077

317.733.9770 ext. 310

[www.weintrautinc.com](http://www.weintrautinc.com)

**APPENDIX M-5**  
**Correspondence/Comments Received**



**Morgan  
County  
Historic  
Preservation  
Society**

Sept. 13, 2005

I-69 Section 6 Project Office  
7550 South Meridian St., Suite B  
Indianapolis, IN 46217

Dear Sirs:

I had planned to be at the meeting on the 31<sup>st</sup> of last month but had to change my plans. Therefore, I would like to offer the following comments per your instructions in the letter of invitation.

Resource 64055 is the former Morgan County Home. It was built c.1870 as the Mitchell House, then converted into the hospital in 1924. The date of 1957 refers to the current hospital, not the building on Main Street. (This actually has no bearing on the I-69 deal since the county home was demolished in 1995, but it does reflect a bit of carelessness on the part of the historians.)

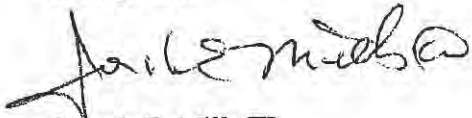
Resource 64044, Gano Greenhouse. I don't believe this has undergone any alterations since the Interim Report was published. Other than more neglect and decay, that is. Likewise with 1009 S. Ohio Street, which, admittedly, is looking pretty bad.

I am not at all satisfied with the findings regarding the Grassyfork fish ponds that are now state owned (Cikana) along SR 37. I note that the list of sources for information about Grassyfork do not include an interview or interviews with Ed Ferguson. This is a serious omission. I just can't accept the determination regarding these ponds without input from Ed. He's the only one who would really know what kind of alterations have occurred on the property. Also, I happen to believe that the ponds alone are historically significant even if the attendant Grassyfork building no longer exist.

Resource 30009, Reuben Aldrich Farm. I have been through this house and barn on several occasions and believe the rating should be elevated to C, if not O. The barn is truly remarkable and quite unusual. However, the last time I had contact with the occupants/owners was several years ago, so things could have changed out there. I'd like to request the historians to justify their rating.

*P.O. Box 1377  
Martinsville, IN 46151*

Thank you for the opportunity to submit these comments and I look forward to hearing from you in response.

A handwritten signature in black ink, appearing to read "Joe Mills III". The signature is written in a cursive, somewhat stylized font.

Joseph E. Mills III

President

Samuel M. Cline

3540 East Mahalasville Road, Martinsville, Indiana 46151-6585

September 13, 2005

I-69, Section 6, Project Office  
7550 South Meridian Street, Suite B  
Indianapolis, Indiana 46217-2912

Re: Cemetery Locations, I-69, Section 6, Study Corridor

To Whom It May Concern:

The lack of any information in your transmittal of August 15, 2005, concerning cemeteries involved in the I-69 corridor in Morgan County, as well as Marion and Johnson County, is conspicuous by its absence.

There are five cemeteries involved within the I-69 corridor in Morgan County. I will not address the number of cemeteries that may be involved within the corridor in Marion and Johnson Counties.

I noted with great interest the following concerning the Top Notch Dairy: "*Boundary Description/Justification*: The boundary is a polygon that extends along the north frontage of the property. The side and rear boundaries are drawn to include all contributing resources, and to exclude the wooded area to the south.--" The Mitchell Cemetery is included in the "--wooded area to the south.--" at the top of the hill. Why was that area really excluded? Do you intend to ignore the involved cemeteries and merely bulldoze your way through them?

If you have any additional questions concerning Morgan County Cemeteries involved in the proposed I-69 corridor, please contact Ms. Dale Drake, 1195 Robb Hill Road, Martinsville, Indiana, 46151-9193; telephone, 1.317.996.3553; e-mail, [ddrake@ccrtc.com](mailto:ddrake@ccrtc.com).

Best regards,



Samuel M. Cline  
Morgan County Historian  
[IHB/IHS]

cc: Dale Drake

I\_69\_section\_6\_office\_morgan\_county\_cemeteries.wpd

Telephone 765.342.8647 / email - [scline@hoosierweb.org](mailto:scline@hoosierweb.org)

**Joanne Stuttgen**

10:12 AM 9/14/05

To: Laura Thayer

Subject: Fw: my reponse to I-69 Section 6 report

I'm sorry this is late. I hope it is not too late. I've been very, very, very busy and out of town quite a bit. Joe Mills may have conveyed some of my responses, although I don't think he knew about the Reuben Aldrich farm site 009 on p. 37 of Interim Report. If you haven't already been inside the barn, you need to do that. Marsh Davis said it is one of the most remarkable barns he has ever seen. The hayloft is suspended by iron rods. The house was remarkably intact when last saw it, but do recall that the current owners were discussing vinyl windows. Even so, if they have done few other changes, the house could well be of greater significance than its N rating. I suspect it's that bungalow-style porch that earned it an N.

----- Original Message -----

**From:** Dale Drake

**To:** Joanne Stuttgen; Sam Cline; Joe Mills

**Sent:** Tuesday, August 23, 2005 9:04 AM

**Subject:** Re: my reponse to I-69 Section 6 report

Joanne and all:

Having spent a fair amount of time discussing the house and barn with Richard Knox (now deceased) I heartily agree that the Reuben Aldrich farm is a significant historic property. In addition to the house and barn there is an unmarked family cemetery between the house and the river. The Aldrich family members were moved from that cemetery to, I believe, the nearby IOOF cemetery, but the workers and servants buried there were not. FYI.

Dale

----- Original Message -----

**From:** Joanne Stuttgen

**To:** Sam Cline; Joe Mills

**Cc:** Dale Drake

**Sent:** Monday, August 22, 2005 9:30 PM

**Subject:** my reponse to I-69 Section 6 report

I've had a chance to rather quickly review the I-69 Section 6 report and have a few comments that I would like to pass on to the historians. See if you agree.

I hope to find the time to go through it more thoroughly, but these are the things that caught my attention now.

page i: resource 64055 is the former Morgan County Home. It was built c.1870 as the Mitchell House, then converted into the hospital in 1924. The date of 1957 refers to the current hospital, not the building on Main Street. (This actually has no bearing on the I-69 deal since the county home was demolished in 1995, but it does reflect a bit of carelessness on the part of the historians.)



page i: resource 64044, Gano Greenhouse. I don't believe this has undergone any alterations since the Interim Report was published. Other than more neglect and decay, that is. Likewise with 1009 S. Ohio Street, which, admittedly, is looking pretty bad.

I am not at all satisfied with the findings regarding the Grassyfork fish ponds that are now state owned (Cikana) along SR 37. I note that the list of sources for information about Grassyfork do not include an interview or interviews with Ed Ferguson. This is a serious omission. I just can't accept the determination regarding these ponds without input from Ed. He's the only one who would really know what kind of alterations have occurred on the property. Also, I happen to believe that the ponds alone are historically significant even if the attendant Grassyfork building no longer exist. It's like a quarry. The cranes, derricks, equipment, buildings aren't at those quarries anymore, but the quarries are still significant. At least I think they are. I'll check with the folks in Bloomington about whether abandoned quarries are determined to be National Register eligible. Man! I'm ready to fight for *our* fish ponds! And interpretive signage along the corridor!

page 4: RE: Reuben Aldrich Farm. I have been through this house and barn on several occasions and believe the rating should be elevated to C, if not O. The barn is truly remarkable and quite unusual. However, the last time I had contact with the occupants/owners was several years ago, so things could have changed out there. I'd like to request the historians to justify their rating.

December 15, 2015

Dr. Linda Weintraut  
Weintraut & Associates  
P.O. Box 5034  
Zionsville, IN 46077

RE: Des.No. 0300382 Section 6 of I-69 Evansville to Indianapolis Tier 2 Studies, Additional Information survey for the State Road (SR) 37 Alternatives

Dear Dr. Weintraut:

Indiana Landmarks has reviewed the Additional Information for the State Road 37 Alternatives for Section 6 of I-69. We concur with the findings in the report; specifically the following properties are eligible for the National Register of Historic Places:

- Southside German Market Gardeners Historic District
- Glennwood Homes Association Historic District
- Travis Hills Historic District
- Le Ciel (Charles Laughner House), 7719 Belmont Avenue
- Cleary-Barnett House, 8000 Bluff Road
- Glenn's Valley Nature Park Retreat House
- Reuben Aldrich Farm

Please also note since the 2008 Historic Property Report, our organization now holds a Protective Covenant on the Grassyfork Fisheries Display and Showroom building at 2902 E. Morgan St., Martinsville. This property is located within the Area of Potential Effects.

Additionally, we would like to call attention to a historic property that lies far outside of the SR 37 Area of Potential Effects, but could potentially be adversely affected by this undertaking. The Link Observatory (8403 Observatory Rd, Martinsville, IN 46151) is an astronomical observatory located off of SR67 in Morgan County. We believe the Observatory to be eligible for the National Register of Historic Places. The potential light pollution, especially from the Section 6 Alternatives B and D, but could include proposed Alternatives C, K3, and K4, could adversely affect this resource. Under § 800.5(a)(2)(v), the "Introduction of visual, atmospheric or audible elements that diminish the integrity of the property's significant historic features;" the introduction of light pollution will render the significant historic features of the Link Observatory – its reflector and astrograph – potentially useless. We recommend the environmental study team determine the effects of increased light pollution, including increased development and truck traffic along all five potential Alternatives.

It appears that Alternative C will best minimize harm to historic properties as outlined in the evaluation methods shared at the December 2015 Public Hearings. Specifically, we have concerns about Alternatives K3 and K4 potentially affecting the Nicholson-Rand House (5010 West Southport Road). Not only is this property listed on the National Register of Historic Places, Indiana Landmarks holds a Protective Covenant on this property. We would like to see all efforts to minimize effects to this historic property.

We welcome further discussions and involvement as a consulting party for the environmental analysis for I-69, Section 6.

Sincerely,

A handwritten signature in black ink, appearing to read 'RR', with a long horizontal stroke extending to the right.

Raina Regan  
Community Preservation Specialist

ECC: Sarah Rubin, INDOT  
Mary Kennedy, INDOT  
John Carr, DHPA  
Mark Dollase, Indiana Landmarks



## MEETING MINUTES

### *I-69 Section 6 & Link Observatory Meeting*

I-69 Section 6 Project Office

January 26, 2016 at 3:00 p.m. EST

Attendee	Organization
Greg McCauley	Link Observatory
Kurt Williams	Link Observatory
Laura Hilden	Indiana Department of Transportation (INDOT)
Patrick Carpenter	INDOT Cultural Resources Office
Tim Miller	HNTB Corporation
Linda Weintraut	Weintraut & Associates
Kia Gillette	Lochmueller Group

#### **I. Introductions/Purpose of the Meeting**

- Meeting participants introduced themselves.
- The purpose of the meeting is to discuss the I-69 Section 6 project with representatives from the Link Observatory.

#### **II. Link Observatory**

Greg McCauley, CEO, and Kurt Williams, COO, represented the Link Observatory Space Science Institute at the meeting and described the observatory. Greg was formerly with NASA and worked on planning the Apollo missions. The following information was provided by McCauley and Williams.

- Indiana University (IU) owns the observatory and surrounding property. The property ownership is split between IU proper and the IU School of Astronomy.
- The total property is approximately 55 acres and primarily wooded. The observatory is on an 11-acre cleared area. It is the highest point in Morgan County.
- Dr. Goethe Link constructed the observatory in 1939 for his private use. Dr. Link was a thyroid surgeon and an Olympian. Dr. Link was also a co-founder of the Indiana University School of Medicine. His wife was a world renowned daffodil expert. He and his wife toured observatories on the west coast and modeled this one after the Palomar Observatory in California. The glass is a test pour for a 36-inch mirror, and resulted in the development in Pyrex glass.
- It was given to the School of Astronomy around 1948. It was used by the School of Astronomy until the mid-1980s when it was retired for scientific use due to light pollution. Deep sky astronomy was no longer practical at that location. Mr. Williams noted that 90% of the asteroids discovered in the 1950 and 1960s were discovered by the facility.
- Dr. Frank Edmonson was the head of the School of Astronomy in the mid-1960s. The observatory was used to track near earth asteroids at that time.
- After retiring the observatory for scientific use, IU signed a use agreement with the Indiana Astronomical Society (IAS) to allow them to maintain the property.



- The observatory instrumentation is motorized, but hasn't been updated since the 1930s. It uses visible light, but does have photometers and spectrometers.
- The present focus of the Link Observatory Space Science Institute is education, specifically the Science, Technology, Engineering, Math (STEM) initiative. The U.S. is currently 27<sup>th</sup> in the world in STEM.
- McCauley provided an overview of the Space Science Institute's plans for the property to enhance their education initiative. They have a \$15.5 million plan to expand the site and turn it into Indiana's space center and continue to foster a relationship with NASA. The long-term use of the facility and entire site may incorporate a park and trails in cooperation with the Morgan County Parks Department; space/science building with a planetarium; and plans for solar astronomy during the day and stellar astronomy at night. The space/science building would be approximately 25,000 square feet and have classrooms, teacher workshop areas and an auditorium. A proposed residence would allow a property manager to reside onsite for security reasons.
- According to McCauley and Williams, IU officials have provided favorable feedback on the planned improvements. The IU Board of Real Estate will present the plan to the IU Board of Trustees for official approval. Once the Board of Trustees approves the plan, it will be considered a formal planned project. Once approved, the Space Science Institute could begin fund raising for the plan.

### **III. I-69 Section 6 Project**

- INDOT said that there are still 5 alternatives under consideration: B, D, K3, K4 and C. Alternative C is along SR 37 and will be carried forward into the Draft Environmental Impact Statement (DEIS).
- Alternatives off of the SR 37 corridor are being studied because it had been 10 years since the original selection of that corridor. INDOT wants to make sure that decision is still valid based changes that have occurred over the last 10 years. Impacts for each of the 5 alternatives are being examined as well as input from the public before a decision will be made on which alternatives will be carried forward.
- The Space Science Institute is concerned about Alternative B, specifically with an interchange approximately 1 mile north at SR 67. If no interchange was planned near the observatory, the highway would still be of concern, but not as great of a concern.
- McCauley and Williams expressed a concern about the effect of light on the observatory and that the potential light that an interchange may bring: interstate lighting and car headlights as well as possible additional development and associated lighting.
- If Alternative B is selected it could affect the existing facility as well as the planned future use.
- The Space Science Institute indicated Alternative C, representing alternatives along SR 37, is not a concern due to the distance from the observatory and there would be enough filters between the 2 facilities, in addition, there is an existing roadway there.
- Mr. McCauley said that IU declined to express an opinion about the effects of the proposed I-69 alternatives on the observatory.
- INDOT asked if quantitative data was available for a light pollution threshold for educational purposes or when the observatory was retired in the mid-1980s. The Space



Science Institute indicated any additional light would be problematic and they are not aware of any data available when scientific research stopped. The Dark Sky website (<http://darksky.org/light-pollution/>) may provide some information on light pollution.

- Regarding National Register eligibility, it is McCauley’s and Williams’ understanding that the observatory is eligible but has not formerly listed it. The facility is in good condition, well maintained and period specific. There are 2 additional buildings, a sidewalk leads to a small building with a telescope which was used for asteroid research, and a storage shed. There are also daffodil gardens, which would be preserved as part of the future planned additions. There were a house and guest house on the property, but both are no longer extant.
- The Space Science Institute indicated that light pollution will continue to increase as development continues and they would like to limit that as much as possible. Increasing light pollution and development will occur without the construction of I-69 but the speed of the additional impacts may be accelerated with construction. They would like to preserve a piece of the past and enhance STEM education. They believe Alternative B would greatly accelerate and increase light pollution and asked that Alternative B not be selected as the preferred alternative.
- INDOT asked if there was a type of lighting that doesn’t pollute to the same extend as other types. Red lights are better because they don’t affect eyesight to degree other colors do. In Hawaii, there are ordinances requiring amber colored lights.
- The Space Science Institute indicated they would like to work together with INDOT on the project.
- INDOT asked if they could provide some kind of estimate on light pollution and thresholds. Greg indicated he would look into this and provide some additional information if possible.

**Next Steps**

Action Item	Responsible Party	Due Date
Investigate possible light pollution thresholds and provide to INDOT	Link Observatory Space Science Institute	February 2016

**Note: This meeting summary documents ongoing, internal agency deliberations. Accordingly, the information contained in this summary is considered to be pre-decisional and deliberative.**



## TELEPHONE RECORD

**Subject:**I-69 Section 6, 37227-PL-000

**Action Required:** Send 106 AI Report

**Date of Call:** 4/7/16

**Phone Number:** 317-590-0674

### Calling Party

**Name:** Ms. Debra Underwood

**Company:** Owner of John Sutton House

**Address:** 3660 W. Smokey Row Rd.  
Bargersville, IN 46106

### Called Party

**Name:** Kia Gillette

**Company:** Lochmueller Group

**Address:** 3502 Woodview Trace  
Suite 150  
Indianapolis, IN 46268

### Conversation Details:

On 4/5/16, Ms. Debra Underwood left me a voice mail message concerning the John Sutton House, a historic property eligible for the National Register. I returned Ms. Underwood's call on 4/7/16. Her son approached me at the public meeting on 4/4/16, asking about the house because his mother was the owner. I indicated she should have received an invitation to be a Section 106 consulting party for the project and he said she did not. Ms. Underwood stated that her property was not on the National Register and they purposely did not want it on the Register. I said that it was eligible for it and for the I-69 project, we have to treat them the same, but that it did not put any restrictions on her property. She indicated that the cell tower is also on her property and it is possible the cell tower company could choose to move it to another location on the property if the interstate will impact it. Ms. Underwood asked about the project schedule and I told her a preferred alternative will be identified in the Draft Environmental Impact Statement in early 2017 and that the preferred alternative could be refined and would be published in the Final Environmental Impact Statement in early 2018. Ms. Underwood would like to be a Section 106 consulting party and I said she would be added to the list and sent the Additional Information Report that was previously sent to consulting parties.

**Joanne Raetz Stuttgen, Ph. D.**

***Folklorist***

759 E. Washington St.  
Martinsville, IN 46151  
(765) 349-1537  
[jstuttgen@comcast.net](mailto:jstuttgen@comcast.net)

July 15, 2016

Dr. Linda Weintraut  
Weintraut & Associates  
P. O. Box 5034  
Zionsville, IN 46077

Dear Dr. Weintraut,

A phone call last night from Sue Hess, co-owner with her husband, Larry, of Clear Creek Fisheries , Hess Road, vicinity of Martinsville, reminded me that comments on AI Memorandum—No. 2 , Environmental Impact Statement for I-69 Section 6 are due today.

I concur with the findings that Clear Creek Fisheries and the Pearcy Farm owned by Larry and Sue Hess are historically and architecturally significant to the degree that they are both eligible for the National Register of Historic Places. And, I thank you for the research that went into this report because I was not altogether familiar with the great significance of the fisheries property.

I request information about all possible I-69-related projects that may impact Clear Creek Fisheries in any way.

It is my understanding that the Hesses are interested in nominating their property to the National Register of Historic Places. I have indicated to Sue that I am willing to be part of this effort.

Sincerely,

A handwritten signature in cursive script that reads "Joanne Raetz Stuttgen". The signature is written in dark ink and is positioned above the typed name and title.

Joanne Raetz Stuttgen, Ph. D.  
Morgan County Historian



President, Morgan County Historic Preservation Society  
President, Rediscover Martinsville

—Original Message—  
From: INDOT Section 6 PM [mailto:[Section6PM@indot.IN.gov](mailto:Section6PM@indot.IN.gov)]  
Sent: Thursday, October 06, 2016 12:14 PM  
To: Web Form Poster <[jbrehob@brehobnursery.com](mailto:jbrehob@brehobnursery.com)>  
Subject: RE: [Section 6 Comment Form]

Hi Judy,

Thank you for your comment on the I-69 Section 6 project. Your comment has been added to the project record. To receive information about I-69 Section 6, please visit [www.i69indyevn.org](http://www.i69indyevn.org). If you wish to make additional comments, you can do so at [section6pm@indot.in.gov](mailto:section6pm@indot.in.gov).

Thank you,  
LaMar

LaMar Holliday  
Public Involvement Specialist  
I-69 Project, Section 6  
Indiana Department of Transportation  
7847 Waverly Road  
Martinsville, IN 46151  
Office: (317) 881-6408  
Email: [lholliday@indot.in.gov](mailto:lholliday@indot.in.gov)  
Website: [www.i69indyevn.org](http://www.i69indyevn.org)

—Original Message—  
From: Web Form Poster [mailto:[jbrehob@brehobnursery.com](mailto:jbrehob@brehobnursery.com)]  
Sent: Thursday, October 06, 2016 12:13 PM  
To: INDOT Section 6 PM <[Section6PM@indot.IN.gov](mailto:Section6PM@indot.IN.gov)>  
Subject: [Section 6 Comment Form]

First Name:  
Judy

10/12/2016

Weintraut Inc Mail - FW: [Section 6 Comment Form]

Last Name:  
Brehob

Street Address:  
4316 Bluff Road

City:  
Indianapolis

State:  
IN

Zip/Postal:  
46217

E-mail:  
[jbrehob@brehobnursery.com](mailto:jbrehob@brehobnursery.com)

Comments

Brehob Nursery would prefer a slope instead of a wall to support I-465 over Bluff Road as part of the I-69 extension.

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FIELDS NOT DEFINED IN THE TEMPLATE FOLLOW

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This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are NOT the intended recipient and receive this communication, please delete this message and any attachments. Thank you.

**From:** [INDOT Section 6 PM](#)  
**To:** [Web Form Poster](#)  
**Subject:** RE: [Section 6 Comment Form]  
**Date:** Monday, October 17, 2016 11:36:51 AM

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Hi Mary,

Thank you for your comment on the I-69 Section 6 project. Your comment has been added to the project record.

At this time, it's too early in the process to know the definitive expansion of future I-69 Section 6. That information will be released in the draft impact study in the 1st quarter of 2017.

As far as your question regarding contact information for the historic district, could you be more specific on the information you're requesting?

Thank you,  
LaMar

LaMar Holliday  
Public Involvement Specialist  
I-69 Project, Section 6  
Indiana Department of Transportation  
7847 Waverly Road  
Martinsville, IN 46151  
Office: (317) 881-6408  
Email: [lholliday@indot.in.gov](mailto:lholliday@indot.in.gov)  
Website: [www.i69indyevn.org](http://www.i69indyevn.org)

-----Original Message-----

From: Web Form Poster [<mailto:rgkocher@att.net>]  
Sent: Friday, October 14, 2016 8:40 PM  
To: INDOT Section 6 PM <[Section6PM@indot.IN.gov](mailto:Section6PM@indot.IN.gov)>  
Subject: [Section 6 Comment Form]

First Name:  
mary

Last Name:  
kocher

Street Address:  
4251 bluff road

City:  
indianapolis

State:  
IN

Zip/Postal:  
46217

E-mail:  
rgkocher@att.net

Comments

CONCERNS: NOISE LEVEL will increase even more. we are not a densely populated area, and we do not fit the normal criteria for soundwalls. FLOODING with the possibility of more water being pushed to the creek which already is unable to handle the water runoff. LANE EXPANSION effect on the area property and homes. We are strongly in favor of a sound barrier wall so we would like to know with the expansion is this a possibility? I have a quick question. At our meeting our area could be eligible for a historic district, and I would like the contact information if you have it. Thank-you

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FIELDS NOT DEFINED IN THE TEMPLATE FOLLOW  
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Consulting Party Comment	Action Taken to Address Comment
<p><b>Letter from SHPO, June 25, 2004:</b></p> <p><i>Based on information that you have provided and that otherwise is currently available to us, the proposed area of potential effects ("APE") for Section 6 appears to be appropriate. However, if specific kinds of effects or geographic factors that come to light later in the Section 106 consultation suggest otherwise, it may be appropriate at that time to consider making adjustments to the APE.</i></p>	<p>The APE was expanded in 2015 and 2016 to take in potential effects based on additional design information.</p>
<p><b>Letter from Zach Pahlmhamie, Tribal Chairman Prairie Band Potawatomi Nation, June 29, 2004:</b></p> <p><i>After reviewing the contents of your recent mailing we would like to inform that we have no objections to the following project(s):</i></p> <p><b>Project(s): I-69 North Tier 2, Section 6</b></p> <p><i>At this time, we are unaware of any historical, cultural resources in the proposed development area. However, we do request to be immediately contacted if any inadvertent discoveries are uncovered at any time throughout the various phases of the project.</i></p>	<p>No response required.</p>
<p><b>Letter from Verna Simon, Legislative Assistant, to FHWA, July 1, 2004:</b></p> <p><i>We have received correspondence from your office addressed to the former administration or to an incorrect address. Please update your records to reflect the current administration and correct address:</i></p> <p>Zachariah Pahlmhamie Tribal Chairman Prairie Band Potawatomi Nation Government Center</p>	<p>The records have been updated to reflect the current administration and correct address.</p>

Consulting Party Comment	Action Taken to Address Comment
<p>16281 Q Road Mayetta, Kansas 66509</p> <p>Chairman Pahlmhmie also serves as the Native American Graves Protection and Repatriation Act tribal representative.</p> <p><b>Letter from SHPO, September 7, 2005:</b></p> <p><i>We have reviewed the Draft of Tier 2 Historic Property Report for the I-69 Indianapolis to Evansville Project-Section 6 and agree with the proposed findings of eligibility and non-eligibility for the properties identified in the report. However, based upon the photographs provided, the concrete girder bridge carrying Old SR 37 over Crooked Creek appears to be very similar to Morgan County Bridge #166 carrying Old SR 37 over Bluff Creek, which has been determined eligible for inclusion in the National Register of Historic Places. Please provide additional explanation as to why the bridge over Crooked Creek is not individually eligible for inclusion in the National Register</i></p>	<p><b>Historians provided the following justification for ineligibility in 2005:</b></p> <p><i>The Old State Road 37 Bridge over Crooked Creek was identified in the Historic Property Report as a reinforced concrete girder. This bridge is of T-beam construction with two spans, each approximately 30 feet long, and a 20-foot roadway. Nine beams on concrete piers support the deck. The bridge has concrete rails with bush-hammered panels, and concrete wing walls. The bridge was built as part of the new state road between Bloomington and Indianapolis c.1925. It was bypassed in the 1970s when State Road 37 was re-routed and is now on a dead end road.</i></p> <p><i>Numerous T-beam bridges on county roads, state highways, and former state highways were identified in Artistry and Ingenuity in Artificial Stone. Generally, the T-beams included in this publication are skewed, noted for their length, or have some other distinguishing feature. No distinguishing features were observed for the Old State Road 37 Bridge over Crooked Creek, which was not included in Artistry and Ingenuity in Artificial Stone. The bridge was also not identified in the Morgan County Interim Report.</i></p> <p><i>Two T-beams in Morgan County were identified in Artistry and Ingenuity in Artificial Stone. These are Morgan County Bridge No. 162 (Old State Road 37 over Clear Creek, 1925), and Morgan County Bridge No. 1560 (State Road 67 over Fall Creek, c.1939).</i></p> <p><i>The Crooked Creek Bridge and Morgan County Bridge #166 are both concrete spans, but are different types. Bridge #166 is a slab. Slabs were also common on state highways, but Bridge #166 is</i></p>

Consulting Party Comment	Action Taken to Address Comment
	<p><i>significant as the oldest unaltered slab of state design, and also as a rare example of a slab designed to carry fill over the deck; it was found eligible in the Historic Property Report.</i></p> <p><i>The Crooked Creek Bridge is a common concrete span T-beam bridge with no distinguishing features and, aside from its location on old SR 37, no significant historical associations.</i></p> <p><i>As a result, the historian for Section 6 of the project, determined that the bridge (Morgan 30025) did not reach possess the qualities necessary for listing in the National Register of Historic Places. If you have further questions, please do not hesitate to call.</i></p>
<p><b>Samuel M. Cline letter of September 13, 2005:</b></p> <p><i>The lack of information in your transmittal of August 15, 2005, concerning cemeteries involved in the I-69 corridor in Morgan County, as well as Marion and Johnson County, is conspicuous by its absence.</i></p>	<p>Sixteen cemeteries were verified in the APE as part of the 2004 inventory, as noted on pages 3-4 of the Draft Historic Property Report. None of these was considered to be eligible for listing in the NRHP. Nine of these are located in Morgan County.</p>
<p><b>Samuel M. Cline letter of September 13, 2005:</b></p> <p><i>There are five cemeteries involved within the I-69 corridor in Morgan County. I will not address the number of cemeteries that may be involved within the corridor in Marion and Johnson Counties.</i></p>	<p>Sixteen cemeteries were verified in the APE as part of the 2004 inventory, as noted on pages 3-4 of the Draft Historic Property Report (HPR). None of these was considered to be eligible for listing in the NRHP. Nine of these are located in Morgan County.</p>
<p><b>Samuel M. Cline letter of September 13, 2005:</b></p> <p><i>I noted with great interest the following concerning the Top Notch Dairy: "Boundary Description/Justification: The boundary is a polygon that extends along the north frontage of the property. The side and rear boundaries are drawn to include all contributing resources, and to excluded the wooded area to the south. _." The Mitchell Cemetery is included in the "-wooded area to the south-" "at the top of the hill. Why was that area really excluded? Do you intend to ignore the involved cemeteries and merely bulldoze your</i></p>	<p>The Mitchell Cemetery was not initially detected during the field survey. It was later located, and a cemetery form completed. The cemetery is situated in a clearing atop Pollard Hill, surrounded by woods. Burials appear to extend from about 1839 to 1944. Though the cemetery is located on Top Notch Farm, which was recommended eligible for listing in the NRHP in the Draft Historic Property Report (August 8, 2005), it is not within the historic property boundaries as it was not associated with the significance of the Top Notch Farm as a dairying farm. The cemetery is not individually eligible for listing in the NRHP. The presence of the cemetery has been noted in the</p>



Consulting Party Comment	Action Taken to Address Comment
<p><i>way through them?</i></p>	<p>individual report for Top Notch Farm. (Source of additional information: James Leonard, Top Notch Farm Manager, on-site interview by Laura Thayer, September 18, 2005.)</p>
<p><b>Joseph E. Mills III letter, September, 13 2005:</b>  <i>Resource 64055 is the former Morgan County Home. It was built c.1870 as the Mitchell House, then converted into the hospital in 1924. The date of 1957 refers to the current hospital, not the building on Main Street (This actually has no bearing on the I-69 deal since the county home was demolished in 1995, but it does reflect a bit of carelessness on the part of the historians.)</i></p>	<p>The Draft HPR (August 8, 2005) was correct in regards to the two hospitals. Morgan County Memorial Hospital was identified as Morgan 64055 in the <i>Morgan County Interim Report</i>. The earlier Morgan County Hospital had originally been the Mitchell House. It became the Morgan County Home after the new hospital was completed. The Morgan County Home was identified as Morgan 64157 in the <i>Morgan County Interim Report</i>. It was demolished in 1995. Information on the origins of this first Morgan County Hospital was given on pages 45-46 of the HPR distributed in 2008.</p>
<p><b>Joseph E. Mills III letter, September, 13 2005:</b>  <i>Resource 64044, Gano Greenhouse. I don't believe this has undergone any alterations since the Interim Report was published. Other than more neglect and decay, that is. Likewise, with 1009 S. Ohio Street, which, admittedly, is looking pretty bad.</i></p>	<p>Gano Greenhouse: The Gano Greenhouse was identified in the <i>Morgan County Interim Report</i> (Morgan 64044) but was not surveyed as part of the current project. The Gano Greenhouse business was founded at this location in 1900, but has undergone significant changes. A substantial part of the property is less than 50 years old. For this reason, it was not included in the inventory.</p> <p>Therefore, the Gano Greenhouse was identified in the HPR (2008) as one of eleven resources that had been significantly altered and was not included in that report. The HPR was distributed to SHPO and consulting parties on June 25, 2008. SHPO concurred with the recommendations of the HPR in a letter dated July 25, 2008. (Sources of additional information: Sondra Gano, Daughter-in-law of former owner, Interview by Laura Thayer, October 19, 2005; Sanborn Fire Insurance Maps, Martinsville, Indiana, 1888-1927.)</p> <p>1009 S. Ohio Street (Morgan 64196): This House was identified in the Morgan County Interim Report (Morgan 64196), but not classified as Contributing in the 2008 HPR. It is a T-plan house built circa 1890. The house is extensively altered, with replacement windows and</p>

Consulting Party Comment	Action Taken to Address Comment
	<p>siding. It also has several side and rear additions that have changed its historic massing. The front porch does retain turned posts and a spindled frieze. Because of the house's overall lack of integrity, however, it was not inventoried.</p> <p>Therefore, 1009 S. Ohio Street was identified in the HPR (2008) as one of eleven resources that had been significantly altered and was not included in that report. The HPR was distributed to SHPO and consulting parties on June 25, 2008. SHPO concurred with the recommendations of the HPR in a letter dated July 25, 2008.</p>
<p><b>Joseph E. Mills III letter, September, 13 2005:</b></p> <p><i>I am not at all satisfied with the findings regarding the Grassyfork fish ponds that are now state owned (Cikana) along SR 37. I note that the list of sources for information about Grassyfork do not include an interview or interviews with Ed Ferguson. This is a serious omission. I just can't accept the determination regarding these ponds without input from Ed. He's the only one who would really know what kind of alterations have occurred on the property. Also, I happen to believe that the ponds alone are historically significant even if the attendant Grassyfork building no longer exist.</i></p>	<p>The Grassyfork Fisheries was recommended eligible for listing in the HPR (2008). SHPO concurred with this assessment in a letter dated July 25, 2016. The property was listed on the National Register of Historic Places (NRHP) as Grassyfork Fisheries Farm No. 1.</p> <p>Project historians also examined the area on the east side of SR 37 that operated as the Cikana Fisheries. The results of those research efforts are summarized below:</p> <p>The Cikana State Hatchery ponds are located in the APE on the east side of SR 37 south of Teeters Road in Morgan County. These ponds, constructed before 1939, were originally part of Grassyfork Fisheries. The main location for Grassyfork Fisheries was on the west side of Old SR 37, west of current SR 37. This location was determined eligible for the NRHP in the Draft Historic Property Report (August 8, 2005). The property that is now the Cikana Hatchery was first leased (mid 1960s) and later sold (1970) to the State of Indiana.</p> <p>At the time the Indiana Department of Natural Resources (IDNR) took over the management of this property, there were approximately twenty-one ponds. These were designed for goldfish and coy, two of the main products of Grassyfork Fisheries. Most of these ponds were about one-quarter acre, although there were some larger ponds, depending on the product. The IDNR acquired the</p>

<b>Consulting Party Comment</b>	<b>Action Taken to Address Comment</b>
	<p>property to produce game fish for stocking reservoirs that were being built at the time. For this purpose, the ponds were enlarged to about three-quarters of an acre in size. There are now a total of fourteen ponds.</p> <p>The ponds were also changed in the way they filled and drained after they were acquired by the state. Under Grassyfork management, the ponds had been elevated in such a way that the water flowed from one pond to another and drained in the adjacent creek. Under IDNR, the ponds were re-engineered to fill and drain individually, so that each pond could be managed as a unit. There are no buildings on the property that were associated with the historic use as a goldfish hatchery.</p> <p>An additional group of ponds that is also located in the APE is on the east side of SR 37 north of Teeters Road. This property was originally part of Grassyfork Fisheries and was purchased by Ozark Fisheries in 1970. At this site, there are approximately 150 ponds. Roughly two-thirds of these were developed by Grassyfork Fisheries in the 1930s, 40s, and 50s. The remainder of the ponds (built in the 1970s) are generally larger than the earlier ponds. There are several modern metal pole barns at this location, built since Ozark Fisheries acquired the property.</p> <p>In contrast to the ponds at Cikana State Hatchery, the ponds within the historic boundaries of Grassyfork Fisheries on Old SR 37 have been altered very little. The only notable change was the conversion of the west part of the southwest pond area into a lake for Shireman Estates, a residential subdivision developed in 1971. There is a dam between the historic pond area and the lake, and the lake was not included in the historic boundaries. Cikana State Hatchery and Ozark Fisheries do not retain their integrity, or their association with Grassyfork Fisheries, and were not inventoried or included in the 2008 HPR.</p> <p>(Sources of additional information: Bill James, Former State</p>

Consulting Party Comment	Action Taken to Address Comment
<p><b>Joseph E. Mills III letter, September, 13 2005:</b></p> <p><i>Resources 3009, Reuben Aldrich Farm. I have been through this house and barn on several occasions and believe the rating should be elevated to C, if not O. The barn is truly remarkable and quite unusual. However, the last time I had contact with the occupants/owners was several years ago, so things could have changed out there. I'd like to request the historians to justify their ratings.</i></p>	<p>Hatcheries Regional Supervisor, telephone interview by Laura Thayer, October 3, 2005; Steve Collins, Ozark Fisheries Manager, telephone interview by Laura Thayer, October 7, 2005; Ed Ferguson, former Manager of Grassyfork Fisheries and vice-president of Ozark Fisheries, telephone interview by Laura Thayer, October 15, 2005; Aerial Photographs of Morgan County, Indiana, U.S. Department of Agriculture, 1939, 1958, 1967-- Indiana State Archives).</p> <p>The Reuben Aldrich Farm was re-examined as part of the AI studies in 2015. The AI No. 1 recommended the Reuben Aldrich Farm recommended eligible for listing in the NRHP under Criteria A and C. SHPO concurred with this recommendation in a letter dated December 21, 2015.</p>
<p><b>Joanne Stuttgen email, September 14, 2005:</b></p> <p><i>Joe Mills may have conveyed some of my responses, although I don't think he knew about the Reuben Aldrich farm site 009 on p. 37 of Interim Report. If you haven't already been inside the barn, you need to do that. Marsh Davis said it is one of the most remarkable barns he has ever seen. The hayloft is suspended by iron rods. The house was remarkably intact when last saw it, but do recall that the current owners were discussing vinyl windows. Even so, if they have done few other changes, the house could well be of greater significance than its N rating. I suspect it's that bungalow-style porch that earned it an N.</i></p>	<p>The Reuben Aldrich Farm was re-examined as part of the AI studies in 2015. The AI No. 1 recommended the Reuben Aldrich Farm as eligible for listing in the NRHP under Criteria A and C. SHPO concurred with this recommendation in a letter dated December 21, 2015.</p>
<p><b>Joanne Stuttgen forwarded email sent to Sam Cline and Joe Mills, Dale Drake, September 14, 2005:</b></p> <p><i>page i: resource 64055 is the former Morgan County Home. It was built c.1870 as the Mitchell House, then converted into the hospital in 1924. The date of 1957 refers to the current hospital,</i></p>	<p>Please see response above regarding the Morgan County Home.</p>

<b>Consulting Party Comment</b>	<b>Action Taken to Address Comment</b>
<p><i>not the building on Main Street. (This actually has no bearing on the I-69 deal since the county home was demolished in 1995, but it does reflect a bit of carelessness on the part of the historians.)</i></p>	
<p><b>Joanne Stuttgen forwarded email sent to Sam Cline and Joe Mills, Dale Drake, September 14, 2005:</b></p> <p><i>page i: resource 64044, Gano Greenhouse. I don't believe this has undergone any alterations since the Interim Report was published. Other than more neglect and decay, that is. Likewise, with 1009 S. Ohio Street, which admittedly, is looking pretty bad.</i></p>	<p>Please see response above regarding Gano Greenhouse.</p>
<p><b>Joanne Stuttgen forwarded email sent to Sam Cline and Joe Mills, Dale Drake, September 14, 2005:</b></p> <p><i>I am not at all satisfied with the findings regarding the Grassyfork fish ponds that are now state owned (Cikana) along SR 37. I note that the list of sources for information about Grassyfork do not include an interview or interviews with Ed Ferguson. This is a serious omission. I just can't accept the determination regarding these ponds without input from Ed. He's the only one who would really know what kind of alterations have occurred on the property. Also, I happen to believe that the ponds alone are historically significant even if the attendant Grassyfork building no longer exist. It's like a quarry. The cranes, derricks, equipment, buildings aren't at those quarries anymore, but the quarries are still significant. At least I think they are. I'll check with the folks in Bloomington about whether abandoned quarries are determined to be National Register eligible. Man! I'm ready to fight for our fish ponds! And interpretive signage along the corridor!</i></p>	<p>Please see response above regarding Grassyfork Fisheries Farm No. 1 and the Cikana State Hatchery.</p>
<p><b>Joanne Stuttgen forwarded email sent to Sam Cline and Joe Mills, Dale Drake, September 14, 2005:</b></p> <p><i>page 4: RE: Reuben Aldrich Farm. I have been through this house and barn on several occasions and believe the rating should be elevated to C, if not O. The barn is truly remarkable and quite</i></p>	<p>The Reuben Aldrich Farm was re-examined as part of the AI studies in 2015. The AI No. 1 recommended the Reuben Aldrich Farm recommended eligible for listing in the NRHP under Criteria A and C. SHPO concurred with this recommendation in a letter dated December 21, 2015.</p>

Consulting Party Comment	Action Taken to Address Comment
<p><i>unusual. However, the last time I had contact with the occupants/owners was several years ago, so things could have changed out there. I'd like to request the historians to justify their rating;</i></p>	
<p><b>Letter from SHPO, November 21, 2005:</b></p> <p><i>Thank you for providing additional information regarding the eligibility of the concrete girder bridge carrying Old SR 37 over Crooked Creek. We agree with the assessment and do not have any further concerns regarding the bridge.</i></p>	<p>No response required.</p>
<p><b>Letter from SHPO, December 21, 2006:</b></p> <p><i>1. On page 17, it is stated that "Urban land complex soil types are typically disturbed and have a low potential for intact archaeological sites." Yet, historical archaeological sites may be present in areas designated as urban soils.</i></p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. This statement was removed.</p>
<p><b>Letter from SHPO, December 21, 2006:</b></p> <p><i>2. Under Section 3.1, Physiography and Topography, we suggest also citing Homoya (1985) for describing the physiography and topography, as well as for floral and faunal resources in Section 3.5.</i></p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. This statement was removed.</p>
<p><b>Letter from SHPO, December 21, 2006:</b></p> <p><i>3. In Section 5.0, Cultural Overview, the work of early archaeologists in the project area counties, such as Eggan (1930) and Householder (e.g., 1941) should be mentioned in reference to the nature of the archaeological resources and notable archaeological sites in the vicinity and region of the project area.</i></p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. This statement was removed.</p>
<p><b>Letter from SHPO, December 21, 2006:</b></p> <p><i>4. Under Section 5.1.1, "Paleoindian," the works of White (2005; 2006) should be cited.</i></p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. This statement was removed.</p>

Consulting Party Comment	Action Taken to Address Comment
<p><b>Letter from SHPO, December 21, 2006:</b></p> <p>5. In Section 5.1.2, <i>Early Archaic, for the Kirk Tradition, characteristics of Kirk from the Swan's landing site and archaeological site 12Hr-520, the Kirk site at Caesar's World, should be included.</i></p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. The source was included.</p>
<p><b>Letter from SHPO, December 21, 2006:</b></p> <p>6. <i>Under Late Archaic, what are the cemetery/mortuary/burial mound characteristics of regional Late Archaic sites? Under the same section, for Terminal Late Archaic, for the Riverton culture, it is worth, for comparison, mentioning the characteristics of the Riverton site in Greendale, Indiana. This site also has mortuary remains and characteristics. What mortuary characteristics are there for the Riverton culture? Ellis et al. (1990) might also be consulted for background on Late Archaic.</i></p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. Additional information on the Late Archaic period was integrated.</p>
<p><b>Letter from SHPO, December 21, 2006:</b></p> <p>7. <i>In Section 5.1.3, under Middle Woodland, the discussion should include some mention of Streuver's contributions, such as in Streuver (1964, 1968) and Streuver and Houart (1968). Also, Mark Schurr and William Mangold (e.g., 2006) have conducted a number of recent studies of the Goodall sites in northern Indiana, which might be useful for comparison. Likewise, Crab Orchard might be mentioned for comparison purposes.</i></p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. Additional information on the Middle Woodland period was integrated.</p>
<p><b>Letter from SHPO, December 21, 2006:</b></p> <p>8. <i>Under the sub-heading "Allison-Lamotte" on page 42, the discussion then goes on to central, east central sites and the Mann Site, leading one, inaccurately, to associate these with Allison-Lamotte. What comparable Mann Phase settlement patterns did Ruby describe? Also, in the discussion of Mann Site, Ruby (1997) should be cited.</i></p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. Additional information on the Allison-LaMotte phase was integrated.</p>

Consulting Party Comment	Action Taken to Address Comment
<p><b>Letter from SHPO, December 21, 2006:</b></p> <p>9. Under "Albee Phase," page 43, the more recent study by McCord et al. (2005) should be cited. For Late Woodland, David Brose's writing on Late Woodland subsistence and technological changes in ceramics may be elucidating in the discussion on Late Woodland.</p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. Additional information on the Late Woodland period was integrated.</p>
<p><b>Letter from SHPO, December 21, 2006:</b></p> <p>10. McCullough et al. (2005) provides additional up-to-date information on Late Prehistoric sites in central Indiana. Brian Redmond provides information on different settlement patterns on the forks of the White River.</p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. Additional information on the Late Prehistoric period was integrated.</p>
<p><b>Letter from SHPO, December 21, 2006:</b></p> <p>11. The White et al. reference in the References Cited section may be misdated. There is also a more recent White et al. (2003) reference that should be mentioned in the Late Prehistoric section.</p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. The citations were corrected</p>
<p><b>Letter from SHPO, December 21, 2006:</b></p> <p>12. On page 53, third paragraph: The Wea are definitely referenced as being on the Wabash in 1708, and in 1715, they requested a French officer and missionary to come live among them (e.g., Jones 1984). In the fourth paragraph, it might be more accurate to note that the Delaware followed the White River, and were not just to the west of the study corridor.</p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. Additional information on the Wea and Delaware was included.</p>
<p><b>Letter from SHPO, December 21, 2006:</b></p> <p>13. On page 54, Fort Quitatenon was established in 1717 (Krauskopf 1955).</p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. The date was corrected.</p>
<p><b>Letter from SHPO, December 21, 2006:</b></p> <p>14. On page 76, referring to aerial photographs for Marion</p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. Additional information on aerial maps was included.</p>



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<p><i>County, there are more recent aerials available for Marion County than 1962.</i></p>	
<p><b>Letter from SHPO, December 21, 2006:</b>  <i>15. On page 77, there is a statement about "a historic ca. 1750 Delaware village/French Trading Post." What evidence is there for this, and how reliable is the evidence?</i></p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. Additional information on the historical Delaware village/French trading post was included.</p>
<p><b>Letter from SHPO, December 21, 2006:</b>  <i>16. Under the "Historic Archaeology Survey Predictions . . ." the Jones (1997) citation is nine years old. Is there more recent historic information to contribute to the predictions?</i></p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. Additional information on the historical era site predictions was integrated.</p>
<p><b>Letter from SHPO, December 21, 2006:</b>  <i>17. On page 79, while discussing history in the last paragraph, there is no mention of the Fowler-Mundy cemetery, which is shown in Figure A7 as within the proposed project corridor in Marion County. Also, the paragraph refers to Figures 7-9, but there are no Figures 8 and 9 in the report. Also, does Cochran and Maust's GLO study contain any information relevant to the historic resources of the project area?</i></p>	<p>A new Phase Ia Literature review was published in November 2015 and was incorporated in the February 2016 Phase Ia Archaeological Survey 1. The Fowler-Mundy cemetery was noted and mapping exhibits were revised</p>
<p><b>Letter from SHPO, July 25, 2008:</b>  <i>We agree with recommendations in the HPR regarding the eligibility or ineligibility for the National Register of Historic Places of the properties in Section 6 that were identified in that document.</i></p>	<p>No response required.</p>
<p><b>Letter from SHPO, March 10, 2015:</b>  <i>In section III.c.i. of the minutes from the January 13, 2015, meeting at the Indiana Department of Transportation ("INDOT"), there is a reference to my staff's having discussed our "thoughts on eligibility and provided a handout on some of their eligibility</i></p>	<p>The eligibility guidelines for the recent past were revised to utilize the guidelines provided by IDNR-DHPA (Draft "Guidelines for Evaluating National Register eligibility of Mid-Century Modern Housing and Post-War Suburbs") for the AI No. 1 and AI No. 2.</p>

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<p>guidelines." We take that reference to guidelines to mean the 2014 draft "Guidelines for Evaluating National Register Eligibility of Mid-Century Modern Housing and Post-War Suburbs," which our office had developed earlier. Section III.c.ii. of the minutes says, "After discussion, meeting participant generally agreed with the premise.." Does that mean that FHWA and INDOT have agreed to adopt those guidelines, as we had requested at the meeting? If not, then we would renew our request now. We have enclosed a copy of those guidelines with this letter.</p>	<p>INDOT's and FHWA's historians utilized the guidelines provided by IDNR-DHPA (Draft "Guidelines for Evaluating National Register Eligibility of Mid-Century Modern Housing and Post-War Suburbs") for the AI No. 1 and AI No. 2.</p>
<p><b>Letter from SHPO, March 10, 2015:</b></p> <p>Furthermore, in the February 4, 2015, memorandum "Methodology for Section 6 Aboveground Survey &amp; Reporting," Section 1. under the Subdivisions and Neighborhoods part of the Methodology for the evaluation of Recent Past (1955- 1972) Properties," we find a citation to the guidelines in 3.C.1. National Cooperative Highway Research Program (NCHRP) Report 723, "A Model for Identifying and Evaluating the Historic Significance of Post-World War II Housing." We recall having expressed concern at the January 13 meeting that some aspects of those guidelines oversimplify the analysis. As indicated above, we had asked that our draft "Guidelines for Evaluating National Register Eligibility of Mid-Century Modern Housing and Post-War Suburbs" be followed, as well.</p>	<p>The project archaeologists completed memoranda on methodology and predictive modeling, both of which were transmitted to SHPO on April 27, 2015.</p>
<p><b>Letter from SHPO, March 10, 2015:</b></p> <p>In regard to archaeological resources within the proposed project area, it is our understanding that information pertaining to proposed methodologies for windshield survey and for archaeological predictive modeling to be implemented during the archaeological reconnaissance survey for this project will be provided to the DHPA for its review and approval prior to implementation in the field. Once this information is received, the Indiana SHPO will resume identification and evaluation</p>	

<b>Consulting Party Comment</b>	<b>Action Taken to Address Comment</b>
<p><i>procedures for this project. Please keep in mind that additional information may be requested in the future.</i></p>	
<p><b>Letter from SHPO, March 10, 2015:</b></p> <p><i>The January 26, 2015, proposed area of potential effects ("APE") for all effects on above-ground properties is acceptable, subject to later revisions that would be reasonable or necessary. It is our understanding that examples of possible later revisions could include narrowing the APE where the alignment is on SR 37 and no overpasses or interchanges would be built (see sections III.a.iv. and vi. in the January 13 minutes), widening the APE in areas where access to properties (which could include historic properties) might be affected by the new construction and limiting access to I-69 (see section III.a.iv. in the January 13 minutes), and extending the APE if one or more new terrain alternatives will be studied (see section III.a.vi. in the January 13 minutes).</i></p>	<p>The APE was expanded in 2016 to take into account additional project activities.</p>
<p><b>Letter from SHPO, March 10, 2015:</b></p> <p><i>In all other respects, we agree with the discussion at the January 13 meeting, as recorded in the minutes and in the "Methodology for Section 6 Aboveground Survey &amp; Reporting."</i></p>	<p>No response required.</p>
<p><b>Email from Paul Diebold, May 19, 2015:</b></p> <p><i>We met today, reviewed the ftp photos (thanks) and some of the photos that we took during the site visit, as well as materials submitted in 2008 regarding properties in the area. Here are our opinions of the properties: 6528 Bluff Crest Ct: This frame Gothic Revival cottage has some potential, but appears to have been moved to the site. We lack enough context (information-wise) to decide if this house is eligible for the NR.</i></p>	<p>Based on this consultation, the house at 6528 Bluff Crest Court was not recommended eligible in the AI No. 1.</p>
<p><b>Email from Paul Diebold, May 19, 2015:</b></p> <p><i>Isaac Sutton House, 1846 Banta: Due to the alteration of the</i></p>	<p>Based on this consultation, the Isaac Sutton House was not recommended eligible in the AI No. 1.</p>

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<p><i>porch, and the construction of non-contributing buildings on the parcel, we believe that this property has lost sufficient integrity, so as to be ineligible for the NR.</i></p>	
<p><b>Email from Paul Diebold, May 19, 2015:</b></p> <p><i>Stop 11 – Belmont district: We believe that this area lacks any common development history or pattern to be considered a district. We would recommend that the large estates near and including the Laughner property be researched to see if they might be individually eligible under Criterion A or B. We do believe that the house at 8000 Bluff Rd. has sufficient architectural interest to be considered eligible for the NR. Mainly, we believe that the builder/architect’s inventive use of the site and building materials created a well-crafted example of a Ranch house in the case of 8000 Bluff Rd.</i></p>	<p>Historians conducted research on these large estates and as a result of that research recommended the Cleary-Barnett House as eligible for the NRHP in the AI No. 1 (September 2015). SHPO concurred with that recommendation in a letter dated December 21, 2015.</p>
<p><b>Email from Paul Diebold, May 19, 2015:</b></p> <p><i>Glennwood Homes: We believe that the Glennwood Homes area, including the NW end of the development which was a separate neighborhood at first, to be eligible for the NR as a historic district. We believe that Glennwood Homes meets Criteria A (community development, social history) and C (good examples of Modernism).</i></p>	<p>Glennwood Homes Association Historic District was recommended eligible for the NRHP in the AI No. 1 (September 2015). SHPO concurred with that recommendation in a letter dated December 21, 2015.</p>
<p><b>Email from Paul Diebold, May 19, 2015:</b></p> <p><i>Aldrich Farm: We believe that the Aldrich Farm is eligible for the NR. The boundary should include the pastures adjacent to the barn (between the barn and house), probably to the tree line to the west, depending on legal parcels. DHPA views the property as a farm that has evolved over time; the barn and porches on the house are part of the historic development of the farm. Therefore, we do not believe that the porches detract greatly from the eligibility of the property. The house itself retains a</i></p>	<p>The Reuben Aldrich Farm was recommended eligible for the NRHP in the AI No. 1 (September 2015). SHPO concurred with that recommendation in a letter dated December 21, 2015.</p>

Consulting Party Comment	Action Taken to Address Comment
<i>preponderance of its Italianate massing and detail.</i>	
<p><b>Email from Paul Diebold, May 19, 2015:</b>  <i>St. Martin of Tours: DHPA felt that this was a fairly unremarkable example of post-war religious architecture.</i></p>	<p>Based on this consultation, the St. Martin of Tours Church was not recommended eligible in the AI No. 1.</p>
<p><b>Email from Paul Diebold, May 19, 2015:</b>  <i>Woodcrest: We do not believe Woodcrest has sufficient significance to be identified as an eligible district.</i></p>	<p>Based on this consultation, the Woodcrest subdivision was not recommended eligible in the AI No. 1.</p>
<p><b>Email from Paul Diebold, May 19, 2015:</b>  <i>Hillview: We do not believe Hillview has sufficient significance to be identified as an eligible district.</i></p>	<p>Based on this consultation, the Hillview subdivision was not recommended eligible in the AI No. 1.</p>
<p><b>Email from Paul Diebold, May 19, 2015:</b>  <i>Parkview: We do not believe Parkview has sufficient significance to be identified as an eligible district.</i></p>	<p>Based on this consultation, the Parkview subdivision was not recommended eligible in the AI No. 1.</p>
<p><b>Email from Paul Diebold, May 19, 2015:</b>  <i>Port Royal: We do not believe Port Royal has sufficient significance to be identified as an eligible district.</i></p>	<p>Based on this consultation, the Port Royal subdivision was not recommended eligible in the AI No. 1.</p>
<p><b>Email from Paul Diebold, May 19, 2015:</b>  <i>Travis Hills: We believe that this small development is eligible for the NR as a historic district.</i></p>	<p>The Travis Hill Historic District was recommended eligible for the NRHP in the AI No. 1 (September 2015). SHPO concurred with that recommendation in a letter dated December 21, 2015.</p>
<p><b>Email from Paul Diebold, May 19, 2015:</b>  <i>Glenn's Valley properties: The farmhouse and barn (#85411) are too altered to be NR eligible. DHPA staff felt that the Glenn's Valley ME Church was a fairly unremarkable example of post-war church architecture</i></p>	<p>These properties were not recommended eligible for the NRHP.</p>
<p><b>Letter from SHPO to Kia Gillette (Lochmueller), May 26, 2015:</b></p>	<p>No response required.</p>

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<p><i>We agree that the area (Section 6 along SR 37) which was examined on August 26, 2004 is disturbed and as such will not require archaeological investigation unless deemed necessary in the field during an investigation to be conducted in adjacent areas.</i></p>	
<p><b>Letter from SHPO, to Kia Gillette (Lochmueller), May 26, 2015:</b> <i>We also agree with the use of a predictive model for developing survey methods to address the archaeology within Section 6.</i></p>	<p>No response required.</p>
<p><b>Forwarded email from FHWA, October 26, 2015:</b> <i>[FWHA] received a call from Kelsey Noack Myers, Tribal Archaeologist with the Chippewa Cree, who confirmed they would like to be a consulting party for the I-69 project.</i></p>	<p>This contact information was updated.</p>
<p><b>Email from Acting THPO United Keetowah Band of Cherokee Indians in Oklahoma, November 2, 2015:</b> <i>It is just 'too close.' I have other commitments already booked. Here's hoping we can consult through email or an individual government-to-government consultation.</i></p>	<p>Consultation with THPOs has continued during this process.</p>
<p><b>Letter from SHPO, November 4, 2015:</b> <i>Thank you for providing us with a list of parties who have been invited to participate in the Section 106 consultation on this federal undertaking. We noticed that the only local government contacts identified in Marion County are the mayor of Southport, the administrator of the Indianapolis Historic Preservation Commission ("IHPC"), and the City of Indianapolis Department of Parks and Recreation (as owner of the Glens Valley Nature Park Retreat House). We did not see the Indianapolis Metropolitan Planning Organization on the list. However, we realize that the administrator of IHPC may have been designated to represent all other City of Indianapolis and Marion County governmental</i></p>	<p>An invitation to join consultation was sent to the Indianapolis Metropolitan Planning Organization and the City of Martinsville on November 6, 2015. The City of Martinsville (Engineer) accepted the invitation to join consultation on November 23, 2015.</p>

<b>Consulting Party Comment</b>	<b>Action Taken to Address Comment</b>
<p><i>interests. We did not see any governmental official from the City of Martinsville on the list, but perhaps none of the alternatives under consideration would cross the city limits of Martinsville, or perhaps the Board of Commissioners of Morgan County, which has been invited, would represent the City's interests.</i></p>	<p>Chad Slider and Wade Tharp were added to the list of contacts for SHPO.</p>
<p><b>Letter from SHPO, November 4, 2015:</b></p> <p><i>In addition to including John Carr and me [Mitchell Zoll] on your list of agency contacts for the Indiana State Historic Preservation Officer, please also include Chad Slider (317-234-5366 or CSlider@dnr.in.gov) and Wade T. Tharp, (317-232-1650 or WTharp@dnr.in.gov).</i></p>	<p>No response required.</p>
<p><b>Letter from Landmarks, December 15, 2015:</b></p> <p><i>Indiana Landmarks has reviewed the Additional Information for the State Road 37 Alternatives for Section 6 of I-69. We concur with the findings in the report; specifically, the following properties are eligible for the National Register of Historic Places:</i></p> <ul style="list-style-type: none"> <li>• <i>Southside German Market Gardeners Historic District</i></li> <li>• <i>Glennwood Homes Association Historic District</i></li> <li>• <i>Travis Hills Historic District</i></li> <li>• <i>Le Ciel (Charles Laughner House), 7719 Belmont Avenue</i></li> <li>• <i>Cleary-Barnett House, 8000 Bluff Road</i></li> <li>• <i>Glenn's Valley Nature Park Retreat House</i></li> <li>• <i>Reuben Aldrich Farm</i></li> </ul>	<p>Thank you for providing this additional information.</p>
<p><b>Letter from Landmarks, December 15, 2015:</b></p> <p><i>Please also note since the 2008 Historic Property Report, our organization now holds a Protective Covenant on the Grassyfork Fisheries Display and Showroom building at 2902 E. Morgan St.,</i></p>	

Consulting Party Comment	Action Taken to Address Comment
<p><i>Martinsville. This property is located within the Area of Potential Effects.</i></p> <p><b>Letter from Landmarks, December 15, 2015:</b></p> <p><i>Additionally, we would like to call attention to a historic property that lies far outside of the SR 37 Area of Potential Effects, but could potentially be adversely affected by this undertaking. The Link Observatory (8403 Observatory Rd, Martinsville, IN 46151) is an astronomical observatory located off of SR67 in Morgan County. We believe the Observatory to be eligible for the National Register of Historic Places. The potential light pollution, especially from the Section 6 Alternatives B and D, but could include proposed Alternatives C, K3, and K4, could adversely affect this resource. Under § 800.5(a)(2)(v), the “Introduction of visual, atmospheric or audible elements that diminish the integrity of the property’s significant historic features;” the introduction of light pollution will render the significant historic features of the Link Observatory – its reflector and astrograph – potentially useless. We recommend the environmental study team determine the effects of increased light pollution, including increased development and truck traffic along all five potential Alternatives.</i></p>	<p>INDOT and its consultants and representatives of the Link Observatory met on January 26, 2016. Historians conducted additional research on the Link Observatory and light pollution following this meeting. The Link Observatory was outside the APE for the Preferred Alternative C4.</p>
<p><b>Letter from Landmarks, December 15, 2015:</b></p> <p><i>It appears that Alternative C will best minimize harm to historic properties as outlined in the evaluation methods shared at the December 2015 Public Hearings. Specifically, we have concerns about Alternatives K3 and K4 potentially affecting the Nicholson-Rand House (5010 West Southport Road). Not only is this property listed on the National Register of Historic Places, Indiana Landmarks holds a Protective Covenant on this property. We would like to see all efforts to minimize effects to this historic property.</i></p>	<p>The preferred alternative is centered along SR 37; the Nicholson-Rand House is outside of the APE for the preferred alternative.</p>



<b>Consulting Party Comment</b>	<b>Action Taken to Address Comment</b>
<p><b>Letter from SHPO, December 21, 2015:</b>  <i>The historic context and the analyses of individual properties and districts in the historic property report additional information ("HPRAI") are well-reasoned and helpful. We appreciate the thoroughness with which the original historic property report (Thayer, 2008), which also was well-reasoned, has been updated in this additional information report.</i></p> <p><i>We agree with the conclusions stated in the HPRAI regarding the eligibility or ineligibility of properties for inclusion in the National Register of Historic Places.</i></p>	<p>No response required.</p>
<p><b>Letter from SHPO, December 21, 2015:</b>  <i>Your November 19 letter indicated that the archaeology report would be sent to us by Gray &amp; Pape, but we can find no record of our having received that report.</i></p>	<p>The Phase Ia Archaeological Literature review for Section 6 Preliminary Alternatives was submitted to SHPO on January 4, 2016.</p>
<p><b>Letter from SHPO, February 4, 2016:</b>  <i>Based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur with the opinion of the archaeologist, as expressed in the Phase Ia Archaeological Literature Review (McCord, and Baltz, 11/13/2015), that potentially significant archaeological resources occur within the Section 6 study area; and that once the preferred alternative has been chosen, a Phase Ia archaeological reconnaissance survey of the proposed project area should be conducted.</i></p>	<p>No response required.</p>
<p><b>Letter from SHPO, February 4, 2016:</b>  <i>Once the archaeological reconnaissance survey report is received for this proposed project, the Indiana SHPO will resume identification and evaluation procedures for this project. Please keep in mind that additional information may be requested in the future.</i></p>	<p>No response required.</p>

Consulting Party Comment	Action Taken to Address Comment
<p><b>Letter to INDOT from Diane Hunter, THPO Miami Tribe of Oklahoma, April 5, 2016:</b></p> <p><i>After reviewing “I-69 Tier 2 Studies Evansville to Indianapolis Phase Ia Archaeological Survey 1 for Section 6,” the Miami Tribe offers no objection to the above-mentioned project at this time, as we are not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site. However, as this site is within the aboriginal homelands of the Miami Tribe, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery. In such a case, please contact me at 918-541-8966, by email at <a href="mailto:dhunter@miamination.com">dhunter@miamination.com</a>, or by mail at the address listed below to initiate consultation.</i></p> <p><i>The Miami Tribe requests to continue to serve as a consulting party to the proposed project. In my capacity as Acting Tribal Historic Preservation Officer I am the point of contact for consultation.</i></p>	<p>The Miami Tribe will be consulted if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or if “any archaeological evidence is discovered during any phase of this project.” Thank you for your continued participation on this project.</p>
<p><b>Phone log, April 7, 2016:</b></p> <p><i>On 4/5/16, Ms. Debra Underwood left [Lochmueller] a voice mail message concerning the John Sutton House, a historic property eligible for the National Register. [Lochmueller] returned Ms. Underwood’s call on 4/7/16. Her son approached [Lochmueller] at the public meeting on 4/4/16, asking about the house because his mother was the owner. [Lochmueller] indicated she should have received an invitation to be a Section 106 consulting party for the project and he said she did not. Ms. Underwood stated that her property was not on the National Register and they purposefully did not want it on the Register. [Lochmueller] said that it was</i></p>	<p>Ms. Underwood was sent a copy of the HPR on April 7, 2016 (per transmittal form) and added to the consulting party list.</p>

Consulting Party Comment	Action Taken to Address Comment
<p><i>eligible for it and for the I-69 project, we have to treat them the same, but that it did not put any restrictions on her property. She indicated that the cell tower is also on her property and it is possible the cell tower company could choose to move it to another location on the property if the interstate will impact it. Ms. Underwood asked about the project schedule and [Lochmueller] told her a preferred alternative will be identified in the Draft Environmental Impact Statement in early 2017 and that the preferred alternative could be refined and would be published in the Final Environmental Impact Statement in early 2018. Ms. Underwood would like to be a Section 106 consulting party and [Lochmueller] said she would be added to the list and sent the Additional Information Report that was previously sent to consulting parties.</i></p>	
<p><b>Letter from SHPO, April 14, 2016:</b></p> <p><i>Based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur with the opinion of the archaeologist, as expressed in the archaeological reconnaissance survey report (McCord, and Baltz, 02/29/2016) that archaeological sites 12-Mg-0551, 12-Mg-0552, 12-Mg-0553, 12-Mg-0554, 12-Mg-0555, 12-Mg-0557, and 12-Mg-0558 (all of which were identified during the archaeological investigations) are not eligible for inclusion in the National Register of Historic Places ("NRHP").</i></p> <p><i>Additionally, we concur with the opinion of the archaeologist, that there is insufficient information regarding archaeological site 12-Mg-0556 (which was identified during these archaeological investigations; and which, although located outside of the portion of the proposed project area presently surveyed, is likely to be within the portion of the proposed project area next surveyed) to determine whether it is eligible for inclusion in the NRHP. The site should be clearly marked so that it is avoided by all ground-disturbing project activities. If avoidance is not feasible, then a</i></p>	<p>If the site cannot be avoided, it will be subject to additional investigations. The additional investigation may be completed prior to the publication of the Final EIS. If it is not completed before the Final EIS is published, the Final EIS will include a Memorandum of Agreement (MOA) or Programmatic Agreement (PA) developed in consultation with the IDNR-DHPA that will stipulate this work.</p>

Consulting Party Comment	Action Taken to Address Comment
<p><i>plan for subsurface archaeological investigations must be submitted to the DHPA for review and comment. Any further archaeological investigations must be done in accordance with the "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation" (48 F.R. 44716).</i></p>	
<p><b>Letter from SHPO, April 14, 2016:</b></p> <p><i>Furthermore, we concur with the opinion of the archaeologist, that Field 1 of Segment 2 (as indicated in Survey Coverage Map 3 of 39, Survey Coverage Map 4 of 39, and Survey Coverage Map 5 of 39) is suitable to contain intact buried cultural deposits, and should be subjected to Phase Ia archaeological investigations.</i></p> <p><i>Moreover, in regard to archaeological site 12-Mg-0525 (which is mentioned on page 25), as previously indicated in our May 26, 2015, letter to Patrick Carpenter (INDOT), we concur with the opinion of the archaeologist, as expressed in the earlier Phase Ia archaeological reconnaissance survey report (McCord, 04/14/2015), that there is insufficient information regarding archaeological site 12-Mg-0525 (which was identified during those archaeological investigations) to determine whether it is eligible for inclusion in the NRHP. However, it is our understanding, from the submission that accompanied that report, that archaeological site 12-Mg-0525 will be avoided by all project-related ground-disturbing activities. Archaeological site 12-Mg-0525 must either be avoided by all project activities, or subjected to further archaeological investigations. Any further archaeological investigations must be done in accordance with the "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation" (48 F.R. 44716).</i></p>	<p>The Phase Ic investigation of Field 1 may be completed prior to the publication of the Final EIS. If it is not completed before the Final EIS is published, the Final EIS will include a MOA or PA developed in consultation with the IDNR-DHPA.</p> <p>Site 12Mg525 currently lies outside the APE and will not be impacted by project construction. However, if the site cannot be avoided, it will be subject to additional investigation to determine if it is eligible for the NRHP.</p>
<p><b>Letter from SHPO, April 14, 2016:</b></p> <p><i>Additionally, there is insufficient information regarding archaeological site 12-Mg-0052 (a portion of which was</i></p>	<p>Site 12Mg52 within the APE requires no further investigation; however, the site boundaries will be marked and identified as a sensitive resource. If other portions of the site cannot be avoided, it will be subject to additional investigation to determine if it is eligible</p>

Consulting Party Comment	Action Taken to Address Comment
<p><i>resurveyed during these archaeological investigations) to determine whether it is eligible for inclusion in the NRHP; and it is unclear to us to what extent the entirety of the site has been destroyed by modern development. (We note that the original 1982 archaeological site survey record indicates not that the site was destroyed, but rather that the area was then being developed.) However, the portions of site 12-Mg- 0052 that lie within the proposed project area do not appear likely to contain intact archaeological deposits, and no further archaeological investigations of these portions of the site appear necessary. The site should be clearly marked so that it is avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations must be submitted to the DHPA for review and comment. Any further archaeological investigations must be done in accordance with the "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation" (48 F.R. 44716).</i></p>	<p>for the NRHP.</p>
<p><b>Letter from SHPO, April 14, 2016:</b></p> <p><i>Furthermore, we note the inclusion, as Appendix A of the archaeological reconnaissance survey report, of a Phase Ia Interim Report (Anderson, 2006). Please note that we can find no record that we were ever provided with that document (or a final report) for review and concurrence; and, although some of the site records associated with those archaeological investigations have been submitted to the Indiana DHPA SHAARD database system, we have not reviewed the sites for NRHP-eligibility.</i></p> <p><i>Moreover, thank you for entering the archaeological site survey records for sites 12-Mg-0551-12-Mg-0558 into the Indiana DHPA SHAARD database system. They will be reviewed. As a reminder, an archaeological site resurvey record for archaeological site 12-Mg-0052 should be submitted to the Indiana DHPA SHAARD system database.</i></p>	<p>Anderson's (2006) report was not previously submitted to DHPA. Any sites recorded by that survey that occur within the APE will be subject to additional investigation by future Phase Ia surveys to determine if they are eligible for the NRHP.</p> <p>A site form was submitted via SHAARD for site 12Mg0052.</p>

Consulting Party Comment	Action Taken to Address Comment
<p>Please direct questions about archaeology to Wade Tharp (317) 232-1650 or <a href="mailto:wtharp@dur.in.gov">wtharp@dur.in.gov</a>. Questions about above-ground properties should be directed to John Carr at (317) 233-1949 or <a href="mailto:JCarr@dur.in.gov">JCarr@dur.in.gov</a>.</p> <p>In all future correspondence regarding the I-69 Tier 2 Studies for Section 6 from Martinsville to Indianapolis (Des. No. 0300382), please continue to refer to DHPA No. 4615.</p>	
<p><b>Email from SHPO, regarding May 2, 2016, site visit and sent on May 27, 2016:</b></p> <p>VII. Top Notch Farm</p> <p>The first sentence of the third bullet point is accurate, as far as it goes, to wit: "Carr stated that given the modern, existing intrusion at SR 37, there does not appear to be an adverse effect to the this [sic] property. " However, it's a remarkably concise comment, considering its source. I can't recall whether the SHPO was asked to comment on the I-69 Section 5 overlap's effects on Top Notch Farm (and I'd probably waste too much time trying to track down an answer), but I seem to recall that the significance of that property and possibly the I-69 constructions effects on it were considered during the Section 5 study. Given that my statement might represent, at least informally, a 180-degree turn regarding the project's effects on Top Notch Farm since the SHPO considered it several years ago, I think I should elaborate here on my reasoning, even if it isn't deemed necessary to include this elaboration in the minutes (I'll leave that to the project team's judgment).</p> <p>I recall that, at the time I made the comment about the modern intrusions, I gestured toward a modern storage unit facility on the east side of South Ohio Street and the north side of Mahalasville Road and also toward a modern commercial building and a modern apartment complex beyond it on the west side of South</p>	<p>The meeting summary was corrected to reflect this comment.</p>

Consulting Party Comment	Action Taken to Address Comment
<p><i>Ohio Street. I also recall having mentioned that it appeared that the intersection immediately in front of the farmhouse (i.e. where South Ohio Street curves eastward 90 degrees onto Mahalasville Road) seems to have been reconfigured in recent years, when the road (or perhaps actually a private driveway) coming in from the west was angled to the northeast to meet South Ohio to the north of Mahalasville. Those are the modern intrusions to which I referred during the site visit and which I still believe collectively would render either an elevated South Ohio over I-69 or an elevated I-69 over South Ohio an insignificant change to the already-extensively-altered setting north of Top Notch Farm.</i></p>	
<p><b>Letter from SHPO, July 14, 2016:</b></p> <p><i>We are satisfied with the area of potential effects ("APE"), as it has been expanded in 2016.</i></p> <p><i>For the purposes of the Section 106 review of this project, we agree that the Percy Farm and Clear Creek Fisheries (Indiana Historic Sites and Structures Inventory No. 109-386-60015) at 295 Hess Road (possibly a Martinsville postal address) is eligible for inclusion in the National Register of Historic Places under Criterion A, and that the farmhouse, in addition, is eligible under Criterion C. We also agree that this property is the only above-ground property within the areas into which the APE has most recently been expanded that appears to be eligible for the National Register.</i></p>	<p>No response required.</p>
<p><b>Letter from Joanne Stuttgen, July 15, 2016:</b></p> <p><i>I concur with the findings that Clear Creek Fisheries and the Percy Farm owned by Larry and Sue Hess are historically and architecturally significant to the degree that they are both eligible for the National Register of Historic Places. And, I thank you for the research that went into this report because I was not altogether familiar with the great significance of the fisheries</i></p>	<p>A link to the Identification of Effects report was sent to all consulting parties.</p>

Consulting Party Comment	Action Taken to Address Comment
<p><i>property.</i></p> <p><i>I request information about all possible I-69-related projects that may impact Clear Creek Fisheries in any way.</i></p> <p><i>It is my understanding that the Hesses are interested in nominating their property to the National Register of Historic Places. I have indicated to Sue that I am willing to be part of this effort.</i></p>	<p>The project team is currently consulting with the property owner of the Reuben Aldrich Farm</p>
<p><b>Letter from SHPO regarding the Identification of Effects Report, September 1, 2016:</b></p> <p><i>The adverse effect identified for the historic Reuben Aldrich Farm is based on changes to the historic farmstead's setting, as a result of projected doubling (Alternative C3), tripling (Alternative C2), or quadrupling (Alternative C) the volume of traffic on Old SR 37 between 2010 and 2045, including at least a six-fold increase in truck traffic for any of those alternatives. Any of those levels of increase likely would be noticeable to the owners of the farmstead both visually and audibly (even if the potential for increased noise does not warrant mitigation under FHWA or Indiana Department of Transportation standards). How burdensome those increases would be is difficult to gauge. Because such increases would be sizeable, we are willing to agree that they may have an adverse effect, although we would recommend attempting to obtain the owners' input on what they think the impact on the property would be.</i></p>	<p>Mitigation for this property will be included in the MOA.</p>
<p><b>Letter from SHPO regarding the Identification of Effects Report, September 1, 2016:</b></p> <p><i>Devising meaningful mitigation for that particular adverse effect seems to be difficult, as the discussion at the August meeting indicated. John Carr of my staff thought he heard it suggested that the possibility of vegetative screening might be investigated. That could soften the effects of the increased traffic, but on the downside, screening would make it harder to enjoy the historic</i></p>	



Consulting Party Comment	Action Taken to Address Comment
<p><i>property from the public right-of-way. Input from the owners should be obtained, if possible, as to whether they think vegetative screening would be beneficial. Even if the owners think it would be beneficial, there would remain the question of whether to plant it on the Old SR 37 right-of-way (which presumably is county-owned) or on the farmstead side of the right-of-way line; it appears that the consent and cooperation of either the county or the private property owner would be necessary. If this project does have an adverse effect as a result of the increased traffic, it might be that it is of a degree and a kind that cannot specifically and meaningfully be mitigated.</i></p>	
<p><b>Letter from SHPO regarding the Identification of Effects Report, September 1, 2016:</b></p> <p><i>We appreciate having received from Weintraut &amp; Associates the approximate distances, at the closest points, between historic Marion County Bridge No. 4513F and the existing SR 37 bridge over Pleasant Run and the SR 37 right-of-way and between the historic bridge and the proposed I-69 bridges and rights-of-way for alternatives C2 and C3. Because Alternative C1 would move the new bridge farther away from the historic bridge than the existing SR 37 is, we do not think C 1 could have an adverse effect. As we understand it, the right-of-way for both C2 and C3 would be the same distance away from the historic bridge as the SR 37 right-of-way is. Either the C1 or the C2 bridge, however, would be about 71 feet from the historic bridge, whereas the existing SR 37 bridge is about 105 feet away. It is our understanding that the new, northbound bridge (i.e., the bridge that would be closer to the historic bridge) for C1, C2, or C3 would stand about 10 to 15 feet higher than the historic bridge. Although the new C2 or C3 bridge would be about 34 feet closer, we think the 71-foot space between either of them and the historic Marion County Bridge No. 4513F would be sufficient to avoid adversely affecting the setting or viewshed of the historic bridge.</i></p>	<p>No response required.</p>

Consulting Party Comment	Action Taken to Address Comment
<p><b>Letter from SHPO regarding the Identification of Effects Report, September 1, 2016:</b></p> <p><i>The question was raised at the August 17 meeting about whether it would be preferable to use a mechanically stabilized earth ("MSE") retaining wall along I-465 in the northeast and northwest quadrants of that highway's over pass of Bluff Road or to use a sloped, earthen embankment, as is proposed in the variation of Alternative C2. An MSE wall has the advantage of occupying less space and not extending as far into the Southside German Market Gardeners Historic District, but, as another consulting party noted at the meeting, a grassy slope would be somewhat more in keeping with the emphasis on green plants that give the district part of its character.</i></p> <p><i>We do not have a preference between the MSE wall and the sloped, earthen embankment. The construction of I-465 through what only later was recognized as a historic district had a greater impact than any of the alternatives for improving that part of I-465 would. Elevating the I-465 bridges over Bluff Road will tend to aggravate the intrusive nature of the highway. If the house at 4401 Bluff Road is removed, the district will lose a contributing building, but, as a practical matter, it is difficult to foresee that house being considered suitable for human habitation and continuing to exist in the long run, due to its proximity to the highway and the existing traffic noise.</i></p> <p><i>If an MSE wall is used, some kind of textured or scored surface might be less stark than a plain, concrete wall, although, as someone mentioned at the meeting, it would be best if it were by nature or by application of a coating relatively resistant to graffiti.</i></p> <p><i>The only other, possibly beneficial mitigation or minimization measure that would directly address and alleviate some aspect of the impact of changes to I-465 on the Southside German Market Gardeners Historic District would be to widen the opening under</i></p>	<p>Mitigation for this resource will be included in the MOA.</p>

Consulting Party Comment	Action Taken to Address Comment
<p><i>I-465, in an effort to reduce the visual effect of the highway's being a barrier between the north and south parts of the district. However, that would mean lengthening the bridges, and it is our understanding that building structures such as bridges is more expensive than building a roadway atop earthen fill.</i></p>	
<p><b>Letter from SHPO regarding the Identification of Effects Report, September 1, 2016:</b></p> <p><i>We agree with the identification of effects report that any of the alternatives of I-69 Section 6 would have an overall adverse effect on historic properties.</i></p>	<p>No response required.</p>
<p><b>Comment from Judy Brehob, October 6, 2016:</b></p> <p><i>Brehob Nursery would prefer a slope instead of a wall to support I-465 over Bluff Road as part of the I-69 extension.</i></p>	<p>It will be considered as part of the process for establishing mitigation measures for this project.</p>
<p><b>Comment from Mary Kocher, October 14, 2016:</b></p> <p><i>CONCERNS: NOISE LEVEL will increase even more. we are not a densely populated area, and we do not fit the normal criteria for sound walls. FLOODING with the possibility of more water being pushed to the creek which already is unable to handle the water runoff. LANEEXPANSION effect on the area property and homes. We are strongly in favor of a sound barrier wall so we would like to know with the expansion is this a possibility? I have a quick question. At our meeting our area could be eligible for a historic district, and I would like the contact information if you have it. Thank-you</i></p>	<p>The German Market Gardeners Historic District was recommended NRHP eligible in the AI No. 1 (2015). SHPO concurred with this recommendation in a letter dated December 21, 2015. A summary of the HPR may be found in Appendix N-3, Reports. The letter from SHPO may be found in Appendix N-4, SHPO and THPO Coordination. Additional information about the National Register of Historic Places process may be found by contacting the Survey and Registration Team of the INDR-DHP A at 317-232-4200 or online at: <a href="https://secure.in.gov/dnr/historic/3654.htm">https://secure.in.gov/dnr/historic/3654.htm</a>.</p> <p><b>Note that LaMar Holliday, Public Involvement Specialists, I-69 Project, Section 6, responded to this comment, as well:</b></p> <p><i>Your comment has been added to the project record. At this time, it's too early in the process to know the definitive expansion of future I-69 Section 6. That information will be released in the draft impact study in the 1st quarter of 2017.</i></p>

Consulting Party Comment	Action Taken to Address Comment
<p><b>Letter from SHPO, November 28, 2016:</b></p> <p><i>The narrow issue on which the October 28 letter asked us to comment is "if you have a preferred option in the northeast corner of Bluff Road and I-465 (i.e. an MSE retaining wall or earthen slope." As you know, we had attempted to answer that question previously, both formally and informally, but apparently our response was not precise enough to provide the feedback that FHWA needs. Since then, you have provided the information included in and enclosed with your October 28 letter for our general information and to aid us in developing a more precise answer.</i></p>	<p>No response required.</p>
<p><b>Letter from SHPO, November 28, 2016:</b></p> <p><i>We accept the recommendation that an earthen slope be constructed east of Bluff Road and north of I-465 within the Southside German Market Gardeners Historic District, with MSE (i.e., mechanically stabilized earth) retaining walls being constructed around the electric transmission towers to the east of the house at 4401 Bluff Road. We realize that this alternative probably would result in the total loss of that house, which contributes to the significance of the historic district, because we infer from the information you provided that moving the house is not feasible in light of its un-reinforced masonry construction. Allowing the house to remain in place by constructing an MSE wall instead of an earthen slope does not appear to be prudent, because the information provided states that the current owners of the house "agreed that the wall would not be 'reasonable and prudent' and requested they be relocated." The current owners' comments could lead one to conclude that if the house were to be left standing, it might be abandoned. We recall that one consulting party had recommended a grassy slope at the August 17, 2016, consulting parties meeting, and your information indicates that another property owner within the historic district recently</i></p>	<p>No response required.</p>

<b>Consulting Party Comment</b>	<b>Action Taken to Address Comment</b>
<p><i>expressed a similar preference. For these reasons, we are not asking that this project avoid taking the house at 4401 Bluff Road by constructing an MSE wall as close as 35 feet away from the house.</i></p>	

**APPENDIX M-6**  
**Reports Following Section 106**  
**Finding of Adverse Effect**  
**(March 2017 to September 2017)**

**I-69 TIER 2 STUDIES**  
**Evansville to Indianapolis**  
*Phase Ia Archaeological Survey 2 for Section 6,*  
*Morgan, Johnson, and Marion Counties, Indiana Des. No. 0300382*

June 21, 2017



*Prepared by:*

**Gray & Pape, Inc.**

**5807 N. Post Road**

**Indianapolis, Indiana 46216**

*Prepared for:*

**Federal Highway Administration and  
Indiana Department of Transportation**



**Phase Ia Archaeological Survey 2 for Section 6,  
Morgan, Johnson, and Marion Counties, Indiana  
I-69 Tier 2 Studies  
Evansville to Indianapolis**

Lead Agency: FHWA

Prepared for:

Indiana Department of Transportation  
Indiana Government Center North, N642  
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Prepared by:

Christopher J. Baltz

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Christina Kelly

Gray & Pape, Inc.

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A handwritten signature in black ink that reads "Christina Kelly". The signature is written in a cursive style and is positioned above a horizontal line.

Christina Kelly

Principal Investigator

June 21, 2017





## Abstract

Gray & Pape, Inc., under contract with HNTB, Inc., conducted a Phase Ia archaeological survey for the I-69 Section 6 corridor. The project is in compliance with Section 106 of the National Historic Preservation Act, as amended. The goal of the investigation was to determine if archaeological resources are present within the proposed I-69 Section 6 corridor, and to determine if such resources might be eligible for inclusion in the National Register of Historic Places.

The I-69 Section 6 project area presented in this report extends from Section 5 near Indian Creek at the south end to the northern terminus at I-465. The eastern terminus is at I-465 and US 31. The western terminus is on I-465, approximately 0.69 kilometers (0.43 miles) east of the I-465 and Indiana SR 67 interchange. The survey corridor covers a distance of 43.19 kilometers (26.84 miles) from the southern terminus along the existing SR 37 to I-465 and 8.11 kilometers (5.04 miles) along I-465. The project area encompasses 835.93 hectares (2065.63 acres) and lies within Morgan, Johnson and Marion counties.

Twenty-six previously undocumented archaeological sites (12MG561 to -577, 12JO703 to -709, and 12MA1007 to -1008), were recorded within the survey area during the current Phase Ia survey. The undocumented archaeological sites include ten prehistoric sites (12MG562, 12MG564, 12MG565, 12MG566, 12MG567, 12MG568, 12MG573, 12MG574, 12MG575, and 12MG577), five prehistoric isolated find sites (12MG563, 12MG570, 12MG576, 12JO705, and 12MA1007), five historical sites (12MG571, 12JO703, 12JO704, 12JO709, and 12MA1008), one historical isolated find site (12JO707), and five multicomponent historical and prehistoric sites (12MG561, 12MG569, 12MG572, 12JO706, and 12JO708).

Also, thirty-two previously recorded sites (12MG327, 12MG334, 12MG461- to 432, 12MG556, 12JO10, 12JO17, 12JO42 to -44, 12JO62, 12JO157, 12JO159 to -161, 12JO359 to -362, 12JO486 – to -489, 12JO580, 12MA52, 12MA170 to -171, MA174 to -176, 12MA241, and 12MA334) were revisited during the current investigations. The previously recorded sites include 21 prehistoric sites (12MG334, 12MG431, 12JO10, 12JO17, 12JO42, 12JO43, 12JO44, 12JO62, 12JO157, 12JO160, 12JO161, 12JO486, 12JO489, 12JO580, 12MA52, 12MA170, 12MA171, 12MA174, 12MA176, 12MA241, and 12MA334), six prehistoric isolated find sites (12MG430, 12JO159, 12JO359, 12JO360, 12JO361, and 12MA175), two historical sites (12MG327, and 12MG556), and three multicomponent historical and prehistoric sites (12JO362, 12JO487, and 12JO488).

Other revisited resources include two cemeteries (Old Mount Olive Methodist Cemetery, CR-55-64 and Bell Cemetery, CR-49-57) and the Central Canal. The corridor crosses portions of the reported location of the Central Canal; however, no evidence of the canal was identified during the current investigations and within these areas it appears to no longer be extant.

Avoidance or additional investigations are recommended for 12MG564, 12MG565, 12MG566, 12MG567, 12MG568, Old Mount Olive Cemetery, and Bell Cemetery. A development plan will be required per IC 14-21-1-26.5 if the Preferred Alignment remains within 30 meters (100 feet) of the historical cemeteries. The portions of Sites 12MG334, 12MG561, 12MG571, 12JO10, 12JO17, 12JO42, 12JO44, 12JO62, 12JO489, 12MA52, 12MA170, 12MA171, 12MA174, 12MA175, and 12MA241 which are located within the survey corridor are recommended as not eligible for inclusion in the National Register of Historic Places. Should the corridor be moved, further archaeological investigations are



recommended for these sites. The remaining sites are not recommended as eligible for inclusion in the National Register of Historic Places.

The topographic setting and soils encountered in most of the project area were not found to be conducive for the identification of intact buried cultural resources. However, four areas (Segment 01 – Field 043; Segment 05 – Field 004, Segment 05 – Field 005, and Segment 10 – Field 001) were identified as possessing a high potential to contain deeply buried soils and Phase Ic investigations are recommended for these locations.



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## MEMORANDUM

**To:** Consulting Parties

**From:** Weintraut & Associates

**Date:** September 8, 2017

**Re:** Refined Preferred Alternative, I-69 Tier 2, Section 6 (Des. No.: 0300382)

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The purpose of this Memorandum is to summarize refinements to the preliminary design of the preferred alternative and provide confirmation of its effect on historic properties within the Area of Potential Effects (APE) for I-69, Tier 2, Section 6 (Des. No.: 0300382). Historic properties are those properties that are listed in the National Register of Historic Places (NRHP) or eligible for listing in the NRHP. Federal Highway Administration (FHWA) issued a Finding of “Historic Properties Affected: Adverse Effect” for this project on February 14, 2017 for Preferred Alternative C4.

Since the Finding of Effect was signed by FHWA on February 14, 2017, the preferred alternative has been refined in response to public comments and minimization efforts. The resulting refined alternatives will hereafter be called the Refined Preferred Alternative (RPA). The RPA includes modifications to the undertaking in proximity to the historic property boundaries as defined in the Historic Property Report (2015) for this project. However, the RPA would result in no significant change in effect finding on the referenced resources.

The following provides information for each property and/or historic district, the description of effects, and finding from the Findings documentation dated February 14, 2017. A discussion of changes to the undertaking’s effect on each historic property is also included.

Consulting parties are invited to review this material and provide a comment within thirty (30) days of receipt.

### **Morgan County Bridge 224**

**Indiana Historic Sites and Structures (IHSSI) No.: 109-386-60030**

**National Bridge Inventory (NBI) No.: 5500142**

**Old SR 37 over Indian Creek, Washington Township, Morgan County**



*Individual Effect Finding, February 14, 2017: No Adverse Effect*

*Description of Effects of the Preferred Alternative per Findings Document:* Morgan County Bridge No. 224 is currently closed to traffic. Project improvements under the preferred alternative are located nearly 600 feet from the location of Bridge No. 224 and will take place along the existing State Road (SR) 37. Under the preferred alternative, Old SR 37 will be permanently closed to the new I-69 and the connecting pavement removed. Noise will not affect the integrity of this property since bridges are by their very nature intended to be in environments of traffic noise. The bridge will have a view to the undertaking.

*Refined Preferred Alternative (RPA), August 2017:*

- The RPA is about 470 feet from the nearest point of the bridge or approximately 30 feet closer than described for the Preferred Alternative C4. The center of the bridge is 535 feet from the RPA.
- No other changes would take place at this location.
- FHWA and INDOT find that the undertaking would continue to have “No Adverse Effect” on the Morgan County Bridge 224.

## **Top Notch Farm**

**IHSSI No.: 108-386-60028**

**351 East Mahalassville Road, Martinsville, Morgan County**

*Individual Effect Finding, February 14, 2017: No Adverse Effect*

*Description of Effects of the Preferred Alternative per Findings Document:* The preferred alternative includes a new Ohio Street interchange. Mahalassville Road would also be reconfigured north of its current location. The existing intersection of Southview Drive and Commercial Boulevard at Ohio Street would be closed. The ambient noise reading for the farm is 49.6 A-weighted decibels (dBA); in the design year 2045, noise modelers project an increase of 8.3 dBA to reach a 57.9 dBA with the construction of I-69. Neither the increase nor the projected design year noise level is considered an adverse effect, per INDOT’s noise policy.

*Refined Preferred Alternative (RPA), August 2017:*

- The Ohio Street interchange as described for the Preferred Alternative C4 would remain at its original location in the RPA.
- One change at this location includes the extension of Mahalassville Road to the east and then north over new terrain to create a new route for traffic from I-69 to Grand Valley Boulevard. This extension begins more than 1500 feet from Top Notch Farm and travels further from the resource. Since the extension of the Mahalassville is on new alignment



through agricultural land, a change of setting to the east will occur due to the construction of a new road in the RPA.

- No changes in noise levels are anticipated. The RPA has a lower average daily traffic volume along Mahalasville Road near Top Notch Farm compared to Preferred Alternative C4. This is because much of the residential traffic along Mahalasville Road east of Top Notch Farm would no longer need to travel past Top Notch Farm to access Walmart and other adjacent retail establishments.
- Truck traffic adjacent to Top Notch Farm, however, would be greater with the RPA with an increase of approximately 60 trucks per day compared to Preferred Alternative C4. Traffic accessing the retail areas from I-69 would use Mahalasville Road rather than Commercial Boulevard. This includes truck deliveries.
- These changes would affect the setting of the Top Notch Farm to a greater degree than described in the 800.11 document. Setting is an aspect of integrity identified by the Secretary of the Interior’s Standards (2017); however, the setting presently has modern buildings that are located between the farm entrance and present-day SR 37 (the route of the I-69 mainline) to the west.
- FHWA and INDOT find that these changes would not constitute an adverse effect since there is presently modern construction in proximity. Therefore, the undertaking would continue to have “No Adverse Effect” on the Top Notch Farm.

**Average Daily Traffic (ADT) on Mahalasville Road adjacent to Top Notch Farm**

Alternative	Total (vehicles per day)	Trucks (per day)
Base Model Year (2010)	2,770	50
2045 No Build	3,560	70
2045 C1	7,240	190
2045 C2	5,000	110
2045 C3	7,270	190
2045 C4	7,250	190
<b>2045 Refined Preferred Alt</b>	<b>5,640</b>	<b>250</b>

*Source: I-69 Section 6 Corridor Travel Demand Model*

**East Washington Street Historic District**

**National Register (NR) No.: 1313**

**Washington Street, Martinsville, Morgan County**

*Effect Finding, February 14, 2017: No Effect*

*Description of Effects of the Preferred Alternative per Findings Document: The preferred alternative is located more than 4,000 feet from the boundary of the East Washington Street*

*Memorandum, Refined Preferred Alternative*

*I-69 Tier 2, Section 6 (Des. No.: 0300382)*



Historic District. The district is located in a dense, urban area of Martinsville and thus would not have a view to the undertaking. Noise and traffic increases would not occur as a result of the undertaking.

*Refined Preferred Alternative (RPA), August 2017:*

- The “historic property boundary” of the district would remain about 3,000 feet from the mainline at its closest portion and it would be more than 4,000 feet from the nearest improvement that would result from the undertaking.
- FHWA and INDOT find that the undertaking would continue to have “No Effect” on the East Washington Street Historic District.

## **W.E. Nutter House**

**IHSSI No.: 109-386-64053**

**1089 East Harrison Street, Martinsville, Morgan Count**

*Effect Finding, February 14, 2017:* No Effect

*Description of Effects of the Preferred Alternative per Findings Document:* The preferred alternative is located approximately 3,500 feet from the W.E. Nutter House. The Nutter House is located in a dense, urban area of Martinsville and thus, would not have a view to the undertaking. Noise and traffic increases would not occur as a result of the undertaking under any of the alternatives.

*Refined Preferred Alternative (RPA), August 2017:*

- The RPA would remain approximately 3,500 feet from the boundary of the W.E. Nutter House.
- FHWA and INDOT find that the undertaking would continue to have “No Effect” on the W.E. Nutter House.

## **Pearcy Farm and Clear Creek Fisheries**

**IHSSI No.: 109-386-60015**

**295 Hess Road, Martinsville, Morgan County**

*Effect Finding, February 14, 2017:* No Effect

*Memorandum, Refined Preferred Alternative  
I-69 Tier 2, Section 6 (Des. No.: 0300382)*



*Description of Effects of the Preferred Alternative per Findings Document:* The mainline of the preferred alternative is located over 3,000 feet from the Percy Farm and Clear Creek Fisheries. No improvements are planned along Hess Road as part of the construction, although traffic is projected to decrease over the “No Build” alternative as a result of this undertaking.

*Refined Preferred Alternative (RPA), August 2017:*

- The mainline of the RPA would remain about 3,000 feet from the historic property.
- FHWA and INDOT find that the undertaking would continue to have “No Effect” on the Percy Farm and Clear Creek Fisheries.

## **Grassyfork Fisheries Farm No. 1**

**NR No.: 2209**

**2902 East Morgan Street, Martinsville Morgan County**

*Effect Finding, February 14, 2017:* No Adverse Effect

*Description of Effects of the Preferred Alternative per Findings Document:* The preferred alternative will take place nearly 1,300 feet from the boundary of Grassyfork Fisheries Farm No. 1 along SR 37. The I-69 mainline will maintain the general elevation of existing SR 37 which is depressed in the area; SR 37 is not currently visible from the property, and the undertaking would not be elevated as part of the improvements to the mainline.

Morgan Street will be reconstructed to join Old SR 37 north of the Country Club Road and Teeters Road will include an overpass. Traffic will increase in front of Grassyfork Fisheries Farm No. 1. There will be a change in view produced by increasing traffic along Teeters Road. The ambient noise level at Grassyfork Fisheries Farm No. 1 is 48.2 dBA; that level will increase to 55.7 dBA, a change of 7.5 dBA, which is not considered adverse per INDOT’s noise policy. Grassyfork Fisheries Farm No. 1 is not sensitive to noise and would not be affected by traffic changes that would result from the construction of this undertaking.

*Refined Preferred Alternative (RPA), August 2017:*

- The mainline of the RPA would remain about 1,300 feet from the historic property in the area of the office and display room, but would be about 900 feet from its closest point of the boundary to the mainline.
- FHWA and INDOT find that the undertaking would continue to have “No Adverse Effect” on the Grassyfork Fisheries Farm No 1.



## **Reuben Aldrich Farm**

**IHSSI No.: 109-428-3009**

**7020 Old SR 37, Harrison Township, Morgan County**

*Effect Finding, February 14, 2017: Adverse Effect*

*Description of Effects of the Preferred Alternative per Findings Document:* The I-69 Section 6 mainline would be located approximately 1,300 feet from the boundary of the farm, and the nearest project component would be the addition of an overpass connecting Big Bend Road and Tunnel Road. The overpass would tie into Big Bend Road approximately 650 feet from the historic property boundary. The overpass would be a local service road and would likely not be visible from the historic property boundary. Traffic is anticipated to increase as a result of the undertaking, particularly truck traffic. Old SR 37 was designed as a state road and can accommodate the traffic. However, the road would no longer be a low volume road and there are no plans to improve the road. Traffic levels are forecasted to increase from a base model year (2010) daily traffic count of 170 vehicles per day (VPD) to 1,410 VPD in the year 2045. Daily truck traffic would increase from 20 to 30 vehicles. The ambient noise level for the Reuben Aldrich Farm is 50.1 dBA, a level that is expected to increase to 52.6 dBA, an increase that will not be perceptible to the human ear. Therefore, there is not an adverse noise impact, per INDOT's noise policy.

The setting will be impacted: with the construction of an overpass over I-69, traffic will be redirected, resulting in an increase in traffic in front of the Reuben Aldrich Farm. The setting of this property is an aspect of its integrity that allows it to convey its significance.

*Refined Preferred Alternative (RPA), August 2017:*

- The mainline for the RPA would remain about 1,300 feet from the Reuben Aldrich Farm.
- However, the overpass at Big Bend Road will not be constructed, which would diminish overall project impacts at this location.
- Both automobile and truck traffic are predicted to decrease in front of the resource.
- No changes in noise levels are anticipated.
- FHWA and INDOT find that the finding will continue to have an Adverse Effect on the Reuben Aldrich Farm.

## **Morgan County Bridge No. 166**

**IHSSI No.: 109-428-30017/NBI No.: 5500153**

**Old SR 37 over Bluff Creek, Harrison Township, Morgan County**

*Memorandum, Refined Preferred Alternative  
I-69 Tier 2, Section 6 (Des. No.: 0300382)*





*Effect Finding, February 14, 2017: No Effect*

*Description of Effects of the Preferred Alternative per Findings Document:* Mainline construction for the preferred alternative will take place approximately 3,500 feet from this property. An interchange improvement will occur along SR 144, approximately 4,500 from the bridge. No traffic increases along the Old SR 37, the roadway Morgan County Bridge No. 166 carries, are anticipated. Noise will not affect the integrity of this property since bridges are by their very nature intended to be in environments of traffic noise.

*Refined Preferred Alternative (RPA), August 2017:*

- The RPA would remain approximately 3,500 feet from the property and no traffic increases are anticipated.
- FHWA and INDOT find that the RPA would continue to have “No Effect” on Morgan County Bridge No. 166 (NBI No.: 5500153).

## **Travis Hill Historic District**

**Travis Place at Stones Crossing Road, White River Township, Johnson County**

*Effect Finding, February 14, 2017: No Adverse Effect*

*Description of Effects of the Preferred Alternative per Findings Document:* A local access road overpass is planned for Stones Crossing Road over proposed I-69 for the preferred alternative. These improvements will terminate adjacent to the historic property boundary. Travis Hill is located along a rise above the intersection of SR 37 and Stones Crossing Road. Trees would be cleared adjacent to the neighborhood and Stones Crossing would be re-aligned, altering the setting of the district. The Travis Hill Historic District would be affected by traffic changes and visual impacts that result from the construction of an overpass built as part of the undertaking and the clearing of about twenty trees lying outside the historic boundary. However, houses within the district are on heavily wooded lots and would not have a view to the undertaking during much of the year. Noise will increase from 53.9 dBA to 60.6 dBA at one of the receptors in the district. (The other receptor would experience a decrease in dBA.) The projected noise levels at these receptors do not rise to the level of an adverse effect, per INDOT’s noise policy.

*Refined Preferred Alternative (RPA), August 2017:*

*Memorandum, Refined Preferred Alternative  
I-69 Tier 2, Section 6 (Des. No.: 0300382)*



- The RPA utilizes an access road from SR 144 to Stones Crossing Road for those property owners of Travis Hill Historic District.
- Both truck and automobile traffic is predicted to decrease.
- No overpass for Stones Crossing Road will be provided in the RPA, and no realignment of Stones Crossing Road would be necessary.
- The view from some homes in Travis Hill Historic District would be affected only slightly during the winter months.
- The Advisory Council on Historic Preservation has concurred with the application of the Criteria of Adverse Effect for this resource as it relates to Preferred Alternative C4 in a letter dated August 17, 2017. Specifically, the Council stated: “The original design of entering the development through an ascent up Travis Hill is the character defining element distinguishing the approach into this historic district. Based upon our review, this will not be altered with the proposed change in elevation of Stones Crossing Road.”
- FHWA and INDOT find that the refinements included in the RPA minimize project effects and the project would continue to have “No Adverse Effect” on the Travis Hill Historic District.

## **John Sutton House**

**IHSSI No.: 081-031-10002**

**988 North Bluff Road, White River Township, Johnson County**

*Effect Finding, February 14, 2017: No Adverse Effect*

*Description of Effects of the Preferred Alternative per Findings Document:* The undertaking will take place approximately 500 feet from the house under the preferred alternative. In addition, an interchange at County Line Road, situated nearly 1,700 feet from the John Sutton House, is proposed under the Preferred Alternative C4. The undertaking will result in a change of setting from the construction of the interchange. The ambient noise reading for the John Sutton House is 57.4 dBA; in the design year 2045, noise modelers project a noise reading of 64.0 dBA or an increase of 6.6 dBA, which is below INDOT criteria for an adverse effect. However, setting is not key to the integrity and significance of this property; SR 37 and modern intrusions are already extant and these have not diminished its integrity.

*Memorandum, Refined Preferred Alternative  
I-69 Tier 2, Section 6 (Des. No.: 0300382)*



*Refined Preferred Alternative (RPA), August 2017:*

- No change at this location.
- The Advisory Council on Historic Preservation has concurred with the application of the Criteria of Adverse Effect for the resource in a letter dated August 17, 2017. Specifically, the Council stated: “Considering this modern construction is extant and the proposed I-69 construction will be located behind it when viewed from the John Sutton House, it is the ACHP’s view that the undertaking will not alter the character of the setting for this historic property.”
- FHWA and INDOT find that the undertaking would continue to have “No Adverse Effect” on this historic property.

## **Marion County Bridge No. 4513 F**

**NBI No.: 4900484**

**Bluff Road over Pleasant Run, Indianapolis, Perry Township, Marion County**

*Effect Finding, February 14, 2017: No Adverse Effect*

*Description of Effects of the Preferred Alternative per Findings Document:* The undertaking would take place within approximately 126 feet from the center of the bridge under Preferred Alternative C4. No traffic impacts are anticipated as part of this undertaking. The setting does not contribute to the engineering significance. Noise and traffic would not affect the integrity of this property since bridges are by their very nature intended to be in environments of traffic noise. The undertaking would have an effect on Marion County Bridge No. 4315 F due to the increased travel time to access the bridge, but that change will constitute a No Adverse Effect because it does not inhibit the ability of the resource to convey its engineering significance.

*Refined Preferred Alternative (RPA), August 2017:*

- Embankment construction and ditch work brings the edge of the RPA approximately 75 feet from the bridge as was the case in C4.
- Trees within the existing right-of-way of SR 37 would be cleared; no trees would be cleared on private land.
- Though it was not noted in the earlier description of effects, the historic property will actually be at a greater distance from the roadway than it is at present. The existing northbound lane of SR 37 will be removed and the north and southbound lanes will shift to the west by approximately 80 feet.
- FHWA and INDOT find that the undertaking would continue to have “No Adverse Effect” on this historic property.



## **Glenn's Valley Nature Park Retreat House**

**IHSSI No.: 097-392-85416**

**8015 Bluff Road, Indianapolis, Perry Township, Marion County**

*Effect Finding, February 14, 2017: No Adverse Effect*

*Description of Effects of the Preferred Alternative per Findings Document:* The undertaking is located approximately 1,670 feet from the property under Preferred Alternative C4. Noise will increase from 47.5 dBA in the current year to 54.5 dBA in design year 2045; this is not considered an adverse impact per INDOT's noise policy. The Retreat House is set on a heavily wooded lot with limited visibility to the undertaking. Therefore, no change to the setting is anticipated.

*Refined Preferred Alternative (RPA), August 2017:*

- The RPA would continue to be located about 1,670 feet from the property.
- No changes will occur to the heavily wooded lot and visibility would remain limited.
- FHWA and INDOT find that the undertaking would continue to have "No Adverse Effect" on the Glenn's Valley Nature Park Retreat House.

## **Cleary-Barnett House**

**8000 Bluff Road, Indianapolis, Perry Township, Marion County**

*Effect Finding, February 14, 2017: No Adverse Effect*

*Description of Effects of the Preferred Alternative per Findings Document:* The undertaking is located approximately 1,900 feet from the property under Preferred Alternative C4. Noise will increase from 49.9 dBA in the current year to 55.2 dBA in design year 2045; this is not considered an adverse impact per INDOT's noise policy. The Cleary-Barnett House is set on a heavily wooded lot with limited visibility to the undertaking. The topography and vegetation of the setting is not expected to change given the wooded setting of the property and the distance to the undertaking.

*Refined Preferred Alternative (RPA), August 2017:*

*Memorandum, Refined Preferred Alternative  
I-69 Tier 2, Section 6 (Des. No.: 0300382)*



- The RPA would continue to be located about 1,900 feet from the undertaking.
- No changes will occur to the heavily wooded lot and visibility would remain limited.
- FHWA and INDOT find that the undertaking would continue to have “No Adverse Effect” on the Cleary-Barnett House.

## **Glennwood Homes Association Historic District**

**Northwest corner of Stop 11 and Bluff Road, Indianapolis, Perry Township, Marion County**

*Effect Finding, February 14, 2017: No Adverse Effect*

*Description of Effects of the Preferred Alternative per Findings Document:* The undertaking is located 578 feet from the property under Preferred Alternative C4. The district is set on a heavily wooded tract of land along Bluff Road. The neighborhood is accessed via Bluff Road and traffic is expected to decrease as a result of the undertaking at Bluff Road north of Stop 11 Road, which is the entrance/access to the majority of resources within the district. The undertaking will be visible from the highest point of the neighborhood during times of the year without leaf cover. Vegetation will partially screen the undertaking from the district while the distance will further reduce its effects.

Ambient noise levels have been measured at 54.3 dBA; these levels are predicted to increase to 63.0 dBA at the receiver closest to the undertaking in the design year 2045, which is not considered adverse per INDOT’s noise policy.

*Refined Preferred Alternative (RPA), August 2017:*

- No change at this location.
- FHWA and INDOT find that the undertaking would continue to have “No Adverse Effect” on the Glennwood Homes Association Historic District.

## **Le Ciel (Charles Laughner House)**

**7719 Belmont Avenue, Indianapolis, Perry Township, Marion County**

*Effect Finding, February 14, 2017: No Adverse Effect*

*Description of Effects of the Preferred Alternative per Findings Document:* The mainline of Preferred Alternative C4 is located approximately 70 feet from the historic boundary of the home. In addition, Belmont Avenue, which passes in front of the property, will be closed to traffic and will be turned to a cul-de-sac. Le Ciel is set on a heavily wooded tract of land on a high elevation but the home is visible during the winter months; thus, during part of the year

*Memorandum, Refined Preferred Alternative  
I-69 Tier 2, Section 6 (Des. No.: 0300382)*



the home will have a view of the undertaking and perhaps of the Southport Road interchange. Ambient noise levels have been measured at 56.9 dBA; these levels are predicted to increase to 65.9 dBA in the design year 2045; which is not considered an adverse effect per INDOT's noise policy.

The property is presently located along Belmont Road and parallel to SR 37, but it is screened from these roadways much of the year. Although access to Belmont Road and SR 37 will change, the proximity of the house to the roadways will not be affected.

*Refined Preferred Alternative (RPA), August 2017:*

- The RPA is still about 70 feet from historic property boundary.
- FHWA and INDOT find that the undertaking would continue to have "No Adverse Effect" on Le Ciel (Charles Laughner House).

## **Southside German Market Gardeners Historic District Bluff Road at I-465, Indianapolis, Perry Township, Marion County**

*Effect Finding, February 14, 2017: Adverse Effect*

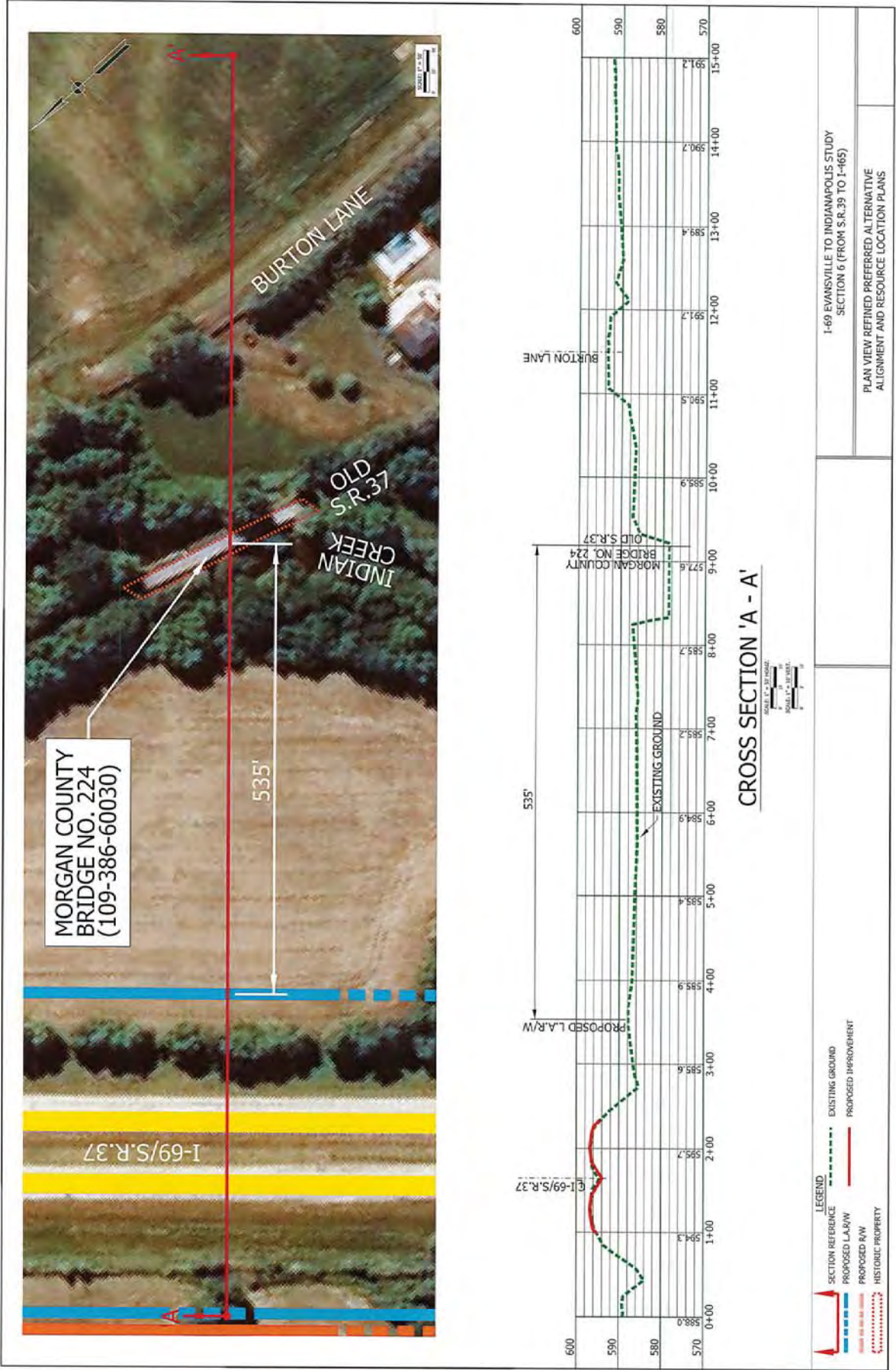
*Description of Effects of the Preferred Alternative per Findings Document:* The district is located along the undertaking on both the north and the south side. The project would replace and widen the I-465 bridge over Bluff Road, which is located within the district. Mechanically stabilized earth (MSE) retaining walls would be used along the south side of I-465. A vegetated sideslope would be constructed along the north side I-465, west of Bluff Road. A combination of a vegetated side-slope and MSE walls would be constructed along north side of I-465, east of Bluff Road to avoid impacting electric transmission towers. The Contributing house located at 4401 Bluff Road would be removed as part of the side-slope construction. The project would acquire a total of approximately 6.0 acres from the historic district in the four quadrants. Traffic along Bluff Road would decrease from 11,500 VPD in 2010 to 9,890 VPD in the year 2045. Daily truck traffic along Bluff Road would decrease from 240 to 105. The ambient noise level is 69.7 dBA; in the design year 2045, the noise level would increase to 70.1 dBA, a difference of 0.4. Noise at the Southside German Market Gardeners Historic District will not increase such that it will constitute an adverse impact, per INDOT's noise policy.

*Refined Preferred Alternative (RPA), August 2017:*

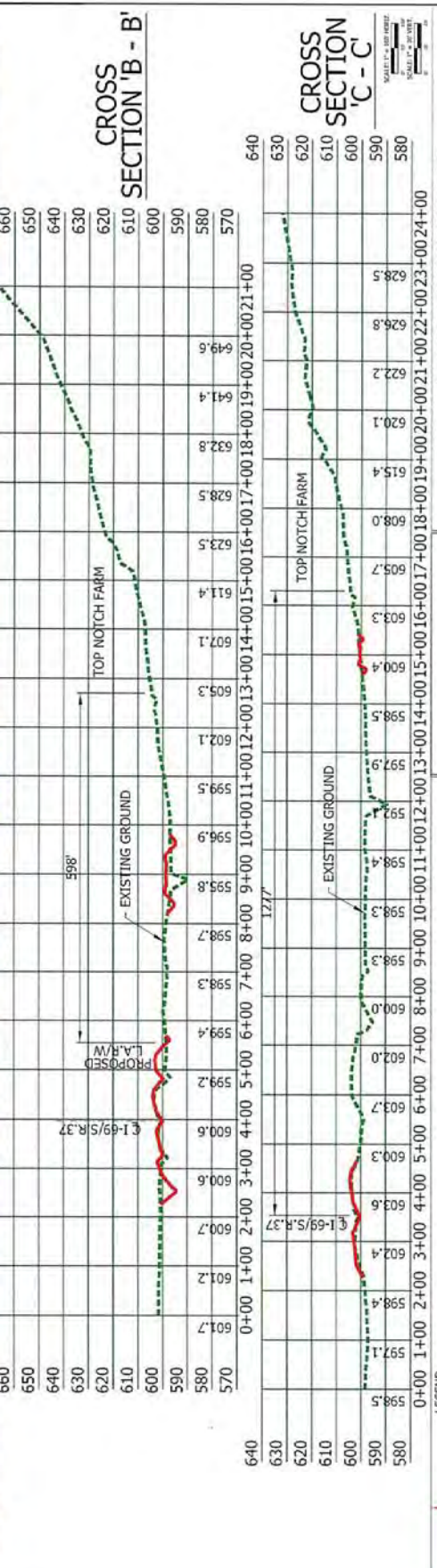
- There are no substantive changes to the undertaking as shown in the RPA.
- FHWA and INDOT find that the undertaking would continue to have an "Adverse Effect" on the Southside German Market Gardeners Historic District.

*Memorandum, Refined Preferred Alternative  
I-69 Tier 2, Section 6 (Des. No.: 0300382)*





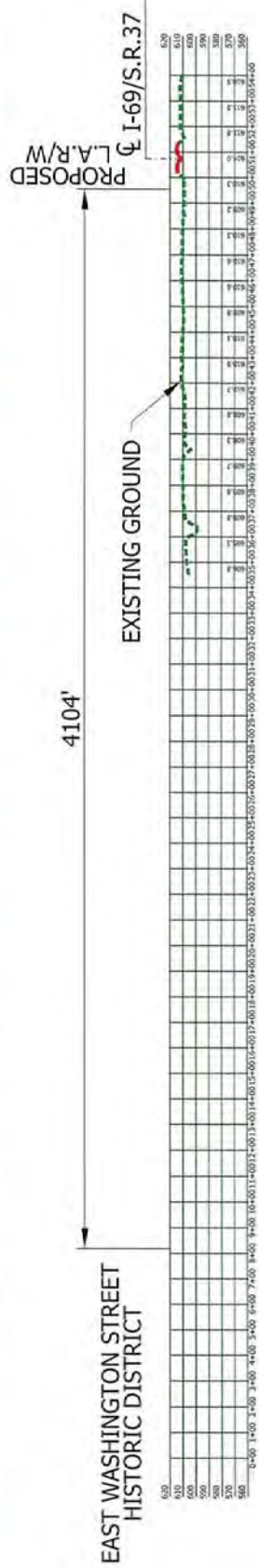




1-69 EVANSVILLE TO INDIANAPOLIS STUDY  
SECTION 6 (FROM S.R.39 TO I-465)

PLAN VIEW REFINED PREFERRED ALTERNATIVE  
ALIGNMENT AND RESOURCE LOCATION PLANS





**SECTION 'D - D'**



- LEGEND:**
- SECTION REFERENCE
  - EXISTING GROUND
  - PROPOSED L.A./R/W
  - PROPOSED IMPROVEMENT
  - PROPOSED R/W
  - HISTORIC PROPERTY

I-69 EVANSVILLE TO INDIANAPOLIS STUDY  
SECTION 6 (FROM S.R. 39 TO I-465)

PLAN VIEW REFINED PREFERRED ALTERNATIVE  
ALIGNMENT AND RESOURCE LOCATION PLANS



PROPOSED  
L.A./R/W  
I-69/S.R.37

3481'

W.E. NUTTER  
HOUSE

EXISTING GROUND



SECTION 'E - E'



- LEGEND**
- SECTION REFERENCE
  - EXISTING GROUND
  - PROPOSED L.A./R/W
  - PROPOSED IMPROVEMENT
  - PROPOSED R/W
  - HISTORIC PROPERTY

I-69 EVANSVILLE TO INDIANAPOLIS STUDY  
SECTION 6 (FROM S.R.39 TO I-465)

PLAN VIEW REFINED PREFERRED ALTERNATIVE  
ALIGNMENT AND RESOURCE LOCATION PLANS



PEARCY FARM AND  
CLEAR CREEK FISHERIES  
(109-386-60015)

CIKANA FISH  
HATCHERY  
SOUTH

TWIN BRANCH  
ROAD CONNECTOR

HESS RD  
3051

I-69/S.R. 37

MORGAN ST

GRASSYFORKS  
FISHERIES

SHERMAN BLVD

- LEGEND
- SECTION REFERENCE
  - EXISTING GROUND
  - PROPOSED L/R/W
  - PROPOSED IMPROVEMENT
  - PROPOSED R/W
  - HISTORIC PROPERTY

I-69 EVANSVILLE TO INDIANAPOLIS STUDY  
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PLAN VIEW REFINED PREFERRED ALTERNATIVE  
ALIGNMENT AND RESOURCE LOCATION PLANS



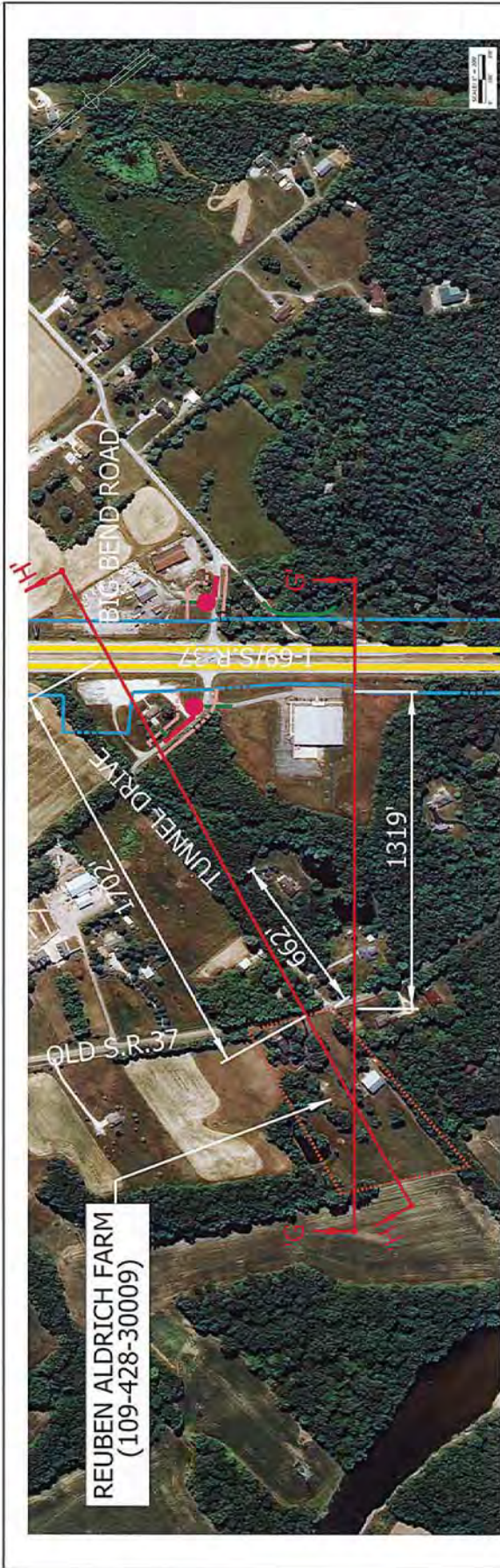
**SECTION 'F-F'**



- LEGEND**
- SECTION REFERENCE
  - EXISTING GROUND
  - - - PROPOSED L.A./R/W
  - PROPOSED IMPROVEMENT
  - - - PROPOSED R/W
  - - - HISTORIC PROPERTY

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PLAN VIEW REFINED PREFERRED ALTERNATIVE  
ALIGNMENT AND RESOURCE LOCATION PLANS



**REUBEN ALDRICH FARM**  
(109-428-30009)



**CROSS SECTION 'G - G'**

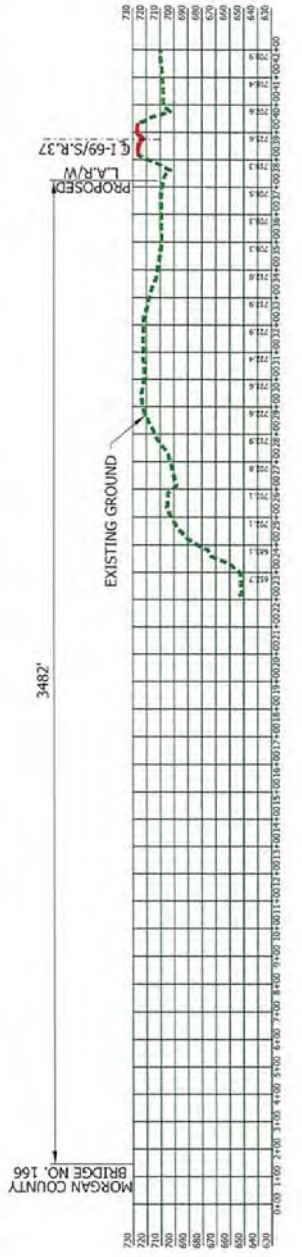


**CROSS SECTION 'H - H'**

- LEGEND**
- SECTION REFERENCE
  - PROPOSED L.A./R.W.
  - PROPOSED IMPROVEMENT
  - HISTORIC PROPERTY
  - EXISTING GROUND
  - PROPOSED R/W
  - HISTORIC PROPERTY

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PLAN VIEW REFINED PREFERRED ALTERNATIVE  
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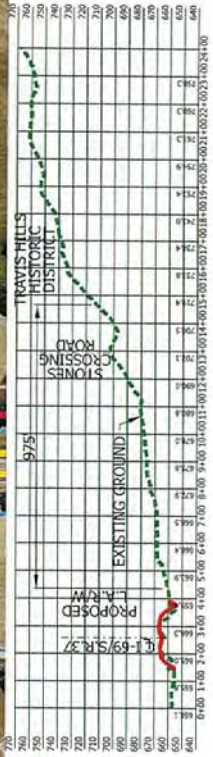
CROSS SECTION 'I - I'



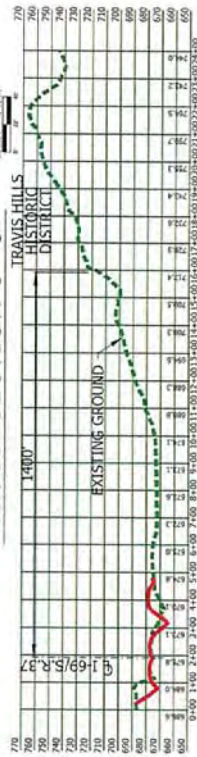
- LEGEND**
- SECTION REFERENCE
  - EXISTING GROUND
  - PROPOSED L.A./R.W.
  - PROPOSED IMPROVEMENT
  - PROPOSED R/W
  - HISTORIC PROPERTY

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PLAN VIEW REFINED PREFERRED ALTERNATIVE  
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CROSS SECTION 'J - J'



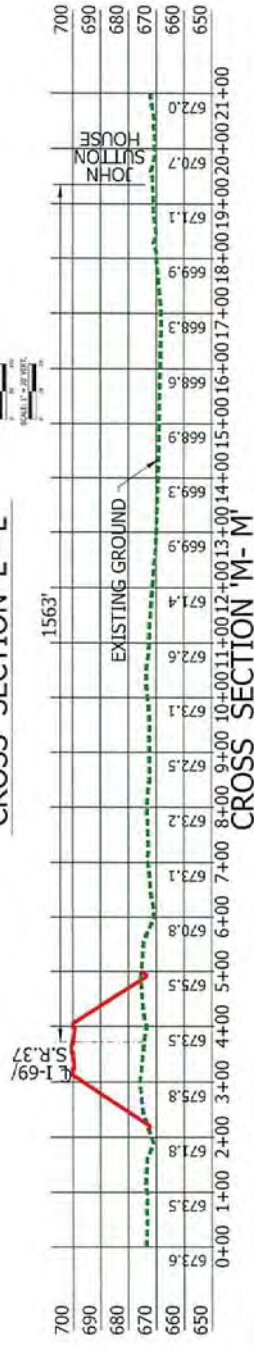
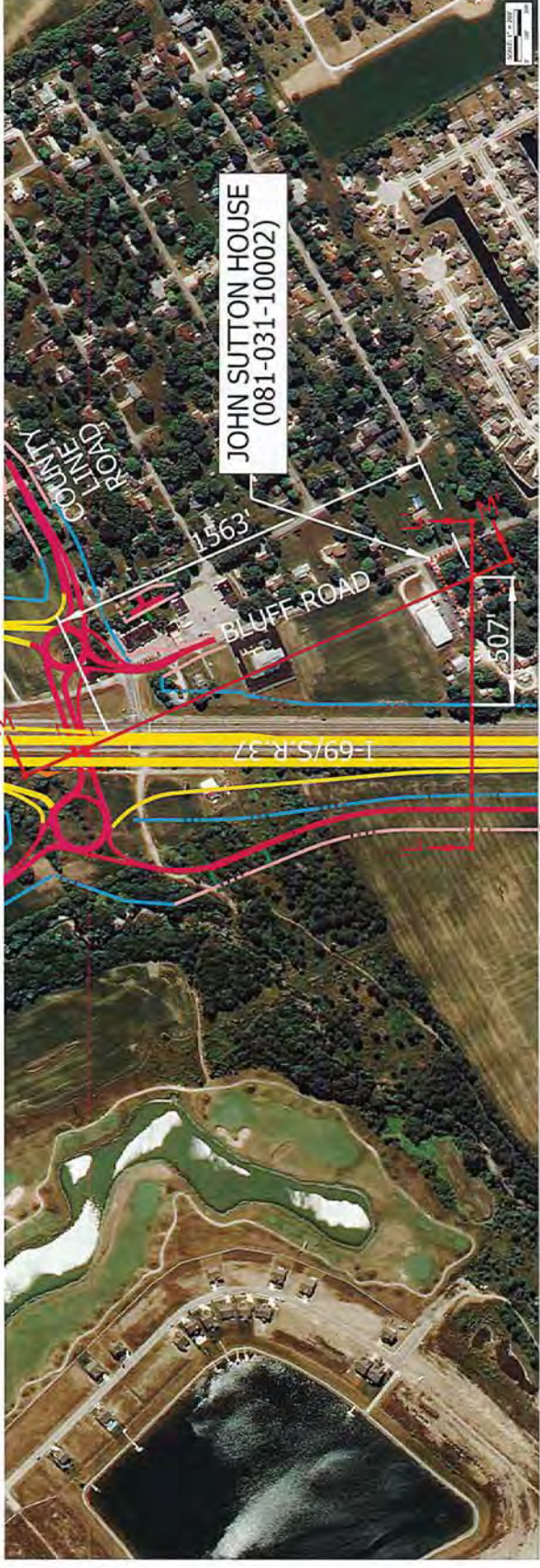
CROSS SECTION 'K - K'

- LEGEND**
- SECTION REFERENCE
  - PROPOSED L&RW
  - PROPOSED RW
  - HISTORIC PROPERTY
  - EXISTING GROUND
  - PROPOSED IMPROVEMENT

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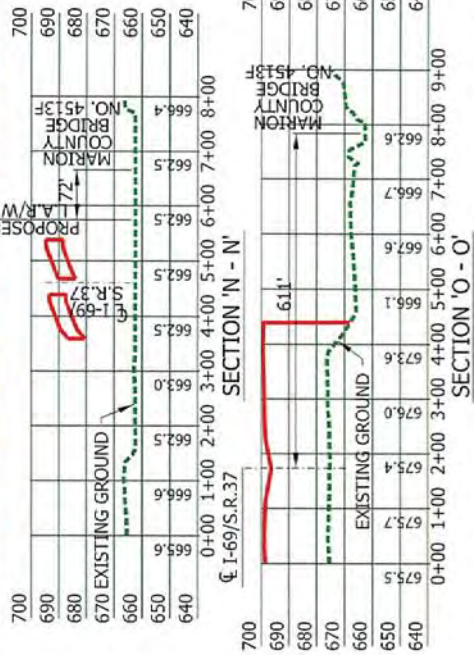
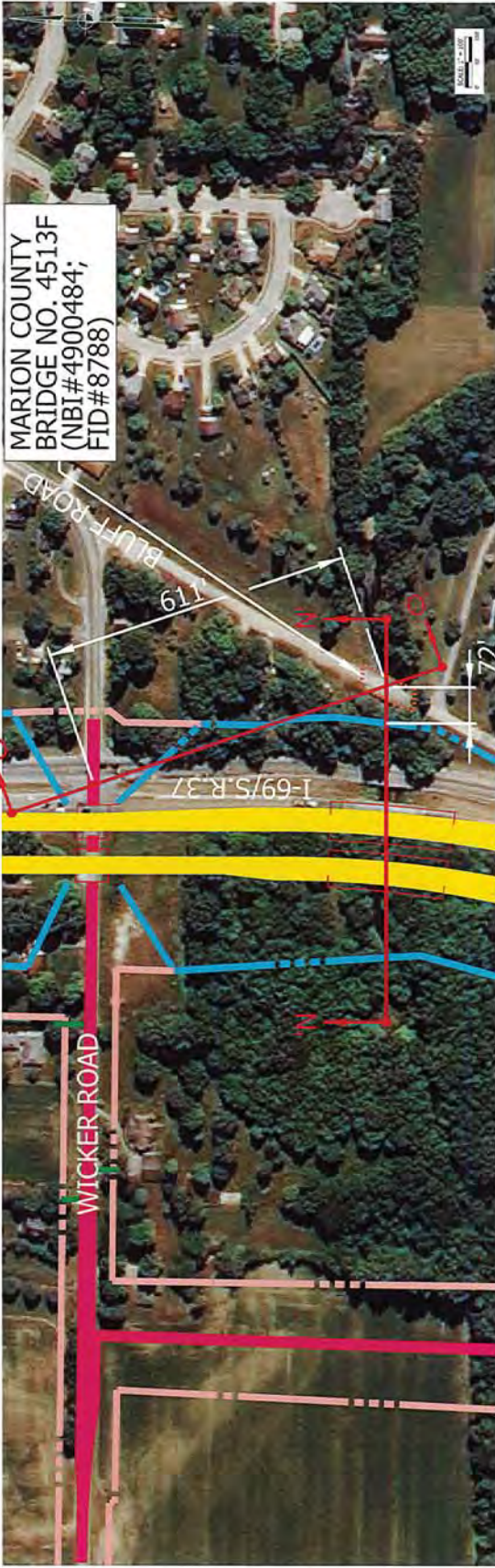
PLAN VIEW REFINED PREFERRED ALTERNATIVE  
ALIGNMENT AND RESOURCE LOCATION PLANS





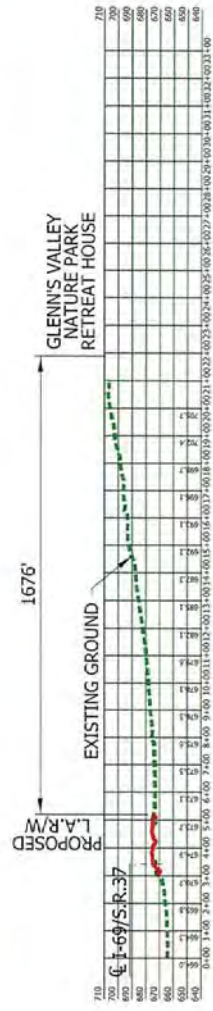
- LEGEND:**
- SECTION REFERENCE
  - EXISTING GROUND
  - PROPOSED L&R/W
  - PROPOSED IMPROVEMENT
  - PROPOSED R/W
  - HISTORIC PROPERTY

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PLAN VIEW REFINED PREFERRED ALTERNATIVE  
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- LEGEND**
- SECTION REFERENCE
  - PROPOSED LAR/W
  - PROPOSED R/W
  - HISTORIC PROPERTY
  - EXISTING GROUND
  - PROPOSED IMPROVEMENT

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SECTION 6 (FROM S.R.39 TO I-465)  
PLAN VIEW REFINED PREFERRED ALTERNATIVE  
ALIGNMENT AND RESOURCE LOCATION PLANS

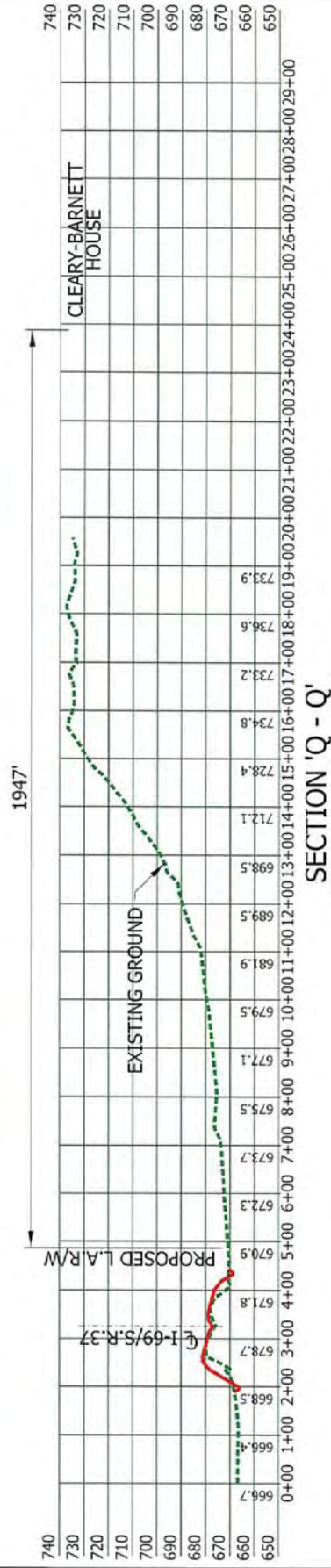


SECTION 'P - P'

SCALE: VERTICAL  
1" = 20.00 FT  
HORIZONTAL  
1" = 100.00 FT

- SECTION REFERENCE
- EXISTING GROUND
- PROPOSED LAR/W
- PROPOSED IMPROVEMENT
- PROPOSED R/W
- HISTORIC PROPERTY

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SECTION 6 (FROM S.R. 39 TO I-465)  
PLAN VIEW REFINED PREFERRED ALTERNATIVE  
ALIGNMENT AND RESOURCE LOCATION PLANS

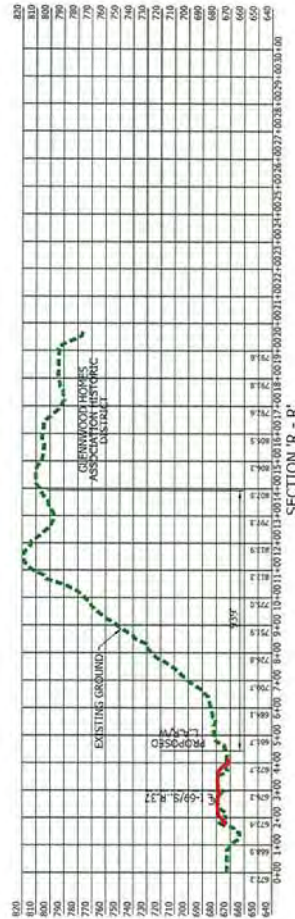
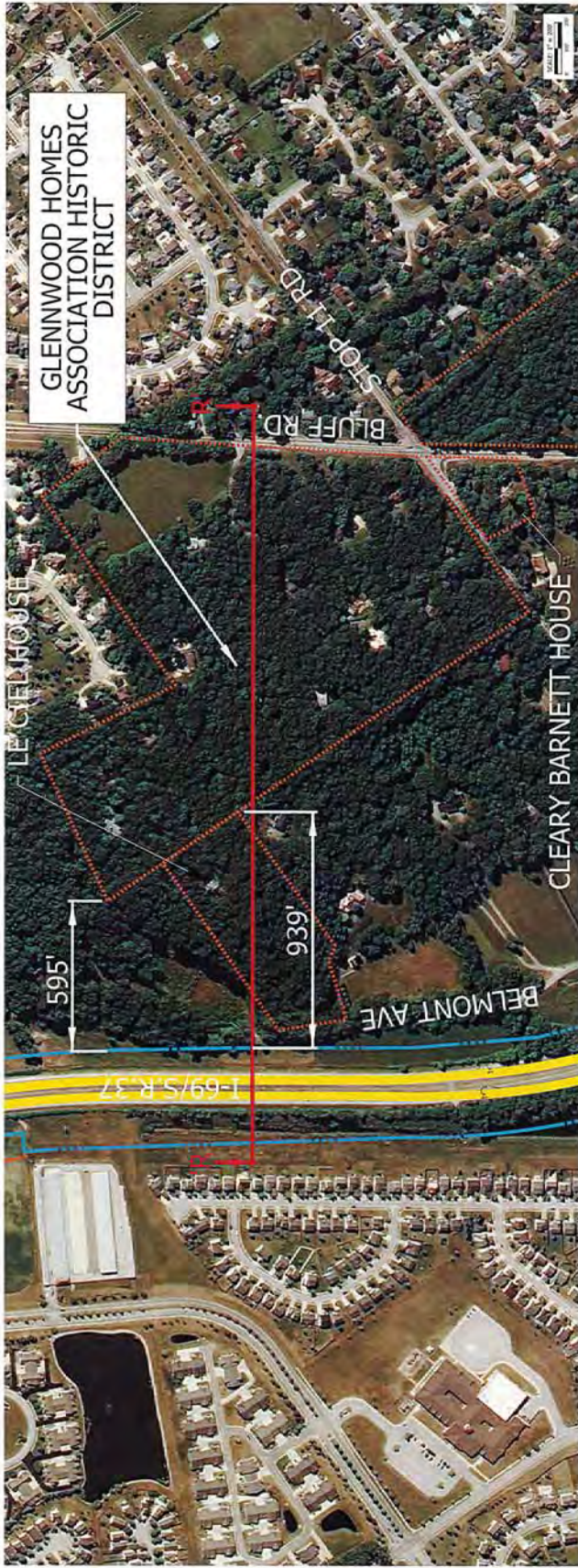


SECTION 'Q - Q'

SCALE: VERTICAL  
1" = 10'

- LEGEND**
- SECTION REFERENCE
  - EXISTING GROUND
  - PROPOSED L.A.R/W
  - PROPOSED IMPROVEMENT
  - PROPOSED R/W
  - HISTORIC PROPERTY

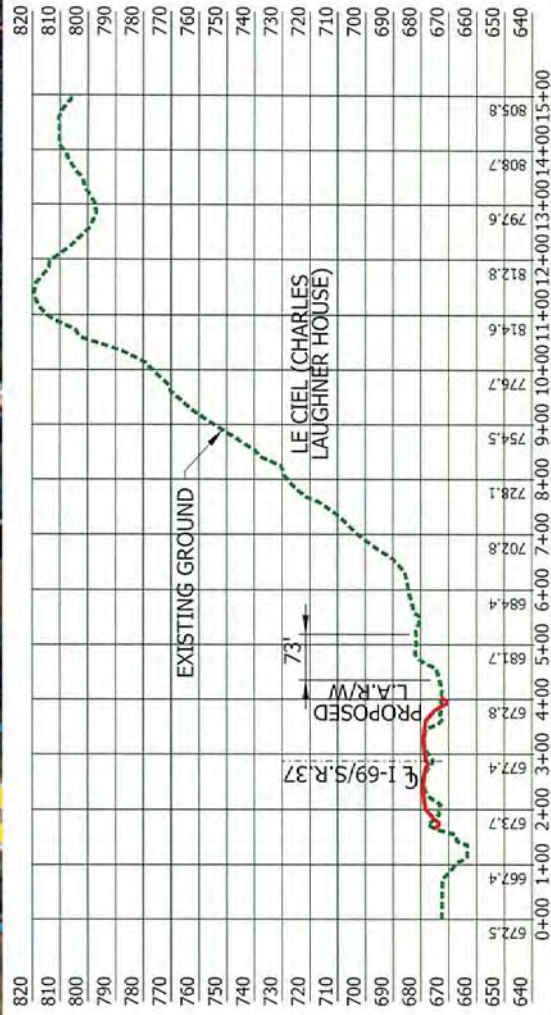
I-69 EVANSVILLE TO INDIANAPOLIS STUDY  
SECTION 6 (FROM S.R.39 TO I-465)  
PLAN VIEW REFINED PREFERRED ALTERNATIVE  
ALIGNMENT AND RESOURCE LOCATION PLANS



- LEGEND**
- SECTION REFERENCE
  - EXISTING GROUND
  - PROPOSED L.A./W
  - PROPOSED IMPROVEMENT
  - PROPOSED R/W
  - HISTORIC PROPERTY

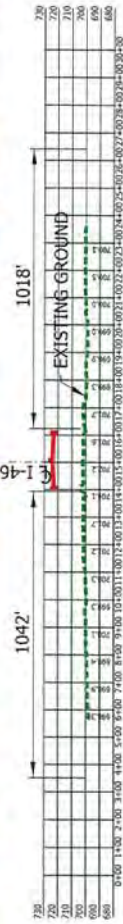
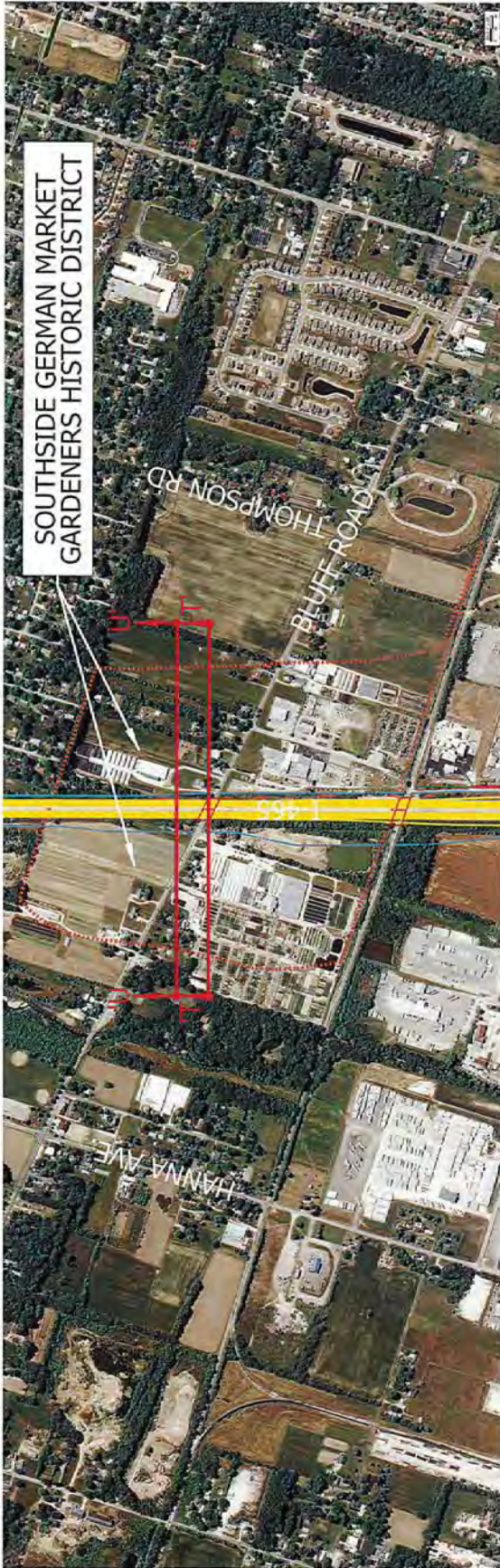
I-69 EVANSVILLE TO INDIANAPOLIS STUDY  
SECTION 6 (FROM S.R. 39 TO I-465)

PLAN VIEW REFINED PREFERRED ALTERNATIVE  
ALIGNMENT AND RESOURCE LOCATION PLANS

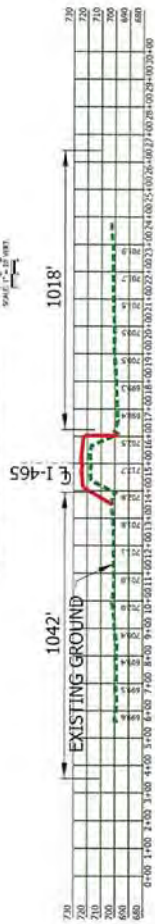


1-69 EVANSVILLE TO INDIANAPOLIS STUDY  
SECTION 6 (FROM S.R.39 TO 1-65)

PLAN VIEW REFINED PREFERRED ALTERNATIVE  
ALIGNMENT AND RESOURCE LOCATION PLANS



SOUTH SIDE GERMAN MARKET  
GARDENERS HISTORIC DISTRICT  
SECTION 'T-T'



SOUTH SIDE GERMAN MARKET  
GARDENERS HISTORIC DISTRICT  
SECTION 'U-U'

- LEGEND**
- SECTION REFERENCE
  - EXISTING GROUND
  - PROPOSED LAR/W
  - PROPOSED IMPROVEMENT
  - PROPOSED R/W
  - HISTORIC PROPERTY

## **APPENDIX M-7**

**Correspondence/Comments Received/Transmitted  
Following Section 106 Finding of Adverse Effect  
(March 2017 to September 2017)**



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## I 69 Section 6 (Des. 0300382) Findings & Determinations

1 message

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Linda Weintraut <linda@weintrautinc.com>

Fri, Mar 17, 2017 at 3:02 PM

To: Mark Dollase <mdollase@indianalandmarks.org>, ssebree@indianalandmarks.org, jstuttgen@comcast.net, Pauline Spiegel <ppspiegel@gmail.com>, Paul Brandenburg <indianabridges@sbcglobal.net>, dbaker@indygov.org, "James L. Cooper" <jlcooper@ccrtc.com>, dpha@dnr.in.gov, "Carr, John" <Jcarr@dnr.in.gov>, "Slider, Chad" <Cslider@dnr.in.gov>, "Tharp, Wade" <WTharp1@dnr.in.gov>, nvoyles@morgancounty.in.gov, Ross@hollowayengineering.com, maxlois@sbcglobal.net, jdemaree@summitrealtygroup.com, Ann Bilodeau <bilodeau.ann@gmail.com>, Mel Crichton <kj9c@iquest.net>, bethannebylsma@gmail.com, barney8000@comcast.net, don.colvin@indy.gov, Marcia Smith <smithfirepro@aol.com>, dKunderwood@rdc-ics.com, joseph@ozarkfisheries.com, "N. B. Line" <bethline78@gmail.com>, Joseph Cleveland <cleveland07@gmail.com>, chrismeyers@indygov.com  
Cc: "Rubin, Sarah" <SRubin@indot.in.gov>, "Earl, James" <JEARL@indot.in.gov>, "Kennedy, Mary" <mkennedy@indot.in.gov>, "Carpenter, Patrick A" <PACarpenter@indot.in.gov>, "Kumar, Anuradha" <akumar@indot.in.gov>, Timothy Miller <tnmiller@hntb.com>, Christine Meador <CMeador@hntb.com>, "michelle.allen@dot.gov" <michelle.allen@dot.gov>, "Gillette, Kia" <KGillette@lochgroup.com>, Beth McCord <bmccord@graypape.com>, bethany w <bethany@weintrautinc.com>, "Miller, Shaun (INDOT)" <smiller@indot.in.gov>

Dear Consulting Party,

Please see the attached letter from the Federal Highway Administration (FHWA).

FHWA, in cooperation with the Indiana Department of Transportation (INDOT), is preparing an Environmental Impact Statement (EIS) for Section 6 of the I-69 Evansville to Indianapolis Tier 2 Studies (Des. No. 0300382; DHPA No.: 4615). Section 106 of the National Historic Preservation Act (1966) requires Federal agencies to take into account the effects of their undertakings on historic properties. Historic properties are those properties that are listed in, or eligible for listing in, the National Register of Historic Places.

Since the last consulting party meeting held on August 17, 2016, FHWA has signed the "**Section 4(f) Compliance Requirements (for Historic Properties) and Section 106 Findings and Determinations: Area of Potential Effects, Eligibility Determinations, Effect Finding**" for Section 6 of the I-69 Evansville to Indianapolis Tier 2 Studies Project. You may access the signed "Findings and Determinations" as part of the **800.11 Documentation of Section 106 Finding of Adverse Effect for Section 6 of the I-69 Evansville to Indianapolis Tier 2 Studies Project (Des. No.: 0300382; DHPA No.: 4615)** at the IN-SCOPE website located at the following link:

<http://netservices.indot.in.gov/Section106Documents/Default.aspx>

The Des No. is the most efficient search term, once in IN-SCOPE. Any invited consulting party who makes such a request to Weintraut & Associates within seven (7) days of receipt of this notification will receive a hard copy of this material.

The 800.11 documentation provides a summary of Section 106 consultation completed to date. We encourage all consulting parties to provide comments on the 800.11 documentation and the suggested mitigation measures. Please

keep in mind that after this comment period, a draft Memorandum of Agreement (MOA) will be prepared and distributed to all consulting parties for additional comment.

To facilitate the development of this project, please respond with comments on this documentation by May 8, 2017 to Linda Weintraut at [linda@weintrautinc.com](mailto:linda@weintrautinc.com).

Thank you for your participation in this project.

Linda Weintraut, Ph.D.  
Weintraut & Associates, Inc.  
PO Box 5034  
4649 Northwestern Drive  
Zionsville, Indiana 46077  
[317.733.9770 ext. 310](tel:317.733.9770)

[www.weintrautinc.com](http://www.weintrautinc.com)



**I69 Section 6 800.11-AE to CP.pdf**

80K



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Indiana Division**

March 17, 2017

575 North Pennsylvania Street, Rm 254  
Indianapolis, IN 46204  
(317) 226-7475  
(317) 226-7431  
<http://www.fhwa.dot.gov/indiv/>

In Reply Refer To:  
HDA-IN

Dear Consulting Party:

The Federal Highway Administration (FHWA), in cooperation with the Indiana Department of Transportation (INDOT), is preparing an Environmental Impact Statement (EIS) for Section 6 of the I-69 Evansville to Indianapolis Tier 2 Studies (Des. No. 0300382; DHPA No.: 4615). Section 106 of the National Historic Preservation Act (1966) requires Federal agencies to take into account the effects of their undertakings on historic properties. Historic properties are those properties that are listed in, or eligible for listing in, the National Register of Historic Places.

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To facilitate the development of this project, please respond with comments on this documentation by May 8, 2017. Please direct any comments to Linda Weintraut via email at [linda@weintrautinc.com](mailto:linda@weintrautinc.com) or 317-733-9770.

Tribal contacts may contact Shaun Miller at [smiller.indot.in.gov](mailto:smiller.indot.in.gov) or 317-233-2061 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317-226-7344.

Thank you for your participation in this project.

Sincerely,



*for* Mayela Sosa  
Division Administrator  
FHWA, Indiana Division

Emc: Michelle Allen, FHWA  
Anuradha Kumar, INDOT  
Sarah Rubin, INDOT  
Jim Earl, INDOT  
Tim Miller, HNTB  
Kia Gillette, Lochmueller Group  
Linda Weintraut, Weintraut & Associates

----- Forwarded message -----

From: "Kumar, Anuradha" <akumar@indot.in.gov>

To: "lpapenfort@peoriatribe.com" <lpapenfort@peoriatribe.com>, "dhunter@miamination.com" <dhunter@miamination.com>, "jbunch@unitedkeetoowahband.org" <jbunch@unitedkeetoowahband.org>, "melody.henry@nei-yahw.com" <melody.henry@nei-yahw.com>, "alvin@nei-yahw.com" <alvin@nei-yahw.com>

Cc: "Allen, Michelle (FHWA)" <michelle.allen@dot.gov>, "Miller, Shaun (INDOT)" <smiller@indot.in.gov>, "Kennedy, Mary" <MKENNEDY@indot.in.gov>

Bcc:

Date: Mon, 20 Mar 2017 11:54:58 +0000

Subject: I 69 Section 6 (Des. 0300382) Findings & Determinations

Dear Consulting Party:

Please see the attached letter from the Federal Highway Administration (FHWA). FHWA, in cooperation with the Indiana Department of Transportation (INDOT), is preparing an Environmental Impact Statement (EIS) for Section 6 of the I-69 Evansville to Indianapolis Tier 2 Studies (Des. No. 0300382; DHPA No.: 4615). Section 106 of the National Historic Preservation Act (1966) requires Federal agencies to take into account the effects of their undertakings on historic properties. Historic properties are those properties that are listed in, or eligible for listing in, the National Register of Historic Places.

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link:<http://netservices.indot.in.gov/Section106Documents/Default.aspx>. The Des No. is the most efficient search term, once in IN-SCOPE. Any invited consulting party who makes such a request within seven (7) days of receipt of this notification will receive a hard copy of this material.

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To facilitate the development of this project, please respond with comments on this documentation by May 8, 2017 to Michelle Allen with FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov).

Thank you for your participation in this project.

*Anuradha V. Kumar*

*Manager*

*Cultural Resources Office*

*Environmental Services*

*Indiana Department of Transportation*

100 N. Senate Ave., Room N642

Indianapolis, IN 46204

**Office:** (317) 234-5168

**Cell:** (317)-703-9996

**Email:** [akumar@indot.in.gov](mailto:akumar@indot.in.gov)

----- Forwarded message -----

From: "Allen, Michelle (FHWA)" <michelle.allen@dot.gov>  
To: "e106@achp.gov" <e106@achp.gov>

Cc:

Bcc:

Date: Mon, 20 Mar 2017 18:12:31 +0000

Subject: I 69 Section 6 (Des. 0300382) Findings & Determinations

You have received 2 secure files from [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov).

Use the secure links below to download.

Dear Advisory Council,

Attached is a copy of the 800.11(e) Documentation, along with the e106 form, for the Advisory Council on Historic Preservation. This documentation is in regards to the effects from the twenty-six mile long I69 Section 6 project which passes through Morgan, Johnson, and Marion Counties, Indiana. The criteria of adverse effect do apply to the Reuben Aldrich Farm and Southside German Market Gardeners Historic District, which are eligible or listed on the National Register of Historic Places (NRHP) and are located within the Area of Potential Effect (APE) developed for the project. The criteria of adverse effect may apply to site 12-Mg-0556 and an Alluvial Area south of Martinsville which are within, or in proximity to, Preferred Alternative C4. At this time not all Phase I archaeological investigations have been conducted within Preferred Alternative C4. Therefore, it is presupposed that the project will have an adverse effect on archaeological resources. Please review the documentation to determine whether your agency wishes to participate in the consultation to resolve adverse effects.

Thank you for assisting us with this notification of adverse effect. If you have any questions or require our further assistance, please contact me at 317 226-7344 or via e-mail at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov).

Sincerely,

Michelle Allen  
FHWA-IN  
(317) 226-7344

**Secure File Downloads:**

Available until: 19 April 2017

Click links to download:

[I69S6\\_Des0300382\\_800\\_Doc\\_2017.0317.pdf](#)

62.53 MB, Fingerprint: 3c11dde5f1b50c5c65519b4d05e2f431 ([What is this?](#))

[I69S6\\_e106\\_Submission.pdf](#)

424.44 KB, Fingerprint: d3fabfbc339ae83465fd6cbde7454c03 ([What is this?](#))

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**Advisory Council on Historic Preservation**  
**Electronic Section 106 Documentation Submittal System (e106)**  
**Form**  
***MS Word format***

Send to: *e106@achp.gov*

**I. Basic information**

- 1. Name of federal agency (If multiple agencies, state them all and indicate whether one is the lead agency):**

Indiana Department of Transportation (INDOT) with funding from Federal Highway Administration (FHWA)

- 2. Name of undertaking/project (Include project/permit/application number if applicable):**

I-69 Evansville to Indianapolis Tier 2 Study: Section 6, State Road 39 to I-465 (Des No.: 0300382)

- 3. Location of undertaking (Indicate city(s), county(s), state(s), land ownership, and whether it would occur on or affect historic properties located on tribal lands):**

The project is twenty-six miles long and passes through Morgan, Johnson, and Marion Counties, Indiana. Principal cities include Martinsville (Morgan County), Greenwood (Johnson County), and Indianapolis (Marion County).

The undertaking will not occur on, or affect, historic properties located on tribal lands.

- 4. Name and title of federal agency official and contact person for this undertaking, including email address and phone number:**

Agency Official: Mayela Sosa, Division Administrator, FHWA, Indiana (IN) Division  
 Contact Person: Michelle Allen, Planning & Environmental Specialist, FHWA—IN Division  
 Address: 575 North Pennsylvania Street, Rm. 254  
 Indianapolis, IN 46204  
 Phone: (317) 226-7492  
 Email: Michelle.Allen@dot.gov

- 5. Purpose of notification. Indicate whether this documentation is to:**

The purpose of this documentation is to notify the ACHP of the finding of “Historic Properties Affected: Adverse Effect” and to invite the ACHP to participate in Section 106 consultation.



## **II. Information on the Undertaking\***

### **1. Describe the undertaking and nature of federal involvement (if multiple federal agencies are involved, specify involvement of each):**

The project is the construction of Section 6 of I-69 Evansville to Indianapolis. The Section 6 corridor is located along the SR 37 and covers a distance of approximately twenty-six miles through Morgan, Johnson, and Marion Counties before terminating at I-465 in Indianapolis, Indiana. The project also proposes to improve I-465 from approximately Mann Road to US 31. The I-69 Evansville to Indianapolis project, which is approximately 142 miles in length, is a component of the congressionally designated national I-69 corridor extending more than 2,100 miles from the Canadian border to the Mexican border.

The project area for the SR 37 alternatives of I-69 Section 6 is comprised of rural and urban/suburban environments. Those portions of Martinsville and Indianapolis contained within I-69 Section 6 are characterized as being predominately clustered modern suburban residential developments along major roads with retail, commercial, and industrial nodes at major intersections and along SR 37. The area becomes more commercial and industrial near Indianapolis. Rural areas of the SR 37 alternatives for I-69 Section 6 are characterized by a scattering of commercial and retail businesses along SR 37, with a mix of agricultural land occupied by small farms, modern houses and modern residential developments, and forested land.

The Tier 1 Environmental Impact Statement (EIS) for the I-69 Evansville to Indianapolis project concluded in March 2004. FHWA selected a corridor— Alternative 3C—in its Record of Decision (ROD) and divided the corridor into six Tier 2 sections for detailed study. Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470f), mandates federal agencies to take into account the effects of their undertakings—i.e., projects wholly or partially funded, permitted, or licensed by a Federal agency—on historic properties. FHWA has allocated federal funds to INDOT to use for the Tier 2 Studies of the I-69 Evansville to Indianapolis Project.

On April 29, 2004, FHWA issued a Notice of Intent (NOI) for Section 6 of I-69. In 2006, environmental efforts in I-69 Section 6 were minimized to include only critical management and public outreach activities while other sections of the I-69 undertaking were being completed. On October 15, 2014, FHWA published a revised NOI in the Federal Register to advise the public and resource agencies that Tier 2 studies in I-69 Section 6 were resuming. The revised NOI indicated that the range of alternatives may include alternatives outside of the corridor selected in the Tier 1 ROD. All alternatives evaluated connect Section 5 of I-69 in Martinsville with I-465 in Indianapolis. On March 29, 2016, INDOT and FHWA announced that Section 6 would follow the SR 37 corridor.

### **2. Describe the Area of Potential Effects:**

In 2004, FHWA in consultation with the Division of Historic Preservation and Archaeology-State Historic Preservation Officer (DHPA-SHPO), utilized an aboveground Area of Potential Effects (APE) for I-69 Section 6 that centered on the Tier 1 Corridor (Alternative 3C), a 2,000-foot-wide corridor on

either side of current SR 37. This APE was expanded or contracted based on topography. It took into account possible interchanges, grade separations, and local access road locations that were known at that time. In some areas of relatively flat relief, the APE was expanded to incorporate any potential physical, temporary and long term visual, atmospheric, or audible impacts or alterations to aboveground resources eligible to be listed in, or listed in, the National Register of Historic Places (NRHP). As required by the Tier 1 ROD and the Tier 1 Memorandum of Agreement (MOA) for Section 106, the southern terminus of the I-69 Section 6 APE overlapped the adjoining APE of I-69 Section 5. DHPA-SHPO concurred with the APE in a letter dated June 25, 2005.

In 2015, after the NOI was issued, the APE from 2004 was re-evaluated. As a basis for expanding or reducing the APE, the historians utilized the largest footprint for all SR 37 alternatives, provided on January 30, 2015. After a review of the area, the historians recognized that any reduction of the APE from 2004 would be relatively minor; therefore, historians recommended that the APE established in 2004 should not be reduced since it had been reviewed by consulting parties and concurred with by the DHPA-SHPO in a letter dated June 25, 2004. Along SR 37, where there was less than a 2,000 foot buffer from the most recent SR 37 alternatives, the APE was expanded to approximately 2,000 feet from the mainline so as to take into account possible effects at these locations. In general, the areas of expansion in 2015 occurred where overpasses and interchanges might be built. Along I-465 (an already existing highway), the APE was drawn to be only 1,000 feet on either side of the interstate, a methodology consistent with the Tier 1 APE. (The Tier 1 APE was drawn 1,000 feet on either side of I-70.) DHPA-SHPO concurred with the revised APE in a letter dated March 10, 2015.

When design plans were further refined in 2016, project historians again examined the appropriateness of the APE. Consistent with the methodology utilized during the previous surveys for I-69 Studies, in areas where a new terrain road was introduced, historians extended the APE one mile initially and then reduced the APE as the topography and other environmental factors warranted. Historians drew the APE to extend at least 1,000 feet along I-465 and 1,000 feet from any access road that was included in the new design plans.

Modifications to the APE in 2016 took into account interchanges, overpasses, and changes to the project footprint not previously shown on plans for Alternatives C1, C2, and C3. The APE from 2015 was modified in areas where revised plans showed right-of-way extending beyond the boundary of the APE, or where the proposed new right-of-way was closer than 1,000 feet to the outer edge of the APE, or where a new potential detour route for local traffic might occur outside the APE. Specifically, the APE was expanded at I-465, Smith Valley Road to Morgantown Road, Travis Road to Mullinix Road, Egbert Road, Robin Run Court, and Jordan Road/Burton Lane. DHPA-SHPO concurred with the modified APE in a letter dated July 14, 2016.

The APE for archaeological resources, per 36 CFR 800.16(d), has been defined through consultation with the DHPA-SHPO as the right-of-way for the preferred alternative; thus, the archaeological APE is the project footprint.

### **3. Describe steps taken to identify historic properties:**

Historic property evaluations for I-69 Section 6 have been conducted in accordance with Section 106 of the NHPA of 1966, as amended, 54 U.S.C. 302, and its implementing regulations, 36 CFR Part 800 (2016). Historic properties include buildings, structures, sites, objects, and/or districts. All work described in this section was conducted by qualified professionals who meet the standards set forth

by the U.S. Department of the Interior in 36 CFR Parts 61 and 68 and the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR 44716). These qualified professionals are registered with DHPA-SHPO.

## **Data Collection**

### *2004-2008 Study*

Pursuant to 36 CFR § 800.4(b), project historians conducted a literature review to identify previously inventoried aboveground resources located in the APE of I-69 Section 6 in May and June 2004. The historic context for Southwestern Indiana and data on potentially eligible aboveground resources from the I-69 Tier 1 Study formed the baseline for the study. Historians reviewed published literature for information pertinent to the history and architecture of Morgan, Johnson, and Marion Counties before delving into more specific research topics. They conducted research in the Indiana Historic Sites and Structures Inventory (IHSSI) located at the DHPA-SHPO, the list of properties included in the NRHP and the Indiana Register of Historic Sites and Structures (State Register), and DHPA surveys of historic bridges and railroad resources. Research was conducted at the Indiana State Library, Indiana State Archives, Indiana Historical Society, Marion County Public Library in Indianapolis, Morgan County Public Library in Martinsville, and Johnson County Library in Franklin. Project historians reviewed primary and secondary resources, such as state and county histories, atlases, and maps, newspaper clipping files, historic aerial photographs, and the United States Census records. Interviews were conducted in some cases with local historians or residents who were knowledgeable about the history of a particular resource or area.

Ongoing consultation occurred with the staff of the DHPA-SHPO, with respect to eligibility and to specific types of historic resources. Other individuals and organizations were consulted for specific information or for knowledge of historic trends and resources. Consultation occurred with the Morgan County Historian, Traditional Arts Indiana, and the Morgan County Historic Preservation Society.

On July 2, 2004, a consulting party meeting was held, at which time the project team asked consulting parties for information regarding known historic properties.

To conduct the survey, project historians drove all the roads in the APE to identify and document aboveground resources. Aboveground resources were examined to determine whether they were of an age to be eligible for listing in the NRHP, i.e., at least fifty years of age (built before 1955). Then aboveground resources were further examined to determine whether they retained sufficient integrity to receive a rating, per the IHSSI. Resources with sufficient integrity were photographed and surveyed, and location notes were recorded. A total of 113 resources were identified as meriting a Contributing, Notable, or Outstanding rating, including sixty-four properties that had not been previously documented. Ten IHSSI properties were found to be demolished. Historians carefully reviewed the field data, looking for concentrations of similarly styled buildings or structures that might be connected by historic theme. They found a number of historic farmsteads but none in such proximity and with such integrity that the collection would constitute a historic district. Further, they encountered the resources related to fisheries in and around Martinsville and explored the Bill Diddle-designed golf course at the Martinsville County Club along SR 37.

In July through December 2004, supplementary research was conducted as more intensive fieldwork progressed to gather additional information on individual properties and to develop the historic context for the APE (1800 to 1955). On January 10, 2005, an informal discussion was held with the Chief of Registration and Survey at the DHPA-SHPO to discuss integrity and significance of the following property types or specific properties: bridges, Aldrich Farm, Sutton House, Nutter House, Top Notch Farm, and Grassyfork Fisheries.

A Draft Historic Property Report (HPR) was published in summer 2005 and discussed at the Second Consulting Party Meeting held August 31, 2005. Historians noted that the East Washington Street Historic District (NR-1313) was listed in the NRHP in 1997 and recommended the following properties as eligible for listing in the NRHP:

- Morgan County Bridge No. 224 (NBI No. 55001421; IHSSI No. 109-386-60030);
- Top Notch Farm (IHSSI No. 109-386-60028);
- W.E. Nutter House (IHSSI No. 109-386-64053);
- Grassyfork Fisheries (IHSSI No. 109-386-60012);
- Stockwell Bridge (IHSSI No.: 109-386-60053; NBI No.: 5500043);
- Morgan County Bridge No. 166 (109-428-30017; NBI No.: 5500153); and
- John Sutton House (IHSSI No. 081-031-10002).

In a letter dated September 7, 2005, DHPA-SHPO requested additional data as to why the Old SR 37 Bridge over Crooked Creek<sup>1</sup> had been not considered eligible. On October 24, 2005, additional data was provided to the DHPA-SHPO. On November 21, 2005, DHPA-SHPO replied that based on the additional information, the office did not have “any further concerns regarding the bridge.”

On August 28, 2006, a Draft Phase Ia [Archaeological] Literature Review Section 6, SR 39 to I-465 (Trader 7/31/06) was received by the DHPA-SHPO. On December 21, 2006, DHPA-SHPO responded to that report with comments and questions.

The final HPR published in 2008, formalized the recommendations of the draft Historic Property Report.

On July 25, 2008, DHPA-SHPO responded that the staff agreed “with the recommendations in the HPR regarding the eligibility or ineligibility” of resources in Section 6.

No other comments were received at that time.

#### *2015-2016 Study*

As noted above, the NOI was issued on October 15, 2014. In 2015, in advance of re-initiating consultation, INDOT charged historians with conducting an Additional Information (AI) Study, with the purpose of identifying and evaluating properties that had come “of age” since the last survey or properties that may have achieved significance in the past ten years. In order to initiate the AI survey, project historians met with staff of the DHPA-SHPO, INDOT-Cultural Resources Office (CRO)

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<sup>1</sup> Note that this bridge does not have an NBI number or a county bridge number because it is located on an abandoned stretch of Old SR 37.

and FHWA on January 13, 2015, to discuss an identification and evaluation methodology of the recent past properties prior to beginning the survey. Then on February 17, 2015, additional information regarding the project was provided to the DHPA-SHPO staff at a Resource Agency Meeting.

On March 10, 2015, the staff of the DHPA-SHPO sent a letter that expressed concern about using the guidelines in the 3.C.1 National Cooperative Highway Research Program (NCHRP) Report 723, "A Model for Identifying and Evaluating the Historic Significance of Post-World War II Housing" that historians had proposed using and asked that the guidelines prepared by the DHPA-SHPO be followed as well. A follow up conference call on March 13, 2015, resulted in agreement to use "Guidelines for Evaluating National Register Eligibility of Mid Century Modern Housing and Post-War Suburbs," a handout about eligibility of recent past properties, provided by DHPA as part of Section 106 Seminar on February 20, 2015, instead of NCHRP Report 723.

As part of the AI Study, historians conducted a review of the NRHP, National Historic Landmark (NHL) Program, State Register, Historic American Buildings Survey/Historic American Engineering Record (HABS/HAER), State Historical Architectural and Archaeological Research Database (SHAARD), IHSSI, *Morgan County: Interim Report*, *Johnson County: Interim Report*, *Marion County, Decatur, Perry, and Franklin Townships: Interim Report*, and the *Indiana Historic Bridge Inventory* for previously identified properties. Historians carefully reviewed the I-69 Section 6 Tier 2 HPR (2008) and the results of the Section 106 consultation for this undertaking. The historians further reviewed the prior AI studies for other sections of I-69 for relevant historical and architectural trends within the I-69 APE.

In conducting research for the AI study, historians examined primary and secondary resources. Historians conducted research at the Indiana State Library, Indiana Historical Society Library, Johnson County Public Library, Johnson County Historical Society, Indianapolis Historic Preservation Commission, the Department of Metropolitan Development for the City of Indianapolis, Marion County Assessor's Office, Marion County Clerk's Office (microfilm records), Indianapolis Division of Planning, Indianapolis Division of Parks and Recreation, Johnson County Plat Office, and Johnson County Recorder's Office.

Documentary research for the project included a review of county histories, city directories, historic photographs, county historic topographical maps (USGS), historic aerials, historic fire insurance maps, plat maps, and online resources. Mapping and aerial photographs available through Indiana University Libraries and City of Indianapolis websites were especially helpful.

Consultation occurred with the Eli Lilly & Company Archivist; a representative from the Perry Township/Southport Historical Society; seven property owners of homes in the Glennwood Homes Association neighborhood; the president of Glenn's Valley Conservation Club; the pastor and a board member of Glenn's Valley United Methodist Church; a representative of the Indianapolis Division of Planning; a representative of the Indianapolis Department of Parks and Recreation; the Chief of Registration and Survey at the DHPA-SHPO; the staff of the SHPO; and fifteen private citizens with an interest in the project.

In order to begin identification, the historians assembled data from the 2004/2005 survey, SHAARD, and other Section 106 projects that historians had conducted over the past years. In addition, they geo-rectified and reviewed historic-era and modern topographical quadrangle maps in order to

collect known data that would serve as a baseline for the survey. This assemblage of data helped identify subdivisions constructed between 1955 and 1972.<sup>2</sup> Topographical maps were compared to available Geographic Information System (GIS) data to determine date of construction for properties built between 1955 and 1980 that are not in subdivisions. Note that quadrangle maps for much of this area are based on a 1965 map, "Photo Revised" to 1980. In order to further refine the number of properties to survey, W&A researched county GIS databases to define those properties constructed during, or prior to, 1972.

Sample research was conducted on identified subdivisions constructed between 1965 and 1980 to ascertain those with the majority of homes constructed during, or prior to, 1972. The staff reviewed available USGS aerial photographs (available at <http://earthexplorer.usgs.gov/>) and obtained select historic aerials for the APE for Morgan, Johnson, and Marion Counties to augment the data on the topographical maps and county GIS. In this way, they were able to identify individual properties constructed between 1955 and 1972 as much as possible prior to survey.

Then a reconnaissance-level survey was conducted to verify the existence and general status of properties rated Contributing or higher in the previous survey (2004/2005; HPR, 2008) and to survey properties constructed during, or prior to, 1972 in parts of the APE that been expanded since the earlier survey. The historians took photos with embedded Global Positioning System (GPS) data of properties built between 1955 and 1972 within the original APE. Historians used ArcGIS Collector to record location information and tie that information with photographs of properties. ArcGIS Collector assigned a numeric identification (Field Identification Number [FID]) to each recorded location, which was used as the survey number for new or previously unrecorded properties.

Historians reviewed all properties included in the 2004/2005 survey from public right of way to ascertain if there were obvious changes in status. (It was during this endeavor that historians recognized that the status of the Reuben Aldrich Farm had changed as the pool of nearby existing agricultural resources had diminished.) It was also during this survey that they identified and documented properties within the 2004 APE that had been surveyed in the IHSSI but not documented in the HPR (2008).

Per discussions with DHPA-SHPO, historians evaluated subdivisions and neighborhoods as a whole for NRHP eligibility. This began with a reconnaissance-level survey considering each development as a district. Staff took representative photos of buildings, streets, and landscape elements within the subdivision, sometimes video recording the district in order to document the relationships between the buildings, streets, and landscape elements. They also made notes on building forms, styles, layout, and design, when appropriate. Historians noted for further study those subdivisions and neighborhoods that appeared to possess a higher level of integrity. In all, the historians recorded 1,047 individual resources and created 115 recordings of subdivisions.

Keeping in mind prior consultation with the staff of DHPA-SHPO, historians then began a review of the reconnaissance-level photographs and digital video recordings taken of all properties constructed between 1955 and 1972 in the APE. Staff members individually evaluated the rating of the properties that had been assigned in the field and then met to discuss any changes in rating that ought to be made. For individual resources of Mid-Century Modern or Ranch styles, historians

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<sup>2</sup> In consultation with INDOT-CRO, the historians utilized the date of 1972 because it is 50 years prior to the issuance of the NOI, plus five years to account for the likely time for the National Environmental Policy Act (NEPA) process to be concluded and for the I-69 Section 6 project to be approved.

looked for properties with a high level of integrity; most properties of this vintage have been modified with modern vinyl garage doors, replacement windows, and/or new entry doors. These changes seemed very evident, given the relatively modest architectural scale and profile of many of these properties. However, minor changes did not disqualify a property if it appeared to be a good example of type, architect-designed, or to present more architectural refinements than one would anticipate in a standard house from the period.

More intensive research began then as historians updated the historic context for the recent past to ascertain historic significance for properties that might be eligible for Criteria A and B. Field visits were conducted on properties that might be eligible or that could not be viewed during the reconnaissance-level survey from public right of way.

Historians also conducted an intensive-level survey of subdivisions or neighborhoods that appeared to possess integrity in terms of individual dwellings but also in terms of design trends (such as common setbacks and landscaping). Where appropriate, historians conducted background research on the neighborhood/subdivision, its occupants, and/or the neighborhood's builder/developer and/or compared it to others previously listed in the NRHP in Indiana in order to establish and evaluate significance under Criteria A and C. At times this took the form of looking at the "core"—the architectural or design essence of a subdivision—as requested by the DHPA-SHPO. For significance under Criterion C, this core reflects a style or design trend, has high integrity, is architect or master-builder designed, has few "typical stock designs," and can be quantified as locally significant. Those subdivisions that appeared to possess a moderate or higher eligibility potential were marked for consultation with the DHPA-SHPO.

During this evaluation, a field meeting with the agencies, including the staff of DHPA-SHPO was held on May 14, 2015. The purpose of this visit was to discuss field methodology and to review those individual resources and districts that could be eligible for listing in the NRHP and to contrast those with individual resources and districts the historians considered not eligible. After this meeting, the historians conducted targeted research to answer questions that arose during the field visit.

Finally, historians reviewed all surveyed properties once more and documented those individual resources receiving a Contributing rating (consistent with DHPA survey standards) or higher in a property table.

In keeping with survey methodology of the DHPA, neighborhoods were considered either eligible or not eligible for listing in the NRHP and no neighborhood is considered to have Contributing status. NRHP-eligible neighborhoods were discussed in *Historic Property Report Additional Information* ("AI No. 1").

Historians published the *Historic Property Report Additional Information* ("AI No. 1") on September 2, 2015, and the report was made available to consulting parties, the Tribal Historic Preservation Officers (THPOs) who had accepted consultation, and the DHPA-SHPO on November 19, 2015. The report identified the resources recommended as eligible for listing in the NRHP in the HPR (2008) and noted that the Grassy Forks Fisheries had been listed in the NRHP as the Grassyforks Fisheries Farm No. 1 since the publication of the HPR in 2008. Also, since the publication of the HPR, the *Indiana Historic Bridge Inventory* (2009) had identified the following bridges as NRHP-eligible: Marion Co. Br. 4513F (NBI No. 4900484), Morgan Co. Br. 166 (IHSSI No.: 109-428-30017; NBI No. 5500153), Morgan Co. Br. 224 (IHSSI No.: 109-386-60030; NBI No. 5500142), and Stockwell

Bridge/Morgan Co. Br. 56 (IHSSI No.: 109-386-60053; NBI No.: 5500049)<sup>3</sup>. Additionally, the following resources were recommended eligible for listing in the NRHP: Southside German Market Gardeners Historic District, Glennwood Homes Association Historic District, Travis Hill Historic District, Le Ciel (Charles Laughner House), Cleary-Barnett House, Glenn's Valley Nature Park Retreat House (IHSSI No.: 097-392-85416), and Reuben Aldrich Farm (IHSSI No.: 109-428-30009).

SHPO agreed with the recommendations of eligibility in the report in a letter dated December 21, 2015.

In 2016, the APE was expanded to account for impacts that might occur as a result of design changes to Alternatives C1, C2, and C3. Historians utilized the same methodology as previously used in 2015, taking into account interchanges, overpasses, and changes to the project footprint not previously shown on plans for the three alternatives, especially in those areas where design plans extended beyond the boundary of the APE, or where the proposed new right of way is closer than 1,000 feet to the outer edge of the APE, or where the potential detour route for local traffic would occur outside the APE.

Historians employed the research and survey methodology utilized in the AI No. 1 (2015). The historic context from that report informed the evaluations for this project. Since the areas of expanded APE had not been surveyed or documented in the HPR (2008), any property constructed prior to 1955 meriting a rating of Contributing or higher was documented and photographed. Any housing addition constructed between 1955 and 1972 was digitally recorded on video.

Historians again reviewed the NRHP, NHL Program, State Register, HABS/HAER, SHAARD, IHSSI, *Morgan County: Interim Report, Johnson County: Interim Report, Marion County, Decatur, Perry, and Franklin Townships: Interim Report*, the *Indiana Historic Bridge Inventory*, I-69 Section 6 Tier 2 HPR (2008), AI No.1 (2015), and the results of the Section 106 consultation for this undertaking. Documentary research for the project included a review of county histories, historic photographs, county historic topographical maps (USGS), historic aerials, plat maps, and on-line resources. Mapping and aerial photographs available through Indiana University Libraries and the City of Indianapolis websites were especially helpful.

Historians obtained information from the owner of the Percy House and Clear Creek Fisheries (IHSSI No.: 109-386-60015). Further, historians consulted with the Chief of Registration & Survey at the DHPA-SHPO about eligibility in a meeting held April 21, 2016, and later with the staff of DHPA-SHPO in a site visit held May 2, 2016.

A reconnaissance-level survey was conducted in March 2016 and concluded with an intensive-level survey in April 2016. The historians took photos with embedded GPS data of all surveyed properties within the expanded APE and used ArcGIS Collector to record location information and tie that information to photographs of properties. ArcGIS Collector assigned a numeric identification to each recorded location, which was used as the survey number for new or previously unrecorded properties. For subdivisions and neighborhoods, a reconnaissance-level survey was conducted to assess the area's potential as a district, using the same methodology as employed in 2015. Those resources that did not meet at least one of the NRHP criteria and/or did not retain integrity were recommended not to be eligible for listing in the NRHP during this evaluation process.

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<sup>3</sup> Note that during a site visit in March 2016, historians found that the Stockwell Bridge had been demolished and replaced.



Following the reconnaissance, consultants met with staff of INDOT and DHPA-SHPO to discuss a potentially eligible resource within the expanded APE on April 21, 2016. (That meeting also included a discussion of the status of the Southside German Market Gardeners Historic District identified in AI No. 1.) On May 2, 2016, a Section 106 tour was provided to the DHPA-SHPO to review the relationship of the undertaking to historic resources, to discuss properties within the expanded APE, and to review the Southside German Market Gardeners Historic District. At that meeting, historians conveyed the results of research conducted on the history of the houses surrounding I-465 in the Southside German Market Gardeners Historic District.

The AI Memorandum No. 2 (“AI No. 2”) was completed in June 2016 and made available to SHPO, THPOs, and consulting parties on June 15, 2016. The historians identified fifty-seven resources considered or rated Contributing or higher and recommended the Percy Farm and Clear Creek Fisheries (IHSSI No. 109-386-60015) as eligible for listing in the NRHP. SHPO concurred with the recommendation of the AI No. 2 in a letter dated July 14, 2016.

### *Archaeology*

Per 36 CFR 800.4(b)(2), a phased approach has been developed and used to accomplish Tier 2 archaeological research and evaluation tasks. For the I-69 Tier 2 EIS, archaeological research included literature review, background research, and site files research at DHPA-SHPO and other pertinent repositories. Information pertaining to previously recorded sites within a 2,000-foot-wide study corridor, identified in the Tier 1 EIS, was gathered in 2006. The information was updated and expanded in 2015 to include previously documented archaeological sites within the I-69 Section 6 Preliminary Alternatives study area encompassed by the five Preliminary Alternatives B, D, C, K3 and K4 and a 1.5-mile (mi) buffer.

Information gathered during the archaeological literature review of the DHPA-SHPO site files indicated that there are 496 previously-recorded archaeological sites within the I-69 Section 6 Preliminary Alternatives study area. Site type, defined in the Tier 1 study, refers to the general period (prehistoric, historical, or both) of the site. If a site file did not list a temporal period, it was categorized as unidentified. Examination of the site types within I-69 Section 6 revealed that they span prehistoric, historical, and multicomponent prehistoric/historical periods.

The November 2015 *Phase Ia Archaeological Literature Review for Section 6, Preliminary Alternatives in Hendricks, Johnson, Marion and Morgan Counties* detailed the results of the archaeological literature review for the I-69 Section 6 Preliminary Alternatives study area. This information was incorporated into the February 2016 *Phase Ia Archaeological Survey 1 for Section 6, Indian Creek South of Martinsville to Teeters Road, Morgan County*.

A Phase Ia archaeological survey of portions of the Section 6 APE common to Alternatives B, D, K3, and K4 and Preferred Alternative C through Martinsville was conducted in 2015–2016. The Phase Ia field investigations employed a combination of field methods. These methods, along with the results of the archaeological survey are presented in the Phase Ia archaeological report.

*Shovel Testing* was utilized in areas where ground surface visibility was less than 30%. This method consists of excavating 30-centimeter (cm) diameter shovel tests at 10-meter (m) or 15-m intervals (the intervals were decreased to 5 m when delineating the perimeter of an archaeological site). Intervals of 30 m were used in instances to confirm existing disturbances, such as road shoulders and residential landscaped yards. Shovel tests were excavated to a depth that penetrated subsoil by

a depth of 10 cm or the maximum possible depth. The fill from these shovel tests was screened through 0.25-inch (in), hardware cloth; all artifacts encountered were collected and provenienced to the shovel test and in relation to the soil horizons. A record was kept for all shovel tests excavated. This record includes soil profile, soil texture, Munsell soil color, and presence/absence of cultural materials. Landform boundaries, negative shovel probes, or project area limits determined recorded site boundaries. In areas of subsurface disturbance, the interval between shovel tests was increased or soil coring was substituted at the discretion of the field supervisor.

*Surface Survey/Collection* was utilized in areas where the ground surface permitted at least 30% visibility. In most of these areas, the tilled fields exhibited ground surface visibility exceeding 80%. This method consists of visually examining the ground surface at a maximum of 10-m intervals. Once cultural materials were discovered, intervals no greater than 5 m were utilized in the site area and its vicinity. Typically, one or more shovel tests were excavated in the sites identified during the surface collection to better characterize soil conditions and artifact distributions in those site areas.

Field notes and map notations were employed to record area designations, field conditions, located sites, and methods of investigation. Similar notes were taken for each site and included observations, methods of investigation, site size, and slope gradient, and direction. Notes were retained for all shovel probes, and include information on Munsell soil color, soil texture, presence/absence of cultural materials, and stratigraphy. All artifacts located in the field were bagged, with the date and provenience marked on the bag. At least one shovel test was excavated at every site surveyed, even if it was discovered by surface survey, in an effort to gain information on site stratigraphy. All site boundaries were recorded by GPS to sub-meter accuracy.

The 2015/2016 Phase Ia archaeological investigations within portions of the project area common to Alternatives B, D, K3, and K4 and preferred alternative C identified seven previously unrecorded archaeological sites. The sites included: three prehistoric isolated finds, one prehistoric artifact scatter, one historical artifact scatter, one historical house site, and one multicomponent prehistoric/historical scatter. One previously unrecorded site, a historic school, was located immediately adjacent to the northern end of the survey area but was not intensively investigated. One previously recorded Late Prehistoric village site, the Martinsville Plaza site (12-Mg-0052), was mapped within the APE but the site area was found in disturbed area and no cultural material was observed. Of the nine sites examined during the 2015-2016 archaeological investigations, seven were recommended as not eligible for inclusion in the NRHP (36 CFR 60.4[d]), and no additional archaeological investigations were recommended for these sites. Site 12-Mg-0556 was identified immediately adjacent to the survey area and was not intensively investigated or evaluated. Site 12-Mg-0556 had insufficient data for an eligibility determination, and additional investigation was recommended if it cannot be avoided by the project. Phase Ia investigation and NRHP evaluation of this site will be undertaken by future survey. Portions of Site 12-Mg-0052 within the APE were found unlikely to contain intact deposits and no further investigation was necessary within the APE. However, the site boundaries should be marked and identified as a sensitive resource. One area south of Martinsville in the White River valley was identified with a high potential for buried cultural deposits, and a Phase Ic subsurface investigation was recommended. It is anticipated that the Phase Ic survey will be developed in consultation with the DHPA-SHPO.

Those portions of the I-69 Section 6 archaeological APE that have not yet been surveyed for archaeological sites will be investigated through a Phase Ia archaeological survey prior to preparation of the Final EIS (FEIS). Should potentially significant sites be identified during the Phase

la surveys, additional testing through Phase Ib, Ic, or Phase II may be recommended to evaluate eligibility for the NRHP. The 2015-2016 Phase Ia survey identified one area south of Martinsville in the White River valley that requires a Phase Ic subsurface investigation. Site 12-Mg-0556 was encountered immediately adjacent to the northern end of the survey area that remains unevaluated and will require additional investigation during the next Phase Ia survey. The Phase Ia, Ib, Ic, or Phase II surveys may be completed prior to the publication of the FEIS. If they are not completed before the FEIS is published, the FEIS will include an MOA or Programmatic Agreement (PA) developed in consultation with the DHPA-SHPO. The MOA would include commitments to complete these Phase Ib, Ic, or Phase II surveys, including appropriate mitigation commitments in the event that NRHP-eligible sites are identified and would be adversely impacted or if additional archaeological survey work is warranted. If the results of this additional testing show that a Phase III is warranted, that work will be completed before construction on the project could begin at that site.

**4. Describe the historic property (or properties) and any National Historic Landmarks within the APE (or attach documentation or provide specific link to this information):**

**Morgan County Bridge 224 (NBI No.: 5500142; Select)**

Morgan County Bridge No. 224 is a three-span, Warren pony truss with concrete deck, abutments, wingwalls, and piers that was completed in 1925. Each span has seven panels. The length of the riveted structure is approximately 236 feet. Morgan County Bridge No. 224 was determined eligible as a Select Bridge in the Indiana Statewide Historic Bridge Inventory under Criterion C. The period of significance is 1925, the year of construction identified in the Inventory.

**Top Notch Farm**

Top Notch Farm is located around the base of Pollard Hill near SR 37 at Mahalasville Road in Martinsville. The property includes a simple one- and one-half story, frame farmhouse and several outbuildings relating to dairy farming. The house and garage were built in 1932. Most of the outbuildings date to the 1930s. The farm no longer functions as a dairy operation, but continues to be the center of a 576-acre crop farm. Top Notch Farm retains integrity and is eligible for inclusion in the NRHP under Criterion A. The period of significance is 1932 to circa 1950.

**East Washington Street Historic District**

The East Washington Street Historic District is a residential extension of a main commercial street in the town of Martinsville. Much of the area was developed between about 1880 and 1930. The most prevalent architectural styles are Queen Anne and Colonial Revival. Also represented are the Second Empire, Craftsman, Free Classic, Bungalow, Italianate, Stick, Shingle, and Prairie styles. Vernacular types include gable-front, gabled-ell, and double-pen houses. Mature shade trees extend on both sides of Washington Street and are important in defining the district's character. Other contributing elements are sandstone curbs, iron fences, and brick and stone retaining walls. The East Washington Street Historic District was listed in the NRHP in 1997 and is significant under Criteria A and C. The period of significance is 1869 to circa 1940.

**W.E. Nutter House**

The W. E. Nutter House appears to be unaltered, is in excellent condition, and is distinctive for its degree of architectural detail. The two-story, three-bay house is basically an American Foursquare in massing, with a sun porch extending on the west side of the house and a porte cochere on the east side. Noteworthy architectural details include leaded glass windows and doors, stone accents,

modillions under the eaves, and a pantile roof. There is a small, unattached garage to the rear of the property that matches the style and materials of the house. The W. E. Nutter House retains integrity and is eligible for listing in the NRHP under Criterion C. The period of significance is circa 1915.

#### **Pearcy Farm and Clear Creek Fisheries**

The Pearcy Farm and Clear Creek Fisheries complex is situated on the east side of Hess Road, approximately 0.33 miles south of SR 44. The property consists of a Central Passage House (circa 1870) and five agricultural buildings dating to the historic period including a smokehouse, tool shed/corn crib, small barn, and two utility sheds (all circa 1920); the large fishery (1934) includes a barn and complex of ponds east of the main outbuildings. Intact transportation networks show the relationship between the house, the small collection of agricultural outbuildings, and the fisheries. The fishery includes eighty-eight actively farmed ponds containing eight varieties of commercial game fish. A modern pole barn southwest of the earlier fishery barn dates to circa 2010. This property is eligible for listing in the NRHP under Criteria A and C (house only) for significance in the areas of Agriculture and Architecture. The period of significance is circa 1870 to 1972.

#### **Grassyfork Fisheries Farm No. 1**

The Grassyfork Fisheries Farm No. 1 consists of a main building, several accessory buildings and structures, and dozens of goldfish breeding and hatching ponds. The Office and Display Room, built in 1936, is located near Old 37 (also known as Morgan Road) within the APE for this project and is a two-story commercial structure with Prairie-style massing and details. The Office and Display Room was constructed along Old SR 37 as a sales and service building. It was expected to “draw hundreds of visitors each week” according to a newspaper article quoted in the NRHP nomination form. Grassyfork Fisheries Farm No. 1 was listed in the NRHP in 2012. It is significant under Criteria A, B, and C with a period of significance from 1936 to 1960.

#### **Reuben Aldrich Farm**

The Reuben Aldrich Farm (also known as Big Bend Farm) consists of three buildings: an Italianate-style house, a barn, and a garage. The house dates from 1869; the barn is antebellum, with post-Civil War improvements and additions; and the garage appears to date from circa 1915. The house is prominently sited on a rise and bend of Old SR 37. It is constructed of red brick laid in common bond with limestone details, such as round-arched windows with corbels, keystones, and spring stones. The barn, located southwest of the house, was built as a bank barn and was enlarged around 1869 at the time that the house was built. There may be an unmarked cemetery a short distance west of the house and north of the barn. The Reuben Aldrich Farm is eligible for listing in the NRHP under Criteria A and C, for Agriculture and Architecture. The period of significance is circa 1869 to 1915.

#### **Morgan County Bridge No. 166 (NBI No.: 5500153; Select)**

Morgan County Bridge No. 166 is a two-span, reinforced concrete slab. The deck is thirty-seven feet long and thirty-six feet wide, with two lanes. The bridge was determined eligible for listing in the NRHP as a Select bridge per the Indiana Statewide Historic Bridge Inventory. Bridge No. 166 is eligible under Criteria C, and the period of significance is 1925, the date of construction.

#### **Travis Hill Historic District**

Travis Hill Historic District (developed in 1962) was the first residential development in this area to take advantage of a vista provided by the hilltop location and the proximity of SR 37. The neighborhood district consists of five houses on five lots radiating from the Travis Place cul-de-sac atop Travis Hill. Each lot is about an acre in size. The houses are located close to the street, Travis

Place, providing large backyards that follow the slope of Travis Hill with sweeping vistas. Travis Hill Historic District is eligible for listing in the NRHP under Criteria A and C. The period of significance begins in 1962, the date that the first house was constructed, and ends in 1968, the date that the last house was constructed.

#### **John Sutton House**

The John Sutton House, constructed in 1875, is a two-story, brick, Italianate-style dwelling once part of a large Johnson County farm. It exhibits most of the hallmarks of the Italianate style, such as a low-pitched, hipped roof, bracketed cornice, and round arched windows. Noteworthy details include the spiral molding around window frames, keystones in arched openings, and detailed scrollwork on brackets. The house has a high degree of integrity, with original windows, doors, and porches all intact. The property is eligible under Criterion C for Architecture, and the period of significance is 1875, the year of construction.

#### **Marion County Bridge No. 4513 F (NBI No.: 4900484; Non-Select)**

Marion County No. 4513 F is a reinforced concrete bridge constructed in 1954. The bridge, which has an open concrete balustrade, was determined NRHP eligible as a Non-Select Bridge in the Indiana Statewide Historic Bridge Inventory. The bridge is eligible under Criterion C, for Engineering, because it features variable depth construction, which “is an important innovation in bridge construction to achieve greater span distances than can be achieved with a traditional form.” The period of significance is 1954, the date of construction.

#### **Cleary-Barnett House**

The Cleary-Barnett House is located at the southwest corner of Stop 11 Road where it intersects with the diagonal Bluff Road. This classic Ranch house is sited at the apex of a small hill and built into the slope to take advantage of the uneven terrain. Built in the 1950s, the Cleary-Barnett House is a one-story house faced with random-coursed limestone ashlar resting on a full basement. A broad low chimney, also faced with limestone, punctuates the roof. Both the garage and the house are built into the slope of the lot with only the southwest corner of the basement exposed. The Cleary-Barnett House retains high integrity and is eligible for listing in the NRHP under Criterion C for Architecture. The period of significance is circa 1955, the date of construction.

#### **Glenn’s Valley Nature Park Retreat House**

The Glenn’s Valley Nature Park Retreat House is located in the center of Glenn’s Valley Nature Park north and east of the village of Glenn’s Valley. It is a two-story Colonial Revival-style house dating to 1935. The house and twenty-seven acres of meadows and woods became part of the Indianapolis park system in 1992. The Retreat House is sited on high ground in a clearing surrounded by woodland. It has a side gable roof and is clad in bricks painted white. The house features such typical Colonial Revival details as a symmetrical façade, a two-story, Mount Vernon-style porch, an exterior end chimney, and sidelights bordering a central entrance. Most windows and doors are original. Glenn’s Valley Nature Park Retreat House is eligible for the NRHP under Criterion C for Architecture. The period of significance is 1935, the date of construction.

#### **Glennwood Homes Association Historic District**

The Glennwood Homes Association neighborhood is an excellent example of a post-war residential neighborhood as expressed in the outstanding examples of Modern and Ranch houses in Marion County, Indiana. Houses are of two styles of the era: Ranch and Modern. Glennwood Homes Association neighborhood consists of twenty-six irregularly shaped lots conforming to the rugged

terrain of the 46.5 acres. The lots are accessed by two curvilinear private roads that terminate into three cul-de-sacs. Three lots are designated as “Commons” providing for community use as gardens, recreation, and wildlife habitat. The neighborhood consists of twenty-three houses, twenty of which were constructed in the 1950s and 1960s. Three houses were constructed in the 1990s. Stylistically, 87 percent of the twenty-three houses, as they were originally built, reflect the era of development of Glennwood Homes Association. They were designed and built in the popular Ranch style and the less common Modern style. These houses are sited to maximize the terrain of the lots providing vistas and privacy for their inhabitants. The Glennwood Homes Association Historic District is eligible under Criteria A and C. The period of significance is 1949, the date that the community was platted, and ends in the 1960s when it reached its present size.

### **Le Ciel (Charles Laughner House)**

Le Ciel, the Charles Laughner House, a circa 1967 New Traditional French house, occupies the crown of a hill and is approached by a long, steep, serpentine, wooded driveway from Belmont Avenue. The house has three levels distinguished by three different materials, color, and textures: the brick first floor, the half-timbered second floor, and the massive steeply pitched hipped roof that is clad with asphalt shingles resembling slate. The core of the house is rectangular in plan crowned by the hipped roof. Two, one-story wings project north and south from the rectangular core of the house. Other noteworthy features and details include the exclusive use of casement windows; wrought-iron bombe-shaped dormer balcony railings; a series of massive wooden corbels supporting the cantilevered second-story; a paved courtyard on the back (west) side of the house; and first-floor oriels on the north wall and north wing. Two, small free-standing companion outbuildings are also topped by steep hipped roofs with dormers and faux half-timber wall cladding. Le Ciel is eligible for the NRHP under Criterion C. The date of significance is circa 1967, the date of construction.

### **Southside German Market Gardeners Historic District**

Southside German Market Gardeners Historic District is comprised of the small field/garden patterns, greenhouses, barns, sheds, and houses along Bluff Road that when combined, or taken as a whole, creates a definite “feeling” and “association” of a way of life. Market gardeners, as they were called in the twentieth century, lived and worked in a distinct community on the south side of Indianapolis; a portion of this community is located along Bluff Road within a section of the expanded APE (2015). A market garden property might include a house or houses, barns, greenhouses, and fields/gardens. The Southside German Market Gardeners Historic District is eligible for the NRHP under Criteria A and C. The period of significance is circa 1900 to 1972.

### **Archaeology Site 12-Mg-0556**

Site 12-Mg-0556 is a late nineteenth to twentieth century historical school house. A brick foundation of the school and two wood frame structures were encountered immediately adjacent to the northern end of the area survey in 2015–2016. The site was photographed but not evaluated for eligibility. The DHPA-SHPO has stated that “insufficient information” is available for this site to determine if it is eligible for inclusion in the NRHP. Avoidance or additional investigation is recommended to determine if the site is NRHP eligible.

### **Alluvial Floodplain Test Area**

An alluvial floodplain area lies south of Martinsville in the White River valley and has the potential to contain buried archaeological sites. Phase Ic studies were recommended for this area. The DHPA-SHPO has concurred that if these areas cannot be avoided by all project activities, the affected area will be subject to additional investigation to determine NRHP eligibility. In that case, a plan for

additional investigation will be submitted to the DHPA-SHPO for review and comment.

There are no National Historic Landmarks within the I-69 Section 6 APE.

**5. Describe the undertaking's effects on historic properties:**

**Morgan County Bridge 224 (NBI No.: 5500142; Select)**

Morgan County Bridge No. 224 is currently closed to traffic. Project improvements under the preferred alternative are located nearly 600 feet from the location of Bridge No. 224 and will take place along the existing SR 37. Under the preferred alternative, Old SR 37 will be permanently closed to the new I-69 and the connecting pavement removed. Noise will not affect the integrity of this property since bridges are by their very nature intended to be in environments of traffic noise. The bridge will have a view to the undertaking.

The undertaking will have an effect on Morgan County Bridge No. 224, but that effect will not be adverse.

**Top Notch Farm**

The preferred alternative located approximately 700 feet from Top Notch Farm, would include an interchange at SR 37 and Ohio Street/Mahalasville Road approximately 1,000 feet from the property. Ohio Street would be raised approximately twenty-five feet as it crosses I-69. Mahalasville Road would also be reconfigured north of its current location, and Southview Drive would be relocated adjacent to the historic property boundary. The existing intersection of Southview Drive and Commercial Boulevard at Ohio Street would be closed. The ambient noise reading for the farm is 49.6 A-weighted decibels (dBA); in the design year 2045, noise modelers project an increase of 8.3 dBA to reach a 57.9 dBA with the construction of I-69. Neither the increase nor the projected design year noise level are considered an adverse effect, per INDOT's noise policy.

The effects of the undertaking will not alter the characteristics of the Top Notch Farm that are cause for its eligibility in the NRHP. The property is already in a disturbed setting with modern non-agricultural buildings in proximity. It is the significance of the farm property itself rather than the setting that renders this resource eligible. The integrity of the farm will not be adversely impacted as a result of this project.

**East Washington Street Historic District**

The preferred alternative is located more than 4,000 feet from the boundary of the East Washington Street Historic District. The district is located in a dense, urban area of Martinsville and thus would not have a view to the undertaking. Noise and traffic increases would not occur as a result of the undertaking.

The undertaking would have no effect of the East Washington Street Historic District.

**W.E. Nutter House**

The preferred alternative is located approximately 3,500 feet from the W.E. Nutter House. The Nutter House is located in a dense, urban area of Martinsville and thus, would not have a view to the undertaking. Noise and traffic increases would not occur as a result of the undertaking under any of the alternatives.

The undertaking would have no effect on the W.E. Nutter House.

#### **Pearcy Farm and Clear Creek Fisheries**

The mainline of the preferred alternative is located over 3,000 feet from the Pearcy Farm and Clear Creek Fisheries. No improvements are planned along Hess Road as part of the construction, although traffic is projected to decrease over the “No Build” alternative as a result of this undertaking.

The undertaking will not affect the Pearcy Farm and Clear Creek Fisheries.

#### **Grassyfork Fisheries Farm No. 1**

The preferred alternative will take place nearly 1,300 feet from the boundary of Grassyfork Fisheries Farm No. 1 along SR 37. The I-69 mainline will maintain the general elevation of existing SR 37 which is depressed in the area; SR 37 is not currently visible from the property, and the undertaking would not be elevated as part of the improvements to the mainline.

Morgan Street will be reconstructed to join Old SR 37 north of the Country Club Road and Teeters Road will include an overpass. Traffic will increase in front of Grassyfork Fisheries Farm No. 1. There will be a change in view produced by increasing traffic along Teeters Road. The ambient noise level at Grassyfork Fisheries Farm No. 1 is 48.2 dBA; that level will increase to 55.7 dBA, a change of 7.5 dBA, which is not considered adverse per INDOT’s noise policy.

Grassyfork Fisheries Farm No. 1 is not sensitive to noise and would not be affected by traffic changes that would result from the construction of this undertaking. These changes will not constitute an adverse effect.

#### **Reuben Aldrich Farm**

The I-69 Section 6 mainline would be located approximately 1,300 feet from the boundary of the farm, and the nearest project component would be the addition of an overpass connecting Big Bend Road and Tunnel Road. The overpass would tie into Big Bend Road approximately 650 feet from the historic property boundary. The overpass would be a local service road and would likely not be visible from the historic property boundary. Traffic is anticipated to increase as a result of the undertaking, particularly truck traffic. Old SR 37 was designed as a state road and can accommodate the traffic. However, the road would no longer be a low volume road and there are no plans to improve the road. Traffic levels are forecasted to increase from a base model year (2010) daily traffic count of 170 vehicles per day (VPD) to 1,410 VPD in the year 2045. Daily truck traffic would increase from 20 to 30 vehicles. The ambient noise level for the Reuben Aldrich Farm is 50.1 dBA, a level that is expected to increase to 52.6 dBA, an increase that will not be perceptible to the human ear. Therefore, there is not an adverse noise impact, per INDOT’s noise policy.

The setting will be impacted: with the construction of an overpass over I-69, traffic will be redirected, resulting in an increase in traffic in front of the Reuben Aldrich Farm. The setting of this property is an aspect of its integrity that allows it to convey its significance. Therefore, the undertaking will have an adverse effect.

#### **Morgan County Bridge 166 (NBI No.: 5500153; Select)**

Mainline construction for the preferred alternative will take place approximately 3,500 feet from this property. An interchange improvement will occur along SR 144/CR 144, approximately 4,500 feet from the bridge. No traffic increases along the Old SR 37, the roadway Morgan Co. Br. 166 carries,



are anticipated. Noise will not affect the integrity of this property since bridges are by their very nature intended to be in environments of traffic noise

The undertaking will have no effect on Morgan County Bridge No. 166.

#### **Travis Hill Historic District**

A local access overpass is planned for Stones Crossing Road over proposed I-69 for the preferred alternative. These improvements will terminate adjacent to the historic property boundary. Travis Hill is located along a rise above the intersection of SR 37 and Stones Crossing Road. Trees would be cleared adjacent to the neighborhood and Stones Crossing would be re-aligned, altering the setting of the district. The Travis Hill Historic District would be affected by traffic changes and visual impacts that result from the construction of an overpass built as part of the undertaking and the clearing of about twenty trees lying outside the historic boundary. However, houses within the district are on heavily wooded lots and would not have a view to the undertaking during much of the year. Noise will increase from 53.9 dBA to 60.6 dBA at one of the receivers in the district. (The other receiver would experience a decrease in dBA.) The projected noise levels at these receivers do not rise to the level of an adverse effect, per INDOT's noise policy.

Therefore, these changes will not constitute an adverse effect on the Travis Hill Historic District.

#### **John Sutton House**

The undertaking will take place approximately 500 feet from the house under the preferred alternative. In addition, an interchange at County Line Road, situated nearly 1,700 feet from the John Sutton House, is proposed under the Preferred Alternative C4. The undertaking will result in a change of setting from the construction of the interchange. The ambient noise reading for the John Sutton House is 57.4 dBA; in the design year 2045, noise modelers project a noise reading of 64.0 dBA or an increase of 6.6 dBA, which is below INDOT criteria for an adverse effect. However, setting is not key to the integrity and significance of this property; SR 37 and modern intrusions are already extant and these have not diminished its integrity.

The undertaking would not adversely affect the John Sutton House.

#### **Marion County Bridge 4513 (NBI No.: 4900484; Non-Select)**

The undertaking would take place within approximately 126 feet from the center of the bridge under Preferred Alternative C4. No traffic impacts are anticipated as part of this undertaking. The setting does not contribute to the engineering significance. Noise and traffic would not affect the integrity of this property since bridges are by their very nature intended to be in environments of traffic noise.

The undertaking would have an effect on Marion County Bridge 4315 F due to the increased travel time to access the bridge, but that change will constitute a No Adverse Effect because it does not inhibit the ability of the resource to convey its engineering significance.

#### **Cleary-Barnett House**

The undertaking is located approximately 1,900 feet from the property under Preferred Alternative C4. Noise will increase from 49.9 dBA in the current year to 55.2 dBA in design year 2045; this is not considered an adverse impact per INDOT's noise policy. The Cleary-Barnett House is set on a heavily wooded lot with limited visibility to the undertaking.

The topography and vegetation of the setting is not expected to change given the wooded setting of the property and the distance to the undertaking; therefore, the effect will not be adverse.

#### **Glenn's Valley Nature Park Retreat House**

The undertaking is located approximately 1,670 feet from the property under Preferred Alternative C4. Noise will increase from 47.5 dBA in the current year to 54.5 dBA in design year 2045; this is not considered an adverse impact per INDOT's noise policy. The Retreat House is set on a heavily wooded lot with limited visibility to the undertaking. Therefore, no change to the setting is anticipated.

The undertaking will have no adverse effect on the Glenn's Valley Nature Park Retreat House.

#### **Glennwood Homes Association Historic District**

The undertaking is located 578 feet from the property under Preferred Alternative C4. The district is set on a heavily wooded tract of land along Bluff Road. The neighborhood is accessed via Bluff Road and traffic is expected to decrease as a result of the undertaking at Bluff Road north of Stop 11 Road, which is the entrance/access to the majority of resources within the district. The undertaking will be visible from the highest point of the neighborhood during times of the year without leaf cover. Vegetation will partially screen the undertaking from the district while the distance will further reduce its effects. Ambient noise levels have been measured at 54.3 dBA; these levels are predicted to increase to 63.0 dBA at the receiver closest to the undertaking in the design year 2045, which is not considered adverse per INDOT's noise policy.

Therefore, the undertaking will have No Adverse Effect on the Glenwood Homes Association.

#### **Le Ciel (Charles Laughner House)**

The mainline of Preferred Alternative C4 is located approximately 70 feet from the historic boundary of the home. In addition, Belmont Avenue, which passes in front of the property, will be closed to traffic and will be turned to a cul-de-sac. Le Ciel is set on a heavily wooded tract of land on a high elevation but the home is visible during the winter months; thus, during part of the year the home will have a view of the undertaking and perhaps to the Southport Road interchange. Ambient noise levels have been measured at 56.9 dBA; these levels are predicted to increase to 65.9 dBA in the design year 2045; which is not considered an adverse effect per INDOT's noise policy.

The property is presently located along Belmont Road and parallel to SR 37, but it is screened from these roadways much of the year. Although access to Belmont Road and SR 37 will change, the proximity of the house to the roadways will not be affected. Therefore, Le Ciel will be affected by the undertaking, but not adversely.

#### **Southside German Market Gardeners Historic District**

The district is located along the undertaking on both the north and the south side. The project would replace and widen the I-465 bridge over Bluff Road, which is located within the district. Mechanically stabilized earth (MSE) retaining walls would be used along the south side of I-465. A vegetated side-slope would be constructed along the north side I-465, west of Bluff Road. A combination of a vegetated side-slope and MSE walls would be constructed along north side of I-465, east of Bluff Road to avoid impacting electric transmission towers. The Contributing house located at 4401 Bluff Road would be removed as part of the side-slope construction. The project would acquire a total of approximately 6.0 acres from the historic district in the four quadrants.

Traffic along Bluff Road would decrease from 11,500 VPD in 2010 to 9,890 VPD in the year 2045. Daily truck traffic along Bluff Road would decrease from 240 to 105. The ambient noise level is 69.7 dBA; in the design year 2045, the noise level would increase to 70.1 dBA, a difference of 0.4. Noise at the Southside German Market Gardeners Historic District will not increase such that it will constitute an adverse impact, per INDOT's noise policy.

Because of the removal of the Contributing house and construction of the side-slope within the historic district, the Southside German Market Gardeners Historic District will experience an adverse effect from this undertaking.

#### **Archaeology Site 12-Mg-0556**

Site 12-Mg-0556 has insufficient information to determine if it is eligible for inclusion in the NRHP and is located within Preferred Alternative C4 right of way. If the site cannot be avoided, it will be subject to additional investigation to determine if it is eligible for the NRHP. The additional investigation may be completed prior to the publication of the FEIS. If it is not completed before the FEIS is published, the FEIS will include a MOA or PA developed in consultation with the DHPA-SHPO.

#### **Alluvial Floodplain Test Areas**

An alluvial floodplain south of Martinsville in the White River valley and has the potential to contain buried archaeological sites and is located within Preferred Alternative C4 right of way. Phase Ic studies were recommended for this area. The additional investigation may be completed prior to the publication of the FEIS. If it is not completed before the FEIS is published, the FEIS will include a MOA or PA developed in consultation with the DHPA-SHPO.

### **6. Explain how this undertaking would adversely affect historic properties (include information on any conditions or future actions known to date to avoid, minimize, or mitigate adverse effects):**

36 CFR § 800.5(a)(1) states: "An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative."

This criteria of adverse effect was applied to assess impacts to historic properties within the APE. The INDOT Traffic Noise Analysis Procedure was also used to consider potential effects. A discussion of that policy can be found in the attached 800.11(e) Documentation.

The criteria of adverse effect do not apply to: Morgan County Bridge 224, Top Notch Farm, East Washington Street Historic District, W.E. Nutter House, Percy Farm and Clear Creek Fisheries, Grassyfork Fisheries Farm No. 1, Morgan County Bridge 166, Travis Hill Historic District, John Sutton House, Marion County Bridge 4513 F, Cleary-Barnett House, Glenn's Valley Nature Park Retreat House, Glennwood Homes Association Historic District, and Le Ciel (Charles Laughner House).

The criteria of adverse effect do apply to the Reuben Aldrich Farm and Southside German Market Gardeners Historic District.

At this time, only a portion of the archaeological investigations have been conducted within the I-69 Section 6 archaeological APE; therefore, it is presupposed that the project will have an adverse effect on archaeological resources.

The Phase Ia studies revealed the presence of nine archaeological sites within portions of the I-69 Section 6 APE in Preferred Alternative C4. Of these, one site (12-Mg-0556) has insufficient data for an eligibility determination and additional investigation is recommended for Site 12-Mg-0556 if it cannot be avoided by the project. Site 12-Mg-0052 within the APE was found unlikely to contain intact deposits, and no further investigation was necessary within the APE. However, the site boundaries will be marked and identified as a sensitive resource. The remaining seven identified archaeological sites have been recommended as not eligible for listing in the NRHP. One area south of Martinsville in the White River valley was identified with a high potential for buried cultural deposits and Phase Ic subsurface investigation was recommended.

The criteria of adverse effect may apply to site 12-Mg-0556 and an Alluvial Area south of Martinsville which are within, or in proximity to, Preferred Alternative C4. At this time not all Phase Ia archaeological investigations have been conducted within Preferred Alternative C4. Therefore, it is presupposed that the project will have an adverse effect on archaeological resources.

The remaining Phase Ia archaeological investigations for the APE occurred in November 2016. Once those investigations are concluded, the Phase Ia archaeological report for that portion of the project will be submitted to DHPA-SHPO and the effect of the project on archaeological resources will be reassessed.

**Morgan County Bridge 224 (NBI No.: 5500142; Select Bridge)**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to the Morgan County Bridge 224. The Bridge will not be affected adversely by the undertaking.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause “physical destruction of or damage to all or part of the property.”

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change “of the character of the property’s use or of physical features within the property’s setting.” Existing pavement of Old SR 37 to the new I-69 will be removed but the pavement will still connect to local roadways. This does not constitute an adverse effect.

Per 36 CFR 800.5(a)(2)(v), there will be an “introduction of visual, atmospheric or audible elements” as the Bridge will have a distant view to the improved interstate but that view will not adversely affect the defining characteristics of the property. Noise will not affect the integrity of this property since bridges are by their very nature intended to be in environments of traffic noise.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

### **Top Notch Farm**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to the Top Notch Farm. The property will not be affected adversely by the undertaking.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause “physical destruction of or damage to all or part of the property.” The preferred alternative located approximately 700 feet from Top Notch Farm, would include an interchange at SR 37 and Ohio Street/Mahalasville Road approximately 1,000 feet from the property. Southview Drive would be relocated adjacent to the historic property boundary.

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change “of the character of the property’s use or of physical features within the property’s setting.” Improvements to Ohio Street/Mahalasville Road will take place adjacent to, but not within, the property’s boundary. Southview Road will be realigned adjacent to the historic property boundary.

Per 36 CFR 800.5(a)(2)(v), there will be an “introduction of visual, atmospheric or audible elements.” The following changes will occur. Ohio Street will be raised twenty-five feet where it crosses I-69. Top Notch Farm will have a view to this new construction. However, since the property is already in a disturbed location with modern construction; therefore, this visual effect will not be considered adverse. The ambient noise reading for the farm is 49.6 dBA; in the design year 2045, noise modelers project an increase of 8.3 dBA to reach a 57.9 dBA with the construction of I-69. Neither the increase nor the projected design year noise level are considered an adverse effect, per INDOT’s noise policy.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

**East Washington Street Historic District**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to the East Washington Street Historic District. The district will not be affected by the undertaking.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause “physical destruction of or damage to all or part of the property.” The undertaking is more than 4,000 feet from the historic property boundary.

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change “of the character of the property’s use or of physical features within the property’s setting.” The preferred alternative is located more than 4,000 feet from the district boundary.

Per 36 CFR 800.5(a)(2)(v), there will be not be an “introduction of visual, atmospheric or audible elements” since the undertaking is located at a distance of more than 4,000 feet from the East Washington Street Historic District and since no traffic increases will take place.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

**W.E. Nutter House**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to the W.E. Nutter House. The property will not be affected by the undertaking.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause “physical destruction of or damage to all or part of the property.”

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change “of the character of the property’s use or of physical features within the property’s setting.” The preferred alternative is located more than 3,500 feet from the property.

Per 36 CFR 800.5(a)(2)(v), there will be not be an “introduction of visual, atmospheric or audible elements” since the undertaking is located at a distance of approximately 3,500 feet from the W.E. Nutter House and since no traffic increases will take place.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

#### **Pearcy Farm and Clear Creek Fisheries**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to the Pearcy Farm and Clear Creek Fisheries. The property will not be affected by the undertaking.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause “physical destruction of or damage to all or part of the property.”

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change “of the character of the property’s use or of physical features within the property’s setting.” The preferred alternative is located more than 3,000 feet from the property.

Per 36 CFR 800.5(a)(2)(v), there will be not be an “introduction of visual, atmospheric or audible elements” since the undertaking is located at a distance of more than 3,000 feet from the Pearcy Farm and Clear Creek Fisheries. Traffic is also expected to decrease under the preferred alternative in comparison to projected traffic numbers in the “No Build” alternative. Since there was expected to be a change in traffic due to the undertaking, noise modeling was conducted. The ambient noise reading at Pearcy Farm and Clear Creek Fisheries is 41.6 dBA; the projected noise reading in the design year of 2045 is 44.9 for an increase of 3.3 dBA, a level that is not considered adverse, per INDOT’s noise policy.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

#### **Grassyfork Fisheries Farm No. 1**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to the Grassyfork Fisheries Farm No. 1. The property will be affected by the undertaking, but the effect will not be adverse.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause “physical destruction of or damage to all or part of the property.”

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change “of the character of the property’s use or of physical features within the property’s setting.” The preferred alternative is located nearly 1,300 feet from the property’s boundary, and improvements to Morgan Street will take place outside of the historic property boundary.

Per 36 CFR 800.5(a)(2)(v), there will be an “introduction of visual, atmospheric or audible elements” since traffic along Morgan Street would increase as a result of the undertaking. The ambient noise level at Grassyfork Fisheries Farm No. 1 is 48.2 dBA; that level will increase to 55.7 dBA, a change of 7.5 dBA, which is not considered adverse per INDOT’s noise policy. In addition, the property is not sensitive to noise and traffic since the Office and Display Room were originally constructed at the location near Morgan Street (Old SR 37) to attract customers.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

### **Reuben Aldrich Farm**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), apply to the Reuben Aldrich Farm. The property will be adversely affected by the undertaking.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause “physical destruction of or damage to all or part of the property.” The overpass will tie into Big Bend Road approximately 650 feet from the historic property boundary.

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change “of the character of the property’s use or of physical features within the property’s setting.” The preferred alternative is located approximately 1,300 feet from the property and a local overpass will tie into the Big Bend Road more than 650 feet from the property.

Per 36 CFR 800.5(a)(2)(v), there will be an “introduction of visual, atmospheric or audible elements.” As noted previously, Big Bend Road will pass over I-69 and direct traffic onto Old SR



37; as a result of the possible change in traffic in this area, noise modeling was conducted. The ambient noise level for the Reuben Aldrich Farm is 50.1 dBA, a level that is expected to increase to 52.5 dBA, an increase that will not be perceptible to the human ear. Therefore, there is not an adverse noise impact, per INDOT's noise policy. However, traffic is anticipated to increase and Old SR 37 will no longer be a low volume road as it is classified today. Setting is an aspect of integrity for this historic farm and thus the introduction of increased traffic will be an adverse effect.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no "transfer, lease, or sale of the property out of Federal ownership or control."

**Morgan County Bridge 166 (NBI No.: 5500153; Select)**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to Morgan County Bridge 166. The bridge will not be affected by the undertaking.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause "physical destruction of or damage to all or part of the property." The property is located approximately 3,500 feet from the undertaking.

Per 36 CFR 800.5(a)(2)(ii), there will be no "restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines."

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change "of the character of the property's use or of physical features within the property's setting." The preferred alternative is located more than 3,500 feet from the bridge.

Per 36 CFR 800.5(a)(2)(v), there will be not be an "introduction of visual, atmospheric or audible elements" since the undertaking is located at a distance of approximately 3,500 feet from the bridge. At this distance view of the interstate will not affect this resource. Noise will not affect the integrity of this property since bridges are by their very nature intended to be in environments of traffic noise.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no "transfer, lease, or sale of the property out of Federal ownership or control."

**Travis Hill Historic District**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to the Travis Hill Historic District. The district will be affected by the undertaking, but the effect will not be adverse.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause “physical destruction of or damage to all or part of the property.” Tree clearing and the improvement to Stones Crossing Road do not encroach into the historic property boundary.

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change “of the character of the property’s use or of physical features within the property’s setting;” however, improvements to Stones Crossing Road will occur adjacent to the historic property boundary.

Per 36 CFR 800.5(a)(2)(v), there will be an “introduction of visual, atmospheric or audible elements” as the district would have a view to tree clearing outside the district and noise will increase from 53.9 dBA to 60.6 dBA at one of the receivers in the district. A second, more remote location within the district will experience a decrease in dBA. The projected noise levels at these receivers do not rise to the level of an adverse effect, per INDOT’s noise policy. In addition, Stones Crossing Road would be realigned farther to the south introducing visual changes to the area. However, homes within the district are on heavily wooded lots and would not have a view to the undertaking. Therefore, the effect is not considered adverse.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

### **John Sutton House**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to the John Sutton House. The property will be affected by the undertaking but not adversely.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause “physical destruction of or damage to all or part of the property.” The mainline will be located about 500 feet from the house.

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change “of the character of the property’s use or of physical features within the property’s setting.” The preferred alternative is approximately 500 feet from the house, but the property is presently along a busy highway.

Per 36 CFR 800.5(a)(2)(v), there will be an “introduction of visual, atmospheric or audible elements” with the construction of the undertaking and an interchange to the north. However, modern intrusions—including modern buildings and SR 37—are already present around the property. The ambient noise reading for the John Sutton House is 57.4 dBA; in the design year 2045, noise modelers project a noise reading of 64.0 dBA or an increase of 6.6 dBA, which is below INDOT criteria for an adverse effect. Per this policy, the effect will not be considered adverse.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

**Marion County Bridge 4513F (NBI No.: 4900484; Non-Select)**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to the Marion County Bridge 4513F. The bridge will be affected by the undertaking, but the effect will not be adverse.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause “physical destruction of or damage to all or part of the property.”

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change “of the character of the property’s use or of physical features within the property’s setting.” The preferred alternative is no closer to the bridge than is present SR 37, but Preferred Alternative C4 will be elevated above SR 37’s present elevation. The preferred alternative does not adversely affect the qualities for which this bridge was determined eligible.

Per 36 CFR 800.5(a)(2)(v), there will be an “introduction of visual, atmospheric or audible elements” with the construction of new, raised bridge near the existing bridge. Access to the bridge will also take longer due to the construction of the limited access interstate. These changes will not affect the ability of the bridge to convey its engineering significance; therefore, the effect is not considered adverse. Noise will not affect the integrity of this property since bridges are by their very nature intended to be in environments of traffic noise.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

**Cleary-Barnett House**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR

800.5(a)(2)(i) through (v), do not apply to the Cleary-Barnett House. The House will be affected by the undertaking, but that effect will not be adverse.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause “physical destruction of or damage to all or part of the property.”

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change “of the character of the property’s use or of physical features within the property’s setting.” The preferred alternative is located approximately 1,900 feet from the undertaking and is set on a heavily wooded lot.

Per 36 CFR 800.5(a)(2)(v), there will be an “introduction of visual, atmospheric or audible elements.” Noise will increase from 49.9 dBA in the current year to 55.2 dBA in design year 2045; this is not considered an adverse impact per INDOT’s noise policy. Furthermore, the undertaking is located at a distance of approximately 1,900 feet.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

#### **Glenn’s Valley Nature Park Retreat House**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to the Glenn’s Valley Nature Park Retreat House. The House will be affected by the undertaking, but the effect will not be adverse.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause “physical destruction of or damage to all or part of the property.”

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change “of the character of the property’s use or of physical features within the property’s setting.” The preferred alternative is located approximately 1,670 feet from the undertaking and is set on a heavily wooded lot.

Per 36 CFR 800.5(a)(2)(v), there will be an “introduction of visual, atmospheric or audible elements”. The undertaking is located at a distance of approximately 1,670 feet. However, traffic

could potentially change along Bluff Road; therefore, noise modeling was conducted to ascertain the effect. Noise is projected to increase from 47.5 dBA in the current year to 54.5 dBA in design year 2045; this is not considered an adverse impact per INDOT's noise policy.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no "transfer, lease, or sale of the property out of Federal ownership or control."

#### **Glennwood Homes Association Historic District**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to the Glennwood Homes Association Historic District. The district will be affected by the undertaking, but the effect will not be adverse.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause "physical destruction of or damage to all or part of the property."

Per 36 CFR 800.5(a)(2)(ii), there will be no "restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary's Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines."

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change "of the character of the property's use or of physical features within the property's setting." The undertaking is located 578 feet from the nearest point of the historic district.

Per 36 CFR 800.5(a)(2)(v), there will be an "introduction of visual, atmospheric or audible elements" as the undertaking will be visible during certain times of the year with limited leaf cover but visual effects will not be adverse. Ambient noise levels have been measured at 54.3 dBA; these levels are predicted to increase to 63.0 dBA at the receiver closest to the undertaking in the design year 2045, which is not considered adverse per INDOT's noise policy.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no "transfer, lease, or sale of the property out of Federal ownership or control."

#### **Le Ciel (Charles Laughner House)**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), do not apply to "Le Ciel" (Charles Laughner House). The property will be affected by the undertaking, but the effect will not be adverse.

Per 36 CFR 800.5(a)(2)(i), the undertaking will not cause "physical destruction of or damage to all or part of the property."

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property will not be removed from its historic location.

Per 36 CFR 800.5(a)(2)(iv), there will not be a change “of the character of the property’s use or of physical features within the property’s setting.” The undertaking is located approximately 70 feet from the historic property boundary at its nearest point. The property’s access to SR 37 from Belmont will be changed with the construction of a cul de sac north of the Laughner House.

Per 36 CFR 800.5(a)(2)(v), there will be an “introduction of visual, atmospheric or audible elements” as the undertaking will be visible, especially with the acquisition of Aspen Lakes Apartments just north of the property, during certain times of the year with limited leaf cover. However, the proximity of the property to the undertaking will not change. Ambient noise levels have been measured at 56.9 dBA; these levels are predicted to increase to 65.9 dBA in the design year 2045; which is not considered an adverse effect per INDOT’s noise policy.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

#### **Southside German Market Gardeners Historic District**

The criteria of adverse effect, as defined and described in 36 CFR 800.5(a)(1) and in 36 CFR 800.5(a)(2)(i) through (v), apply to the Southside German Market Gardeners Historic District. The district will be adversely affected by the undertaking.

Per 36 CFR 800.5(a)(2)(i), the undertaking will cause “physical destruction of or damage to all or part of the property.” The undertaking will remove a house located at 4401 Bluff Road, which is considered contributing to the district. Further, the undertaking will result in an acquisition of approximately six acres of land within the district.

Per 36 CFR 800.5(a)(2)(ii), there will be no “restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access, that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines.”

Per 36 CFR 800.5(a)(2)(iii), the property (in this case, the historic district) will not be removed from its historic location. However, the Contributing house at 4401 Bluff Road will be removed from its historic location as a part of the slide-slope construction.

Per 36 CFR 800.5(a)(2)(iv), there will be a change “of the character of the property’s use or of physical features within the property’s setting” as the I-465 bridge over Bluff Road will be replaced, widened, and elevated. The house at 4401 Bluff Road, a Contributing resource, will also be acquired, which will change the setting within the district. This will result in an adverse effect to the district.

Further, per 36 CFR 800.5(a)(2)(v), there will be an “introduction of visual, atmospheric or audible elements.” The project would replace and widen the I-465 bridge over Bluff Road. MSE retaining walls would be used along the south side of I-465. A vegetated side-slope would be constructed along the north side I-465, west of Bluff Road. A combination of a vegetated side-slope and MSE walls would be constructed along north side of I-465, east of Bluff Road to avoid impacting electric transmission towers. The Contributing house located at 4401 Bluff Road would be removed as part of the side-slope construction. The introduction of MSE walls and the elevation of the bridge will constitute a visual adverse effect. With a retaining wall and safety barrier, the level of noise will decrease slightly (-2.7 dBA) and without it, it will rise slightly (0.4 dBA). However, this is presently a noisy district with an ambient noise reading of 69.7 dBA; changes in noise as a result of the undertaking will not constitute an adverse effect, per INDOT’s noise policy.

Per 36 CFR 800.5(a)(2)(vi), there will be no neglect or deterioration of the property.

Per 36 CFR 800.5(a)(2)(vii), there will be no “transfer, lease, or sale of the property out of Federal ownership or control.”

#### **Archaeology Site 12-Mg-0556**

Site 12-Mg-0556 is located within the Preferred Alternative right of way and has insufficient information to determine if it is eligible for inclusion in the NRHP. If the site cannot be avoided, it will be subject to additional investigation to determine if it is eligible for the NRHP. The additional investigation may be completed prior to the publication of the FEIS. If it is not completed before the FEIS is published, the FEIS will include a MOA or PA developed in consultation with the DHPA-SHPO.

#### **Alluvial Floodplain Test Areas**

An alluvial floodplain south of Martinsville in the White River valley is located within Preferred Alternative right of way and has the potential to contain buried archaeological sites. Phase Ic studies were recommended for this area. If this area cannot be avoided, additional investigation will be conducted in the affected area(s) to further assess the nature of buried deposits and the probability of the area to contain buried cultural resources that could be eligible for the NRHP. The additional investigation may be completed prior to the publication of the FEIS. If it is not completed before the FEIS is published, the FEIS will include a MOA or PA developed in consultation with the DHPA-SHPO.

#### **Actions to Avoid, Minimize, or Mitigate Adverse Effects**

Throughout the development of the project, engineers sought ways to minimize effects on historic properties. Specifically, to avoid adverse impacts to the following resources.

- Morgan County Bridge No. 224: public access is still maintained and the existing roadbed for Old SR 37 will be preserved.
- Top Notch Farm: engineers shifted the connection of Southview Drive and Mahalasville Road to the northwest to avoid the farm.
- Travis Hill Historic District: engineers aligned the Stones Crossing Road to avoid acquisition of property from the district and to minimize the tree cutting.
- Southside German Market Gardeners Historic District: engineers included MSE walls to avoid acquisition of additional property from the district. FHWA, INDOT, and their consultants met with residents to garner input regarding the introduction of a vegetated slide-slope or a

wall along the north side of I-465. Comments received during that consultation are described below.

*Consulting Party Meeting Discussion*

At the Consulting Party Meeting held on August 17, 2016, consultants discussed the kinds of effects that were studied and eligible properties, Pearcy Farm and Clear Creek Fisheries. Mitigation discussion followed.

*Memorandum of Agreement (MOA)*

FHWA determined an Adverse Effect finding is appropriate for the I-69 Section 6 undertaking; therefore, an MOA will be executed. To mitigate the adverse effects on the Reuben Aldrich Farm, consultation with the property owner and consulting parties is being undertaken to evaluate vegetative screening, preparation of a NRHP nomination form, or other suitable mitigation. To mitigate the adverse effects on the Southside German Market Gardeners Historic District, consultation with property owners in the district and consulting parties has been undertaken to evaluate the use of retaining walls, vegetative screening and/or MSE wall treatments, preparation of a NRHP nomination form, signage, or other suitable mitigation.

To resolve any potential effects on archaeological resources, the MOA will stipulate the identification and evaluation efforts as well as any additional testing that should occur. If an eligible archaeological site is located, the MOA will stipulate avoidance or mitigation procedures. The MOA will be developed and signed by all appropriate signatories. FHWA will invite other consulting parties to sign the executed document as concurring parties

**7. Provide copies or summaries of the views provided to date by any consulting parties, Indian tribes or Native Hawai'ian organizations, or the public, including any correspondence from the SHPO and/or THPO.**

The following is a summary of the views of the consulting parties. Comments from consulting parties received prior to the publication of the DEIS and 800.11(e) documentation, and responses to these comments, are listed in the Consulting Party Comment/Response Form of the enclosed 800.11(e) documentation.

On June 25, 2004, the DHPA-SHPO responded to a submission (dated June 14, 2004) that detailed the proposed APE for the I-69 Section 6 project. DHPA-SHPO stated the proposed APE "appears to be appropriate." DHPA-SHPO also noted that the APE may need to be adjusted in the future if "specific kinds of effects or geographic issues...come to light."

On June 29, 2004, Zach Pahmahmie, the Tribal Chairman of the Prairie Band Potawatomi Nation, responded to the invitation to join consultation sent by FHWA on May 18, 2004. Pahmahmie stated "we have no objections" to the project and "we are unaware of any historical cultural resources in the proposed development area." However, Pahmahmie requested "to be immediately contacted if any inadvertent discoveries are uncovered at any time throughout the various phases of the project."



On July 2, 2004, the first consulting party meeting was held. Consultants discussed the role of consulting parties in the Section 106 review process, the APE, and the potential historic properties within the APE. A representative from INDOT asked about the qualifications for a “master” builder, as described in Criterion C. The project team responded that there must be some documentation to help establish information of the builder as a master and that most would agree on the designation once made. The Morgan County Historian asked about the MOA process for the project and voiced concerns regarding the protection of cemeteries (specifically that many are unmarked and/or easily missed). Project team members responded that research continued to document area cemeteries. Consulting parties also inquired about access to the fire station on SR 44, to the hospital, and to local access roads (all of which are not Section 106 issues). Finally, the representative from Traditional Arts Indiana asked questions about the 50-year age window for surveyed properties and potential project delays and requested consideration of resources such as orchards and fish ponds. Project team members responded that properties might need to be reconsidered if delays occur and that the Section 106 process is bound by the National Register criteria.

A second consulting party meeting was held on August 31, 2005; this meeting focused on discussion of the draft HPR, which identified and evaluated the eligibility of properties in the APE for inclusion in the NRHP. The Morgan County Commissioner asked how the APE was developed and why the Nutter House was included in the survey due to its distance from SR 37. It was noted that the survey area was wider than that 1,000-foot corridor due to the potential for effects. Consulting parties also asked why no information on the East Washington Street Historic District within Martinsville, Indiana was included in the consulting party packet. It was noted that the draft HPR included information on the East Washington Street Historic District. Pauline Spiegel asked why the Ozark fisheries and ponds were not included in the historic property boundaries. The project team showed that the draft HPR did include contributing ponds from the Ozark property.

On September 7, 2005, DHPA-SHPO provided comments on the draft HPR sent on August 15, 2005, with the invitation to the second consulting party meeting. DHPA-SHPO agreed with the eligibility and non-eligibility assessments for the properties identified in the report. However, the DHPA-SHPO noted “the concrete girder bridge carrying Old SR 37 over crooked Creek appears to be very similar to Morgan County Bridge #166” which had been previously determined eligible. DHPA-SHPO asked for additional information as to why the concrete girder was not individually eligible for the NRHP.

In a letter dated September 13, 2005, the Morgan County Historic Preservation Society responded to the draft HPR and provided information on the former Morgan County Home, the Gano Greenhouse, and a property located at 1009 South Ohio Street. The Society was dissatisfied with the lack of an interview with the Ed Ferguson, as “[h]e’s the only one who would really know what kind of alterations have occurred on the property.” The Society added that “the ponds alone are historically significant even if the attendant Grassyfork building no longer exist [sic].” Lastly, the Society stated that the rating for the Reuben Aldrich Farm should be elevated to “C[ontributing] if not O[utstanding]” and called the barn “truly remarkable and quite unusual.” The Society requested that the historians justify the rating for the Aldrich Farm.

In a letter dated September 13, 2005, and prepared in response to the draft HPR and Consulting Party Meeting held August 31, 2005, Morgan County Historian questioned the absence of some cemeteries involved in the report and noted five cemeteries within the corridor in Morgan County.

The Morgan County Historian said that the Mitchell Cemetery was within the wooded area excluded from the recommended property boundary for Top Notch Farm and asked, “Why was that area really excluded? Do you intend to ignore the involved cemeteries and merely bulldoze your way through them?”

In an email dated September 14, 2005, and prepared in response to the HPR and Consulting Party Meeting held August 31, 2005, Traditional Arts Indiana provided comments relating to resources within the APE (and also included the comments of the Morgan County Historian, the Morgan County Historic Preservation Society and Dale Drake with her email). She requested that project team members go inside the barn on the Reuben Aldrich Farm property, noting that the barn’s hay loft is suspended by iron rods. She added that the house could be of greater significance than its Notable rating. The email included a thread of emails with comments from two other consulting parties that were also delivered in letter form on September 13, 2016. There was also a note from Dale Drake which stated that he agreed the Reuben Aldrich farm is a significant historic property. He also stated that “there is an unmarked family cemetery between the house and river. The Aldrich family members were moved from that cemetery to ... the nearby IOOF cemetery, but the workers and servants buried there were not.”

In a letter dated November 21, 2005, DHPA-SHPO responded to the additional information provided by the project team on October 24, 2005, regarding the concrete girder bridge carrying Old SR 37 over Crooked Creek. DHPA-SHPO agreed with the assessment and had no further concerns regarding the bridge

On January 9, 2006, DHPA-SHPO staff members attended a field tour with project team members, visiting several structures that were surveyed within the project APE. DHPA-SHPO offered guidance for evaluating properties and on the potential effects from the project going forward.

On December 21, 2006, DHPA-SHPO responded to a draft version of the I-69 Phase Ia [Archaeological] Literature Review for Section 6. DHPA-SHPO suggested citation additions and corrections, in addition to suggesting some alterations to the contextual information.

On July 25, 2008, DHPA-SHPO concurred with the HPR sent on June 25, 2008, regarding the eligibility or ineligibility for the NRHP of the properties identified in the Section 6 APE.

On January 13, 2015, a meeting was held between the project team and the DHPA-SHPO to address the methodology and eligibility criteria for the AI study for the I-69 Section 6 alternatives. It was agreed that the project team would use the previous established methodology for the project’s preliminary new terrain alternatives. DHPA-SHPO indicated that SR 37 would likely look similar after the project “except in areas where there will be interchanges and access roads” so it “may not be as necessary to look as far as a new terrain road,” however, locations with access roads may require an expanded survey area.

On March 10, 2015, DHPA-SHPO responded to the meeting minutes, revision to the APE, and methodology for the AI study. DHPA-SHPO asked for clarification as to whether FHWA and INDOT intended to adopt the DHPA’s draft “Guidelines for Evaluating National Register Eligibility of Mid-Century Modern Housing and Post-War Suburbs.” If FHWA and INDOT had not agreed to adopt those guidelines, DHPA-SHPO stated that “then we would renew our request now.” In response to the memorandum entitled “Methodology for Section 6 Aboveground Survey & Reporting,” DHPA-

SHPO expressed concern over the usage of the National Cooperative Highway Research Program Report 723 and requested instead that DHPA-SHPO mid-century and post-war guidelines be followed. DHPA-SHPO understood that methodologies for archaeological predictive modeling and windshield surveys would be submitted for review and comment before implementation. DHPA-SHPO accepted the proposed APE (dated January 26, 2015), “subject to later revisions that would be reasonable or necessary.”

On May 14, 2015, members of DHPA-SHPO joined project team members for a Section 106 site visit of properties within the project’s APE. The purpose of this site visit was to re-examine select properties originally surveyed in 2004, to evaluate properties in the HPR (2008) that merited re-evaluation, and view properties newly surveyed as part of the AI study. During the visit, DHPA-SHPO offered guidance for evaluating properties and on the potential effects from the project.

DHPA-SHPO responded to the Draft Purpose and Need Statement and Conceptual Alternatives for I-69 Tier 2 Studies for Section 6 in correspondence dated May 15, 2015. DHPA-SHPO stated that it would be “appropriate to compare at least such performance measures as driving time savings and accessibility (and other measures—or impacts—as appropriate) for the Tier 1 Preferred Alternative 3C and Tier 1 non-preferred alternatives that were discarded after the Tier 1 Draft EIS (DEIS) ... [i]f some impacts are included, we would be especially interested in seeing projections for impacts on other kinds of resources included.” DHPA-SHPO also stated that “without more information about the locations of the alternative corridors in relation to historic properties, we are unable to offer comments on the relative advantages or disadvantages or any of the conceptual alternatives in regard to foreseeable impacts on historic sites/districts or archaeological sites.” Finally, DHPA-SHPO noted that most of its comments may come during the Section 106 process, but “it will be incumbent upon INDOT or its consultants to ensure that those Section 106 comments are taken into account during the NEPA review process, as well.

In a May 19, 2015 email, DHPA-SHPO responded with comments regarding the May 14 site visit to the Section 6 APE. DHPA-SHPO offered eligibility opinions on several properties in the project APE.

DHPA-SHPO responded to an archeological memorandum regarding existing SR 37 right-of-way disturbance documentation and a predictive modeling methodology in a letter dated May 26, 2015. DHPA-SHPO staff concurred with the memorandum’s conclusion “that the area (Section 6, along SR 37) ... is disturbed and as such will not require archaeological investigation unless deemed necessary in the field during an investigation to be conducted in adjacent areas.” DHPA-SHPO also agreed with the use of predictive modeling to develop survey methods.

In correspondence dated July 30, 2015, DHPA-SHPO responded to the Preliminary Alternatives for the I-69 Tier 2 Studies for Section 106, which they received via email from the INDOT project manager on June 30, 2015. DHPA-SHPO noted that while cemeteries are often of interest to historians, they “generally are not considered eligible for the National Register, except in unusual cases.” “[I]mpacts or the lack thereof on cemeteries were not mentioned as disadvantages or advantages in Appendix E.” Consequently, DHPA-SHPO surmised that “impacts on historic properties played no role in the winnowing of alternatives played no role in the winnowing of alternatives that has occurred to this point.” DHPA-SHPO also stated that it had “no comments about the Preliminary Alternatives at this time” and that it was “unable to draw conclusions about which alternatives might result in either more or fewer impacts to historic properties.” Finally, DHPA-SHPO hoped that “sufficient flexibility had been built into the alternatives to allow for

avoidance of at least direct impacts on any historic properties that may lie within or nearby them.”

On November 4, 2015, DHPA-SHPO responded to the invitation to become a consulting party and list of invited consulting parties, which was sent to them on via email on June 30, 2015 and formally provided via paper copy on October 15, 2015. DHPA-SHPO suggested that the Indianapolis Metropolitan Planning Organization and a representative from the City of Martinsville should be added as consulting parties, unless no alternatives pass through the city limits of Martinsville.

On December 2, 2015, the Acting THPO for the United Keetoowah Band responded to the invitation to attend the December 7, 2015 consulting party meeting (which was sent on November 19, 2015) by stating that the tribe would be unable to attend. The tribe hoped to continue consulting “through email or an individual government-to-government consultation.”

The third consulting party meeting held on December 7, 2015 was attended by representatives of DHPA-SHPO, FHWA, INDOT, the acting THPO for the Miami Tribe of Oklahoma, and six other consulting parties. Consulting parties asked how eligible properties would affect the building of roads in the area. Project team members responded that DHPA-SHPO will respond to any eligibility recommendation; then FHWA will issue a determination of eligibility. Afterward, the effect of the project upon the property will be assessed. If there is an adverse effect finding, a MOA will be negotiated. A property owner (Glennwood Homes Association) asked if both listed and eligible resources would receive the same level of scrutiny for effects. The project team said they would. Indiana Landmarks (formerly Historic Landmarks Foundation of Indiana) asked if any properties from the 2008 report were no longer recommended as eligible in the new survey. Project team members indicated that no historic property had been removed from eligibility status as a result of the new identification and evaluation efforts. Indiana Landmarks requested a contact person for concerns about project effects on historic properties. Indianapolis Historic Preservation Commission inquired about the dissemination of project updates. Project team members stated that all major updates are announced on the listserv and listed on the I-69 Section 6 website.

On December 15, 2015, Indiana Landmarks responded to the AI No. 1. Landmarks concurred with the findings in the report regarding eligible properties in the APE. Landmarks noted that their foundation holds a Protective Covenant on the Grassyfork Fisheries Display and Showroom Building at 2902 E. Morgan St., Martinsville, which is located within the APE. Also, the letter noted that the Link Observatory, located west of the APE, “could potentially be adversely affect[ed]” by the project and requested that the project team determine the effects of increased light pollution of the undertaking on the observatory and its functions. Landmarks believed that the observatory was eligible for the NRHP. Landmarks noted that it appeared that project “Alternative C will best minimize harm to historic properties as outlined in the evaluation methods shared at the December 2015 Public Hearings.” Additionally, Landmarks expressed concern about effects to the NRHP-listed Nicholson-Rand House (5010 West Southport Road), which is outside the project APE for Alternative C but would be included in Alternatives K3 and K4. Landmark holds a Protective Covenant on the Nicholson-Rand House. The foundation requested “all efforts to minimize effects to this historic property.”

On December 21, 2015, DHPA-SHPO responded to AI No 1. and the information presented at the December 7, 2015, Consulting Party Meeting. DHPA-SHPO agreed with the conclusions stated in the report regarding the eligibility/ineligibility of properties for inclusion in the NRHP. DHPA-SHPO noted that it had received a copy of Landmark’s letter and that its concern regarding potential light

pollution affecting the Goethe Link Observatory seemed “plausible.” It agreed that “consideration should be given to whether the APE should in some way be expanded to allow this kind of effect to be taken into account.” DHPA-SHPO also stated that Alternative C was the least likely to affect the use of the observatory because I-69 would be farther from the observatory than the other alternatives.”

On January 26, 2016, INDOT met with representatives of the Goethe Link Observatory to discuss the concerns of the representatives regarding specific alternatives (B, D, K3, K4 and C) that were under consideration at that time. It was the understanding of the representatives that the observatory is NRHP eligible. They expressed a concern about the effect of light on the observatory and the potential light that an interchange may bring: interstate lighting and car headlights as well as possible additional development and associated lighting. They explained that if Alternative B were selected it could affect the existing facility as well as the planned future use. The representatives indicated Alternative C, representing alternatives along SR 37, is not a concern due to the distance from the observatory and there would be enough filters between the two facilities; in addition, there is an existing roadway there.

On February 4, 2016, DHPA-SHPO responded to the Archaeological Literature Review, submitted on January 4, 2016. DHPA-SHPO concurred with the opinions of the archaeologist as expressed in the Phase Ia Archaeological Literature Review for Section 6 Preliminary Alternatives in Hendricks, Johnson, Marion, and Morgan Counties (McCord and Baltz, 11/13/2015) “that significant archaeological resources occur within the Section 6 study area” and that after alternatives are chosen an archaeological reconnaissance survey of the proposed project area should be conducted.” DHPA-SHPO noted that once the archaeological reconnaissance survey report was submitted, staff would “resume identification and evaluation procedures for this project.”

On April 5, 2016, the Acting THPO for the Miami Tribe of Oklahoma responded to the Phase Ia Archaeological Survey 1 for Section 6 that was sent on March 23, 2016. The Tribe stated that it had no objection to the project at this time “as we are not currently aware of existing documentation directly linking a specific Miami cultural or historic site to the project site.” However, the letter continued, since “this site is within the aboriginal homelands of the Miami Tribes, if any human remains or Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) or archaeological evidence is discovered during any phase of this project, the Miami Tribe requests immediate consultation with the entity of jurisdiction for the location of discovery.” Finally, the Miami Tribe requested to continue serving as a consulting party.

On April 5, 2016, a project team member received a telephone call from the owner of the John Sutton House, who stated that she had not received an invitation to join in consultation on the Section 6 project and asked to be added to the consulting party list. The owner said that her property was not listed in the NRHP and she did not want it listed. She also indicated that she leases part of her property to a cell tower company and that they might move the tower if the interstate will impact it.

On April 14, 2016, DHPA-SHPO responded to the Phase Ia Archaeological Survey 1 for Section 6, Indian Creek South of Martinsville to Teeters Road, Morgan County, which was sent to them on March 14, 2016. DHPA-SHPO concurred with the archaeologists’ conclusions that sites 12-Mg-0551, 12-Mg-0552, 12-Mg-0553, 12-Mg-0554, 12-Mg-0555, 12-Mg-0557, and 12-Mg-0558 are not eligible for inclusion on the NRHP and that there was insufficient information regarding site 12-Mg-0556 to

determine if it is eligible. DHPA-SHPO also stated that Field 1 of Segment 2 was suitable to contain buried cultural remains and should be subjected to Phase Ic investigations. DHPA-SHPO also concurred that there is insufficient information to determine if site 12-Mg-0525 is eligible for the NRHP but the staff understood that the site was to be avoided by all project ground-disturbing activities. DHPA-SHPO stated that site 12-Mg-0525 must either be avoided by all project activities or subjected to further archaeological investigations in accordance with the Secretary of the Interior's Standards and Guidelines. DHPA-SHPO also reiterated their previous opinion that there was insufficient information to determine if site 12-Mg-0052 is eligible for the NRHP or to what extent the site has been destroyed by modern development, but that the portions that are within the proposed project area do not appear likely to contain intact archaeological deposits. DHPA-SHPO stated that no further investigations of these portions of the site were necessary but the site should be marked so that it is avoided by all ground-disturbing project activities. If avoidance was not feasible, further archaeological investigations must be done. DHPA-SHPO also stated that it had not previously received a copy the Phase Ia Interim Report (Anderson, 2006), which is located in Appendix A of this report, for review and concurrence, although some of the site records associated with those archaeological investigations were submitted to the SHAARD database. DHPA-SHPO had not reviewed the sites for an NRHP-eligibility determination. Finally, DHPA-SHPO noted that sites 12-Mg-0551-12-Mg-0558 were now entered into the SHAARD database and would be reviewed and specified that the resurvey record for site 12-Mg-0052 should be submitted to the SHAARD database also.

On April 20, 2016, an I-69 Section 6 Resource Meeting was held. DHPA-SHPO attended this meeting with other resource agencies.

On April 21, 2016, members of the project team met with the survey and registration staff of DHPA and a DHPA-SHPO staff member to discuss a potentially eligible resource in the expanded APE and the status of the Southside German Market Gardeners Historic District. Regarding the property in the expanded APE, DHPA staff agreed that the Percy House & Clear Creek Hatchery (later called Percy House & Clear Creek Fishery) would be eligible under Criterion A and suggested that the house could also be considered eligible under Criterion C. The DHPA staff concurred that the Southside German Market Gardeners Historic District was eligible for the NRHP and exhibited a phenomenon of small truck farms. DHPA-SHPO also noted that I-465 creates a "dead zone" that splits the district into north and south sections but that nothing was gained by dividing the district into two smaller districts. A Contributing house at 4401 Bluff Road in the northwest quadrant of the district is located on the I-465 right of way line, but it was agreed that its positioning in the right of way did not change its Contributing status. DHPA-SHPO staff said that the house should be considered Contributing if a connection with the market gardeners could be demonstrated. The project team arranged with DHPA-SHPO to set up a field visit the first week in May to review the district and other properties in the AI No. 2 study and to discuss the effects of the undertaking. Project team members agreed to research a connection between the house and the Southside German Market Growers Association.

On May 2, 2016, representatives of FHWA and INDOT accompanied staff from the SHPO's office on a site visit to discuss effects of the project on historic properties. At the Southside German Market Gardeners Historic District, DHPA-SHPO asked if right of way would be required under all the alternatives. DHPA-SHPO noted that the existing interstate already created an intrusion on the Southside Market Gardeners Historic District, but the project would have an adverse impact on the house at 4401 Bluff Road because of the planned addition of a new wall and removal of vegetative

screening. DHPA-SHPO also noted that the project might not have an adverse impact on the house at 4425 Bluff Road because the installation of a new wall or slope might not make a notable difference to the property. DHPA-SHPO staff also stated that the district could be split into two (north and south) but little would be gained by doing so. DHPA-SHPO also reviewed potential effects to the Glennwood Homes Association, Cleary-Barnett House, and Glenn's Valley Nature Park Retreat House, Marion County Bridge No. 4315 F, John Sutton House, Reuben Aldrich Farm, Top Notch Farm, Morgan County Bridge No. 224, Percy Farm & Clear Creek Fisheries, Travis Hill Historic District, and the Charles Laughner House (Le Ciel). Consultants provided information on May 3, 2016.

On May 11, 2016, DHPA-SHPO responded to the Preliminary Alternatives Screening Report, which it received as an email hyperlink on March 30, 2016, and to the May 2, 2016, site visit. DHPA-SHPO noted that Southside German Market Gardeners Historic District was the most likely to incur adverse effects, especially the house at 4401 Bluff Road and possibly the house at 4425 Bluff Road. DHPA-SHPO stated that the setting of Marion County Bridge No. 4315F could be adversely affected, depending upon the height of any new bridge built to allow I-69 to cross the Pleasant Run Creek and the distance of the undertaking from the historic bridge. DHPA-SHPO offered an initial opinion that it did not appear the undertaking would adversely impact Travis Hill Historic District, but added "[d]etermining whether that effect would be adverse would require more detailed information about the nature of improvements to that part of Stone's Crossing Road." Likewise, DHPA-SHPO stated that to assess the projects effect on the Percy Farm & Clear Creek Fisheries, they would need to know the "nature and extent" of road improvements; DHPA-SHPO requested "more precise information" so that their office could offer more specific comments on effects. DHPA-SHPO also noted that while the other properties discussed during the site visit may incur visual effects, they were less likely to suffer adverse effects than those noted above. DHPA-SHPO reminded that their most recent comments on archaeology were provided in letters dated February 6, 2016, and April 14, 2016. DHPA-SHPO also noted that certain tables in the screening report identified only one historic property impact for each alternative alignment and stated, "[w]e sense that perhaps only direct, physical impacts on historic above-ground properties have been identified so far." DHPA-SHPO also noted that the Stockwell Bridge (Morgan County Bridge No. 56) appeared on mapping in the screening report, that bridge has been demolished by the county.

On June 1, 2016, DHPA-SHPO staff commented on the summary of meeting/meeting minutes from the May 2, 2016 site visit. DHPA-SHPO noted that the Southside Market Gardeners Historic District section needed clarifying language concerning the walls that might be constructed as part of the project. Also, DHPA-SHPO clarified its statements regarding the areas around the Top Notch Farm being already heavily altered.

On July 14, 2016, DHPA-SHPO responded to the Section 6 Eligibility Determinations of the AI No. 2, which it was sent on June 15, 2016. DHPA-SHPO was satisfied with the APE offered in the memo. DHPA-SHPO concurred that the Percy Farm and Clear Creek Fisheries was eligible for the NRHP under Criterion A and that the farmhouse would be individually eligible under Criterion C. Further, DHPA-SHPO agreed that the Percy Farm and Clear Creek Fisheries is the only aboveground property in the newly expanded APE that is eligible for the NRHP.

On July 15, 2016, the Morgan County Historian sent a letter to project team members stating that she concurred with the conclusions of AI No. 2 finding that the Percy Farmstead and Clear Creek Fisheries are eligible for the NRHP. She also requested information about all possible I-69-related

projects that may impact the property and indicated that she would be assisting the owners of the Percy Farmstead in nominating their property for the NRHP.

A consulting party meeting held on August 17, 2016, discussed the Findings of Effects for properties identified in the AI No. 1 and AI No. 2. (All reports had been made available on INDOT's IN-SCOPE website and when requested, paper copies had been sent to consulting parties.) In addition to representatives from FHWA, INDOT, and SHPO, five consulting parties attended. An overview of archaeological efforts was presented. The recommended effect for the project was "Adverse Effect" since adverse effects were noted for the Southside German Market Gardeners Historic District and the Reuben Aldrich Farm. DHPA-SHPO asked why traffic would increase in the area around the Reuben Aldrich Farm and project team members noted that the area would carry local traffic after the limited access interstate was constructed. The tree clearing near Travis Hill Historic District was discussed since traffic and visual changes would constitute an indirect effect that could be concealed by the trees. DHPA-SHPO asked where Belmont Avenue would be closed after construction; the project team indicated that it would be south of the Aspen Lake Apartments. The Southside German Market Gardeners Historic District would incur an adverse effect under all alternatives but INDOT asked that discussion focus upon which option—walls or earthen slopes—would cause less harm along I-465 at Bluff Road. DHPA-SHPO said that they thought walls would be less harmful since they would not extend as far into the district as an earthen slope would. The property owner of the Sutton House indicated that a landscaped slope might be more conducive to a garden district. A property owner along Bluff Road inquired about the reported future decrease in traffic along Bluff Road since she believed that there would be more local traffic; an INDOT representative said that he would check on that. DHPA-SHPO indicated that additional questions may be posed via email regarding Marion County Bridge No. 4315F; even though setting may be a lesser consideration for Criterion C properties, DHPA-SHPO indicated that it was not an irrelevant aspect of integrity. It was asked if Bridge No. 4315F would remain open to provide access for Bluff Road property owners and was told it would. It was then asked if INDOT would be open to possibly using a wall material that would be conducive to the growth of vegetation in the Southside German Market Gardeners Historic District.

On August 26, 2016, DHPA-SHPO emailed the project consultants to ask questions about Marion County Bridge No. 4315F in response to information presented at the August 17, 2016, consulting party. Specifically, DHPA-SHPO asked for approximate distances for the following points: "1) The end of the rail on the southwest corner of No. 4513F and the nearest point on the SR 37 ROW. 2) The end of the rail on the southwest corner of No. 4513F and the nearest point on the SR 37 northbound bridge (or roadway, if applicable, but I'm thinking it's on the SR 37 bridge). 3) The end of the rail on the southwest corner of No. 4513F and the nearest point on the I-69 Alternative C2 northbound bridge ROW. 4) The end of the rail on the southwest corner of No. 4513F and the nearest point on the I-69 Alternative C2 northbound bridge or roadway. 5) The end of the rail on the southwest corner of No. 4513F and the nearest point on the I-69 Alternative C3 northbound bridge ROW."

On September 1, 2016, DHPA-SHPO responded to the I-69 Section 6 Identification of Effects Report, Consulting Party Meeting minutes, and W&A responses to previous questions about Alternatives C2 and C3 relative to Marion County Bridge No. 4513F, which were submitted on August 4, 2016 and via email on August 29, 2016. DHPA-SHPO agreed with the finding of adverse effect for the Reuben Aldrich Farm due to the proposed increase in traffic along I-69; however, DHPA-SHPO also noted it was hard to gauge how burdensome the traffic increases would be to the property. For



mitigation, DHPA-SHPO suggested that the project team obtain input from the owners of the farm and perhaps pursue vegetative screening since “meaningful mitigation for that particular adverse effect seems to be difficult.” DHPA-SHPO also stated that it did not believe that Marion County Bridge No. 4315F would suffer an adverse effect from any of the project alternatives, because its distance (of at least 71 feet) would be sufficient to avoid adversely affecting the historic bridge’s setting or viewshed. DHPA-SHPO also noted that it did not have a preference between a mechanically stabilized earth retaining wall or a sloped earthen embankment along I-465 at the Bluff Road overpass, but stated that a textured or scored surface might be best, especially one treated with a graffiti-resistant coating. In addition, DHPA-SHPO stated that “if the house at 4401 Bluff road is removed, the district will lose a contributing building, but, as a practical matter, it is difficult to foresee that house being considered suitable for human habitation and continuing to exist in the long run, due to its proximity to the highway and the existing traffic noise.” DHPA-SHPO stated that another mitigation measure for the Southside Market Gardeners Historic District might be to widen the opening under I-465 to reduce the visual effect of the highway as a barrier between the north and south sections of the district, although this would necessitate lengthening the bridges and increase project costs. Finally, DHPA-SHPO noted that it agreed with the Effects Report that any alternatives of the I-69 Section 6 project would have an overall adverse effect on historic properties.

At a meeting held October 4, 2016, for residents of the Southside German Market Gardeners Historic District, representatives of FHWA and INDOT and nine property owners attended the meeting. Attendees asked questions and provided comments about the project activities that would take place within the eligible historic district. One property owner expressed concern over the level of noise, especially since “noise is very loud and almost unbearable in the summer” and asked if a retaining wall is the same as a noise wall. It was explained at the meeting (and noted in the meeting summary) that a retaining wall is not the same thing as a sound barrier. It was also noted that a noise analysis will be completed and included in the DEIS. One person asked what made the area historic. The project team explained it is eligible for listing in the NRHP because of its long association with German Market Gardening/Farming. Properties eligible for listing are treated the same as properties already listed in the NRHP. Another asked how listing the district in the NRHP would affect the area. That project team explained that if there is a federal action, such as the construction of a federally funded highway project, the effects of that project on the historic district must be taken into account. If there are too many alterations to properties within the historic district, it could be delisted. Restrictions of use could come from its designation as a local district but that is not known to be the case in this area now. A copy of the meeting summary and a summary of the noise analysis were sent to consulting parties on October 28, 2016.

On October 6, 2016, Southside German Market Gardeners Historic District resident Judy Brehob expressed a preference for a slope instead of a wall to be used in construction of the project.

On October 14, 2016, Southside German Market Gardeners Historic District resident Mary Kocher offered the following concerns about the project: “NOISE LEVEL will increase even more. We are not a densely populated area, and we do not fit the normal criteria for soundwalls. FLOODING with the possibility of more water being pushed to the creek which already is unable to handle the water runoff. LANE EXPANSION effect on the area property and homes. We are strongly in favor of a sound barrier wall so we would like to know with the expansion is this a possibility?” She also asked about the area being eligible for a historic district.

INDOT met with the property owners of 4401 Bluff Road on October 17, 2016, to discuss the MSE wall versus side-slope design options. The owners indicated they would rather INDOT acquire the house if the MSE wall was selected. They noted the vibration and sound would not make living in the house a reasonable and practical option with a wall 35 feet from the house. The owners stated that the house was built of unreinforced masonry (not frame) and cannot be moved. They also indicated the house could potentially be damaged during construction due to the vibration from construction machinery.

On November 28, 2016, DHPA-SHPO responded to INDOT's letter containing noise data and the request for comment on the "preferred option in the northeast corner of Bluff Road and I-465" which had been sent on October 28, 2016. DHPA-SHPO stated "[w]e accept the recommendation that an earthen slope be constructed east of Bluff Road and north of I-465 within the Southside German Market Gardeners Historic District, with MSE (i.e., mechanically stabilized earth) retaining walls being constructed around the electric transmission towers to the east of the house at 4401 Bluff Road." Although this would result in the acquisition of a contributing property at 4401 Bluff Road, leaving the house in place by utilizing the retaining wall "does not appear to be prudent." DHPA-SHPO concluded that: "For these reasons, we are not asking that this project avoid taking the house at 4401 Bluff Road by constructing an MSE wall as close as 35 feet away from the house."

INDOT and FHWA took into considerations the comments received from consulting parties regarding this undertaking and a Consulting Party Comment/Responses Form is included in the attached documentation to address specific comments.

### III. Optional Information

**1. Please indicate the status of any consultation that has occurred to date. Are there any consulting parties involved other than the SHPO/THPO? Are there any outstanding or unresolved concerns or issues that the ACHP should know about in deciding whether to participate in consultation?**

In addition to the SHPO, the following agreed to be consulting parties when consultation was initiated in 2004:

- Marion County Historian
- Mayor of Southport
- Morgan County Commissioner
- Citizens for Appropriate Rural Roads (CARR)
- Traditional Arts Indiana
- Historic Landmarks Foundation of Indiana (now Indiana Landmarks) Southwest Field Office
- Owen County CARR/Owen County Preservations
- Morgan County Historian
- Historic Landmarks Foundation of Indiana (Indiana Landmarks) Central Office
- Historic Landmarks Foundation of Indiana (Indiana Landmarks) Western Regional Office
- Hoosier Environmental Council
- Morgan County Historic Preservation Society
- Franklin Heritage
- Pauline Spiegel

The following tribes accepted the invitation to join consultation in 2004:

- Shawnee Tribe, Delaware Nation
- Peoria Tribe of Indians of Oklahoma
- Miami Tribe of Oklahoma
- Prairie Band Potawatomi Nation

Consultation for Section 106 was reinitiated in October 2015, following the issuance of the NOI. In consultant with INDOT-CRO, invitees included a group of former and newly identified consulting parties who would have a demonstrated interest in the project along or near the SR 37 corridor. In addition to the SHPO, the following individuals or agencies accepted the invitation to join consultation:

- |  |   |
|--|---|
| • Indiana Historic Spans Taskforce   | • Morgan County Commissioners                   |
| • Johnson County Historian   | • City of Martinsville Engineer                 |
| • James L. Cooper Ph.D.  | • Indiana Landmarks—Western Regional Office     |
| • Indiana Landmarks—Central Office   | • Indianapolis Historic Preservation Commission |
| • Morgan County Historic Preservation Society & Martinsville Plan Commission | • Pauline Spiegel                               |
| • Morgan County Historian  |   |

The following Native American Tribes accepted the invitation to join consultation:

- Peoria Tribe of Indians of Oklahoma
- Chippewa Cree
- United Keetoowah Band of Cherokee Indians in Oklahoma
- Miami Tribe of Oklahoma.

The following property owners of listed or eligible historic properties accepted invitations to join in consultation:

- |   |  |
|---|--|
| • Henry and Mary Sheid (Glennwood Homes Association, via post card)     | Nature Park Retreat House via post card)                             |
| • John W. Demaree (Summitt Realty Group, Lane Bluff, LLC via post card) | • Ann Bilodeau (Glennwood Homes Association via email and post card) |
| • Lonnie Smith (Reuben Aldrich Farm via post card)                      | • Melvin J. Crichton (Glennwood Homes Association via post card)     |
| • City of Indianapolis: Department of Public Works (Glenn's Valley      | • Beth Bylsma (Travis Hill via request at Public Meeting)            |

- N. Beth Line (Glennwood Homes Association via post card)
- Joseph Cleveland (Ozark Fisheries, Inc./Grassyforks Fisheries Farm No. 1 via post card)
- Debra Underwood (John Sutton House via request at Public Meeting)
- Charles and Elizabeth Laughner (Le Ciel [Charles Laughner House], via phone request)

**2. Does your agency have a website or website link where the interested public can find out about this project and/or provide comments? Please provide relevant links:**

Documentation relating to the project is available on INDOT's IN-SCOPE website located at the following link.

<http://netservices.indot.in.gov/Section106Documents/Default.aspx>

The Des No. (0300382) is the most efficient search term, once in IN-SCOPE.

The 800.11e document can be viewed in Appendix M within the Section 6 Draft Environmental Impact Statement. It can be viewed in the Section 6/DEIS tab at the following web address:  
[www.i69indyevn.org](http://www.i69indyevn.org)

**3. Is this undertaking considered a “major” or “covered” project listed on the Federal Infrastructure Projects Permitting Dashboard or other federal interagency project tracking system? If so, please provide the link or reference number:**

N/A

**The following are attached to this form (check all that apply):**

Section 106 consultation correspondence

Maps, photographs, drawings, and/or plans

Additional historic property information

Other: 800.11(e) Documentation and Finding of APE, Eligibility, and Effect

# DAILY JOURNAL

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Prescribed by State Board of Accounts

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(Governmental Unit)

County: Johnson

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Charge for extra proofs of publication (\$5.00 for each proof in excess of two) -----		\$	
TOTAL AMOUNT OF CLAIM -----		\$	221.89

Pursuant to the provisions and penalties of IC 5-11-10-1, 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. 4/4/2017

### PUBLISHER'S AFFIDAVIT

State of Indiana (Johnson County) ss:  
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3/21/2017  
3/28/2017  
4/4/2017

Subscribed and sworn to before me this  
4 day of April, 2017

*Natalie C. Patrick*

Gisele F Coffman  
Commission expires: Oct 28, 2023

*Gisele F Coffman*



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**Legal Advertisement**  
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MENTS, SECTION 106  
FINDINGS AND DETER-  
MINATIONS, AND PUB-  
LIC HEARING

The Indiana Department of Transportation (INDOT) and the Federal Highway Administration (FHWA) Indiana Division, have prepared a Tier 2 Draft Environmental Impact Statement (DEIS) for Section 6 of the proposed Interstate 69 (I-69) Evansville to Indianapolis project. I-69 Section 6 begins south of the State Road (SR) 39/SR 37 interchange in Martinsville, and continues northward to I-465 in Indianapolis. This section is approximately 26 miles long. The March 24, 2004 Tier 1 Record of Decision (ROD) selected six sections that would complete an interstate between Evansville and Indianapolis. The Tier 1 ROD identified Section 6 as being the upgrade of existing SR 37 between Martinsville and I-465 in Morgan, Johnson, and Marion Counties. Public hearings are scheduled for the Tier 2 DEIS for I-69 Section 6.

The purpose and need for the I-69 Section 6 project include:

- Improving transportation linkage between Martinsville and Indianapolis
- Improving accessibility in the Section 6 study area
- Reducing forecasted traffic congestion on the highway network in the Section 6 study area
- Improving traffic safety in the Section 6 study area
- Supporting growth in economic activity in the Section 6 study area
- Facilitating freight movements in the Section

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6 study area  
 • Supporting intermodal connectivity to locations in the Section 6 study area

The proposed project does impact items listed in or eligible for listing in the National Register of Historic Places. The FHWA has issued an "Adverse Effect" finding for the project, due to the adverse effect finding for two potentially eligible properties. In accordance with the National Historic Preservation Act, the views of the public are being sought regarding the effect of the proposed project on the historic elements as per 36 CFR 800.2(d), 800.3(e) and 800.6(a)(4). Pursuant to 36 CFR 800.6(a)(4), the documentation specified in 36 CFR 800.11(e) is available for inspection in the INDOT Office of Environmental Services, Production Management Division in Indianapolis. The documentation is also provided in the I-69 Section 6 Tier 2 DEIS in Appendix M. This documentation serves as the basis for the FHWA's "Adverse Effect" finding. The views of the public on this effect finding are being sought.

INDOT has scheduled public hearings for I-69 Section 6, and the Tier 2 DEIS including the documentation specified in 36 CFR 800.11(e) is available for public review:

- Public Hearings:
- Perry Meridian High School (401 W Meridian School Rd, Indianapolis, IN 46217): Thursday, April 6, 5:30 p.m. to 8:30 p.m. (local time) formal presentation will begin at 6:30 p.m. in the school's auditorium and formal comments will proceed after presentation
- Martinsville High School (1360 E Gray St, Martinsville, IN 46151): Monday, April 10, 5:30 p.m. to 8:30 p.m. (local

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time) formal presentation will begin at 6:30 p.m. in the school's auditorium and formal comments will proceed after presentation

- Tier 2 DEIS including the documentation specified in 36 CFR 800.11(e) will be available for public review at the following locations beginning March 24, 2017:

- [www.i69indyevn.org](http://www.i69indyevn.org)
- Indianapolis Public Library (Central, Decatur, and Southport Branches)
- Johnson County Public Library, White River Branch
- Mooresville Public Library
- Morgan County Public Library (Waverly and Martinsville Branches)
- Plainfield-Guilford Township Public Library
- Monroe County Public Library
- I-69 Section 5 Project Office
- I-69 Section 6 Project Office
- INDOT Central Office
- INDOT Greenfield District Office
- INDOT Seymour District Office

The purpose of the public hearing is to offer all interested persons an opportunity to comment on the Section 6 DEIS for the I-69 Evansville to Indianapolis Tier 2 Studies. The Tier 2 DEIS identifies a preferred alternative for the 26-mile stretch of highway and includes recommendations for roadway right of way, location and types of 10 interchanges, placement of 16 overpasses and underpasses and construction of more than 15 miles of new local access roads. The Tier 2 DEIS identifies and proposes mitigation to potential impacts that I-69 Section 6 construction could have on homes, businesses and natural resources within the corridor. Public comments regarding the I-69 Section 6 Tier 2 DEIS and the docu-



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**Sub Section** : 60 Notices  
**Category** : 6015 Legals  
**Dates Run** : 03/21/2017-04/04/2017  
**Days** : 3  
**Size** : 1 x 33.56, 346 lines  
**Words** : 1226  
**Ad Rate** : L-Government  
**Ad Price** : 221.89  
**Amount Paid** : 0.00  
**Amount Due** : 221.89

mentation specified in 36 CFR 800.11(e) are being sought as part of the public comment period for this project. INDOT will place a formal notice in the Federal Register on March 24, 2017. The placement of this notification initiates a mandatory 45-day public review and comment period. Public hearings have been scheduled as part of the formal public comment period for the I-69 Section 6 Tier 2 DEIS.

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**Page** : 5 of 6 03/16/2017 15:40:14  
**Order Number** : 31955817  
**PO Number** :  
**Customer** : F11189043 INDOT  
**Contact** :  
**Address1** : 100 N. Senate Ave Room N642  
**Address2** :  
**City St Zip** : Indianapolis IN 46204  
**Phone** : (317) 232-6601  
**Fax** :  
**Credit Card** :  
**Printed By** : Natalie Patrick  
**Entered By** : Cindy Warren  
  
**Keywords** : Legal Advertisement LEGAL NOTICE OF AVAILABILTY OF  
**Notes** :  
**Zones** :

**Ad Number** : 22205895  
**Ad Key** :  
**Salesperson** : 83 - DJ Unassigned  
**Publication** : Daily Journal  
**Section** : 60 Notices  
**Sub Section** : 60 Notices  
**Category** : 6015 Legals  
**Dates Run** : 03/21/2017-04/04/2017  
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Page	:	6 of 6	03/16/2017 15:40:14	Ad Number	:	22205895
Order Number	:	31955817		Ad Key	:	
PO Number	:			Salesperson	:	83 - DJ Unassigned
Customer	:	F11189043	INDOT	Publication	:	Daily Journal
Contact	:			Section	:	60 Notices
Address1	:	100 N. Senate Ave	Room N642	Sub Section	:	60 Notices
Address2	:			Category	:	6015 Legals
City St Zip	:	Indianapolis IN	46204	Dates Run	:	03/21/2017-04/04/2017
Phone	:	(317) 232-6601		Days	:	3
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	:			Amount Paid	:	0.00
	:			Amount Due	:	221.89
Keywords	:	Legal Advertisement LEGAL NOTICE OF AVAILABILTY OF				
Notes	:					
Zones	:					

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sary.", approved by the  
Federal Highway Adminis-  
tration, U.S. Department  
of Transportation on Au-  
gust 16, 2012. INDOT,  
Rickie Clark, INDOT Of-  
fice of Public Involvement  
(317) 232-6601, E-Mail:  
rclark@indot.in.gov.  
31955817 hspaxit  
(J) 03-21-28 -- 04-04-17

The Indianapolis Star

130 South Meridian Street  
Indianapolis, IN 46225  
Marion County, Indiana

IND DEPT OF TRANSPORTATION

Federal Id: 06-1032273

Account #:INI-1967  
Order #:0002009794  
Total Amount of Claim:\$454.41

Please Mail Payments To: The Indianapolis Star - 130 South Meridian Street - Indianapolis, IN 46225

IND DEPT OF TRANSPORTATION  
ATTN RICKIE CLARK  
100 N SENATE AVE RM N 642  
INDIANAPOLIS, IN 46204

PUBLISHER'S AFFIDAVIT

STATE OF INDIANA,  
County Of Marion

} SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned

I, being duly sworn, say that I am a clerk for THE INDIANAPOLIS NEWSPAPERS a DAILY STAR newspaper of general circulation printed and published in the English language in the city of INDIANAPOLIS in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 3 times., the dates of publication being as follows:

- The insertion being on the 03/21/2017
- The insertion being on the 03/28/2017
- The insertion being on the 04/04/2017

Newspaper has a website and this public notice was posted in the same day as it was published in the newspaper.

Pursuant to the provisions and penalties of Ch. 155, Acts 1953,

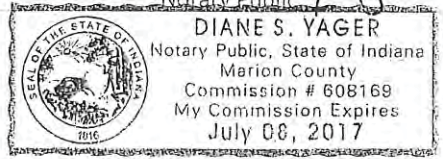
I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Wm E Flynn*

Date: 4-4, 2017 Title: Clerk

Subscribed and sworn to before me this 4 day of April, 2017

*Diane S Yager*  
Notary Public



**LEGAL NOTICE OF AVAILABILITY**  
**OF I-69 SECTION 6 TIER 2 DRAFT ENVIRONMENTAL IMPACT**  
**STATEMENT, SECTION 4(f) COMPLIANCE REQUIREMENTS, SECTION**  
**106 FINDINGS AND DETERMINATIONS, AND PUBLIC HEARING**

The Indiana Department of Transportation (INDOT) and the Federal Highway Administration (FHWA) Indiana Division, have prepared a Tier 2 Draft Environmental Impact Statement (DEIS) for Section 6 of the proposed Interstate 69 (I-69) Evansville to Indianapolis project. I-69 Section 6 begins south of the State Road (SR) 39/SR 37 interchange in Martinsville, and continues northward to I-465 in Indianapolis. This section is approximately 26 miles long. The March 24, 2004 Tier 1 Record of Decision (ROD) selected six sections that would complete an interstate between Evansville and Indianapolis. The Tier 1 ROD identified Section 6 as being the upgrade of existing SR37 between Martinsville and I-465 in Morgan, Johnson, and Marion Counties. Public hearings are scheduled for the Tier 2 DEIS for I-69 Section 6.

The purpose and need for the I-69 Section 6 project include:

- Improving transportation linkage between Martinsville and Indianapolis
- Improving accessibility in the Section 6 study area
- Reducing forecasted traffic congestion on the highway network in the Section 6 study area
- Improving traffic safety in the Section 6 study area
- Supporting growth in economic activity in the Section 6 study area
- Facilitating freight movements in the Section 6 study area
- Supporting intermodal connectivity to locations in the Section 6 study area

The proposed project does impact items listed in or eligible for listing in the National Register of Historic Places. The FHWA has issued an "Adverse Effect" finding for the project, due to the adverse effect finding for two potentially eligible properties. In accordance with the National Historic Preservation Act, the views of the public are being sought regarding the effect of the proposed project on the historic elements as per 36 CFR800.2(d), 800.3(e) and 800.6(a)(4). Pursuant to 36 CFR 800.6(a)(4), the documentation specified in 36 CFR800.11(e) is available for inspection in the INDOT Office of Environmental Services, Production Management Division in Indianapolis. The documentation is also provided in the I-69 Section 6 Tier 2 DEIS in Appendix M. This documentation serves as the basis for the FHWA's "Adverse Effect" finding. The views of the public on this effect finding are being sought.

INDOT has scheduled public hearings for I-69 Section 6, and the Tier 2 DEIS including the documentation specified in 36 CFR800.11(e) is available for public review:

- Public Hearings:
  - o Perry Meridian High School (401 W Meridian School Rd, Indianapolis, IN 46217): Thursday, April 6, 5:30 p.m. to 8:30 p.m. (local time) formal presentation will begin at 6:30 p.m. in the school's auditorium and formal comments will proceed after presentation
  - o Martinsville High School (1360 E Gray St, Martinsville, IN 46151): Monday, April 10, 5:30 p.m. to 8:30 p.m. (local time) formal presentation will begin at 6:30 p.m. in the school's auditorium and formal comments will proceed after presentation
- Tier 2 DEIS including the documentation specified in 36 CFR 800.11(e) will be available for public review at the following locations beginning March 24, 2017:
  - o [www.i69indyevn.org](http://www.i69indyevn.org)
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  - o Johnson County Public Library, White River Branch
  - o Mooresville Public Library
  - o Morgan County Public Library (Waverly and Martinsville Branches)
  - o Plainfield-Guilford Township Public Library
  - o Monroe County Public Library
  - o I-69 Section 5 Project Office
  - o I-69 Section 6 Project Office

- o I-69 Section 6 Project Office
- o INDOT Central Office
- o INDOT Greenfield District Office
- o INDOT Seymour District Office

The purpose of the public hearing is to offer all interested persons an opportunity to comment on the Section 6 DEIS for the I-69 Evansville to Indianapolis Tier 2 Studies. The Tier 2 DEIS identifies a preferred alternative for the 26-mile stretch of highway and includes recommendations for roadway right of way, location and types of 10 interchanges, placement of 16 overpasses and underpasses and construction of more than 15 miles of new local access roads. The Tier 2 DEIS identifies and proposes mitigation to potential impacts that I-69 Section 6 construction could have on homes, businesses and natural resources within the corridor. Public comments regarding the I-69 Section 6 Tier 2 DEIS and the documentation specified in 36 CFR 800.11(e) are being sought as part of the public comment period for this project. INDOT will place a formal notice in the Federal Register on March 24, 2017. The placement of this notification initiates a mandatory 45-day public review and comment period. Public hearings have been scheduled as part of the formal public comment period for the I-69 Section 6 Tier 2 DEIS.

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(S - 3/21/17, 3/28/17, 4/4/17 - 0002009794)

hspaxlp

To: INDIANAPOLIS STAR

(Governmental Unit)

County, Indiana

Indianapolis, IN

PUBLISHER'S CLAIM

COMPUTATION OF CHARGES

196 lines, 2 columns wide equals 392 equivalent lines at \$0.39 per line @ 3 days, \$454.41

Website Publication \$0

Acct #: INI-1967  
Ad #: 0002009794

Charge for proof(s) of publication \$0.00

TOTAL AMOUNT OF CLAIM \$454.41

DATA FOR COMPUTING COST

Width of single column 9.5 ems  
Number of insertions 2  
Size of type 7 point

Claim No. \_\_\_\_\_ Warrant No. \_\_\_\_\_  
IN FAVOR OF  
The Indianapolis Star  
Indianapolis, IN  
Marion County  
130 S. Meridian St. Indianapolis, IN 46225

I have examined the within claim and hereby certify as follows:

That it is in proper form.

This it is duly authenticated as required by law.

That it is based upon statutory authority.

That it is apparently (correct)

~~That it is apparently (incorrect)~~

\$ \_\_\_\_\_  
On Account of Appropriation For

FED. ID  
#06-1032273

Allowed \_\_\_\_\_, 20\_\_\_\_

In the sum of \$ \_\_\_\_\_

I certify that the within claim is true and correct; that the services there-in itemized and for which charge is made were ordered by me and were necessary to the public business.

\_\_\_\_\_, 20\_\_\_\_

Ad # 2 228 8 6

Prescribed by State Board of Accounts  
I-69 AVAILABILITY SECTION 6

General Form No. 99P (Rev. 2009A)

..... **IND DEPT. OF TRANSPORTATION**  
(Governmental Unit)

To.....Martinsville Reporter.....  
60 S. Jefferson St.  
Martinsville, IN 46151

.....Morgan County, Indiana

**PUBLISHER'S CLAIM**

**LINE COUNT**

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines	-----	.....
Head -- number of lines	-----	.....
Body -- number of lines	-----	.....
Tail -- number of lines	-----	.....
Total number of lines in notice	-----	<u>275</u>

**COMPUTATION OF CHARGES**

275 lines, 1 columns wide equals 275 equivalent lines at .747 cents per line	-----	\$	\$205.43
Additional charges for notices containing rule or tabular work (50 per cent of above amount)	-----	.....	.....
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)	-----	.....	.....
<b>TOTAL AMOUNT OF CLAIM</b>	-----	\$	<u>205.43</u>

**DATA FOR COMPUTING COST**

Width of single column in pic:	9.4	Size of type.....8...point.
Number of insertions.....	4	


Pursuant to the provisions and penalties of IC 5-11-10-1, 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.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper 3 times. The dates of publication being as follows: 3/21/17, 3/28/17, 4/4/17

Additionally, the statement checked below is true and correct:

- ..... Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- ..... Newspaper has a Web site, but due to technical problem or error, public notice was posted on .....
- ..... Newspaper has a Web site but refuses to post the public notice.

Date ..... 2-4-17 .....

  
Title.....Public Notice Clerk.....

ATTACH COPY OF ADVERTISEMENT HERE



**LEGAL NOTICE OF AVAILABILITY OF I-69 SECTION 6 TIER 2 DRAFT ENVIRONMENTAL IMPACT STATEMENT, SECTION 4(f) COMPLIANCE REQUIREMENTS, SECTION 106 FINDINGS AND DETERMINATIONS, AND PUBLIC HEARING**

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Preserving America's Heritage

April 6, 2017

Ms. Michelle Allen  
Planning and Environmental Specialist  
Federal Highway Administration  
Indiana Division  
575 North Pennsylvania Street, Room 254  
Indianapolis, IN 46204

Ref: *Proposed Construction of Section 6 of I-69 Evansville to Indianapolis  
Morgan, Johnson, and Marion Counties, Indiana  
Des No. 0300382*

Dear Ms. Allen:

The Advisory Council on Historic Preservation (ACHP) has received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and it is determined that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Indiana State Historic Preservation Officer (SHPO), and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA, and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with the notification of adverse effect. If you have any questions or require further assistance, please contact Sarah Stokely at 202-517- 0224 or via e-mail at [sstokely@achp.gov](mailto:sstokely@achp.gov).

Sincerely,

LaShavio Johnson  
Historic Preservation Technician  
Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street NW, Suite 308 • Washington, DC 20001-2637  
Phone: 202-517-0200 • Fax: 202-517-6381 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)

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



April 13, 2017

Mayela Sosa  
Division Administrator  
Federal Highway Administration, Indiana Division  
575 North Pennsylvania Street, Room 254  
Indianapolis, Indiana 46204

Federal Agency: Federal Highway Administration ("FHWA")

Re: FHWA's February 14, 2017, finding, with supporting documentation, of Adverse Effect for the I-69 Evansville to Indianapolis: Tier 2 Study: Section 6, SR 39 to I-465, Des No.: 0300382 (HDA-IN; DHPA No. 4615)

Dear Ms. Sosa:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321, *et seq.*), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed the aforementioned documents submitted under Weintraut & Associates' March 17, 2017, review request submittal form, which we received on March 20, for the project that is proposed to be built in Morgan, Johnson, and Marion counties in Indiana.

We concur with FHWA's February 14, Section 106 finding of Adverse Effect for the I-69 Evansville to Indianapolis: Tier 2 Study: Section 6.

Specifically, for the purposes of Section 106 and also for the purposes of Section 4(f) of the U.S. Department of Transportation Act of 1966, we concur with each of the following effect findings by FHWA on historic properties:

Morgan County Bridge 224—No Adverse Effect  
Top Notch Farm—No Adverse Effect  
East Washington Street Historic District—No Effect  
W.E. Nutter House—No Effect  
Percy Farm and Clear Creek Fisheries—No Effect  
Grassy Fork Fisheries Farm No. 1—No Adverse Effect  
~~Reuben Aldrich Farm—Adverse Effect~~  
Morgan County Bridge No. 166—No Effect  
Travis Hill Historic District—No Adverse Effect  
John Sutton House—No Adverse Effect  
Marion County Bridge No. 4513 F—No Adverse Effect  
Cleary-Barnett House—No Adverse Effect  
Glenn's Valley Nature Park Retreat House—No Adverse Effect  
Glennwood Homes Association Historic District—No Adverse Effect  
La Ciel (Charles Laughner House)—No Adverse Effect  
Southside German Market Gardeners Historic District—Adverse Effect

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or [wtharp1@dnr.IN.gov](mailto:wtharp1@dnr.IN.gov). Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or [jcarr@dnr.IN.gov](mailto:jcarr@dnr.IN.gov).

In all future correspondence regarding the I-69 Evansville to Indianapolis: Tier 2 Study: Section 6 (Des. No. 0300382), please continue to refer to DHPA No. 4615.

Very truly yours,



Mitchell K. Zoll  
Deputy State Historic Preservation Officer

MKZ:JLC;jlc

cc: Linda Weintraut, Ph.D., Weintraut & Associates, Inc.

emc: Janice Osadczuk, Federal Highway Administration, Indiana Division  
Michelle Allen, Federal Highway Administration, Indiana Division  
Sarah Rubin, Indiana Department of Transportation  
James Earl, P.E., Indiana Department of Transportation  
Laura Hilden, Indiana Department of Transportation  
Anuradha Kumar, Indiana Department of Transportation  
Patrick Carpenter, Indiana Department of Transportation  
Mary Kennedy, Indiana Department of Transportation  
Shaun Miller, Indiana Department of Transportation  
Shirley Clark, Indiana Department of Transportation  
I-69 Section 6 Project Office  
Christine Meador, HNTB Corporation  
Rich Connolly, HNTB Corporation  
Timothy Miller, HNTB Corporation  
Kia Gillette, Lochmueller Group  
Michael Grovak, Lochmueller Group  
Jason DuPont, P.E., Lochmueller Group  
Linda Weintraut, Ph.D., Weintraut & Associates, Inc.  
Beth McCord, Gray & Pape, Inc.  
Matt Buffington, Indiana Department of Natural Resources, Division of Fish and Wildlife  
Mitchell Zoll, Deputy State Historic Preservation Officer, Indiana Department of Natural Resources  
Chad Slider, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology  
Wade T. Tharp, Department of Natural Resources, Division of Historic Preservation and Archaeology  
John Carr, Department of Natural Resources, Division of Historic Preservation and Archaeology



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



May 5, 2017

Sarah Rubin  
Project Manager  
Indiana Department of Transportation  
I-69 Section 6 Project Office  
7847 Waverly Road  
Martinsville, Indiana 46151

Federal Agency: Federal Highway Administration ("FHWA")

Re: March 15, 2017, Draft Environmental Impact Statement ("DEIS"), for the I-69 Evansville to Indianapolis Project for Section 6, between Martinsville and Indianapolis (FHWA-IN-EIS-17-01-D; Des No. 0300382; DHPA No. 4615)

Dear Ms. Rubin:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the National Environmental Policy Act of 1969 (42 U.S.C § 4321, *et seq.*), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed the DEIS, which we were invited to review in your March 17, 2017, and which we received on March 20, for the Section 6 project that is proposed to be built in Morgan, Johnson, and Marion counties in Indiana.

We agree with the conclusions of the DEIS that the Southside German Market Gardeners Historic District, along Bluff Road to the north and south of I-465 in Marion County, and the Reuben Aldrich Farm, at 7020 Old SR 37 in Morgan County, are the only above-ground, historic properties within the Section 106 area of potential effects for Section 6 that will suffer adverse impacts.

In regard to potential impacts upon archaeological resources by the proposed project, we direct your attention to the comments that we included in our April 14, 2016, letter to Kia Gillette (Lochmueller Group, Inc.), and portions of which we herein repeat:

Based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur with the opinion of the archaeologist, as expressed in the archaeological reconnaissance survey report (McCord, and Baltz, 02/29/2016) that archaeological sites 12-Mg-0551, 12-Mg-0552, 12-Mg-0553, 12-Mg-0554, 12-Mg-0555, 12-Mg-0557, and 12-Mg-0558 (all of which were which were identified during the archaeological investigations) are not eligible for inclusion in the National Register of Historic Places ("NRHP").

Additionally, we concur with the opinion of the archaeologist, that there is insufficient information

regarding archaeological site 12-Mg-0556 (which was identified during these archaeological investigations; and which, although located outside of the portion of the proposed project area presently surveyed, is likely to be within the portion of the proposed project area next surveyed) to determine whether it is eligible for inclusion in the NRHP. The site should be clearly marked so that it is avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations must be submitted to the DHPA for review and comment. Any further archaeological investigations must be done in accordance with the "Secretary of the Interior's Standards and guidelines for Archeology and Historic Preservation" (48 F.R. 44716).

Furthermore, we concur with the opinion of the archaeologist, that Field 1 of Segment 2 (as indicated in *Survey Coverage Map 3 of 39*, *Survey Coverage Map 4 of 39*, and *Survey Coverage Map 5 of 39*) is suitable to contain intact buried cultural deposits, and should be subjected to Phase Ic archaeological investigations.

Moreover, in regard to archaeological site 12-Mg-0525 (which is mentioned on page 25), as previously indicated in our May 26, 2015, letter to Patrick Carpenter (INDOT), we concur with the opinion of the archaeologist, as expressed in the earlier Phase Ia archaeological reconnaissance survey report (McCord, 04/14/2015), that there is insufficient information regarding archaeological site 12-Mg-0525 (which was identified during those archaeological investigations) to determine whether it is eligible for inclusion in the NRHP. However, it is our understanding, from the submission that accompanied that report, that archaeological site 12-Mg-0525 will be avoided by all project-related ground-disturbing activities. Archaeological site 12-Mg-0525 must either be avoided by all project activities, or subjected to further archaeological investigations. Any further archaeological investigations must be done in accordance with the "Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation" (48 F.R. 44716).

Additionally, there is insufficient information regarding archaeological site 12-Mg-0052 (a portion of which was resurveyed during these archaeological investigations) to determine whether it is eligible for inclusion in the NRHP; and it is unclear to us to what extent the entirety of the site has been destroyed by modern development. (We note that the original 1982 archaeological site survey record indicates not that the site was destroyed, but rather that the area was then being developed.) However, the portions of site 12-Mg-0052 that lie within the proposed project area do not appear likely to contain intact archaeological deposits, and no further archaeological investigations of these portions of the site appear necessary. The site should be clearly marked so that it is avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations must be submitted to the DHPA for review and comment. Any further archaeological investigations must be done in accordance with the "Secretary of the Interior's Standards and guidelines for Archeology and Historic Preservation" (48 F.R. 44716).


We recommend that the DEIS be revised to include the following:

- A requirement that 12-Mg-0556 should be clearly marked so that it is avoided by all ground-disturbing project activities. If avoidance is not feasible, etc. (See text, above.)
- That Field 1 of Segment 2 (as indicated in *Survey Coverage Map 3 of 39*, *Survey Coverage Map 4 of 39*, and *Survey Coverage Map 5 of 39*) is suitable to contain intact buried cultural deposits, and should be subjected to Phase Ic archaeological investigations. (If this area is still within the proposed project area.) (See text, above.)
- A reference to the avoidance of (or additional testing at) archaeological site 12-Mg-0525, if the proposed project area will include it. (See text, above.)

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or [wtharp1@dnr.IN.gov](mailto:wtharp1@dnr.IN.gov). Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or [jcarr@dnr.IN.gov](mailto:jcarr@dnr.IN.gov).

In all future correspondence regarding the I-69 Evansville to Indianapolis: Tier 2 Study: Section 6 (FHWA-IN-EIS-17-01-D; Des. No. 0300382), please refer to DHPA No. 4615.

Very truly yours,



Mitchell K. Zoll  
Deputy State Historic Preservation Officer

MKZ:JLC:WTT:wt

emc: Janice Osadcuk, Federal Highway Administration, Indiana Division  
Michelle Allen, Federal Highway Administration, Indiana Division  
Sarah Rubin, Indiana Department of Transportation  
James Earl, P.E., Indiana Department of Transportation  
Laura Hilden, Indiana Department of Transportation  
Anuradha Kumar, Indiana Department of Transportation  
Patrick Carpenter, Indiana Department of Transportation  
Mary Kennedy, Indiana Department of Transportation  
Shaun Miller, Indiana Department of Transportation  
Shirley Clark, Indiana Department of Transportation  
I-69 Section 6 Project Office  
Christine Meador, HNTB Corporation  
Rich Connolly, HNTB Corporation  
Timothy Miller, HNTB Corporation  
Kia Gillette, Lochmueller Group  
Michael Grovak, Lochmueller Group  
Jason DuPont, P.E., Lochmueller Group  
Linda Weintraut, Ph.D., Weintraut & Associates, Inc.  
Beth McCord, Gray & Pape, Inc.  
Matt Buffington, Indiana Department of Natural Resources, Division of Fish and Wildlife  
Mitchell Zoll, Deputy State Historic Preservation Officer, Indiana Department of Natural Resources  
Chad Slider, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology  
Wade T. Tharp, Department of Natural Resources, Division of Historic Preservation and Archaeology  
John Carr, Department of Natural Resources, Division of Historic Preservation and Archaeology

May 8, 2017

Linda Weintraut  
PO Box 5034  
Zionsville, IN 46077  
317-733-9770



INDIANA LANDMARKS

1201 Central Avenue, Indianapolis, IN 46202  
317 639 4534 / 800 450 4534 / [www.indianalandmarks.org](http://www.indianalandmarks.org)

RE: DES No. 0300382, Section 6 of I-69

Dear Dr. Weintraut:

Thank you for the continued opportunity to comment on the proposal for Section 6 of I-69.

We concur with the findings of National Register of Historic Places (NRHP) eligibility for historic properties identified within the APE. We do not object to the findings of "no effect" or "no adverse effect" for the properties identified in sections 4.1-4.8 or 4.11-4.16 of the Finding/800.11 Documentation. However, we would like to ask some further questions about the undertaking as it impacts the NRHP-eligible Travis Hill Historic District (4.9) and the John Sutton House (4.10) before we determine whether we concur with the finding of "no adverse effect" for those resources.

Regarding Travis Hill, we would like to know whether the realignment of Stones Crossing Road would require the construction of a retaining wall where the road abuts the district. If so, we would ask that the wall be completed according to the principles of context-sensitive design to minimize its impact on the setting of the resource. A typical highway-grade retaining wall of stamped concrete or faux ashlar that is readily identifiable as cast concrete would not be considered acceptable in this setting.

Regarding the John Sutton House, we believe that the significant increase in elevation of the adjacent section of I-69 will have an adverse effect on the setting of the property and thus that the finding for this resource should be "adverse effect."

We concur with the findings of adverse effect for the Reuben Aldrich Farm and the Southside German Market Gardens Historic District. To mitigate the adverse effect upon the Reuben Aldrich Farm, we recommend that FHWA fund the preparation of a NRHP nomination and the planting of vegetative screening. As a mitigation measure for the adverse effect upon the proposed Southside German Market Gardens Historic District, we also recommend that FHWA fund a NRHP nomination for the district; provide vegetative screening as desired by the property owners; and ensure that all retaining walls conform to principles of context-sensitive design.

We appreciate your consideration and look forward to remaining involved as the project proceeds.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Burgess", with a stylized flourish at the end.

Sam Burgess  
Community Preservation Specialist





T R A N S M I T T A L

DATE: May 17, 2017

TO: Mr. Chad Slider
Assistant Director for Environmental Review
Division of Historic Preservation & Archaeology
Indiana Department of Natural Resources
402 West Washington Street, Room W274
Indianapolis, IN 46204

ATTENTION: Mr. Wade Tharp

WE TRANSMIT:

[X] Attached [ ] Under Separate Cover [ ] In Accordance With Your Request

VIA:

[ ] UPS [ ] Overnight UPS [ ] Personal Delivery [X] Other: USPS

Table with 3 columns: Number of Copies, Date, Description. Row 1: 1, 5/11/17, I-69 Tier 2 Studies Evansville to Indianapolis: Phase Ia Archaeological Survey 2 for Section 6, Morgan, Johnson, and Marion Counties, Des. No. 0300382 (Baltz, Wampler, Vehling, McCord, and Kelly, 5/11/2017): DHPA No. 4615

REMARKS:

Dear Mr. Slider and Mr. Tharp,

Enclosed for your review and comment is a copy of the Phase Ia Archaeological Survey 2 for the I-69 Section 6 project.

Please let me know if you have questions.

Sincerely,

Handwritten signature of Kia M. Gillette

Lochmueller Group, Inc.

By: Kia Gillette, Environmental Manager



# REVIEW REQUEST SUBMITTAL

State Form 55031 (7-12)

Indiana Department of Natural Resources

Division of Historic Preservation and Archaeology, Indiana State Historic Preservation Office (SHPO)



**Please complete this form and attach it to front of all submittals, along with any reports or supplemental materials you are providing to the Indiana DHPA for review.**

Date: 5/17/2017

Is this a new submission?  Yes  No

Reference for previous submittals: DHPA # 4615 Des. No. 0300382

### **THIS REVIEW REQUEST SUBMITTED BY:**

Name: Kia Gillette

Company/Organization: Lochmueller Group

Address: 3502 Woodview Trace, Suite 150, Indianapolis, IN 46268

Telephone number: 317-222-3880 Email address: kgillette@lochgroup.com

### **PROJECT NAME & LOCATION** *[Please attach a map with location(s) marked]*

Project Name/Reference: I-69 Tier 2 Section 6 Project/ Des # 0300382

Project Address/Location: SR 37, Morgan, Johnson, and Marion Counties

City: \_\_\_\_\_ Township(s): (Multiple)

County/Countries: Morgan, Johnson, and Marion

### **STATE OR FEDERAL AGENCY INVOLVEMENT**

Agency: FHWA Program: \_\_\_\_\_

Type of funds, license, or permit to be obtained (if applicable): \_\_\_\_\_

Name(s) of Agency Contact: Shaun Miller, INDOT

Address: 100 N. Senate Ave, IGCN-Rm. N-642

Telephone number: 317-233-2216 Email address: smiller@indot.IN.gov

### **APPLICANT (if different than Federal Agency)** *If available, please attach copy of authorization letter from federal agency*

Applicant: \_\_\_\_\_

Name of Contact: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email address: \_\_\_\_\_

**CONSULTANT FOR THE APPLICANT OR AGENCY (IF APPLICABLE)**

Consultant: same as submitted by

Name of Contact: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email address: \_\_\_\_\_

**Contact for DHPA questions regarding this review request:** Kia Gillette

Comments:

Enclosed please find a copy of I-69 Tier 2 Studies Evansville to Indianapolis: Phase Ia Archaeological Survey 2 for Section 6, Morgan, Johnson, and Marion Counties, Indiana. Des. No.: 0300382 (Baltz, Wampler, Vehling, McCord, and Kelly, 5/11/2017) for your review and comment.

***Please note that incomplete submissions may result in delays. To ensure an expeditious review, please be sure that the following has been provided:***

- Full contact information for person/entity submitting form, including phone number and email *(if available)*
- Map of project location with project area(s) clearly marked *(provided in current or previous submission)*
- Clear photographs of project area and surroundings
- Project description
- Description of any proposed ground disturbance
- Name of Federal agency/agencies and program providing funds, license, or permit
- Letter of authorization from Federal agency/agencies *(if applicable)*

**Return this Form and Attachments to:**

**Indiana Department of Natural Resources  
Division of Historic Preservation and Archaeology  
402 W. Washington Street, Room W274  
Indianapolis, Indiana 46204**

**<http://www.in.gov/dnr/historic>**

**From:** [Coon, Matthew](mailto:Coon, Matthew)  
**To:** "[lpappenfort@peoriatribe.com](mailto:lpappenfort@peoriatribe.com)"; "[jbunch@ukb-nsn.gov](mailto:jbunch@ukb-nsn.gov)"; "[eoosahwee-voss@ukb-nsn.gov](mailto:eoosahwee-voss@ukb-nsn.gov)"; "[alvin@nei-yahw.com](mailto:alvin@nei-yahw.com)"; "[melody.henry@nei-yahw.com](mailto:melody.henry@nei-yahw.com)"; "[dlinkford@miamination.com](mailto:dlinkford@miamination.com)"; "[dhunter@miamination.com](mailto:dhunter@miamination.com)"  
**Cc:** "[michelle.allen@dot.gov](mailto:michelle.allen@dot.gov)"; [Miller, Shaun \(INDOT\)](#)  
**Subject:** FHWA Project: Des. No. 0300382; I-69 Section 6, Morgan, Johnson, & Marion Counties  
**Date:** Thursday, May 18, 2017 11:16:49 AM

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**Des. No.: 0300382**

**Project Description: I-69 Section 6**

**Location: Martinsville to Indianapolis, Morgan, Johnson, & Marion Counties**

The Indiana Department of Transportation (INDOT) with funding from the Federal Highway Administration (FHWA) proposes to proceed with the I-69 Section 6 project. The project is generally located along SR 37 from Martinsville to Indianapolis in Morgan, Johnson, and Marion Counties. Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties. The following Tribes have accepted consulting party status for the project:

Peoria Tribe of Indians of Oklahoma  
United Keetoowah Band of Cherokee Indians  
Chippewa Cree  
Miami Tribe of Oklahoma

Please review the I-69 Section 6 Archaeological Survey 2 Report (Parts 1 and 2) located in IN-SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des No. is the most efficient search term, once in IN-SCOPE), and respond with your comments on any historic resource impacts incurred as a result of this project so that an environmental report can be completed. We also welcome your related opinions and other input to be considered in the preparation of the environmental document. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have thirty (30 days) from receipt of this information to review and provide comment. If we do not receive a response from an invited consulting party in the time allotted, the project will proceed consistent with the proposed design. **Therefore, if we do not receive a response within thirty (30) days, your agency or organization will not receive any further information on the project unless the scope of work changes.**

Tribal contacts may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317-233-6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317-226-7344.

Thank you in advance for your input,

**Matt Coon**

*Archaeologist, Cultural Resources Office  
INDOT Environmental Services  
100 N. Senate Avenue, Room N642  
Indianapolis, IN 46204  
Phone: 317.233.2083*



## I-69 SECTION 6: MARTINSVILLE TO INDIANAPOLIS

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7847 Waverly Road  
Martinsville, Ind. 46151

May 18, 2017

Sam Burgess  
Indiana Landmarks  
1201 Central Avenue  
Indianapolis, Indiana 46202

Re: Findings/800.11(e) Documentation of Adverse Effect for I-69 Evansville to Indianapolis Tier 2 Study: Section 6 Project (Des. No.: 0300382)

Dear Mr. Burgess:

Thank you for your letter dated May 8, 2017, that provided comments on the Findings/800.11(e) Documentation of Adverse Effect for the I-69 Evansville to Indianapolis Tier 2 Study: Section 6 Project (Des. No.: 0300382). Section 106 of the National Historic Preservation Act (1966) requires Federal agencies to take into account the effects of their undertakings on historic and archaeological properties. The purpose of this letter is to respond to the May 8, 2017 comments.

**Travis Hill Historic District  
Travis Place at Stones Crossing Road  
White River Township, Johnson County**

*Comment:* “We would like to know whether the realignment of Stones Crossing Road would require the construction of a retaining wall where the road abuts the district. If so, we would ask that the wall be completed according to the principles of context-sensitive design to minimize its impact on the setting of the resource. A typical highway grade retaining wall of stamped concrete of faux ashlar that is readily identifiable as cast concrete would not be considered acceptable in this setting.”

*Response:* Stones Crossing Road will not require the construction of a retaining wall for the side slopes of the roadway. The existing Stones Crossing Road is descending from Travis Hill as it extends west towards I-69. The new roadway will also descend from the hill, then will begin to rise above the existing roadway elevation to a new bridge over I-69. Sideslopes will be grassed along the roadway. (See Attachment.)

**John Sutton House (081-031-10002)  
988 North Bluff Road  
White River Township, Johnson County**

*Comment:* “We believe that the significant increase in elevation of the adjacent section of I-69 will have an adverse effect on the setting of the property and thus the finding for this resource should be ‘adverse effect.’”



## I-69 SECTION 6: MARTINSVILLE TO INDIANAPOLIS

7847 Waverly Road  
Martinsville, Ind. 46151

*Response:* I-69 will cross over existing County Line Road. The grade difference between existing SR 37 and proposed I-69 will vary from 2 feet higher at the south end of the John Sutton House property to about 15 feet higher at the north end of the property. Sideslopes will be grassed. (See Attachment.)

The John Sutton House is eligible for listing in the National Register of Historic Places under Criterion C for Architecture. According to *National Register Bulletin No. 15*, “a property significant under Criterion C must retain those physical features that characterize the type, period, or method of construction that the property represents. Retention of design, workmanship, and materials will usually be more important than location, setting, feeling, and association. Location and setting will be important, however, for those properties whose design is a reflection of their immediate environment (such as designed landscapes and bridges).” The John Sutton house does “retain those physical features that characterize the type, period, or method of construction that the property represents,” which the National Park Service states are the more important elements of integrity. As noted in the “Effects Report,” at the present time, integrity has been diminished by the modern buildings located between the Sutton House and the proposed interchange (about 1,500 feet away) and by the gas station, mall, and residential development within its setting.

The John Sutton House retains design, workmanship, and materials in the physical features of its Italianate architecture; therefore, we believe that the characteristics that make this property eligible for listing in the National Register would not be affected adversely by the undertaking.

### **Reuben Aldrich Farm 7020 Old SR 37 Harrison Township, Morgan County**

*Comment:* “[T]o mitigate the adverse effect for the Reuben Aldrich Farm, we recommend that FHWA fund the preparation of a NRHP nomination and the planting of vegetative screening.”

*Response:* FHWA and INDOT agree that both of these mitigation measures are appropriate, and if the property owner provides consent, they are willing to stipulate such in a Memorandum of Agreement. Note that once installed, any screening would be the responsibility of the property owner to maintain.

### **Southside German Market Gardeners Historic District Bluff Road at I-465 Perry Township, Marion County**

*Comment:* “As a mitigation measure for the adverse effect upon the proposed Southside German market Gardens [sic] Historic District, we also recommend that FHWA fund a NRHP nomination for the district; provide vegetative screening as desired by the property owners; and ensure that all retaining walls conform to principals of context-sensitive design.”



## I-69 SECTION 6: MARTINSVILLE TO INDIANAPOLIS

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7847 Waverly Road  
Martinsville, Ind. 46151

*Response:* During the design phase, FHWA proposes to convene an advisory team comprised of property owners in the district to consider these proposed mitigation measures. Context-sensitive design will also be considered as it relates to the environment within the district.

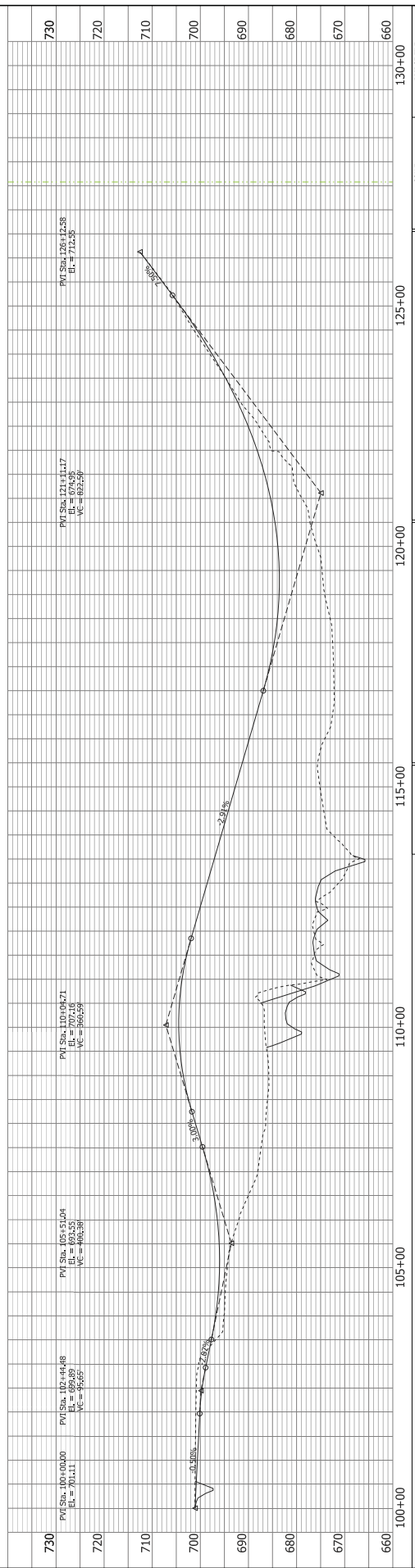
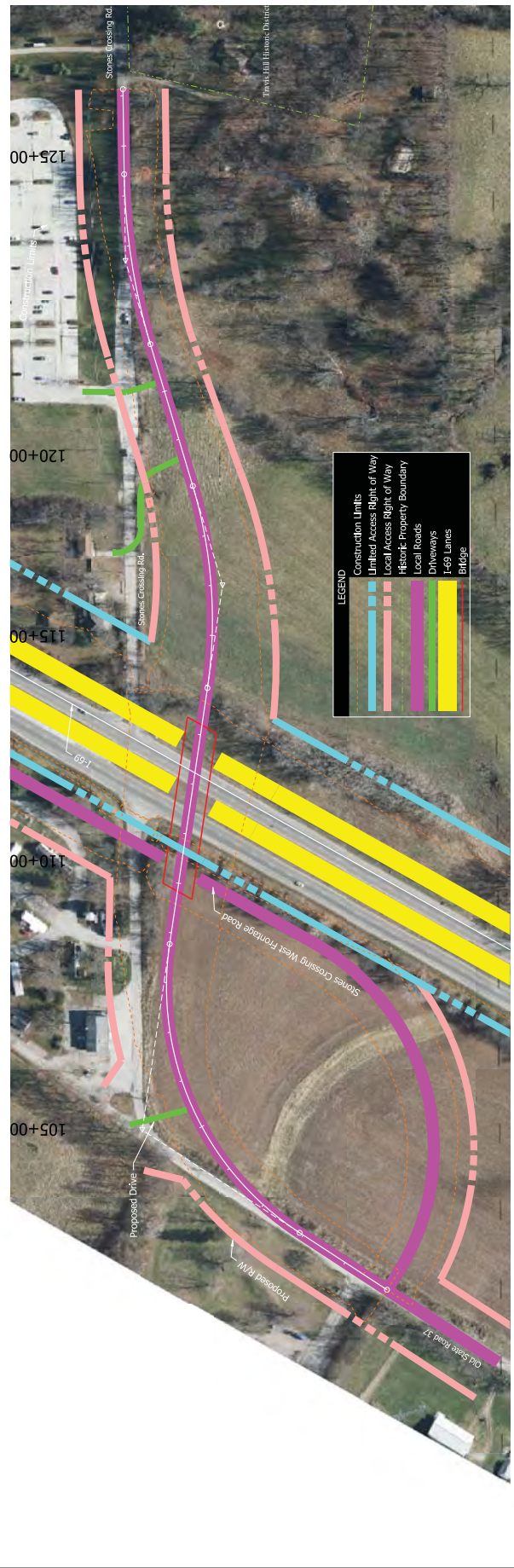
We ask that you submit any additional comments on this matter within fifteen (15) days. If no additional comments are received, concurrence with FHWA's finding will be assumed and we will begin to move forward with drafting the Memorandum of Agreement.

Thank you for your participation in this project's Section 106 consultation.

Sincerely,

Anuradha Kumar  
Manager, Cultural Resources Office

Cc: Sarah Rubin, INDOT  
James Earl, INDOT  
Michelle Allen, FHWA  
Mitch Zoll, IDNR/DHPA/SHPO  
John Carr, IDNR/DHPA/SHPO



RECOMMENDED FOR APPROVAL		DESIGN ENGINEERS		DATE
DESIGNER:	DRS	DRAWN:	DRS	
CHECKED:	DRS	CHECKED:	KSC	
INDIANA DEPARTMENT OF TRANSPORTATION				
SECTION 16 PLAN & PROFILE SIDEROAD				
SCALE	BRIDGE FILE	VERTICAL SCALE	DESIGNATION	
1" = 10'		1" = 10'		
SURVEY BOOK	N/A	SURVEY BOOK	SHEETS	PL-38
CONTRACT	AS-0000	CONTRACT	OF	48
			PROJECT	





May 31, 2017

PO Box 5034  
Zionsville, IN 46077  
317-733-9770



INDIANA LANDMARKS

1201 Central Avenue, Indianapolis, IN 46202  
317 639 4534 / 800 450 4534 / [www.indianalandmarks.org](http://www.indianalandmarks.org)

RE: DES No. 0300382, Section 6 of I-69

Dear Dr. Weintraut:

Thank you for sharing INDOT's response to Indiana Landmarks' letter dated May 8, 2017 concerning Section 6 of I-69.

We appreciate the clarification regarding the plans for realigning Stones Crossing Road adjacent to the Travis Hill Historic District. Although we are pleased to learn that there will be no retaining walls added where Stones Crossing Road abuts the district, we are still concerned that the construction of an elevated access bridge might dramatically alter the approach to the district and thus impact the setting of multiple historic properties. Indeed, as the name of the district suggests, the character of Travis Hill is partly dependent on the topography of its site, and we believe that a drastic change in the sloped approach to the Travis Hill Historic District would constitute an adverse effect on the resource. Although a portion of Stones Crossing Road will still descend from Travis Hill, it appears that the introduction of an elevated bridge would effect a significant abbreviation of the existing sloped portion of the approach, thus adversely affecting the district.

Regarding the John Sutton House (081-031-10002), we assert that while design, workmanship, and materials may be the most critical qualities of a property insofar as it is eligible for the National Register of Historic Places (NRHP) under Criterion C, the setting, feeling, and association are still important. Although the setting of the John Sutton house has been somewhat altered by the construction of more modern buildings on nearby sites and the existence of S.R. 37, we contend that the construction of I-69 represents a more drastic alteration of the resource's setting, as the undertaking will require a major change in the elevation of the land surrounding the site. The construction of I-69 would also appear to require the destruction of trees that currently serve as a visual buffer and organic sound barrier between the John Sutton House and present-day S.R. 37. Accordingly, it appears that I-69 will have an even more significant effect on the setting of the resource for the loss of this mature vegetative growth. Consequently, we maintain that the undertaking will have an adverse effect on the John Sutton House and that INDOT/FHWA should mitigate the effect by funding the creation of a new vegetative barrier between the resource and the I-69 corridor. As a further mitigation measure, we recommend that INDOT/FHWA fund the preparation of a NRHP nomination for the resource, pending the owner's consent.

With respect to the Reuben Aldrich Farm and the Southside German Market Gardeners Historic District, we concur with INDOT's proposed measures to mitigate adverse effects. However, we would request to be a part of the advisory team that INDOT will assemble to consult with property owners about the possibility of pursuing a NRHP nomination for the district. We would also like to request a formal commitment from INDOT/FHWA to fund the preparation of a NRHP nomination for the Southside German Market Gardeners Historic District, contingent upon the consent of more than 50% of the property owners in the district.

Again, thank you for the opportunity to provide further comment on the above project. We look forward to remaining involved throughout the remainder of the Section 106 process.

Sincerely,

A handwritten signature in dark ink, appearing to read "Sam Burgess".

Sam Burgess  
Community Preservation Specialist

---

**From:** Diane Hunter [mailto:[dhunter@miamination.com](mailto:dhunter@miamination.com)]

**Sent:** Tuesday, June 06, 2017 4:36 PM

**To:** Miller, Shaun (INDOT) <[smiller@indot.IN.gov](mailto:smiller@indot.IN.gov)>

**Subject:** Des. No. 0300382; I-69 Section 6, Morgan, Johnson, & Marion Coun. es Comments of the Miami Tribe of Oklahoma

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

---

Dear Mr. Miller:

Attached you will find the response of the Miami Tribe of Oklahoma to the above mentioned project.

Diane Hunter

Tribal Historic Preservation Officer

Miami Tribe of Oklahoma

[dhunter@miamination.com](mailto:dhunter@miamination.com)

[918-541-8966](tel:918-541-8966)



# Miami Tribe of Oklahoma

3410 P St. NW, Miami, OK 74354 • P.O. Box 1326, Miami, OK 74355  
Ph: (918) 541-1300 • Fax: (918) 542-7260  
[www.miamination.com](http://www.miamination.com)



June 6, 2017

Shaun Miller  
Archaeological Team Lead  
Cultural Resources Office, Indiana DOT  
575 North Pennsylvania Street  
Indianapolis, IN 46204

Re: Des. No. 0300382; I-69 Section 6, Morgan, Johnson, & Marion Counties – Comments of the Miami Tribe of Oklahoma

Dear Mr. Miller:

Aya, kikwehsitoole – I show you respect. My name is Diane Hunter, and I am the Tribal Historic Preservation Officer for the Federally Recognized Miami Tribe of Oklahoma. In this capacity I am the Miami Tribe's point of contact for all Section 106 issues.

The above-mentioned project is within the aboriginal homelands of the Miami Tribe, and due to the project's location near potentially historically important sites, as indicated by archaeological surveys of the project area, it is possible that human remains and/or cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) could be discovered during this project. If such items are discovered during any phase of this project, the Miami Tribe requests immediate notification and consultation with the entity of jurisdiction for the location of discovery. In such a case, please contact me by phone at 918-541-8966 or by email at [dhunter@miamination.com](mailto:dhunter@miamination.com).

The Miami Tribe objects to projects that will disturb or destroy archaeological sites that may be eligible for the National Register of Historic Places and requests copies of the State Historic Preservation Officer's report and any further archaeological surveys that are performed on this site.

The Miami Tribe requests to continue to serve as a consulting party to this project. In my capacity as Tribal Historic Preservation Officer I am the point of contact for consultation.

Respectfully,

Diane Hunter  
Tribal Historic Preservation Officer  
Miami Tribe of Oklahoma



## I-69 SECTION 6: MARTINSVILLE TO INDIANAPOLIS

7847 Waverly Road  
Martinsville, Ind. 46151

### MEETING MINUTES

***I-69 Section 6 – Section 106 Meeting***  
I-69 Section 6 Project Office/Site Visit  
June 12, 2017, 9:00 am EDT

Attendee	Organization
Sam Burgess	Indiana Landmarks
Michelle Allen	Federal Highway Administration (FHWA)
James Earl	Indiana Department of Transportation (INDOT)
Anuradha Kumar	INDOT-Cultural Resources Office (CRO)
Linda Weintraut, Ph.D.	Weintraut & Associates, Inc. (W&A)

#### I. Introductions/Purpose of the Meeting

- Meeting participants introduced themselves.
- The purpose of the meeting is to discuss Indiana Landmarks letters dated May 8, 2017 and May 31, 2017.
- Indiana Landmarks stated that the staff believes that the rate of assent on the new alignment of Stones Crossing Road from the new I-69 alignment constitutes an adverse effect on the Travis Hill Historic District.
- Indiana Landmarks stated that the organization believes that the elevation of the undertaking and the removal of vegetation between the historic property boundary and the undertaking will constitute an adverse effect on the Sutton House.

#### II. Site Visit: Travis Hill Historic District (Eligible under Criteria A and C)

- The historic boundary of the district and the location of the new alignment of Stones Crossing Road were defined.
- INDOT noted that trees will be cleared to the south of where the new roadway will tie into the existing alignment of Stones Crossing Road and that the assent of the hill from the new roadway will not be as steep as it is presently, but it will still have a visible assent.
- It was observed that the entrance to Travis Hill is on the eastern crest of the hill on the exiting roadway and that the two northernmost homes on the west side of the district will experience some change in view; the others may not.
- The group viewed a route of a *potential* access road that is under some internal discussion and that could be used instead of the overpass at Stones Crossing Road. It was noted that this *potential* change would result in one acquisition, but the impacts to the district would be less.
- Landmarks requested information on the number of acquisitions associated with the Stones Crossing Road overpass, as presently planned.



## I-69 SECTION 6: MARTINSVILLE TO INDIANAPOLIS

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Martinsville, Ind. 46151

*The following is additional information regarding the Travis Hill Historic District, and is provided to supplement the field review and provide detail with regards to questions asked in the field. Specifically, this information describes the two options being considered by INDOT at Stones Crossing Road.*

- The first option was shown in the DEIS. This option includes Stones Crossing Road overpassing I-69 at the current Stones Crossing Road / SR 37 intersection. No retaining walls will be required for this option outside the immediate vicinity of the bridge. The existing Stones Crossing Road descends approximately 40 feet in elevation from Travis Hill as it approaches SR 37. In the overpass option, Stones Crossing Road will descend approximately 30 feet in elevation from Travis Hill before it flattens out and climbs to overpass I-69. This option would impact six residential properties.
- The second option does not provide an overpass for Stones Crossing Road. Instead this alternative would construct a new north-south connecting roadway parallel to the eastern fence line of I-69 from CR 144 north to Stones Crossing Road. The new north-south connecting roadway would be at approximately the same elevation as the existing topography to the east of SR 37. No retaining walls would be constructed in this option, and the ascension into Travis Hill would remain largely in place. There would likely be a reduction in the number of trees that would need to be cleared to connect this new connecting roadway to Stones Crossing Road. This option would impact the same six residential properties impacted by the DEIS alternative and would impact one additional residential property along Jay Dee Lane just south of Stones Crossing Road.

### III. John Sutton House (Eligible under Criteria C)

- INDOT said that the proposed highway facility had been moved to the west to maintain the same right of way line in the vicinity of the Sutton House; only vegetation in the right of way would be removed. There would be no acquisition of right of way in the immediate vicinity of the Sutton House.
- In regards to the proposed County Line Road interchange, INDOT described the ascent of the highway as beginning at approximately the southern boundary of the cleared field north of the Sutton House. From the view perspective of the Sutton House, this would place the ascension of the highway behind the modern commercial building located immediately north of the Sutton House.
- INDOT further described the location of the proposed interchange ramps as beginning near the location of the sign for the Fifth Third Bank. This is approximately 1,000 feet south of the proposed interchange and approximately 700 feet north of the Sutton House. The ramps would be located at approximately the same elevation as SR 37.
- It was observed that the Sutton House is a good example of Italianate-style architecture and that the modern building to the north blocks some view to the interchange; further, there is a property with several structures, one of which is a cell tower, between the house and the undertaking at its nearest point (approximately 500 feet to the west).



**I-69 SECTION 6: MARTINSVILLE TO INDIANAPOLIS**

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Martinsville, Ind. 46151**

- W&A noted that the data and description provided by the engineers [and conveyed in a letter dated May 18, 2017] had shown an increase from 2 feet (south) to 15 feet (north) in the section of the undertaking parallel to the historic property boundary. It was agreed that W&A would check on this information.

*The following is additional information regarding the John Sutton House, and is provided to supplement the field review and provide detail with regards to questions asked in the field.*

- I-69 will cross over existing County Line Road. The grade difference between existing SR 37 and proposed I-69 will be approximately 0 to 5 feet in height where the roadway is closest to the Sutton House property. Side slopes will be grassed. (See Attachment.) This is a revision from the DEIS alternative presented in the May 18, 2017 letter.

<b>Action Item</b>	<b>Responsible Party</b>	<b>Due Date</b>
Contact HNTB for the rate of assent at the Sutton House	Linda Weintraut	June 19, 2017
Prepare minutes & circulate	Linda Weintraut	June 19, 2017
Ascertain the number of relocations associated with the Stones Crossing Road Overpass per the present plans.	Jim Earl	June 19, 2017
Provide minutes for response	Linda Weintraut	June 30, 2017
Anticipated response from Landmarks	Sam Burgess	July 17, 2017

*Details discussed in this meeting are subject to change. This summary is a reflection of the status of these items at the close of the meeting.*

*These meeting minutes represent the understanding of the events that occurred. Additional information provided on the design is in the summary. Please forward any comments or revisions to the attention of Linda Weintraut.*







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



June 19, 2017

Kia Gillette  
Lochmueller Group  
3502 Woodview Trace, Suite 150  
Martinsville, Indiana 46268

Federal Agency: Federal Highway Administration ("FHWA")

Re: "I-69 Tier 2 Studies, Evansville to Indianapolis: Phase Ia Archaeological Survey 2 for  
Section 6, Morgan, Johnson, and Marion Counties, Indiana" (Baltz et al., 05/11/2017) (FHWA-  
IN-EIS01-D; Des. No. 0300382; DHPA No. 4615)

Dear Ms. Gillette:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the National Environmental Policy Act of 1969 (42 U.S.C § 4321, *et seq.*), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed the aforementioned report, which arrived under your review request submittal form dated May 17, 2017, and was received on May 18, 2017, for the Section 6 project that is proposed to be built in Morgan County, Johnson County, and Marion County, in Indiana.

Based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur with the opinion of the archaeologist, as expressed in the submitted archaeological reconnaissance survey report (Baltz et al., 05/11/2017), that there is insufficient information regarding archaeological sites 12-Mg-0564, 12-Mg-0565, 12-Mg-0566, 12-Mg-0567, and 12-Mg-0568, all of which were identified during these investigations, to determine whether they are eligible for inclusion in the National Register of Historic Places ("NRHP"). These sites must either be avoided or subjected to further archaeological investigations. Additionally, these sites should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations must be submitted to the Division of Historic Preservation and Archaeology for review and comment. Any further archaeological investigations must be done in accordance with the "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation" (48 F.R. 44716).

Additionally, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur with the opinion of the archaeologist, as expressed in the submitted archaeological reconnaissance survey report (Baltz et al., 05/11/2017), that archaeological sites 12-Mg-0562, 12-Mg-0563, 12-Mg-0569, 12-Mg-0570, 12-Mg-0572, 12-Mg-0573, 12-Mg-0574, 12-Mg-0575, 12-Mg-0576, 12-Mg-0577, 12-Jo-0703, 12-Jo-0704, 12-Jo-0705, 12-Jo-0706, 12-Jo-0707, 12-Jo-0708, 12-Jo-0709, 12-Ma-1007, and 12-Ma-1008, all of which were which were identified during the archaeological investigations, do not appear eligible for inclusion in the NRHP.

Additionally, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur with the opinion of the archaeologist, as expressed in the submitted archaeological reconnaissance survey report (Baltz et al., 05/11/2017), that there is insufficient information regarding archaeological sites 12-Mg-0561 and 12-Mg-0571, both of which were identified during the archaeological investigations, to determine whether they are eligible for inclusion in the NRHP. However, we concur with the opinion of the archaeologist, as expressed in the submitted archaeological report, that the portions of these sites that lie within the proposed project area do not appear to contain significant archaeological deposits, and that no further archaeological investigations are necessary in those areas. The portions of these sites that lie outside the proposed project area must either be avoided or subjected to further archaeological investigations. Additionally, those areas of the sites should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations must be submitted to the Division of

Historic Preservation and Archaeology (“DHPA”) for review and comment. Any further archaeological investigations must be done in accordance with the “Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation” (48 F.R. 44716).

Based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur with the opinion of the archaeologist, as expressed in the submitted archaeological reconnaissance survey report (Baltz et al., 05/11/2017), that sites 12-Mg-0327, 12-Mg-0430, 12-Mg-0431, 12-Mg-0556, 12-Jo-0043, 12-Jo-0157, 12-Jo-0159, 12-Jo-0160, 12-Jo-0161, 12-Jo-0359, 12-Jo-0360, 12-Jo-0361, 12-Jo-0362, 12-Jo-0486, 12-Jo-0487, 12-Jo-0488, 12-Jo-0580, 12-Ma-0176, and 12-Ma-0334, all of which were which were resurveyed during the archaeological investigations, do not appear eligible for inclusion in the NRHP.

Additionally, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur with the opinion of the archaeologist, as expressed in the submitted archaeological reconnaissance survey report (Baltz et al., 05/11/2017), that there is insufficient information regarding archaeological sites 12-Mg-0334, 12-Jo-0010, 12-Jo-0017, 12-Jo-0042, 12-Jo-0044, 12-Jo-0062, 12-Jo-0489, 12-Ma-0052, 12-Ma-0170, 12-Ma-0171, 12-Ma-0174, 12-Ma-0175, and 12-Ma-0241, all of which were resurveyed during the archaeological investigations, to determine whether they are eligible for inclusion in the NRHP. However, we concur with the opinion of the archaeologist, as expressed in the submitted archaeological report, that the portions of these sites that lie within the proposed project area do not appear to contain significant archaeological deposits, and that no further archaeological investigations are necessary in those areas. The portions of these sites that lie outside the proposed project area must either be avoided or subjected to further archaeological investigations. Additionally, those areas of the sites should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations must be submitted to the Division of Historic Preservation and Archaeology (“DHPA”) for review and comment. Any further archaeological investigations must be done in accordance with the “Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation” (48 F.R. 44716).

Additionally, we note that portions of the proposed project area appear to lie within 100 feet of Old Mount Olive Cemetery (CR-55-64 in the Indiana DHPA SHAARD database system) and within 100 feet of Bell Cemetery (CR-49-57 in the Indiana DHPA SHAARD database system). Please note that, if the proposed project area includes any areas within 100 feet of a cemetery, then a cemetery development plan may be necessary under IC 14-21-1-26.5. The aforementioned cemetery must be avoided by all project activities, and provisions of relevant state statutes regarding cemeteries (including IC 14-21-1 and IC 23-14) must be adhered to. Please also be aware of Indiana Code 23-14-44-1 and Indiana Code 23-14-44-2, regarding restrictions on roads and utility construction in cemeteries.

The archaeological report is acceptable, with the following revisions:

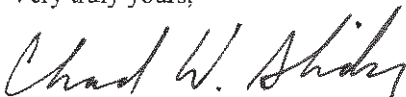
Please revise the report to address the inaccuracies in, and the inconsistencies between, the information contained in the tables in the *Site Descriptions* section (pp. 134—139) and the information in the *Summary and Recommendations* section (pp. 248 and 249), and elsewhere in the report, as appropriate.

In regard to our previous comments regarding potential impacts upon archaeological resources by the proposed project, we direct your attention to the comments that we included in in our April 14, 2016, letter to Kia Gillette (Lochmueller Group, Inc.).

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or [wtharp1@dnr.IN.gov](mailto:wtharp1@dnr.IN.gov). Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or [jcarr@dnr.IN.gov](mailto:jcarr@dnr.IN.gov).

In all future correspondence regarding the I-69 Evansville to Indianapolis: Tier 2 Study: Section 6 (FHWA-IN-EIS-17-01-D; Des. No. 0300382), please continue to refer to DHPA No. 4615.

Very truly yours,



Mitchell K. Zoll  
Deputy State Historic Preservation Officer

MKZ:JLC:WTT:wtt

emc: Janice Osadczuk, Federal Highway Administration, Indiana Division  
Michelle Allen, Federal Highway Administration, Indiana Division  
Sarah Rubin, Indiana Department of Transportation  
James Earl, P.E., Indiana Department of Transportation  
Laura Hilden, Indiana Department of Transportation  
Anuradha Kumar, Indiana Department of Transportation  
Patrick Carpenter, Indiana Department of Transportation  
Mary Kennedy, Indiana Department of Transportation  
Shaun Miller, Indiana Department of Transportation  
Shirley Clark, Indiana Department of Transportation  
I-69 Section 6 Project Office  
Christine Meador, HNTB Corporation  
Rich Connolly, HNTB Corporation  
Timothy Miller, HNTB Corporation  
Kia Gillette, Lochmueller Group  
Michael Grovak, Lochmueller Group  
Jason DuPont, P.E., Lochmueller Group  
Linda Weintraut, Ph.D., Weintraut & Associates, Inc.  
Beth McCord, Gray & Pape, Inc.  
Matt Buffington, Indiana Department of Natural Resources, Division of Fish and Wildlife  
Mitchell Zoll, Deputy State Historic Preservation Officer, Indiana Department of Natural Resources  
Chad Slider, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology  
Wade T. Tharp, Department of Natural Resources, Division of Historic Preservation and Archaeology  
John Carr, Department of Natural Resources, Division of Historic Preservation and Archaeology



**MEETING MINUTES**

**Section 6 Resource Agency Comment/Response Meeting**

INDOT, Room N755

June 27, 2017 from 1-3:30 p.m. EDT

<b>Attendee</b>	<b>Organization</b>
Virginia Laszewski (via conference call)	USEPA Region 5
Ken Westlake (via conference call)	USEPA Region 5
Deb Snyder	USACE
Jason Randolph	IDEM
Jim Sullivan	IDEM
Samantha Groce	IDEM
Matt Buffington	IDNR
John Carr (via conference call)	IDNR-SHPO
Wade Tharp (via conference call)	IDNR-SHPO
Sarah Rubin	INDOT
Jim Earl	INDOT
Laura Hilden	INDOT
Jennifer Jansen (via conference call)	INDOT
Julie Dingle	FHWA
Michelle Allen	FHWA
Tim Miller	HNTB
John Myers	HNTB
Jeremy Kieffner	Lochmueller Group

**Meeting Purpose:** The purpose the meeting is to review the INDOT/FHWA draft responses to formal comments submitted by state and federal resource agencies on the I-69 Section 6 DEIS. A copy of the draft responses were provided to the agencies on June 23 for review prior to the meeting. Agency representatives at the meeting provided the following comments:

**US Fish and Wildlife Service (Robin McWilliams Munson):**

- INDOT noted that USFWS was unavailable to attend, but they communicated to INDOT that they had no comments on the provided responses.

**Indiana Department of Natural Resources – State Historic Preservation Office**

- Confirmed that their comments reaffirmed the project’s finding of effect that was stated in the DEIS. They had no additional comments but noted that their DEIS comments did not repeat statements provided in previous comment letters. Thus, the study team will confirm that the responses are also applicable to letters submitted prior to the DEIS.

**US Department of Interior (DOI)**

- Although the DOI was not present at the meeting, the team did review the responses to their comments. Michelle Allen noted that the project will have an individual 4(f) finding and that DOI has reviewed the 4(f) finding and has not objected to the finding. The formal 4(f) finding will be the issuance of the Record of Decision.



- The team agreed that the response for AF002-15 needs to be revised to include reference to the Section 7 consultation process, such as “404 permitting will incorporate Section 7...”

### **US Environmental Protection Agency**

- US EPA has no major concerns with the provided responses. US EPA prefers to have additional detail provided in the FEIS regarding the Clean Water Act Section 404 permitting process.
- Need to provide clarification on use of regional or individual permits and how the permitting process will be applied on the project.
- Deb Snyder will draft and provide INDOT suggested language regarding permitting.

### **Indiana Department of Environmental Management**

- Jason Randolph prefers a better response on AS002-02 regarding preferred mainline option M2 over M3 since M3 would have fewer relocations, less right of way and thus, lower natural resource impacts. This mainline option uses 10-foot vs 12-foot shoulders. INDOT explained that at this time, FHWA prefers 12-foot shoulders on new interstate systems as well as those interstates designated as freight corridors due to increased safety. INDOT noted that a 10-foot shoulder meets “minimum” standards but a 12-foot shoulder meets “desirable” standards. Matt Buffington (IDNR- Fish and Wildlife) noted that that he would prefer the M3 option where wetland and stream impacts could be minimized. INDOT noted that in addition to shoulder width, they will be considering median treatment as a means to minimize impacts where practical.
- Both Jason and Matt concluded that it is their opinion that the response can be more expansive and include a better explanation and metrics that support the decision.
- Jason noted that within Section 6, subsections 2 and 3 contain the majority of environmental impacts. Thus, a better response needs to be provided to AS002-02.
- Jim Earl noted that detailed engineering investigations are still underway to evaluate the feasibility of reusing the existing 10-foot shoulders in Subsections 3 and 4. When this work is complete, the information will be reviewed with FHWA. The results of this investigation will be presented at the next resource agency meeting.
- US EPA asked if the M2 vs M3 decision will be made after the FEIS/ROD.
  - No, it is the goal to identify the selected mainline option in the FEIS/ROD.
- US EPA asked if INDOT will know the selected mainline option by the next time we meet?
  - Yes, it is the goal to review that mainline decision at our next meeting.
- Jim Sullivan of IDEM noted that he has concerns about how the project will affect the wellfields. He noted construction impacts will need to be properly addressed and that having 24/7 access to the wellfields will be critically important. Although INDOT is its own MS4, Rule 13 requires that no infiltration is allowed in a wellhead.
  - US EPA asked if INDOT has concerns about spills at the interchanges.
    - INDOT noted that they do not have concerns at this time. INDOT is providing adequate retention and detention at the interchanges to address this concern.
- Chapter 7.3.14 needs to include Wellhead Protection Areas in number 8.



- Chapter 7.2.3 – needs to specify whether the mitigation site (White River Pleasant Run) was visited. Needs to have consistent names or references with the sites visited in Nov 2016.
- Response to AS002-03 – make sure the FEIS clarifies Rule 5 (327 IAC 15-5) that the spill response plan must be coordinated with various agencies.
- Response to comment AS002-009 – provide a better response and explanation to a “Level 2 storm water inspector...”. Provide qualifications and required training. Note it as a commitment.

#### **Indiana Department of Natural Resources, Division of Fish and Wildlife**

- Response to AS004-01 needs to better define how the project will mitigate wildlife vehicle collisions. Matt Buffington noted that Chapter 5.18.1 discusses reduction in these types of collisions but that neither the DEIS nor the response offers a mitigation technique of how this will occur.
- INDOT noted that traditional right of way fencing is likely to be constructed along the interstate. It is a standard 4-foot tall fence with 4-inch squares.
- Matt reported that a DNR Wildlife Collision Report is published that may document locations where wildlife collisions have occurred. He will locate the report and provide to INDOT.
- Matt would prefer to see a more expanded response to AS004-02 in regard to wildlife passages. For example, Matt does not agree with the statement that the northwest quadrant along the West Fork of the White River at I-465 is highly fragmented because the greatest cause of this is I-465 and it is his opinion that the balance of the forest is not fragmented.

#### **Next Steps**

- Sarah Rubin noted that the next steps will be for INDOT to update the applicable responses based on this meeting. While those comments are being addressed, preliminary design is advancing to refine the preferred alternative.
- INDOT and FHWA will conduct another meeting with the agencies later this summer and provide them an opportunity to review and provide feedback to the updated comments. At that meeting, INDOT will also present any changes that have occurred since the publication of the DEIS. The decision on the Southport Road interchange layout will also be provided.
- FHWA noted that a combined FEIS/ROD will be issued on the project. INDOT and the local FHWA office are coordinating a project update meeting. A date for that meeting has not yet been scheduled but it will likely be held later this summer.
- Resource agencies were asked to provide Sarah their availability for the follow-up meeting the week of August 14<sup>th</sup>.

*Details discussed in this meeting are subject to change. This summary is a reflection of the status of these items at the close of the meeting.*

*These meeting minutes represent the understanding of the events that occurred. Please forward any comments or revisions to the attention of Sarah Rubin at [srubin@indot.in.us](mailto:srubin@indot.in.us)*

**Note: This meeting summary documents ongoing, internal agency deliberations. Accordingly, the information contained in this summary is considered to be pre-decisional and deliberative.**

From: **Linda Weintraut** <linda@weintrautinc.com>

Date: Fri, Jun 30, 2017 at 2:01 PM

Subject: Re: Des. No. 0300382

To: Sam Burgess <sburgess@indianalandmarks.org>

Cc: "Rubin, Sarah" <SRubin@indot.in.gov>, Timothy Miller <tnmiller@hntb.com>, "Earl, James" <JEARL@indot.in.gov>, "Kumar, Anuradha" <akumar@indot.in.gov>

Sam,

Please find attached the meeting summary from our site visit on June 12, 2017. I thought it was a productive meeting.

The attached meeting summary contains some clarification and updated information regarding each property. That new information is clearly noted at the end of the discussion for each property. In addition, there is an updated graphic for the undertaking in the vicinity of the Sutton House. There are also two options for the undertaking in the vicinity of Travis Hill. We request a written response on those options.

**Please provide the written response by July 17, 2017.** If Landmarks believes that the effects of the undertaking on historic properties no longer constitute an adverse effect, please indicate that in the response.

However, if Landmarks still has questions or needs additional information, INDOT would like to discuss this further. INDOT would like to fully understand any concerns if Landmarks thinks this is an adverse effect. INDOT would like to reconcile those concerns before the written response on July 17, 2017.

Thank you.

From: **Sam Burgess** <[sburgess@indianalandmarks.org](mailto:sburgess@indianalandmarks.org)>  
Date: Wed, Jul 5, 2017 at 4:03 PM  
Subject: RE: Des. No. 0300382  
To: Linda Weintraut <[linda@weintrautinc.com](mailto:linda@weintrautinc.com)>

Dr. Weintraut,

Thank you for the summary of our June 12, 2017 site visit and additional details regarding the project. I also found the meeting to be very productive.

I will confer with Mark Dollase and reply with a full list of questions and comments very soon. In the meantime, I would appreciate clarification on one point. Between the two alternatives for rerouting the entrance to Travis Hill, am I correct that only the second option would require the demolition of a house?

Thanks,

Sam



From: **Linda Weintraut** <linda@weintrautinc.com>

Date: Thu, Jul 6, 2017 at 9:47 AM

Subject: Re: Des. No. 0300382

To: Sam Burgess <sburgess@indianalandmarks.org>

Cc: "Earl, James" <JEARL@indot.in.gov>, "Rubin, Sarah" <SRubin@indot.in.gov>, "Kumar, Anuradha" <akumar@indot.in.gov>, Timothy Miller <tmiller@hntb.com>

Sam,

I have checked with INDOT; engineers are presently refining the preferred alternative.

However, as noted during our field visit, the second option (the one that eliminates the overpass over I-69 and extends a local access road to Stones Crossing Road) requires **ONE ADDITIONAL** relocation. There are other acquisitions and re-locations in the area that would be incurred as a result of the undertaking. This second option does not change those acquisitions and re-locations. The *difference* between the two options is the additional re-location.

The entrance into Travis Hill Historic District is not altered with either option; under both options Stones Crossing Road will be the access point to Travis Hill. Under the second option, people will access Stones Crossing Road via the new access road.

Please let me know if you have additional questions. Linda

July 7, 2017



Mr. Chad Slider  
Assistant Director of Environmental Review  
Division of Historic Preservation & Archaeology  
Indiana Department of Natural Resources  
402 West Washington Street, Room W274  
Indianapolis, Indiana 46204

**Re: Des No.: 0300382**  
**IDNR DHPA No.: 4615**  
**I-69 Section 6**  
**Morgan, Johnson, and Marion Counties, Indiana**

Dear Mr. Slider:

The I-69 Tier 2 Studies Evansville to Indianapolis Phase Ia Archaeological Survey 2 for Section 6, Morgan, Johnson, and Marion Counties, Indiana Report (June 21, 2017) has been revised per comments in your letter dated June 19, 2017. The revised report is attached for your records.

If you have any questions, please contact me at (317) 917-5240, or at [kgillette@hntb.com](mailto:kgillette@hntb.com).

Sincerely,

HNTB Indiana, Incorporated

A handwritten signature in blue ink that reads "Kia M. Gillette".

Kia M. Gillette  
Environmental Project Manager

emc: Shaun Miller, INDOT Cultural Resources Office  
Matt Coon, INDOT Cultural Resources Office  
Beth McCord, Gray & Pape  
Linda Weintraut, Weintraut & Associates  
Bethany Natali, Weintraut & Associates  
Chris Meador, HNTB Indiana  
Tim Miller, HNTB Indiana

July 17, 2017

PO Box 5034  
Zionsville, IN 46077  
317-733-9770



INDIANA LANDMARKS

1201 Central Avenue, Indianapolis, IN 46202  
317 639 4534 / 800 450 4534 / [www.indianalandmarks.org](http://www.indianalandmarks.org)

RE: DES No. 0300382, Section 6 of I-69

Dear Dr. Weintraut:

Thank you for the opportunity to make additional comments on the above undertaking following our June 12, 2017 site visit with INDOT.

After learning further details about the intervention near the John Sutton House, we have a better understanding of the need for a nearby ramp. We still find that the ascent of I-69 will have an adverse effect on the John Sutton House as it will alter the character of the setting. Although neighboring contemporary buildings may initially block parts of the planned ramp from view, our hope is that the John Sutton House will have a longer lifespan than some of the more recent and less significant buildings in its surroundings, and we want to anticipate the long-term effects that the I-69 ramp may have on the historic house's view-shed after some of the nearby structures are gone. We recommend two possible mitigation measures for the undertaking's adverse effect on the house, both contingent upon the consent of the owner. One recommendation is for INDOT to fund the preparation of a National Register of Historic Places nomination for the property. A second recommendation is for INDOT to fund the planting of a vegetative buffer along the north and/or west sides of the John Sutton House property to shield the ramp from view.

Regarding Travis Hill, we find that while there will be a change in the approach to the district resulting from the alterations to Stones Crossing Road as specified under the first option noted in the minutes for the June 12 meeting, this change is not severe enough to warrant the additional relocation that would occur under option two. Accordingly, we favor the first option. However, we still find that the change to the approach will have an adverse effect on the district insofar as it will alter the character of its setting. As a means of mitigation, we request that INDOT plant additional trees along the north side of Stones Crossing Road following construction to replace the trees that will be removed to alter the road, pending owners' consent. Indiana Landmarks would like to be informed of and have the opportunity to comment on specific landscaping plans developed to mitigate the effects on properties within the potential Travis Hill historic district adjacent to Stones Crossing Road.

Again, we appreciate your time and consideration and look forward to remaining involved in the project.

Sincerely,

A handwritten signature in dark ink, appearing to read "Sam Burgess", written over a light blue horizontal line.

Sam Burgess  
Community Preservation Specialist



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Indiana Division**

July 26, 2017

575 North Pennsylvania Street, Rm 254  
Indianapolis, IN 46204  
(317) 226-7475  
(317) 226-7431  
<http://www.fhwa.dot.gov/indiv/>

In Reply Refer To:  
HDA-IN

Sarah Stokley  
Advisory Council on Historic Preservation  
401 F Street NW, Suite 308  
Washington, DC 20001

Dear Ms Stokley:

The Federal Highway Administration (FHWA), in cooperation with the Indiana Department of Transportation (INDOT), is preparing an Environmental Impact Statement (EIS) for Section 6 of the I-69 Evansville to Indianapolis Tier 2 Studies (Des. No.: 0300382). On February 14, 2017, FHWA signed a finding of Adverse Effect for the project. The e-800.11(e) was sent to the Advisory Council on Historic Preservation (Council) on March 17, 2017. The 800.11(e) was sent to consulting parties and tribal contacts on March 17 and 20, 2017, respectively. In a letter dated April 6, 2017, the Council responded to the 800.11 documentation and finding and declined to participate in consultation. (Please see enclosed.)

The purpose of this communication is to inform the Council that despite efforts to consult to reach an agreement regarding the finding of effect for specific properties for this undertaking, an agreement has not been reached. Therefore, we are requesting that the Council review the finding and offer an opinion on the effects of the undertaking on the John Sutton House and the Travis Hill Historic District.

On April 13, 2007, the Indiana State Historic Preservation Officer specifically stated that the staff "concur[red] with each of the following effect findings by FHWA on historic properties," including the No Adverse Effect finding on the John Sutton House and the Travis Hill Historic District. Other than Indiana Landmarks, no other consulting party commented on the finding or the 800.11 documentation.

In letters provided to INDOT and its consultants on May 8, 2017, May 31, 2017, and July 17, 2017, staff of Indiana Landmarks expressed the opinion the I-69 Section 6 undertaking will have an adverse effect on the John Sutton House and the Travis Hill Historic District, both properties that had been found to have a no adverse effect by FHWA. (Such letters are enclosed)

INDOT and its consultants consulted with Indiana Landmarks on May 18, 2017. On June 12, 2017, a site visit attended by representatives of Indiana Landmarks, FHWA, INDOT, and its consultants was undertaken to help to clarify and address the concerns of Indiana Landmarks. Meeting minutes and additional information were provided to Indiana Landmarks on June 30,

2017. However, Indiana Landmarks continues to believe that the project would have an adverse effect to the settings of both the John Sutton House and Travis Hill Historic District. Please see enclosed timeline and supporting documentation of consultation since the 800.11(e) was sent to consulting parties and tribal contacts.

In Indiana Landmarks' latest communication, a letter dated July 17, 2017, the following opinion was expressed: *After learning further details about the intervention near the John Sutton House, we have a better understanding of the need for a nearby ramp. We still find that the ascent of I-69 will have an adverse effect on the John Sutton house as it will alter the character of the setting. Although neighboring contemporary buildings may initially block parts of the ramp from view, our hope is that the John Sutton House will have a longer lifespan than some of the more recent and less significant buildings in its surroundings, and we want to anticipate the long-term effects of the I-69 ramp may have on this historic house's view-shed after some of the nearby structures are gone.*

It is the opinion of INDOT and FHWA that setting is one of the less important aspects of integrity associated with the John Sutton House because 1) the property is significant for its architecture and 2) SR 37 and modern intrusions already surround the property and detract from the property's original setting.

Furthermore, it is the opinion of the INDOT and FHWA, that to speculate about the future structural viability of buildings between the Sutton House and I-69 interchange ramp is not reasonable and that speculation on the "lifespan" of this property and "some of the more recent and less significant buildings" should not be factored into a foreseeable consequence of this project.

In the same letter dated July 17, 2017, Indiana Landmarks states: *Regarding Travis Hill, we find that while there will be a change in the approach to the district resulting from the alterations to Stones Crossing Road as specified under the first option noted in the minutes for the June 12 meeting, this change is not severe enough to warrant the additional relocation that would occur under option two. Accordingly, we favor the first option. However, we still find that the change to the approach will have an adverse effect on the district insofar as it will alter the character of its setting.*

The preferred alternative in the Draft EIS included an overpass at Stones Crossing Road. It is the opinion of FHWA and INDOT that Travis Hill Historic District would be affected but not adversely by the introduction of an overpass at the new I-69. There would be a change in the elevation of Stones Crossing Road between the overpass and the crest of the hill. Motorists would still, however, experience some rise in elevation on route to the entrance of Travis Hill, just not as large of an increase. Homeowners on Travis Hill would still experience sweeping vistas from their homes atop Travis Hill. Changing the elevation of Stones Crossing Road is a minor impact.

Alternatively, however, FHWA and INDOT have offered the option of utilizing an access road from SR 144 to provide access for those property owners along Stones Crossing Road. No overpass for Stones Crossing Road and no realignment of Stones Crossing Road would be necessary under this option. This option would affect the view from some homes in Travis Hill

Historic District only slightly during the winter months. This minimization effort results in the acquisition of one additional home along Jay Dee Lane, which is in a neighborhood south of Stones Crossing Road. This home is not part of the Travis Hill Historic District and is not individually eligible for listing in the National Register of Historic Places. INDOT and FHWA believe this option would minimize any effects to the district.

Included with this letter is a timeline of consultation with regard to this project since the issuance of the signed finding. Also included is a summary of the most recent comments provided by Indiana Landmarks and FHWA and INDOT's responses to those comments.

Pursuant to 36 CFR 800.5(c)(2)(i), all consulting parties are being concurrently notified that this submission is being made. This letter to the Council, the correspondence between INDOT and Indiana Landmarks, the related documentation, and a copy of the public notice text are available to the consulting parties and the public at the IN-SCOPE website located at the following link: <http://netservices.indot.in.gov/Section106Documents/Default.aspx>.

Pursuant to 36 CFR 800.5(c)(3)(i), please review this documentation and provide an opinion regarding the effects of the undertaking on the John Sutton House and the Travis Hill Historic District. For additional information, you may contact Michelle Allen at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317.226.7344 or alternatively, Linda Weintraut, Ph.D. at [linda@weintrautinc.com](mailto:linda@weintrautinc.com). Please respond within 15 days of receipt of this information.

Sincerely,



For Mayela Sosa  
Division Administrator

Enclosures (2)

cc: MaryAnn Naber, ACHP  
Michelle Allen, FHWA  
Janice Osadczuk, FHWA  
David Clarke, FHWA  
Sarah Rubin, INDOT  
James Earl, INDOT  
Mark Dollase, Indiana Landmarks-Central Regional Office  
Joanne Raetz Stuttgen, Morgan County Historic Preservation Society & Martinsville Plan Commission  
Pauline Spiegel  
Paul Brandenburg, Historic SPANs Task Force  
David Baker, Indianapolis Historic Preservation  
James Cooper

Mitch Zoll, IDNR-DHPA/SHPO  
John Carr, IDNR-DHPA/SHPO  
Chad Slider, IDNR-DHPA/SHPO  
Wade Tharp, IDNR-DHPA/SHPO  
Normal Voyles, Morgan County Commissioner  
Ross Holloway, City of Martinsville  
Max Fitzpatrick, Johnson County Historian  
Debra Underwood  
Larry and Loretta Hess  
Brehob Nursery  
Mapa Properties, LLC  
Peaper & Proctor Real Estate, LLC  
Evelyn Novicki Trust and Trustee  
John W. Demaree  
Scott Greenhouse, LLC  
Julie and Ryan Gettum  
John and Sandra Harrison  
Ann Bilodeau  
Melvin J. Crichton  
Henry and Mary Scheid  
Jeffrey and Beth Line  
John R. Simms  
Charles F. Laughner  
Jerry L. Barnett  
Donald Colvin, Indianapolis DPW  
Lonnie and Marcia Smith  
Rich Underwood  
Joseph Cleveland, Ozark Fisheries, Inc.  
M. Duane and C. Dean Leonard  
Ginger Fitzpatrick  
Anuradha Kumar, INDOT CRO  
Patrick Carpenter, INDOT-CRO  
Mary Kennedy, INDOT-CRO  
Shaun Miller, INDOT-CRO  
Tim Miller, HNTB  
Christine Meador, HNTB  
Kia Gillette, HNTB  
Eric Swickard, Lochmueller Group  
Beth McCord, Gray & Pape  
Linda Weintraut, W&A

## **Timeline of Consultation Since 800.11(e) Sent to Consulting Parties and Tribal Contacts**

**March 17, 2017:** FHWA prepared a letter to convey the “Section 4(f) Compliance Requirements (for Historic Properties) and Section 106 Findings and Determinations: Area of Potential Effects, Eligibility Determinations, Effect Finding” and the “800.11 Documentation of Section 106 Finding of Adverse Effect” via email, INSCOPE, and/or mail to the Division of Historic Preservation and Archaeology-State Historic Preservation Officer (DHPA-SHPO) and consulting parties. INDOT’s consultants transmitted the letter and accompanying materials.

**March 20, 2017:** INDOT-CRO transmitted the “Section 4(f) Compliance Requirements (for Historic Properties) and Section 106 Findings and Determinations: Area of Potential Effects, Eligibility Determinations, Effect Finding” and the “800.11 Documentation of Section 106 Finding of Adverse Effect” via email and INSCOPE to Tribal Contacts.

**March 20, 2017:** FHWA transmitted the 800.11(e) and “e106” submission form to the Advisory Council on Historic Preservation (Council).

**March 21, March 28, and April 4, 2017:** Legal Notice of Availability of I-69 Section 6 Tier 2 DEIS, Section 4(f) Compliance Requirements, Section 106 Findings and Determinations and Public Hearing was published in the Daily Journal (Johnson County), the Indianapolis Star (Marion County), the Martinsville Reporter (Morgan County).

**April 6, 2017:** The Council responded to the Finding of Effect and 800.11 Documentation and declined to participate in consultation at the time.

**April 13, 2017:** DHPA-SHPO concurred with the Section 106 finding of Adverse Effect.

**May 5, 2017:** DHPA-SHPO responded to the Draft Environmental Impact Statement (DEIS), which included the Finding of Effect and 800.11 Documentation, and requested revisions to the DEIS document based on the archaeology findings.

**May 8, 2017:** Indiana Landmarks responded to the Finding of Effect and 800.11 Documentation and requested additional information for project activities near Travis Hill and the John Sutton House.

**May 18, 2017:** INDOT-CRO prepared a letter responding to questions from Indiana Landmarks (May 8, 2017 letter). INDOT’s consultants transmitted the letter and accompanying materials to consulting parties; INDOT sent the letter and materials to Tribal Contacts.



**May 31, 2017:** Indiana Landmarks responded to the letter from INDOT-CRO (May 18, 2017).

**June 12, 2017:** Meeting and site visit held to discuss questions raised by Indiana Landmarks in letters dated May 8, 2017 and May 31, 2017.

**June 19, 2017:** DHPA-SHPO responded to “I-69 Tier 2 Studies, Evansville to Indianapolis: Phase Ia Archaeological Survey 2 for Section 6.”

**June 30, 2017:** Meeting summary (June 12, 2017) provided to Indiana Landmarks.

**July 5, 2017:** Indiana Landmarks requested additional clarification on property acquisitions.

**July 6, 2017:** Weintraut & Associates sent an email responding to the request for additional clarification from Indiana Landmarks.

**July 7, 2017:** The revised “I-69 Tier 2 Studies, Evansville to Indianapolis: Phase Ia Archaeological Survey 2 for Section 6” sent to DHPA-SHPO for their records.

**July 17, 2017:** Indiana Landmarks provided additional comments following the June 12, 2017 site visit.

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## Fwd: I 69 Section 6 (Des. No. 0300382) Notification to the Advisory Council on Historic Preservation

1 message

---

**Linda Weintraut** <linda@weintrautinc.com>  
To: bethany w <bethany@weintrautinc.com>

Thu, Jul 27, 2017 at 12:36 PM

----- Forwarded message -----

From: **Linda Weintraut** <linda@weintrautinc.com>

Date: Thu, Jul 27, 2017 at 12:24 PM

Subject: I 69 Section 6 (Des. No. 0300382) Notification to the Advisory Council on Historic Preservation

To: Mark Dollase <mdollase@indianalandmarks.org>, ssebree@indianalandmarks.org, jstuttgen@comcast.net, Pauline Spiegel <ppspiegel@gmail.com>, Paul Brandenburg <indianabridges@sbcglobal.net>, dbaker@indygov.org, "James L. Cooper" <jlcooper@ccrtc.com>, dhpa@dnr.in.gov, "Carr, John" <Jcarr@dnr.in.gov>, "Slider, Chad" <Cslider@dnr.in.gov>, "Tharp, Wade" <WTharp1@dnr.in.gov>, nvoyles@morgancounty.in.gov, Ross@hollowayengineering.com, maxlois@sbcglobal.net, jdemaree@summitrealtygroup.com, Ann Bilodeau <bilodeau.ann@gmail.com>, Mel Crichton <kj9c@iquest.net>, bethannebylsma@gmail.com, barney8000@comcast.net, don.colvin@indy.gov, Marcia Smith <smithfirepro@aol.com>, dKunderwood@rdc-ics.com, joseph@ozarkfisheries.com, "N. B. Line" <bethline78@gmail.com>, Joseph Cleveland <cleveland07@gmail.com>, chrismeyers@indygov.com, "Zoll, Mitchell K" <MZoll@dnr.in.gov>, Kia Gillette <kgillette@hntb.com>  
Cc: david.clarke@dot.gov, "michelle.allen@dot.gov" <michelle.allen@dot.gov>, sstokely@achp.gov, "Rubin, Sarah" <SRubin@indot.in.gov>, "Earl, James" <JEARL@indot.in.gov>, "Kennedy, Mary" <mkennedy@indot.in.gov>, "Kumar, Anuradha" <akumar@indot.in.gov>, "Carpenter, Patrick A" <PACarpenter@indot.in.gov>, Timothy Miller <tnmiller@hntb.com>, "Hilden, Laura" <lhilden@indot.in.gov>, "Ferlo, Albert M. (Perkins Coie)" <AFerlo@perkinscoie.com>

Des. No.: 0300382

Project Description: Section 6 of the I-69 Evansville to Indianapolis Location: Morgan, Johnson, and Marion Counties

The Indiana Department of Transportation (INDOT) with funding from the Federal Highway Administration (FHWA) proposes to proceed with Section 6 of the I-69 Evansville to Indianapolis Tier 2 Studies (Des. No. 0300382; DHPA No.: 4615).

Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties. The following agencies/individuals are consulting parties:

- Mark Dollase, Indiana Landmarks-Central Regional Office
- Joanne Raetz Stuttgen, Morgan County Historic Preservation Society & Martinsville Plan Commission
- Pauline Spiegel
- Paul Brandenburg, Historic SPANs Task Force
- David Baker, Indianapolis Historic Preservation
- James Cooper
- Mitch Zoll, IDNR-DHPA/SHPO
- Normal Voyles, Morgan County Commissioner

- Ross Holloway, City of Martinsville
- Max Fitzpatrick, Johnson County Historian
- Debra Underwood
- Larry and Loretta Hess
- Brehob Nursery
- Mapa Properties, LLC
- Peaper & Proctor Real Estate, LLC
- Evelyn Novicki Trust and Trustee
- John W. Demaree
- Scott Greenhouse, LLC
- Julie and Ryan Gettum
- John and Sandra Harrison
- Ann Bilodeau
- Melvin J. Crichton
- Henry and Mary Scheid
- Jeffrey and Beth Line
- John R. Simms
- Charles F. Laughner
- Jerry L. Barnett
- Donald Colvin, Indianapolis DPW
- Lonnie and Marcia Smith
- Rich Underwood
- Joseph Cleveland, Ozark Fisheries, Inc.
- M. Duane and C. Dean Leonard
- Ginger Fitzpatrick
- Peoria Tribe of Indians of Oklahoma
- Miami Tribe of Oklahoma
- Chippewa Cree
- United Keetoowah Band of Cherokee Indians in Oklahoma

Please review the Notification to the Advisory Council and Supporting Documentation located in IN-SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des No. is the most efficient search term, once in IN-SCOPE). If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Tribal contacts may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317- 233-6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317-226-7344.

Thank you in advance for your input,

--

Linda Weintraut, Ph.D.  
 Weintraut & Associates, Inc.  
 PO Box 5034  
 4649 Northwestern Drive  
 Zionsville, Indiana 46077  
 317.733.9770 ext. 310

[www.weintrautinc.com](http://www.weintrautinc.com)

--

Linda Weintraut, Ph.D.  
Weintraut & Associates, Inc.  
PO Box 5034  
4649 Northwestern Drive  
Zionsville, Indiana 46077  
[317.733.9770 ext. 310](tel:317.733.9770)

[www.weintrautinc.com](http://www.weintrautinc.com)

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## FHWA Project: I 69 Section 6 (Des. No. 0300382) Notification to the Advisory Council on Historic Preservation

1 message

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Kennedy , Mary <MKENNEDY@indot.in.gov>

Thu, Jul 27, 2017 at 12:50 PM

To: "lpappenfort@peoriatribe.com" <lpappenfort@peoriatribe.com>, "jbunch@ukb-nsn.gov" <jbunch@ukb-nsn.gov>, "eoosahwee-voss@ukb-nsn.gov" <eoosahwee-voss@ukb-nsn.gov>, "alvin@nei-yahw.com" <alvin@nei-yahw.com>, "melody.henry@nei-yahw.com" <melody.henry@nei-yahw.com>, "dlankford@miamination.com" <dlankford@miamination.com>, "dhunter@miamination.com" <dhunter@miamination.com>

Cc: "michelle.allen@dot.gov" <michelle.allen@dot.gov>, "Miller, Shaun (INDOT)" <smiller@indot.in.gov>, "Coon, Matthew" <mcoon@indot.in.gov>, "Kumar, Anuradha" <akumar@indot.in.gov>, "Carpenter, Patrick A" <PACarpenter@indot.in.gov>, "Hilden, Laura" <lhilden@indot.in.gov>, "Rubin, Sarah" <SRubin@indot.in.gov>, "Earl, James" <JEARL@indot.in.gov>, Linda Weintraut <linda@weintrautinc.com>

Des. No.: 0300382

Project Descripon: I-69 Secon 6

Locaon: Marns ville to Indianapolis, Mor gan, Johnson, & Marion Coun es

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The Indiana Department of Transportaon (INDO T) with funding from the Federal Highway Administraon (FHWA) proposes to proceed with the I-69 Secon 6 pr oject. The project is generally located along SR 37 from Marns ville to Indianapolis in Morgan, Johnson, and Marion Counes, Indiana.

Secon 106 of the Naàonal His toric Preservaon Act r equires Federal agencies to take into account the effects of their undertakings on historic properes. The f ollowing Tribes have accepted consuling party s tatus for the project:

Peoria Tribe of Indians of Oklahoma

United Keetoowah Band of Cherokee Indians

Chippewa Cree

Miami Tribe of Oklahoma

Please review the Nofic aon t o the Advisory Council and Supporng Documen taon loc ated in IN-SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des No. is the most efficient search term, once in IN-SCOPE). If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Tribal contacts may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317- 233-6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317-226-7344.

Thank you in advance for your input,

Mary E. Kennedy  
Architectural Historian/History Team Lead

Cultural Resources Office

Environmental Services

100 N. Senate Ave., Room N642

Indianapolis, IN 46204

Office: (317) 232-5215

Email: [mkennedy@indot.in.gov](mailto:mkennedy@indot.in.gov)



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## **Fwd: I 69 Section 6 (Des. No. 0300382) Notification to the Advisory Council on Historic Preservation**

1 message

---

**Linda Weintraut** <linda@weintrautinc.com>  
To: bethany w <bethany@weintrautinc.com>

Thu, Jul 27, 2017 at 1:14 PM

----- Forwarded message -----

From: **Marcia Smith** <[smithfirepro@aol.com](mailto:smithfirepro@aol.com)>

Date: Thu, Jul 27, 2017 at 1:12 PM

Subject: Re: I 69 Section 6 (Des. No. 0300382) Notification to the Advisory Council on Historic Preservation

To: [linda@weintrautinc.com](mailto:linda@weintrautinc.com)

Thank you for the notice. Lonnie and Marcia Smith would like a hard copy of this document. Were we supposed to get a plaque for a historical property? And the "tree" study, for noise? What happened with that? Thank you for your consideration. Marcia Smith

*Sent from my Verizon 4G LTE Droid*

---

## Re: I 69 Section 6 (Des. No. 0300382) Notification to the Advisory Council on Historic Preservation

1 message

---

**Bethany Natali** <bethany@weintrautinc.com>

Thu, Jul 27, 2017 at 1:39 PM

To: Marcia Smith <smithfirepro@aol.com>

Cc: Linda Weintraut <linda@weintrautinc.com>, "Kumar, Anuradha" <akumar@indot.in.gov>, "Carpenter, Patrick A" <PACarpenter@indot.in.gov>, "Kennedy, Mary" <MKENNEDY@indot.in.gov>

Hi Marcia,

Thank you for your email. We will you send a paper copy of the documentation. I will drop a copy in the mail either today or tomorrow, so everything should arrive by early next week.

The plaque and the conceptual discussions with INDOT about the vegetative screening will be included in a Memorandum of Agreement (MOA). A draft MOA will be released after consultation about project effects is complete. Consulting parties will have an opportunity to review the draft MOA and offer comments. A final MOA would then be signed at which point INDOT or their consultants would start implementing the mitigation measures for your property.

Best regards,

Bethany

On Thu, Jul 27, 2017 at 1:14 PM, Linda Weintraut <linda@weintrautinc.com> wrote:

----- Forwarded message -----

From: **Marcia Smith** <smithfirepro@aol.com>

Date: Thu, Jul 27, 2017 at 1:12 PM

Subject: Re: I 69 Section 6 (Des. No. 0300382) Notification to the Advisory Council on Historic Preservation

To: [linda@weintrautinc.com](mailto:linda@weintrautinc.com)

Thank you for the notice. Lonnie and Marcia Smith would like a hard copy of this document. Were we supposed to get a plaque for a historical property? And the "tree" study, for noise? What happened with that? Thank you for your consideration. Marcia Smith

*Sent from my Verizon 4G LTE Droid*



----- Forwarded message -----

From: "Earl, James" <JEARL@indot.in.gov>

To: "RANDOLPH, JASON" <JRANDOLP@idem.in.gov>, "Buffington, Matt" <MBuffington@dnr.in.gov>, "Groce, Samantha" <SGroce@idem.in.gov>, "Burdick, Melanie" <Burdick.Melanie@epa.gov>, "Kozelichki, Janelle M" <JKozelic@idem.in.gov>, "Westlake, Kenneth" <westlake.kenneth@epa.gov>, "CLARK METTLER, MARTHA" <MCLARK@idem.in.gov>, "SULLIVAN, JAMES" <JSULLIVA@idem.in.gov>, "Braun, Randy" <RBRAUN@idem.in.gov>, "Zoll, Mitchell K" <MZoll@dnr.in.gov>, "Carr, John" <JCarr@dnr.in.gov>, "Slider, Chad (DNR)" <CSlider@dnr.in.gov>, "Tharp, Wade" <WTharp1@dnr.in.gov>, "jsteinm@indiana.edu" <jsteinm@indiana.edu>, "tthomps@indiana.edu" <tthomps@indiana.edu>, "Deborah.D.Snyder@usace.army.mil" <Deborah.D.Snyder@usace.army.mil>, "scott\_pruitt@fws.gov" <scott\_pruitt@fws.gov>, "Michelle B. Allen (michelle.allen@dot.gov)" <michelle.allen@dot.gov>, "julie.dingle@dot.gov" <julie.dingle@dot.gov>, "Janice.Osadczyk@dot.gov" <Janice.Osadczyk@dot.gov>, "eryn.fletcher@dot.gov" <eryn.fletcher@dot.gov>, "Laszewski, Virginia" <Laszewski.Virginia@epa.gov>, "McWilliams, Robin" <robin\_mcwilliams@fws.gov>

Cc: "Rubin, Sarah" <SRubin@indot.in.gov>, "Dietrick, Andrew" <ADietrick@indot.in.gov>, "Hilden, Laura" <lhilden@indot.in.gov>, "Bales, Ronald" <rbales@indot.in.gov>, "Jansen, Jennifer L." <JJansen@indot.in.gov>, "Ferlo, Albert M." <AFerlo@perkinscoie.com>, Timothy Miller <tnmiller@hntb.com>, "Kieffner, Jeremy" <JKieffner@lochgroup.com>

Bcc:

Date: Fri, 4 Aug 2017 22:04:58 +0000

Subject: RE: I-69 Section 6 DEIS Comment Resolution & Project Update Mtg

All,

In anticipation of the comment resolution meeting for I-69 Section 6 scheduled for August 14 (reference information below), please find attached the latest version of the comment responses for both federal and state agency comments. The final meeting minutes from the previous comment resolution meeting held on June 27 are attached for reference.

If you have any questions prior to this meeting, please let us know. Thank you.

Jim

**Jim Earl, P.E.**

*Project Manager*

Indiana Department of Transportation

**Office:** (317) 233-2072

**Cell:** (317) 450-7783

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**Revised archaeological report for I-69 Tier 2 Studies, Evansville to Indianapolis: Phase Ia Archaeological Survey 2 for Section 6, Morgan, Johnson and Marion Counties, Indiana (Des. #0300382; DHPA #4615)....**

1 message

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**Tharp, Wade** <WTharp1@dnr.in.gov>

Mon, Aug 7, 2017 at 2:19 PM

To: "kgillette@HNTB.com" <kgillette@hntb.com>, "bmccord@graypape.com" <bmccord@graypape.com>, "Kumar, Anuradha" <akumar@indot.in.gov>, "Miller, Shaun (INDOT)" <smiller@indot.in.gov>, "Coon, Matthew" <mcoon@indot.in.gov>, "Kennedy, Mary" <MKENNEDY@indot.in.gov>, "Clark, Shirley" <SCLARK@indot.in.gov>, "Linda Weintraut (linda@weintrautinc.com)" <linda@weintrautinc.com>, "bethany w (bethany@weintrautinc.com)" <bethany@weintrautinc.com>, "Christine Meador (CMeador@HNTB.com)" <CMeador@hntb.com>, "tnmiller@hntb.com" <tnmiller@hntb.com>

Cc: "Carr, John" <JCarr@dnr.in.gov>, "Tharp, Wade" <WTharp1@dnr.in.gov>, "Slider, Chad (DNR)" <CSlider@dnr.in.gov>

Revised report for I-69 Tier 2 Studies, Evansville to Indianapolis: Phase Ia Archaeological Survey 2 for Section 6, Morgan, Johnson and Marion Counties, Indiana Des. No. 0300382 (Baltz et al., 06/21/2017) (DHPA #4615)

Hello Kia and Beth:

Thank you for submitting the above-referenced archaeological report containing the revisions that we requested in our 06/19/2017 response letter. The report is acceptable.

Regards,

WTT

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**MEETING MINUTES**

**Section 6 Resource Agency DEIS Comment/Response Meeting #2**

INDOT, Room N755

August 14, 2017 from 1-3:30 p.m.

<b>Attendee</b>	<b>Organization</b>
Virginia Laszewski (via conference call)	USEPA Region 5
Ken Westlake (via conference call)	USEPA Region 5
Melanie Burdick (via conference call)	USEPA Region 5
Tony Maietta (via conference call)	USEPA Region 5
John Carr (via conference call)	IDNR-SHPO
Matt Buffington	IDNR
Deb Snyder (via conference call)	USACE
Martha Clark-Mettler (via conference call)	IDEM
Samatha Groce	IDEM
Jason Randolph	IDEM
James Sullivan	IDEM
Robin McWilliams Munson (via conference call)	USFWS
Michelle Allen	FHWA
Julie Dingle (via conference call)	FHWA
Sarah Rubin	INDOT
Jim Earl	INDOT
Laura Hilden	INDOT
Anu Kumar	INDOT
Tim Miller	HNTB
John Myers	HNTB
Jennifer Goins	HNTB
Jeremy Kieffner	Lochmueller Group

**I. Refined Preferred Alternative**

Jim Earl and Sarah Rubin presented slides summarizing major refinements to the DEIS preferred alternative (Alternative C4) to create the revised preferred alternative (RPA).

- Travel lanes:
  - The DEIS included the following travel lanes
    - SR 39 to south of SR 144: 4 lanes (2 lanes each direction)
    - South of SR 144 to Southport Road: 6 lanes (3 lanes each direction)
    - Southport to I-465 (8 lanes): 3 lanes plus a continuous auxiliary lane
  - The RPA has the following travel lanes:
    - SR 39 to south of Smith Valley Road: 4 lanes (2 lanes each direction)
    - South of Smith Valley Road to Southport Road: 6 lanes (3 lanes each direction)
    - Southport to I-465 (8 lanes): 3 lanes plus a continuous auxiliary lane
- Burton Lane: Overpass eliminated. This change eliminates the need to relocate the Baptist Tabernacle Church and School, reduces commercial relocations by six, reduces residential relocations by five, and minimizes project cost by \$8M+.



- Ohio Street: Changed from a standard diamond to tight diamond with roundabout ramp terminal intersections, changed access to Southview Drive to avoid FEMA parcels. These changes reduce commercial relocation by one (Walgreens) and minimize project cost by \$4M.
- Grand Valley: Retained Birk Road in its current location, added Artesian Avenue to connect to Mahalasville Road and Ohio Street instead of passing through the commercial/industrial area with a new local service road. These changes reduce commercial relocations by 11, reduce residential relocations by five, and extend Mahalasville Road to Grand Valley Boulevard in a more direct manner.
- Sun Valley/Spring Valley Mobile home parks: Eliminated 29 of 30 relocations by shifting mainline and installing retaining walls.
  - Question: Does the Refined Preferred Alternative still accommodate noise wall at Greenwood Mobile Home Park? Response: At this time, yes but updated noise analysis is being performed at this time.
- Egbert Road: Revised Egbert Road alignment to avoid FEMA parcels.
- Henderson Ford Road: Shifted interchange south to reduce wetland impacts. This change includes no additional right of way when compared to DEIS.
- Big Bend Road: Overpass eliminated. This change reduces commercial relocations by two, reduces residential relocations by three, and reduces project cost by \$4M.
- SR 144 Interchange: Standard diamond interchange changed to partial folded diamond layout. Added a connection of Huggin Hollow Road to Old SR 37. This change reduces commercial relocations by two and adds one bridge across Bluff Creek.
- Stones Crossing: Overpass eliminated. Eastern local service road from SR 144 to Travis Road extended north to Stones Crossing Road. This change adds one residential relocation to east side of SR 37, reduces relocations in mobile home community, and minimizes project cost by \$8M+.
- Pleasant Run: Right of way line shifted closer to historic bridge, but proposed road and bridges are in the same location. Looking at purchasing drainage easements to allow a shorter bridge on County Line Road extension.
- Southport Road: Selected option C4B, acquiring all but one commercial properties in the northwest quadrant; one apartment building (23 units) to be acquired. This reduces tenant relocations by 320 and reduces project cost by \$20M, compared to Option C4A.
  - Question: Will drainage basins at Southport Road be detention or retention? Response: Detention.
  - Question: Have there been discussions with well operator at Southport Road? Response: Yes, INDOT has had conversations with Citizens Energy Group. INDOT was given a separation distance from the well to the right of way line which is incorporated into the design. As long as this separation distance is maintained, Citizens Energy Group is comfortable with this offset.



- Question: Are there more bridges crossing Buck Creek? Response: Yes, in the existing condition there are three bridges (mainline x2 and Belmont). In the DEIS there were five bridges (mainline x2, ramps x2, and Belmont).
- Question: Will the Buck Creek bridges have sufficient span to accommodate creek, bike trail, and wildlife crossing? Response: The bridges is proposed to span the creek and bike trail at this time. The trail could also serve as a wildlife crossing.
- IDNR and IDEM asked if they would be able to review the Waters report before publication of the FEIS. INDOT confirmed the Waters report would be provided to the agencies prior to the issuance of the FEIS/ROD.
- I-465 Interchange: Geometrics were refined to reduce right of way from quarry areas. Some additional right of way will be acquired to accommodate required utilities. These changes reduce impacts to Hanson Aggregates by about 49 acres.
  - Question: Does the RPA still affect the contributing property along Bluff Road? Response: Yes.
- White River: I-465 bridge likely be replaced. Substructure may be replaced and number piers reduced, or existing piers retained but widened. The bridge was originally constructed in the 1960s and has gone through several rehabilitations. Design advancements allow longer span widths today.
- Western access road north of Smith Valley Road: The location of this access road has been moved to be adjacent to I-69 between Smith Valley Road and Fairview Road. This area wasn't shown in the presentation but was inquired about during the meeting.

## II. Project Funding/Schedule

- FEIS / ROD is on schedule to be complete and approved in 1<sup>st</sup> quarter of 2018.
- Approximately \$500M of Next Level funding has been allocated to this project. This includes the state and federal match.

Fiscal Year	Morgan	Johnson	Marion
FY2018	\$56.3M		
FY2019	\$68.7	\$8.1	
FY2020	\$43.8	\$27.3	\$3.7
FY2021	\$63.7	\$57.7	\$48.2
FY2022	\$30.5	\$60.1	\$86.2
<b>TOTAL</b>	<b>\$263M</b>	<b>\$153.2M</b>	<b>\$138.1M</b>

- Next steps include right of way acquisition, consultant for this was selected last Friday.
- Project delivery method to be determined in fall of 2017.
- Although not directly tied to funding schedule, IDNR noted there has been a sewer lines (Greenwood interceptor) constructed recently near Waverly Road. In order for schedules to align, they recommended INDOT investigate.



### **III. Kitchen Table Meetings/Acquisitions**

KTMs are one on one meetings with property owners including potential relocations. INDOT will be conducting kitchen table meetings with property owners from whom property will be acquired.

### **IV. Shoulder Design for New Interstates**

Question was expressed about why mainline option 3 (to use narrower shoulder) will not be used for four-lane areas (2 lanes in each direction). This potential option could be applied to areas with 10-foot existing shoulder, no guardrail, and no grading outside the shoulder. FEIS to assume 12 foot shoulders, then if in final design it is determined that existing 10-foot shoulders and no grading will work, the footprint can be reduced. Revised comment response was deemed acceptable by agencies.

### **V. Comment Resolution**

- Comment AF001-03 regarding 404 permit – response is acceptable. No further questions. IDEM noted that it doesn't follow the referenced definition.
- Comment AS002-02 regarding mainline shoulder widths – response is acceptable.
- Comment AS002-09 regarding erosion control inspections – response is acceptable.
- Comment AS004-01 regarding wildlife crossings – current response is acceptable for the FEIS publication. IDNR noted it is INDOT's choice not to include them. DNR deer biologist provided a hot map of the entire state. However, INDOT noted it is difficult to identify a specific source of data since much of the reporting is done on a county-wide basis. When compared to INDOT's animal cleanup reports, no trend was found.
- Comment AS004-03 -. DNR prefers to have stormwater runoff go through an appropriate filtering media before directed into streams.
- Directing stormwater runoff from bridges to appropriate filtering media will be considered where practicable during the design phase
- Comment AS 004-04 – Question raised “What if contractor installs riprap improperly?” The group decided this is a bigger issue than this project. Need to educate INDOT construction managers.
- Comment AS004-03 regarding runoff from bridges should not be allowed to drain through pipes in the bridge deck directly to the channel. IDNR requested to expand the current response. The updated and revised response will be, “ Directing stormwater runoff from roadways and bridges will be considered where practicable during the appropriate design phase. Consideration for utilizing appropriate filter media will be investigated and may include, but are not limited to, riprap drainage turnouts, open or closed bridge drainage systems, and splash pads.

### **VI. Next Steps**

- Meeting minutes, pdf of presentation, impacts tables and revised answer to AS004-03 to be circulated. Agencies to review within two weeks of receipt. Comments should be completed within 2 weeks of receipt. Email responses are ok.



- Project update meetings with public coming up September 12-14. One meeting per county. Refinements in the Refined Preferred Alternative are not for public consumption until these meetings are held.  
INDOT will provide a water impacts either with the meeting minutes or as soon as the data is available.

Action Item	Responsible Party	Due Date
Meeting minutes to be circulated	INDOT	9/1/17
Final review and concurrence with comment responses	Agency Representatives	9/15/17

*Details discussed in this meeting are subject to change. This summary is a reflection of the status of these items at the close of the meeting.*

**Note: This meeting summary documents ongoing, internal agency deliberations. Accordingly, the information contained in this summary is considered to be pre-decisional and deliberative.**

**Power Point and Additional information provided to Resource Agency  
Meeting to Review Response to comments on DEIS and preliminary  
review of RPA, August 14, 2017**



I-69 Section 6



Resource Agency Meeting

August 14, 2017

# Meeting Agenda

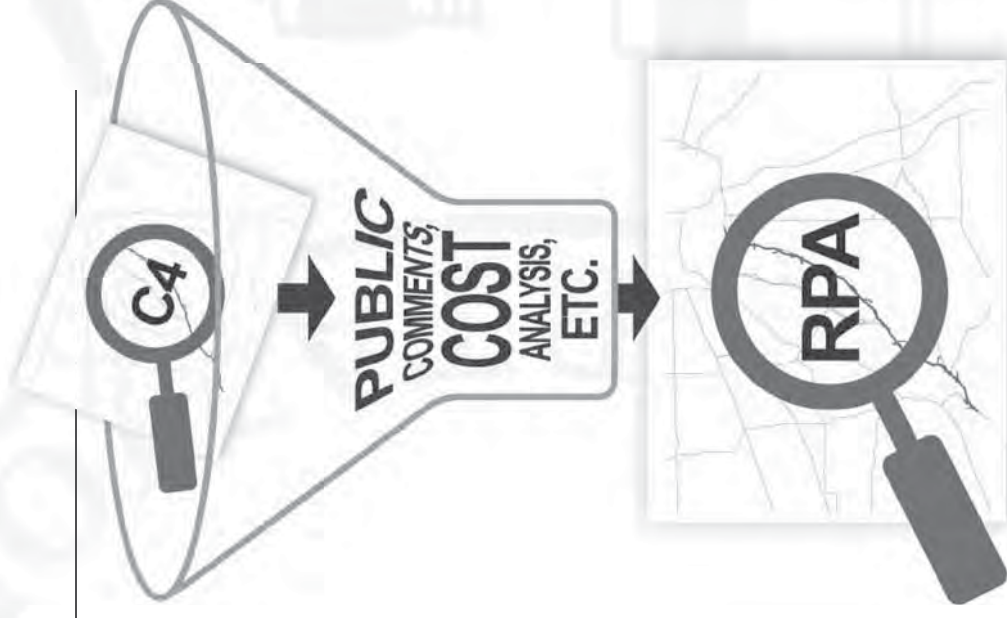
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- Description of Refined Preferred Alternative
- Final Environmental Impact Statement / Record of Decision Schedule
- Next Level Funding
- Construction Schedule



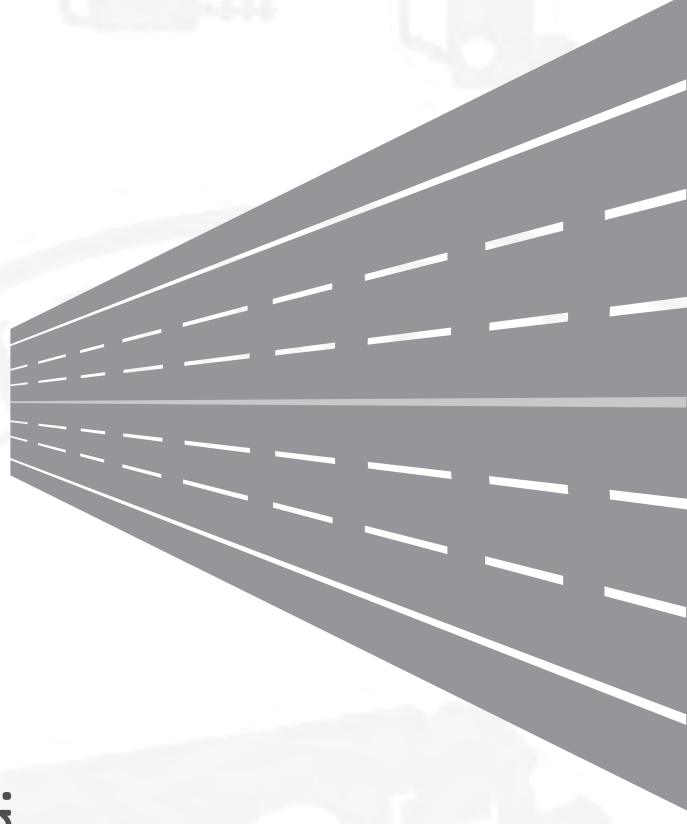
## Refined Preferred Alternative

- Referred to in Draft Environmental Impact Statement as “C4 Alternative”
- C4 identified as *preferred* alternative and *refined* based on public comments, cost evaluations, etc.
- Referred to in Final EIS as “Refined Preferred Alternative” (RPA)
- Over 200+ meetings and **400+** comments on Draft EIS



## Travel Lanes

- **SR 39 to south of Smith Valley Road:**  
4 lanes, 2 in each direction
  - *Change from Draft EIS, which had noted 4 lanes to SR 144*
- **South of Smith Valley Road to Southport Road:**  
6 lanes, 3 in each direction
- **Southport to I-465:**  
8 lanes, 4 in each direction



## Morgan County: Burton Lane

- No Burton Lane Bridge over I-69
- No Relocation of Baptist Tabernacle Church/School
- Reduces commercial relocations by 6
- Reduces residential relocations by 5
- Minimizes cost by \$8M+



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- No Burton Lane Bridge over I-69
- No Relocation of Baptist Tabernacle Church/School
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- Minimizes cost by \$8M+



# Morgan County: Ohio Street Interchange

- Reduction of right of way
- Reduces commercial relocations by 1 (Walgreens)
- Minimizes cost by \$4M



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- Minimizes cost by \$4M





# Morgan County: Top Notch Farm

- Re-use of old Ohio Street and Southview Drive
- Interchange and intersection of Commercial and Mahalasville Drives are the same as C4



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- Re-use of old Ohio Street and Southview Drive
- Interchange and intersection of Commercial and Mahalaville Drives are the same as C4



# Morgan County: Grand Valley Boulevard

- Change in access to Birk Road, Flag Stone Drive, Artesian Avenue
- Change in Grand Valley Boulevard for consistency with local plan



# Morgan County: Grand Valley Boulevard

- Change in access to Birk Road, Flag Stone Drive, Artesian Avenue
- Change in Grand Valley Boulevard for consistency with local plan





# Morgan County: Artesian Avenue

- Reduces commercial relocations by 11
- Reduces residential relocations by 5
- Extends Mahalassville Road to Grand Valley Boulevard in a more direct manner



## Morgan County: Spring Valley/Sun Valley Mobile Home Parks

- Minimizes right of way needs via use of retaining wall
- Reduces potential mobile home relocations by 29 (from 30 to 1)



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- Reduces potential mobile home relocations by 29 (from 30 to 1)





## Morgan County: Egbert Road

- Egbert Road bridge shifted to avoid FEMA properties
- Change in local access road



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- Egbert Road bridge shifted to avoid FEMA properties
- Change in local access road



# Morgan County: Henderson Ford Road

- Slight shift of interchange to lessen wetland impact and improve geometrics
- No additional right of way when compared to DEIS



# Morgan County: Henderson Ford Road

- Slight shift of interchange to lessen wetland impact and improve geometrics
- No additional right of way when compared to DEIS



# Morgan County: Big Bend Road

- No Big Bend bridge over I-69
- Minimizes cost by \$4M
- Reduces residential relocations by 3
- Reduces commercial relocations by 2



# Morgan County: Big Bend Road

- No Big Bend bridge over I-69
- Minimizes cost by \$4M
- Reduces residential relocations by 3
- Reduces commercial relocations by 2



# Johnson County: SR 144 Interchange

- Change in interchange type to partial folded diamond
- Reduces commercial relocations by 2
- Adds connection from Huggin Hollow Road to Old SR 37



# Johnson County: SR 144 Interchange

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- Reduces commercial relocations by 2
- Adds connection from Huggin Hollow Road to Old SR 37





# Johnson County: Travis Road/Stones Crossing

- Eliminates Stones Crossing overpass
- One additional relocation on east side of SR37
- Reduces relocations in mobile home community
- Minimizes cost by \$8M+



# Johnson County: Travis Road/Stones Crossing

- Eliminates Stones Crossing overpass
- One additional relocation on east side of SR37
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# Marion County: Pleasant Run Bridge



## Marion County: Southport Road

- Selection of C4B
- Avoids 320 tenant relocations
- \$20M less than C4A



## Marion County: Southport Road

- Selection of C4B
- Avoids 320 tenant relocations
- \$20M less than C4A



# Marion County: I-465 Interchange

- Minimizes right of way requirements
- Minimizes utility impacts
- Reduces impacts to the Hanson Aggregates by about 49 acres



# Marion County: I-465 Interchange

- Minimizes right of way requirements
- Minimizes utility impacts
- Reduces impacts to the Hanson Aggregates by about 49 acres



# Marion County: I-465 at White River

- Bridge replacement
  - Two options
    - Reduced number of piers
- OR
- Widening existing piers





## What's Next?

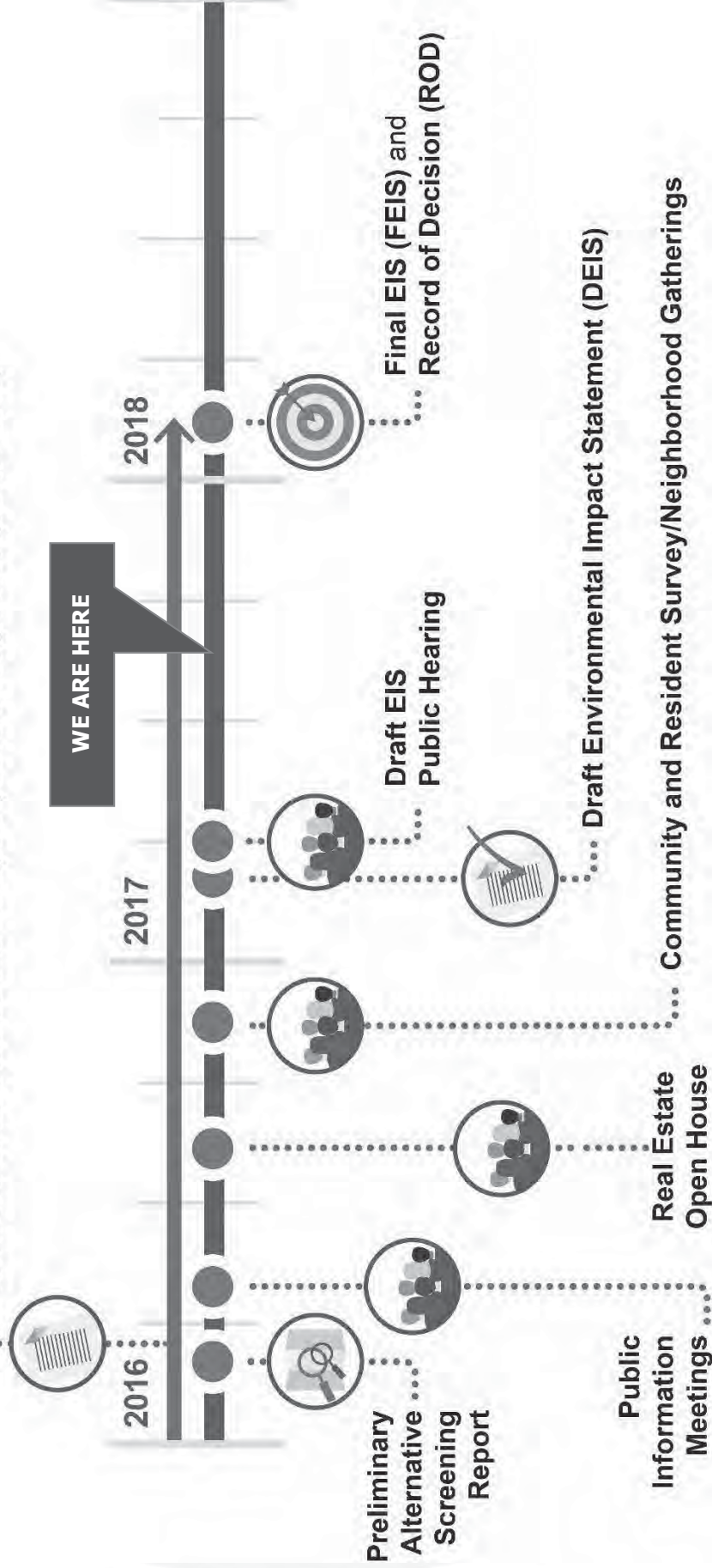
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- FEIS/ROD Q1 2018
- Next Level Funding Allocation
- Kitchen Table Meetings
- Predevelopment Activities
- Construction



# DEIS/FEIS Schedule

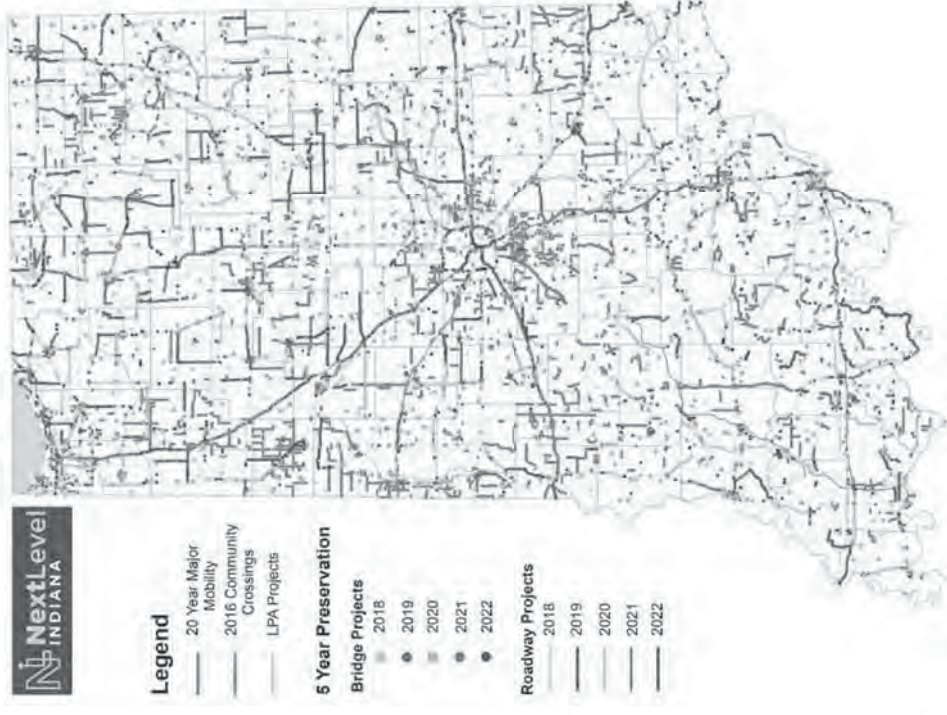
... Environmental Studies and Analysis ( 2016 through first quarter 2018)



# Project Funding

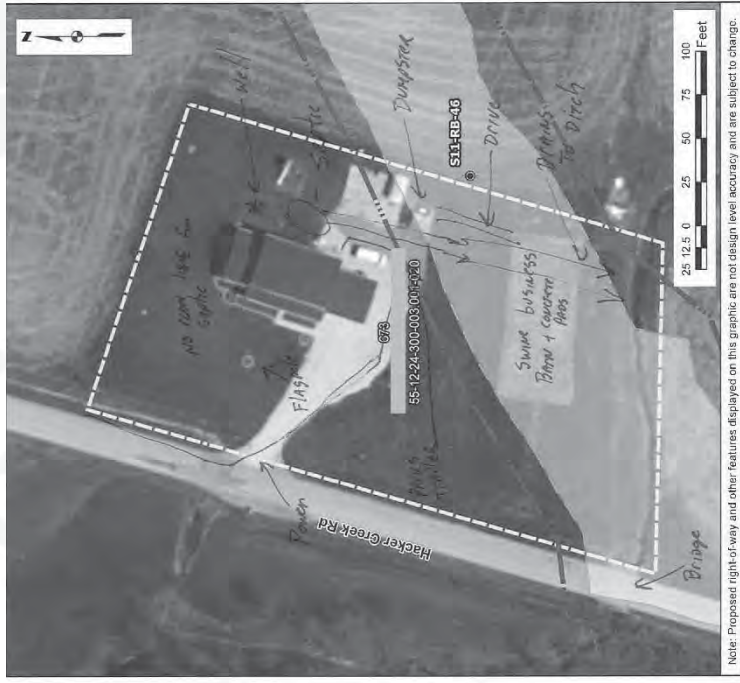
## Next Level Funding for I-69 Section 6

Fiscal Year	Morgan	Johnson	Marion
FY2018	\$56.3M		
FY2019	\$68.7	\$8.1	
FY2020	\$43.8	\$27.3	\$3.7
FY2021	\$63.7	\$57.7	\$48.2
FY2022	\$30.5	\$60.1	\$86.2
<b>TOTAL</b>	<b>\$263M</b>	<b>\$153.2M</b>	<b>\$138.1M</b>



# Kitchen Table Meetings

- One-on-one meetings with property owners
- Review impacts to property
- Review land acquisition process
- Review field work yet to be completed
- Gather information from the property owner about their property and concerns from the project



I-69 Section 5  
Preliminary Parcel Plat



**Section 6 Project Office**

7847 Waverly Road | Martinsville, IN 46151

Phone: (317) 881-6408

Email: [section6pm@indot.in.gov](mailto:section6pm@indot.in.gov)

[www.i69indyevn.org](http://www.i69indyevn.org)

## Preliminary Impacts for I-69, Section 6

As of September 1, 2017

Impact Criteria	Alt C1	Alt C2	Alt C3	Alt C4A	Alt C4B	RPA - Project
Existing Right of Way - State	924	941	921	942	943	951
Existing Right of Way - Local						99
New Right of Way	999	1,171	945	1,129	1,126	1,025
<b>Total Right of Way</b>	<b>1,923</b>	<b>2,112</b>	<b>1,866</b>	<b>2,071</b>	<b>2,096</b>	<b>2,075</b>
Residential - Single Family Home	135	172	167	142	143	147
Residential - Duplex Unit	6	6	6	6	6	6
Residential - Mobile Home	6	39	13	39	39	7
Residential - Apartment Unit	42	344	12	336	28	28
Business	83	77	89	78	94	73
Religious Facilities/School	0	1	0	1	1	0
Fire Station	0	1	0	1	1	1
Library	1	0	1	0	0	0
Non-Profit	0	1	1	0	0	2*
<b>Total Relocations</b>	<b>273</b>	<b>641</b>	<b>289</b>	<b>603</b>	<b>312</b>	<b>264</b>
Park (acres)	0	0	0	0	0	0
Historic or NRHP Eligible (acres)	5	6	5	6	6	6
Emergent Wetland	8.25	9.48	6.78	7.34	7.34	1.90
Forested Wetland	3.53	3.24	2.67	3.27	3.27	1.70
Scrub/Shrub Wetland	0.29	0.13	0.23	0.22	0.22	0.39
<b>Total Wetland Impacts</b>	<b>12.07</b>	<b>12.85</b>	<b>9.68</b>	<b>10.83</b>	<b>10.83</b>	<b>4.06</b>
Ephemeral	21,034	21,176	20,541	21,125	21,143	22,621
Intermittent	5,987	6,101	5,184	6,479	6,479	6,998
Perennial	15,759	17,322	16,650	15,932	15,940	17,634
<b>Total Stream Impacts</b>	<b>42,780</b>	<b>44,599</b>	<b>42,375</b>	<b>43,536</b>	<b>43,562</b>	<b>47,253</b>
<b>Total Natural Stream Impacts</b>	<b>11,199</b>	<b>13,034</b>	<b>10,710</b>	<b>11,567</b>	<b>11,582</b>	<b>14,069</b>
Stream Relocations (linear feet)	25,685	25,976	25,507	27,160	27,171	27,323
Floodplain (acres)	475	537	479	499	500	458
Wellhead Protection Areas (acres)	467	513	456	485	483	521
Agricultural Land (acres)	252	344	242	317	322	382
Publicly Owned - Managed Lands	2.9	3.2	1.5	3.2	3.2	3.6
Privately Owned - Managed Lands	7.1	10.7	7.1	10.7	10.7	2.7
Upland Forest (acres)	136	146	102	145	145	157
Core Forest (acres)	7.7	11.7	2.5	11.8	11.8	11.4
Forested Fragments	56	57	53	57	57	59

\*The 2 Non-Profits were included as "businesses" in the DEIS. These are not "additional" but rather reclassified to better define the entity. The business relocations in C4 were adjusted accordingly.

Table 2 - New Acres of Right-of-Way Impacts, Compared with Tier 1 FEIS Estimates

Section	Source of Updated Impacts	Tier 1 FEIS Impacts	Updated Impacts		Change from Tier 1 Estimates	
			Low	High	Low	High
1	Tier 2 Final EIS, Table 5.3-1	550	720	720	170	170
2	Tier 2 Final EIS, Table 5.3-1	1,300	1,702	1,702	402	402
3	Tier 2 Final EIS, Table 5.2-2	1,100	1,722	1,722	622	622
4	Tier 2 Final EIS, Table 5.3-1	1,560	1,456	1,809	(104)	249
5	Tier 2 Final EIS, Table 5.3-1	585	327	327	(258)	(258)
6	08-29-17 - Impact Table - RPA Project - New Right of Way	605	1,025	1,025	420	420
	Total	5,700	6,952	7,305	1,252	1,605

Table 3 - Acres of Farmland Impacts, Compared with Tier 1 FEIS Estimates

Section	Source of Updated Impacts	Tier 1 FEIS Impacts	Updated Impacts		Change from Tier 1 Estimates	
			Low	High	Low	High
1	Tier 2 Final EIS, Table 5.3-1	540	630	630	90	90
2	Tier 2 Final EIS, Table 5.3-1	1,180	1,113	1,113	(67)	(67)
3	Tier 2 Final EIS, Table 5.4-7	1,070	1,501	1,501	431	431
4	Tier 2 Final EIS, Table 5.4-7	670	356	461	(314)	(209)
5	Tier 2 Final EIS, Table 5.4-6	385	60	60	(325)	(325)
6	08-29-17 - Impact Table - RPA Project - Agricultural Land	465	382	382	(83)	(83)
	Total	4,310	4,042	4,147	(268)	(163)

Table 4 - Acres of Forest Impacts, Compared with Tier 1 FEIS Estimates

Section	Source of Updated Impacts	Tier 1 FEIS Impacts	Updated Impacts		Change from Tier 1 Estimates	
			Low	High	Low	High
1	Tier 2 Final EIS, Table 5.20-2	10	27	27	17	17
2	Tier 2 Final EIS, Table 5.20-5	100	210	210	110	110
3	Tier 2 Final EIS, Table 5.20-3	30	67	67	37	37
4	Tier 2 Final EIS, Table 5.20-6	890	872	1,087	(18)	197
5	Tier 2 Final EIS, Table 5.20-7	90	228	228	138	138
6	08-29-17 - Impact Table - RPA Project - Upland Forest	30	157	157	127	127
	Total	1,150	1,561	1,776	411	626

Table 5 - Acres of Wetlands Impacts, Compared with Tier 1 FEIS Estimates

Section	Source of Updated Impacts	Tier 1 FEIS Impacts	Updated Impacts		Change from Tier 1 Estimates	
			Low	High	Low	High
1	Tier 2 Final EIS, Table 5.19-14	5	1	1	(4)	(4)
2	Tier 2 Final EIS, Table 5.19-13	35	24	24	(11)	(11)
3	Tier 2 Final EIS, Table 5.19-11	5	5	5	0	0
4	Tier 2 Final EIS, Table 5.19-12	20	5	10	(15)	(10)
5	Tier 2 Final EIS, Table 5.19-18	5	3	3	(2)	(2)
6	08-29-17 - Impact Table - RPA Project - Total Wetland Impacts	5	4	4	(1)	(1)
	Total	75	42	47	(33)	(28)

Table 6 - Acres of Floodplain Impacts, Compared with Tier 1 FEIS Estimates

Section	Source of Updated Impacts	Tier 1 FEIS Impacts	Updated Impacts		Change from Tier 1 Estimates	
			Low	High	Low	High
1	Tier 2 Final EIS, Table 5.19-14	30	36	36	6	6
2	Tier 2 Final EIS, Table 5.19-13	420	166	166	(254)	(254)
3	Tier 2 Final EIS, Table 5.19-11	65	19	19	(46)	(46)
4	Tier 2 Final EIS, Table 5.19-12	130	36	51	(94)	(79)
5	Tier 2 Final EIS, Table 5.19-18	100	75	75	(25)	(25)
6	08-29-17 - Impact Table - RPA Project - Floodplain	85	458	458	373	373
	Total	830	790	805	(40)	(25)

Table 7 - Number of Residential Relocations, Compared with Tier 1 FEIS Estimates

Section	Source of Updated Impacts	Tier 1 FEIS Impacts	Updated Impacts		Change from Tier 1 Estimates	
			Low	High	Low	High
1	Tier 2 Final EIS, Table 5.2-3	24	18	18	(6)	(6)
2	Tier 2 Final EIS, Table 5.2-4	37	65	65	28	28
3	Tier 2 Final EIS, Table 5.2-2	23	18	18	(5)	(5)
4	Tier 2 Final EIS, Table 5.2-2	33	71	75	38	42
5	Tier 2 Final EIS, Table 5.2-5	146	119	119	(27)	(27)
6	08-29-17 - Impact Table - RPA Project - Residential (Single Family, Duplex, Mobile Home, Apartment Unit)	127	188	188	61	61
	Total	390	479	483	89	93

Table 8 - Number of Business Relocations, Compared with Tier 1 FEIS Estimates

Section	Source of Updated Impacts	Tier 1 FEIS Impacts	Updated Impacts		Change from Tier 1 Estimates	
			Low	High	Low	High
1	Tier 2 Final EIS, Table 5.2-3	2	2	2	0	0
2	Tier 2 Final EIS, Table 5.2-4	1	2	2	1	1
3	Tier 2 Final EIS, Table 5.2-2	0	1	1	1	1
4	Tier 2 Final EIS, Table 5.2-2	1	4	4	3	3
5	Tier 2 Final EIS, Table 5.2-5	22	18	18	(4)	(4)
6	08-29-17 - Impact Table - RPA Project - Business, Fire Station, Non-Profit	50	76	76	26	26
	Total	76	103	103	27	27

Table 1 - Total Impact Estimates, Compared with Tier 1 FEIS Estimates

Impact Category	Tier 1 FEIS Impacts	Updated Impacts		Change from Tier 1 Estimates	
		Low	High	Low	High
New Acres of ROW	5,860	6,952	7,305	1,092	1,445
Farmland Impacts (Acres)	4,470	4,042	4,147	(428)	(323)
Forest Impacts (Acres)	1,150	1,561	1,776	411	626
Wetland Impacts (Acres)	75	42	47	(33)	(28)
Floodplain Impacts (Acres)	830	790	805	(40)	(25)
Residential Impacts	390	479	483	89	93
Business Impacts	76	103	103	27	27



Preserving America's Heritage

August 17, 2017

Ms. Mayela Sosa  
Division Administrator  
Federal Highway Administration  
Indiana Division  
575 North Pennsylvania Street, Room 254  
Indianapolis, IN 46204

Ref: *Review of Application of Criteria for Adverse Effects to Section 6 of the I-69 Evansville to Indianapolis Project, Johnson County, Indiana*

Dear Ms. Sosa:

On July 27, 2017, the Advisory Council on Historic Preservation (ACHP) received your documentation and request pursuant to 36 C.F.R. § 800.5(c)(3) of the Section 106 regulations "Protection of Historic Properties" (36 CFR Part 800), that the ACHP review the issue of whether the Federal Highway Administration, Indiana Division (FHWA) correctly applied the Criteria of Adverse Effect for the referenced undertaking. The proposed undertaking is the construction of Section 6 of Interstate 69 (I-69) from Evansville to Indianapolis, Indiana. The Section 6 corridor is located along State Route (SR) 37 and covers a distance of approximately twenty-six miles through Morgan, Johnson, and Marion Counties before terminating at Interstate 465 in Indianapolis, Indiana. It is the ACHP's opinion that the FHWA has applied the Criteria of Adverse Effect correctly in this case and this letter provides the ACHP's reasoning for this opinion.

The FHWA and the Indiana State Historic Preservation Officer (SHPO) concurred on the determination of an Adverse Effect for the entire undertaking on April 13, 2017. However, Indiana Landmarks disagreed with the specific determination made for two specific properties: John Sutton House and Travis Hill Historic District. The FHWA and the Indiana SHPO concurred that the undertaking will have no adverse effects to these two properties. Since Indiana Landmarks did not disagree with the determination of Adverse Effect made for the entire undertaking, the ACHP's comments regarding the FHWA's proper application of the Criteria of Adverse Effect will focus solely on these two properties.

The ACHP's Section 106 regulations define the criteria of adverse effect as follows:

An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative. (36 C.F.R. § 800.5(a)(1))

ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street NW, Suite 308 • Washington, DC 20001-2637  
Phone: 202-517-0200 • Fax: 202-517-6381 • [achp@achp.gov](mailto:achp@achp.gov) • [www.achp.gov](http://www.achp.gov)



In the documentation submitted to the ACHP, the FHWA identified and evaluated the significance, the character defining elements, and the integrity of the two historic properties. FHWA made the finding of No Adverse Effect because the proposed project will not alter the qualifying characteristics or further compromise the historic integrity of these two properties.

The ACHP's advisory opinion is that FHWA applied the Criteria of Adverse Effect correctly as the undertaking will not alter the character defining elements or the integrity of these two historic properties at the time it is implemented or in the future.

In regards to the John Sutton House, the ACHP does not concur with Indiana Landmark's assertions that the possible removal of the modern construction adjacent to the proposed construction of I-69 would alter the setting and therefore result in indirect adverse effects, since such actions are not reasonable and foreseeable. Currently, these modern structures would block a significant portion of the planned construction from view at the John Sutton House. Considering this modern construction is extant and the proposed I-69 construction will be located behind it when viewed from the John Sutton House, it is the ACHP's view that the undertaking will not alter the character of the setting for this historic property.

The Travis Hill Historic District is an early example of a post-war, rural, suburban development that is oriented to highways. The disputed potential indirect effects concerning a change in the elevation of Stones Crossing Road, which is the main road entering the historic district, would alter the character of setting in the approach to the historic district are not substantiated. The original design of entering the development through an ascent up Travis Hill is the character defining element distinguishing the approach into this historic district. Based upon our review, this will not be altered with the proposed change in elevation of Stones Crossing Road.

In accordance with 36 CFR 800.5(c)(3), the FHWA is required to take into account this advisory opinion in reaching a final decision on its finding of effect, and to provide to the ACHP, Indiana SHPO, Indiana Landmarks, and any other consulting parties a summary of how these advisory comments were considered by FHWA. Once the summary of the decision has been sent to the ACHP and other parties, the FHWA's responsibilities are fulfilled for this step in the Section 106 process.

If you have any question, please contact Sarah Stokely at 202-517-0224 or via e-mail at [sstokely@achp.gov](mailto:sstokely@achp.gov).

Sincerely,



Reid J. Nelson  
Director  
Office of Federal Agency Programs

---

**From:** Earl, James [mailto:JEARL@indot.IN.gov]

**Sent:** Friday, September 1, 2017 9:08 PM

**To:** RANDOLPH, JASON <JRANDOLP@idem.IN.gov>; Buffington, Matt <MBuffington@dnr.IN.gov>; Groce, Samantha <SGroce@idem.IN.gov>; Burdick, Melanie <Burdick.Melanie@epa.gov>; Kozelichki, Janelle M <JKozelic@idem.IN.gov>; Westlake, Kenneth <westlake.kenneth@epa.gov>; CLARK METTLER, MARTHA <MCLARK@idem.IN.gov>; SULLIVAN, JAMES <JSULLIVA@idem.IN.gov>; Braun, Randy <RBRAUN@idem.IN.gov>; Zoll, Mitchell K <MZoll@dnr.IN.gov>; Carr, John <JCarr@dnr.IN.gov>; Slider, Chad (DNR) <CSlider@dnr.IN.gov>; Tharp, Wade <WTharp1@dnr.IN.gov>; jsteinm@indiana.edu; tthomps@indiana.edu; Deborah.D.Snyder@usace.army.mil; scott\_pruitt@fws.gov; Hilden, Laura <lhilden@indot.IN.gov>; Michelle B. Allen (michelle.allen@dot.gov) <michelle.allen@dot.gov>; julie.dingle@dot.gov; Janice.Osadczyk@dot.gov; eryl.fletcher@dot.gov; Bales, Ronald <rbales@indot.IN.gov>; Laszewski, Virginia <Laszewski.Virginia@epa.gov>; Ferlo, Albert M. <AFerlo@perkinscoie.com>; Dietrick, Andrew <ADietrick@indot.IN.gov>; McWilliams, Robin <robin\_mcwilliams@fws.gov>; Jansen, Jennifer L. <JJansen@indot.IN.gov>

**Cc:** Rubin, Sarah <SRubin@indot.IN.gov>; John W. Myers <jwmyers@HNTB.com>; Timothy Miller <tnmiller@HNTB.com>; Kieffner, Jeremy <JKieffner@lochgroup.com>

**Subject:** I-69 S6 - EMAIL 1 of 8 - 8/14 Resource Agency Meeting - Follow-up Information

All,

Please find attached the information as requested following our meeting on 8/14/2017. However, due to the file size of the actual presentation, that file will be sent out in seven separate parts following this email.

The following information is attached to this email:

- Draft Meeting Minutes
- Revised language to Comment AS004-03 (provided in the Draft Meeting Minutes)
- Updated Impacts Tables comparing C4, RPA and overall corridor impact thresholds

If you do not receive all eight emails with the noted attachments, please contact me for assistance. As discussed at the meeting, there will be two weeks for your review/comment with comments due 9/15.

Thank you.

Jim

**Jim Earl, P.E.**  
**Project Manager**

Indiana Department of Transportation

**Office:** (317) 233-2072

**Cell:** (317) 450-7783

---

**From:** Rubin, Sarah  
**Sent:** Monday, August 28, 2017 11:27 AM  
**To:** RANDOLPH, JASON <JRANDOLP@idem.IN.gov>; Buffington, Matt <MBuffington@dnr.IN.gov>; Groce, Samantha <SGroce@idem.IN.gov>; Burdick, Melanie <Burdick.Melanie@epa.gov>; Kozelichki, Janelle M <JKozelic@idem.IN.gov>; Westlake, Kenneth <westlake.kenneth@epa.gov>; CLARK METTLER, MARTHA <MCLARK@idem.IN.gov>; SULLIVAN, JAMES <JSULLIVA@idem.IN.gov>; Braun, Randy <RBRAUN@idem.IN.gov>; Zoll, Mitchell K <MZoll@dnr.IN.gov>; Carr, John <JCarr@dnr.IN.gov>; Slider, Chad (DNR) <CSlider@dnr.IN.gov>; Tharp, Wade <WTharp1@dnr.IN.gov>; jsteinm@indiana.edu; tthomps@indiana.edu; Deborah.D.Snyder@usace.army.mil; scott\_pruitt@fws.gov; Hilden, Laura <lhilden@indot.IN.gov>; Michelle B. Allen (michelle.allen@dot.gov) <michelle.allen@dot.gov>; julie.dingle@dot.gov; Janice.Osadczyk@dot.gov; eryl.fletcher@dot.gov; Bales, Ronald <rbales@indot.IN.gov>; Laszewski, Virginia <Laszewski.Virginia@epa.gov>; Ferlo, Albert M. <AFerlo@perkinscoie.com>; Dietrick, Andrew <ADietrick@indot.IN.gov>; McWilliams, Robin <robin\_mcwilliams@fws.gov>; Jansen, Jennifer L. <JJansen@indot.IN.gov>  
**Cc:** John W. Myers <jwmyers@HNTB.com>; Earl, James <JEARL@indot.IN.gov>; Timothy Miller <tnmiller@hntb.com>; Kieffner, Jeremy <JKieffner@lochgroup.com>  
**Subject:** I-69 S6 - 8/14 mtg follow up

All:

As a follow up to our Resource Agency meeting on 8/14 INDOT agreed to provide several items which included the following:

- Draft Meeting Minutes
- Copy of the Refine Preferred Alternative (RPA) PowerPoint Presentation
- Revised language to Comment AS004-04
- Updated Impacts Tables comparing C4, RPA and overall corridor impact thresholds

We will be finalizing the updates to the impacts tables by mid-week and anticipate sending the aforementioned information in one email by COB 9/1. As discussed at the meeting there will be 2 weeks for your review/comment with comments due 9/15.

Best,

Sarah

**Sarah Rubin**  
**Deputy Director of Public-Private Partnerships**

**Project Manager, I-69 Section 6**

**Office:** (317) 234-5282



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*This e-mail and any files transmitted with it are confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are NOT the intended recipient and receive this communication, please delete this message and any attachments. Thank you.*

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**3 attachments**

 **20170814\_Draft Agency\_Coordination\_comment\_response\_mtg min.docx**  
62K

 **20170830\_Section 6 Impact Table.pdf**  
58K

 **Impact Tracking, Project-Wide - Section 6 FEIS - For Agencies.pdf**  
13K



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Indiana Division**  
September 13, 2017

575 North Pennsylvania Street, Rm 254  
Indianapolis, IN 46204  
(317) 226-7475  
(317) 226-7431  
<http://www.fhwa.dot.gov/indiv/>

In Reply Refer To:  
HDA-IN

Dear Consulting Party:

The Federal Highway Administration (“FHWA”), in cooperation with the Indiana Department of Transportation (“INDOT”), is preparing an Environmental Impact Statement (“EIS”) for Section 6 of the I-69 Evansville to Indianapolis Tier 2 Studies, Des. No.: 0300382 (“Section 6 Project”).

On February 14, 2017, FHWA signed a finding of “Historic Properties Affected: Adverse Effect” for the Section 6 Project. The 800.11 Documentation of Section 106 Finding of Adverse Effect [“800.11(e)”] was sent to consulting parties and tribal contacts on March 17 and 20, 2017, respectively. The e-800.11(e) was sent to the Advisory Council on Historic Preservation (“Council”) on March 17, 2017. The Council declined to participate in consultation on April 6, 2017. The Indiana State Historic Preservation Officer (“SHPO”) concurred with the finding of effect on April 13, 2017.

Indiana Landmarks, a consulting party for this project, objected to the individual finding of effect for two historic properties in communications to INDOT and their consultants in May and July of 2017; therefore, pursuant to 36 CFR 800.5(c)(3), FHWA notified the Council of this objection on July 26, 2017. Consulting parties were concurrently notified of the objection and provided access to the letter and supporting documentation via IN-SCOPE on July 27, 2017. The Council responded to the notification on August 21, 2017, and stated it was their opinion that “FHWA has applied the Criteria of Adverse Effect correctly in this case” and offered no objections to the individual or overall effect finding.

Project engineers have now developed the Refined Preferred Alternative (“RPA”) for the Section 6 Project. FHWA and INDOT have reviewed the RPA to determine if the refined design would change the finding of “Historic Properties Affected: Adverse Effect” that was signed by FHWA on February 14, 2017.

Following their review, FHWA and INDOT have determined the RPA will not result in any change of effects. The Section 6 Project will continue to have an “Adverse Effect” on historic properties; therefore, FHWA and INDOT have prepared a draft Memorandum of Agreement (“MOA”) that sets forth stipulations regarding avoidance, minimization, and mitigation efforts.

You may access the information provided to the Council, the Council’s response, the summary of effects under the RPA, and the draft MOA via IN-SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des No. is the most efficient search term, once in IN-SCOPE). If a paper copy of the materials is needed, please send your request to Linda

Weintraut, Weintraut & Associates, at [linda@weintrautinc.com](mailto:linda@weintrautinc.com) or 317.733.9770 within seven (7) days.

Please respond within thirty (30) days of receipt of this information to Dr. Linda Weintraut at [linda@weintrautinc.com](mailto:linda@weintrautinc.com) or Michelle Allen at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov).

Tribal Historic Preservation Officers or Representatives may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317.233.6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317.226.7344.

Thank you for your participation on this project.

Sincerely,



 Mayela Sosa  
Division Administrator

Cc: Michelle Allen, FHWA  
Janice Osadczuk, FHWA  
David Clarke, FHWA  
Sarah Rubin, INDOT  
James Earl, INDOT  
Mark Dollase, Indiana Landmarks-Central Regional Office  
Joanne Raetz Stuttgart, Morgan County Historic Preservation Society & Martinsville Plan Commission  
Pauline Spiegel  
Paul Brandenburg, Historic SPANs Task Force  
David Baker, Indianapolis Historic Preservation  
James Cooper  
Mitch Zoll, IDNR-DHPA/SHPO  
John Carr, IDNR-DHPA/SHPO  
Chad Slider, IDNR-DHPA/SHPO  
Wade Tharp, IDNR-DHPA/SHPO  
Normal Voyles, Morgan County Commissioner  
Ross Holloway, City of Martinsville  
Max Fitzpatrick, Johnson County Historian  
Debra Underwood  
Larry and Loretta Hess  
Brehob Nursery  
Mapa Properties, LLC  
Peaper & Proctor Real Estate, LLC  
Evelyn Novicki Trust and Trustee  
John W. Demaree  
Scott Greenhouse, LLC

Julie and Ryan Gettum  
John and Sandra Harrison  
Ann Bilodeau  
Melvin J. Crichton  
Henry and Mary Scheid  
Jeffrey and Beth Line  
John R. Simms  
Charles F. Laughner  
Jerry L. Barnett  
Donald Colvin, Indianapolis DPW  
Lonnie and Marcia Smith  
Rich Underwood  
Joseph Cleveland, Ozark Fisheries, Inc.  
M. Duane and C. Dean Leonard  
Ginger Fitzpatrick  
Anuradha Kumar, INDOT CRO  
Patrick Carpenter, INDOT-CRO  
Mary Kennedy, INDOT-CRO  
Shaun Miller, INDOT-CRO  
Tim Miller, HNTB  
Christine Meador, HNTB  
Kia Gillette, HNTB  
Eric Swickard, Lochmueller Group  
Beth McCord, Gray & Pape  
Linda Weintraut, W&A

**MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,  
THE INDIANA DEPARTMENT OF TRANSPORTATION AND  
THE INDIANA STATE HISTORIC PRESERVATION OFFICER,  
PURSUANT TO 36 C.F.R. SECTION 800.6(b)(iv)**

**REGARDING  
THE I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDY:  
SECTION 6, SR 39 TO I-465  
IN WASHINGTON, CLAY, MADISON, GREEN, and HARRISON TOWNSHIPS,  
MORGAN COUNTY, INDIANA; WHITE RIVER TOWNSHIP, JOHNSON COUNTY; AND DECATUR  
AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA**

**WHEREAS**, the Federal Highway Administration (“FHWA”) is proposing to construct Section 6, beginning on State Road (“SR”) 37 south of SR 39 in Martinsville, Indiana, centering on and continuing in a northeasterly direction along current SR 37 to I-465 in Indianapolis, Indiana (“Section 6 Project”), of the I-69 Evansville to Indianapolis Project, which is located in Washington, Clay, Madison, Green, and Harrison Townships of Morgan County, Indiana; White River Township of Johnson County, Indiana; and in Decatur and Perry Townships of Marion County, Indiana; and

**WHEREAS**, FHWA, in cooperation with the Indiana Department of Transportation (“INDOT”), has conducted a two-tiered study for the I-69 Evansville to Indianapolis Project; and

**WHEREAS**, the I-69 Evansville to Indianapolis Project has been divided into six sections for the Tier 2 Study; and

**WHEREAS**, each Tier 2 section, as defined in the I-69 Evansville to Indianapolis Project Tier 1 Environmental Impact Statement (“EIS”), is considered a separate undertaking for purposes of consultation; and

**WHEREAS**, the Section 6 Project provides for a divided interstate highway using the preferred alignment identified as the Refined Preferred Alternative which is composed of features of alternatives C1, C2, C3, and C4 as described in the I-69 Evansville to Indianapolis Project Tier 2 Draft EIS, and in Attachment A, Project Description; and

**WHEREAS**, FHWA, in consultation with the Indiana State Historic Preservation Officer (“Indiana SHPO”), has defined the Section 6 Project’s area of potential effects (“APE”), as defined in 36 C.F.R § 800.16(d) (2017), for aboveground resources to generally be not less than 4,000 feet wide and centered on existing SR 37 (a four-lane divided highway), identified as the Tier 1 Alternative 3C, and not less than 2,000 feet wide along I-465 (see Attachment B); and

**WHEREAS**, FHWA, in consultation with the Indiana SHPO, has defined the Section 6 Project APE for archaeological resources, as the term defined in 36 C.F.R. § 800.16(d) (2017), as the area within the right of way for the Section 6 Refined Preferred Alternative as described in Attachment A; and

**WHEREAS**, the East Washington Street Historic District and Grassyfork Fisheries Farm No. 1 are listed in the National Register of Historic Places (“NRHP”); and

**WHEREAS**, FHWA, in consultation with the Indiana SHPO, has determined, pursuant to 36 C.F.R. § 800.4(c) (2017), that the Morgan County Bridge 224 (National Bridge Inventory [“NBI”] No. 5500142), Top Notch Farm, W.E. Nutter House, Percy Farm and Clear Creek Fisheries, Reuben Aldrich Farm, Morgan County Bridge No. 166 (NBI No. 5500153), Travis Hill Historic District, John Sutton House, Marion County Bridge No. 4513 F (NBI No. 4900484), Cleary-Barnett House, Glenn’s Valley Nature Park Retreat House, Glennwood Homes Association Historic District, Le Ciel (Charles Laughner House), and Southside German Market Gardeners Historic District are eligible for inclusion in the NRHP; and

**WHEREAS**, FHWA, in consultation with the Indiana SHPO, has found that the Morgan County Bridge 224 (NBI No. 5500142), Top Notch Farm, East Washington Street Historic District, W.E. Nutter House, Percy Farm and Clear Creek Fisheries, Grassyfork Fisheries Farm No. 1, Reuben Aldrich Farm, Morgan



County Bridge No. 166 (NBI No. 5500153), Travis Hill Historic District, John Sutton House, Marion County Bridge No. 4513 F (NBI No. 4900484), Cleary-Barnett House, Glenn's Valley Nature Park Retreat House, Glennwood Homes Association Historic District, Le Ciel (Charles Laughner House), and Southside German Market Gardeners Historic District are within the Section 6 Project's APE; and

**WHEREAS**, in accordance with 36 C.F.R. § 800.4, FHWA and the Indiana SHPO, has determined that the identification and evaluation of archaeological properties, within portions of the archaeological APE of the Refined Preferred Alternative remains to be completed; and

**WHEREAS**, in accordance with 36 C.F.R. § 800.4(b)(2), FHWA and the Indiana SHPO have agreed to use of a phased process to complete the identification and evaluation of archaeological properties that may be affected by the undertaking; and

**WHEREAS** the FHWA, in consultation with the Indiana SHPO, has determined pursuant to 36 C.F.R. Section 800.5(a) that the Section 6 Project will have an adverse effect on the Reuben Aldrich Farm and the Southside German Market Gardeners Historic District; and

**WHEREAS** the FHWA has consulted with the Indiana SHPO in accordance with Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) and its implementing regulations (36 C.F.R. Section 800) to resolve the adverse effect on the Reuben Aldrich Farm and the Southside German Market Gardeners Historic District; and

**WHEREAS**, the public was given an opportunity to comment on the undertaking's adverse effect in a notice published on March 21, March 28, and April 4, 2017, in the *Daily Journal* (Johnson County), the *Indianapolis Star* (Marion County), and the *Martinsville Reporter* (Morgan County); and

**WHEREAS**, FHWA has notified the Advisory Council on Historic Preservation ("Council") of the adverse effect and invited the Council's participation in the project, pursuant to 36 C.F.R. § 800.6(a)(1) (2017), in a notification dated March 20, 2017, and notified the Council of an objection to certain individual effect findings in a letter dated July 26, 2017, and

**WHEREAS**, the Council has declined to participate in consultation in a letter dated April 6, 2017 and the Council concurred that FHWA correctly applied the Criteria of Adverse effect on individual properties in a letter dated August 17, 2017; and

**WHEREAS**, INDOT is responsible for assisting FHWA to carry out the requirements of this Memorandum of Agreement ("MOA"), has participated in consultation, and has been invited by FHWA to be a signatory to this MOA; and

**WHEREAS**, the Delaware Nation of Oklahoma, Peoria Tribe of Indians of Oklahoma; Prairie Band Potawatomi Nation; Shawnee Tribe; Miami Tribe of Oklahoma; United Keetoowah Band of Cherokee Indians; Absentee Shawnee Tribe of Oklahoma; Eastern Shawnee Tribe of Oklahoma; Red Cliff Band of Lake Superior Chippewas; Grand Traverse Band of Ottawa and Chippewa Indians, Michigan; Chippewa Cree; Saginaw Chippewa Tribe of Michigan were invited to participate in consultation; and

**WHEREAS**, the Peoria Tribe of Indians of Oklahoma; Miami Tribe of Oklahoma; United Keetoowah Band of Cherokee Indians; and Chippewa Cree have participated in consultation; and

**WHEREAS**, Consulting Parties have participated in consultation as identified in Attachment C; and

**WHEREAS**, FHWA has consulted with the Indiana SHPO in accordance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulations (36 C.F.R. part 800) concerning the scope of work as presented in the materials and plans dated: June 14, 2004; June 29, 2004; August 13, 2005; August 15, 2005; October 24, 2005; August 24, 2006; June 25, 2008; February 5, 2015; April 27, 2015; July 31, 2016; April 27, 2015; June 30, 2015; October 15, 2015; November 19, 2015; January 4, 2016; March 14, 2016; April 21, 2016; June 15, 2016; August 2, 2016; and August 29, 2016; October 28, 2016; March 17, 2017; July 7, 2017; and agreed to proceed with the project as proposed and as reflected in Indiana SHPO correspondence dated June 25, 2004, September 7, 2005; November 21, 2005; December 21, 2006; July 25, 2008; March 10, 2015; May 15, 2015; May 19, 2015; May 26, 2015; July 30, 2015; November 4, 2015; December 21, 2015; February 4, 2016; April 14, 2016;

May 11, 2016; June 1, 2016; July 14, 2016; August 26, 2016; September 1, 2016; November 28, 2016; April 13, 2017; May 5, 2017; June 19, 2017; and August 7, 2017.

**NOW, THEREFORE**, FHWA, and the Indiana SHPO agree that upon FHWA's approval of the Section 6 Project, FHWA shall ensure that the following stipulations are implemented in order to take into account the effect of the Section 6 Project on historic properties.

## **STIPULATIONS**

FHWA shall ensure that the following measures are carried out:

### **I. PROFESSIONAL QUALIFICATIONS**

**A.** In consultation with the Indiana SHPO, INDOT shall ensure that all work performed pursuant to this MOA is performed or supervised by a qualified individual and/or team(s) that meet the Secretary of the Interior's Professional Qualification Standards as outlined in Appendix A to 36 CFR 61 for history, archaeology, architectural history, architecture, and/or historic architecture, as appropriate.

**B.** The individual and/or team(s) performing or supervising the archaeology investigations shall have supervisory experience in the prehistoric and historic archaeology of the southeastern Indiana region. All work performed or supervised by such person or persons shall be conducted pursuant the provisions of Indiana Code 14-21-1, 312 Indiana Administrative Code 22, and the most current versions of the "Guidebook for Indiana Historic Sites and Structures Inventory-Archaeological Sites" and the INDOT Cultural Resources Manual.

### **II. MITIGATION MEASURES**

#### **A. Context Sensitive Design**

FHWA and INDOT shall ensure Context Sensitive Design is implemented in the following manner. The execution of this stipulation is considered to satisfy, for the Section 6 Project, the commitment in Stipulation II.A.4. of the 2003 I-69 Tier 1 Memorandum of Agreement Between the Federal Highway Administration and the Indiana State Historic Preservation Officer Regarding the Selection of a Corridor for I-69, From Evansville to Indianapolis, Indiana ("Tier 1 MOA").

1. INDOT and/or its representatives shall consult with the property owner of the Reuben Aldrich Farm and, if appropriate and given consent by the property owner, will fund and install vegetative screening on this property. If the property owner provides consent for the vegetative screen, the property owner will provide INDOT and/or its contractors with right of entry to the property during mitigation implementation and subsequent monitoring. After the installation of the vegetative screening, maintenance of such screening on private property will be the responsibility the property owner of the Reuben Aldrich Farm.

2. As soon as practical, FHWA will convene an Advisory Team to consider the treatment of the side slopes along I-465 within the Southside German Market Gardeners Historic District and the bridge carrying I-465 over Bluff Road within the Southside German Market Gardeners Historic District. Responsibilities of and participation of the Advisory Team include the following:

**a)** At the discretion of FHWA, the following may be invited to participate on the Advisory Team: individuals having a geographic connection to, or an interest in, the Southside German Market Gardeners Historic District or individuals with an expertise pertaining to historic preservation. Representatives from INDOT or the Indiana SHPO may participate in Advisory Team meetings at their discretion.

**b)** FHWA will convene no less than two meetings of the Advisory Team: one meeting shall occur at the thirty (30) percent design phase and one meeting shall occur at the sixty (60) percent design phase. The Advisory Team shall review plans, comment, and make specific recommendations regarding the Project design, scopes of work, and details for consideration by FHWA. The Advisory Team will be chaired or overseen by a

representative from INDOT or by a consultant. The chair will be responsible for convening meetings of the Advisory Team, preparing and maintaining a summary of meetings, and preparing and submitting Advisory Team recommendations to FHWA for consideration, in consultation with the Indiana SHPO.

c) The Advisory Team will function in an advisory capacity to assist INDOT in developing certain Section 6 Project design details within the Southside German Market Gardeners Historic District, limited to aesthetic treatments, such as the use and type of vegetative screening and/or stamped or textured bridge walls.

d) INDOT and/or its consultants will provide any materials needed for review by the Advisory Team at least fifteen (15) days before scheduled meetings. In addition to comments voiced in meetings, Advisory Team members may provide written comments to the chair within fifteen (15) days following the scheduled meeting. Meeting summaries will be distributed to all attendees, FHWA, and INDOT following each meeting. Should the Indiana SHPO elect to not participate in the Advisory Team, the minutes of the design meetings will be forwarded to the Indiana SHPO for review and comment.

e) INDOT and/or its consultants will be responsible for transmitting plans at the thirty (30) percent design phase and the sixty (60) percent design phase to the Indiana SHPO for review and comment should the Indiana SHPO elect to not participate in the in the Advisory Team meetings,.

f) Based on the comments provided by the Advisory Team members, the chair will develop recommendations and submit them to FHWA for consideration and action.

g) INDOT and/or its consultant shall be responsible for providing final design plans, or one hundred (100) percent design, provided to members of the Advisory Team and the Indiana SHPO for their records.

h) FHWA shall have the authority for final approval of actions recommended by the Advisory Team regarding the implementation of measures to avoid, minimize, or mitigate effects to the Southside German Market Gardeners Historic District.

## **B. Education and Interpretation**

FHWA and INDOT shall ensure Education and Interpretation are implemented in the following manner. The execution of this stipulation shall be considered to satisfy, for the Section 6 Project, the commitment in Stipulations II.C.2 and II.C.3. of the 2003 I-69 Tier 1 MOA.

1. INDOT shall fund the manufacture and the installation of an interpretive sign within the boundaries of the Southside German Market Gardeners Historic District or at a neighboring park or public space with a connection to the District. The interpretative sign shall provide information about the history of these resources in Section 6 of the Tier 2 Study. The design and graphic content of the sign may focus on German Ethnic Heritage in Indianapolis and/or Market Gardening in Indianapolis. The proposed locations, design, and content (text and illustrations) of the interpretive signage will be prepared by a qualified professional historian and shall be submitted to the Advisory Team and Indiana SHPO at thirty (30) and sixty (60) percent completion for review and comment. If the Advisory Team and/or Indiana SHPO do not respond within thirty (30) days, acceptance will be assumed. If the Advisory Team and/or Indiana SHPO responds with recommendations, a good faith effort to accommodate the recommendations will be made. Content, graphic design, and final design plans for the interpretative signs will be provided to Advisory Team and the SHPO for their records.

2. INDOT shall fund the preparation a NRHP District Nomination Documentation, if given consent by the majority of property owners within the Southside German Market Gardeners Historic District. This NRHP Nomination Documentation will serve as an educational component to disseminate information about the history of the District. The NRHP Nomination Documentation shall be made available as a paper copy at selected repositories

in Marion County and in an electronic format on selected websites including but not limited to those of the NRHP (National Park Service), Indiana Department of Natural Resources/Division of Historic Preservation and Archaeology ("IDNR/DHPA"), and INDOT.

**3.** FHWA and INDOT shall ensure that the NRHP Nomination Documentation is completed. If the application preparation is not undertaken directly by INDOT, INDOT shall provide funding to a consultant for activities performed in preparation of the application. INDOT and/or its consultant shall prepare and submit the first draft of the application to the Indiana SHPO within two years of the project's construction letting.

**a)** The qualified professional shall contact the National Register Survey and Registration staff at the Indiana Division of Historic Preservation and Archaeology (IDNR/DHPA) /Indiana SHPO prior to beginning work on the application to discuss the National Register process and expectations for completion of the application.

**b)** Prior to preparing the application to the Indiana SHPO, INDOT shall publicize and hold a public meeting for the purpose of informing property owners and residents of the proposed district and other interested persons about the National Register and application process.

**c)** Photographs of the district that are required to be included in the application shall be taken by the qualified professional within the twelve-month period immediately preceding the submission of the application to the Indiana SHPO, and all such photographs shall be taken either before the commencement of construction of this project or after the completion of this project.

**d)** INDOT's obligation to prepare the application shall be considered satisfied when the Indiana SHPO notifies INDOT and/or its consultant that the application is complete and suitable for presentation to the Indiana Historic Preservation Review Board.

**4.** INDOT shall fund the preparation of the NRHP Nomination Documentation for the Reuben Aldrich Farm, if the property owner gives permission for the preparation of the nomination. This NRHP Nomination Documentation will provide a means to disseminate information about the history of agriculture. The NRHP Nomination Documentation shall be made available as a paper copy at selected repositories in Morgan County and in an electronic format on selected websites including but not limited to those of the NRHP (National Park Service), IDNR/DHPA, and INDOT.

**5.** FHWA and INDOT shall ensure that the NRHP Nomination Documentation for the Aldrich Farm is completed. If the application preparation is not undertaken directly by INDOT, INDOT shall provide funding to a consultant for activities performed in preparation of the application. INDOT or its consultant shall prepare and submit the application to the Indiana SHPO within two years of the project's construction letting.

**a)** The qualified professional shall contact the Survey and Registration staff at the IDNR/DHPA prior to beginning work on the application to discuss the National Register process and expectations for completion of the application.

**b)** Photographs of the property that are required to be included in the application shall be taken by the qualified professional within the twelve-month period immediately preceding the submission of the application to the IDNR/DHPA/Indiana SHPO, and all such photographs shall be taken either before the commencement of construction of this project or after the completion of this project.

**c)** INDOT's obligation to prepare the application shall be considered satisfied when the Indiana SHPO notifies INDOT and/or its consultant that the application is complete and suitable for presentation to the Indiana Historic Preservation Review Board.

**6.** INDOT shall fund the manufacture and the installation of a commemorative plaque for the Reuben Aldrich Farm upon acceptance of the Reuben Aldrich Farm for listing in the

NRHP, if the property owner provides permission for the installation and for access to the property. The plaque will state that the Reuben Aldrich Farm is listed in the NRHP and will be affixed to one of the buildings that contribute to the significance of the property. INDOT's obligation to manufacture and install the plaque should be completed within one year of the property's listing in the NRHP.

### **C. Modification or Modifications (“Modifications”) of the Project with Respect to Aboveground Resources**

If the Section 6 Project is modified after a finding of effect has been issued, then FHWA shall review the Section 6 Project modifications and proceed by complying with II.C.1. and, if appropriate, II.C.2. References to FHWA also apply to INDOT, wherever INDOT is authorized to act on FHWA's behalf.

1. FHWA shall determine whether any modifications have the potential to cause adverse effects on aboveground resources, if any are found to exist within the area in which the modifications may cause effects.

a) If FHWA determines that the project modifications do not have the potential to cause adverse effects on aboveground resources, then FHWA or INDOT shall document that determination in its records, and no further review or consultation with respect to those modifications' effects on aboveground properties is required for purposes of this MOA.

b) If FHWA determines that the project modifications have the potential to adversely affect aboveground resources, then FHWA or INDOT shall proceed to review the modifications in accordance with Stipulation II.C.2.

c) Prior to determining whether the project modifications have the potential to adversely affect aboveground resources, FHWA may submit, for the Indiana SHPO's files, copies of reports generated as a result of modifications or may request the opinion of the Indiana SHPO about identification, evaluation, effects assessment or avoidance, minimization or mitigation or about any other issue under federal or state preservation or archaeological law pertaining to the project, provided that such a request for an opinion is not substituted for formal consultation under Stipulation II.C.2. The Indiana SHPO shall have thirty (30) days to respond to such a request.

2. If FHWA determines that a project modification has the potential to cause adverse effects on aboveground resources, then FHWA shall re-open the Section 106 consultation process in accordance with the 36 C.F.R. part 800 regulations that are in effect on the date upon which this MOA has been signed by the last of all required and invited signatories.

a) The re-opened consultation shall occur with regard only to:

(i) Adverse effects assessment, or avoidance, minimization or mitigation of adverse effects related to the project modifications, for previously-evaluated aboveground properties within the APE, or

(ii) Identification, evaluation, adverse effects assessment, or avoidance, minimization or mitigation of adverse effects related to the project modifications, for aboveground properties, within the area added to the APE, as a result of the expansion of the APE.

(iii) Except that if Stipulation III.B. also requires re-opening the Section 106 process for identification, evaluation, or adverse effects assessment or for avoidance, minimization, or mitigation of adverse effects, then any such activities pertaining to archaeological resources also shall be included in the consultation.

b) FHWA shall consult with the consulting parties listed in Attachment C and other parties, as appropriate, except to the extent that the public disclosure of information about resources is withheld or limited under Stipulation III.A.3.

- c) FHWA shall issue a new finding, supported either by revised documentation or by an update to the documentation, regardless of whether additional, or different kinds of, adverse effects have been found to result from the modification of the project.

### III. TREATMENT OF ARCHAEOLOGICAL RESOURCES

#### A. Statutory and Regulatory Standards

1. The studies completed pursuant to Stipulation III.E. shall demonstrate a level of effort consistent with the 36 C.F.R. part 800 regulations in effect on the date upon which the last of the required signatories has signed this MOA and provide FHWA with the information to determine, in consultation with the Indiana SHPO, which archaeological properties are eligible for inclusion in the NRHP. FHWA shall acknowledge and seek the special expertise of any federally recognized Indian Tribes which have previously entered into consultation in assessing the eligibility of historic properties and/or that may possess religious and cultural significance to them.
2. In implementing Stipulation III.A through III.F., INDOT may consult with the consulting parties listed in Attachment C and others identified in accordance with the 36 C.F.R. part 800 regulations in effect on the date upon which this MOA is fully executed.
3. In accordance with Section 304 of the NHPA and the 36 C.F.R. part 800 regulations in effect on the date upon which this MOA is fully executed INDOT and its consultants, shall ensure that sensitive information regarding the nature and location of human remains and grave goods, and the location, character, and ownership of archaeological sites is kept confidential from the public.
4. In ensuring that any human remains and grave goods identified are treated in a sensitive, respectful, and careful manner, INDOT shall be guided by the Council's "Policy Statement Regarding Treatment of Human Remains and Grave Goods" (February 23, 2007) and the Native American Graves Protections and Repatriation Act ("NAGPRA") regulations set forth in 43 C.F.R. part 10, and other guidelines as appropriate.
5. If any human remains are encountered during the project, work shall cease in the immediate area and the human remains left undisturbed. INDOT shall contact the county coroner and law enforcement officials immediately, and the discovery must be reported to the Indiana SHPO within two (2) business days. The discovery must be treated in accordance with Indiana Code 14-21-1 and 312 Indiana Administrative Code 22. Work at this site shall not resume until a plan for the treatment of the human remains is developed and approved in consultation with the Indiana SHPO, the INDOT Cultural Resources Office, and any appropriate consulting parties.
6. Modifications to the Section 6 Project which fall outside of the archaeological APE, depicted in Attachment B, dated August 31, 2017, shall be subject to archaeological identification, evaluation and assessment per Stipulations III.B - III.C. If FHWA determines that the modifications have the potential to cause adverse effects on archaeological resources, then FHWA shall re-open the Section 106 process in accordance with the 36 C.F.R. part 800 regulations in effect at that time.
7. Any dispute regarding the report(s) shall be resolved in accordance with Stipulations IV.A.

Upon completion of work, FHWA shall provide copies of final reports to the Indiana SHPO, INDOT, and federally recognized Indian Tribes when appropriate, and afford them thirty (30) days to review and submit comments on the reports. FHWA shall respond to all comments received.

## **B. Identification & Evaluation**

1. Before commencing ground-disturbing activities in the Section 6 Project archaeological APE for the Refined Preferred Alternative (as identified on the Attachment B map dated August 31, 2017), INDOT and/or its consultants shall complete the identification and evaluation of archaeological resources for inclusion in the NRHP in any of these areas of ground disturbance in accordance with applicable Federal and State standards and guidelines listed in Stipulation III.A.
2. INDOT and/or its consultants shall investigate any additional locations where ground-disturbing activities are proposed or where they may occur within temporary easements and permanent right of way.
3. INDOT and/or its consultants shall prepare and distribute a final Identification and Evaluation report in accordance with Stipulations I and III.A.
4. Upon completion of the evaluation, INDOT and/or its consultants shall follow the procedures set forth in the 36 C.F.R. part 800 regulations in effect on the date upon which this MOA is fully executed which shall include updated documentation described in those regulations, if it is determined that no historic properties shall be affected.
5. If FHWA and the Indiana SHPO agree that any archaeological resources identified are not NRHP eligible, then no further action is necessary under the terms of this MOA and FHWA's responsibilities under Section 106 are fulfilled.
6. If FHWA determines any of the NRHP criteria are met and the Indiana SHPO agrees, the archaeological resource shall be considered eligible for the NRHP and treated in accordance with the Stipulations III.C - III.F.
7. If FHWA and the Indiana SHPO do not agree on NRHP eligibility, FHWA shall follow the procedures identified in accordance with Stipulation IV.A.

## **C. Assessment of Effects**

1. In consultation with the Indiana SHPO, federally recognized Indian Tribes that may ascribe traditional cultural and religious significance to affected properties, and other parties whom FHWA deems appropriate, FHWA shall determine if the Section 6 Project shall adversely affect archeological properties determined eligible for inclusion in the NRHP pursuant to the 36 C.F.R. part 800 regulations in effect on the date upon which this MOA is fully executed.
2. If, in consultation with the Indiana SHPO, federally recognized Indian Tribes that may ascribe traditional cultural and religious significance to affected properties, and other parties whom FHWA deems appropriate, FHWA determines the Project may adversely affect NRHP-eligible archeological properties, then FHWA shall make reasonable efforts to avoid or minimize the adverse effect. If, after this consultation, FHWA determines it is not possible to avoid or minimize adverse effects, then FHWA shall treat the archaeological resource in accordance with Stipulation III.F. of the MOA.
3. Any dispute regarding the determination of effects on NRHP-eligible archaeological properties shall be resolved in accordance with applicable Federal and State standards and guidelines listed in Stipulation IV.A.

## **D. Avoidance**

1. Consultation with the Indiana SHPO determined that there is insufficient information regarding archaeological sites 12-Mg-0564, 12-Mg-0565, 12-Mg-0566, 12-Mg-0567, and 12-Mg-0568 to determine whether they are eligible for inclusion in the NRHP. These sites must be avoided or subjected to further archaeological investigations. If avoidance is not feasible, a plan for evaluative testing will be submitted to the SHPO for review and comment.

2. Additionally, consultation with the Indiana SHPO revealed that there is insufficient information regarding archaeological sites 12-Mg-0052, 12-Mg-0334, 12-Mg-0561, 12-Mg-0571, 12-Jo-0010, 12-Jo-0017, 12-Jo-0042, 12-Jo-0044, 12-Jo-0062, 12-Jo-0489, 12-Ma-0052, 12-Ma-0170, 12-Ma-0171, 12-Ma-0174, 12-Ma-0175, and 12-Ma-0241 to determine whether they are eligible for inclusion in the NRHP. However, portions of these sites within the Section 6 Project APE do not appear to contain significant archaeological deposits; and, therefore, no further archaeological investigations are necessary in those portions of the sites. The portions of the sites located outside the Section 6 Project APE will be clearly marked prior to ground disturbing activities so that they are avoided by all project activities. If avoidance is not feasible, a plan for further archaeological investigations will be submitted to the SHPO for review and comment.

3. Similarly, consultation with the Indiana SHPO revealed that there is insufficient information regarding archaeological site 12-Mg-0525 to determine whether it is eligible for inclusion in the NRHP. This site must be avoided by project activities or if it cannot be avoided subjected to additional investigation to make an eligibility determination. Site 12-Mg-0525 lies outside the Section 6 Project APE and will be avoided by all project related ground disturbance.

4. Also in consultation with Indiana SHPO, it has been determined that an Alluvial Floodplain Area near Indian Creek, an Alluvial Floodplain Area (three loci) near Crooked Creek, and an Alluvial Floodplain Area near Honey Creek in the White River valley have the potential for buried cultural deposits and should be avoided by project activities, or if they cannot be avoided, subjected to Phase Ic investigations as necessary to identify and evaluate potential buried archaeological sites.

#### **E. Additional Investigations**

1. Where avoidance is not possible, all archaeological investigations shall be conducted according to applicable Federal and State standards and guidelines listed in Stipulations I and III.A.

2. To maximize the opportunity to avoid adverse effects, the required archaeological investigations shall be conducted as soon as practicable upon securing the appropriate rights to access property.

3. INDOT, in consultation with the Indiana SHPO, and other parties deemed appropriate by INDOT, shall take reasonable measures to avoid disinterment and disturbance to human remains and grave goods of religious and cultural significance to Native Americans, including investigations associated with modifications of the Section 6 Project.

4. Upon completion of any additional investigations, FHWA shall complete the identification and evaluation of archaeological resources for inclusion in the NRHP in accordance with applicable Federal and State standards and guidelines in consultation with the Indiana SHPO and appropriate consulting parties and federally recognized Indian Tribes.

#### **F. Treatment**

If FHWA, in consultation with the Indiana SHPO, federally recognized Indian Tribes that may ascribe traditional cultural and religious significance to affected properties, and other parties whom FHWA deems appropriate, determines that the adverse effect cannot be avoided or minimized, then FHWA shall develop and implement a Treatment Plan(s), as part of the above consultation, to mitigate the adverse effects to an archeological resource on a site-by-site basis. The implementation of the Treatment Plan(s) must be completed for each site prior to the initiation of any Project construction activities within a segment that could affect that site.



#### **IV. ADMINISTRATIVE PROVISIONS**

Disagreement and misunderstanding about how this MOA is or is not being implemented shall be resolved in the following manner:

##### **A. Dispute Resolution**

1. If any signatory or concurring party to this MOA should object in writing to FHWA regarding any action carried out or proposed with respect to the Section 6 Project and implementation of this MOA, then FHWA shall consult with the objecting party to resolve this objection. If after such consultation FHWA determines that the objection cannot be resolved through consultation, then FHWA shall forward all documentation relevant to the objection to the Council, including FHWA's proposed response to the objection. Within forty-five (45) days after receipt of all pertinent documentation, the Council shall exercise one of the following options:

a) Provide FHWA with a staff-level recommendation, which FHWA shall take into account in reaching a final decision regarding its response to the objection; or

b) Notify FHWA that the objection shall be referred for formal comment pursuant to the 36 C.F.R. part 800 regulations in effect at that time, and proceed to refer the objection and comment. FHWA shall take into account the Council's comments in reaching a final decision regarding its response to the objection.

2. If comments or recommendations from the Council are provided in accordance with this stipulation, then FHWA shall take into account any Council comment or recommendations provided in accordance with this stipulation with reference only to the subject of the objection. FHWA's responsibility to carry out all actions under the MOA that are not the subject(s) of the objection shall remain unchanged.

##### **B. Post Review Discovery**

In the event that one or more historic properties—other than the Morgan County Bridge 224 (NBI No. 5500142), Top Notch Farm, East Washington Street Historic District, W.E. Nutter House, Percy Farm and Clear Creek Fisheries, Grassyfork Fisheries Farm No. 1, Reuben Aldrich Farm, Morgan County Bridge No. 166 (NBI No. 5500153), Travis Hill Historic District, John Sutton House, Marion County Bridge No. 4513 F (NBI No.4900484), Cleary-Barnett House, Glenn's Valley Nature Park Retreat House, Glennwood Homes Association Historic District, Le Ciel (Charles Laughner House), and Southside German Market Gardeners Historic District, or the archaeological sites (12-Mg-0525, 12-Mg-0556, 12-Mg-0052, and the Alluvial Floodplain Area south of Martinsville) discussed in Stipulation I.D.1. through I.D.3—are discovered or that unanticipated effects on historic properties are found during the implementation of this MOA, FHWA shall follow the procedure specified in the 36 C.F.R. part 800 regulations in effect at that time, as well as Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29, by stopping work in the immediate area and informing the Indiana SHPO and the INDOT Cultural Resources Office of such unanticipated discoveries or effects within two (2) business days. Any necessary archaeological investigations shall be conducted according to the provisions of Indiana Code 14-21-1, 312 Indiana Administrative Code 22, and the most current versions of the "Guidebook for Indiana Historic Sites and Structures Inventory—Archaeological Sites" and the INDOT Cultural Resources Manual.

##### **C. Amendment**

Any signatory to this MOA may request that it be amended, whereupon the parties shall consult to consider the proposed amendment. The 36 C.F.R. part 800 regulations in effect at the time of the amendment shall govern the execution of any such amendment.

#### **D. Duration**

If the terms of this MOA have not been implemented by December 31, 2032, then this MOA shall be considered null and void. In such an event, FHWA shall so notify the parties to this MOA and, if it chooses to continue with the Section 6 Project, then it shall reinstate review of the Section 6 Project in accordance with the 36 C.F.R. part 800 regulations in effect at that time.

#### **E. Termination**

1. Any signatory to the MOA may terminate it by providing thirty (30) days' notice to the other parties, provided that the parties shall consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, FHWA shall comply with the 36 C.F.R. part 800 regulations in effect at the time that the MOA is terminated regarding the review of the Section 6 Project.
2. In the event that FHWA does not carry out the terms of this MOA, then FHWA shall comply with the 36 C.F.R. part 800 regulations in effect at the time that the MOA is terminated, with regard to the review of the Section 6 Project.

The execution of this MOA and its implementation is evidence that FHWA has afforded the Council an opportunity to comment on the Section 6 Project and its effect on historic properties and that FHWA has taken into account the effects of the Section 6 Project on historic properties.

#### **SIGNATORIES (Required):**

FEDERAL HIGHWAY ADMINISTRATION  
INDIANA STATE HISTORIC PRESERVATION OFFICER

#### **INVITED SIGNATORY:**

INDIANA DEPARTMENT OF TRANSPORTATION

#### **CONCURRING PARTIES**

**SIGNATORY PAGE**

**MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,  
THE INDIANA DEPARTMENT OF TRANSPORTATION AND  
THE INDIANA STATE HISTORIC PRESERVATION OFFICER,  
PURSUANT TO 36 C.F.R. SECTION 800.6(b)(iv)  
REGARDING  
THE I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDY:  
SECTION 6, SR 39 TO I-465**

**IN WASHINGTON, CLAY, MADISON, GREEN, and HARRISON TOWNSHIPS,  
MORGAN COUNTY, INDIANA; WHITE RIVER TOWNSHIP, JOHNSON COUNTY; AND DECATUR  
AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA**

**REQUIRED SIGNATORY**

**FEDERAL HIGHWAY ADMINISTRATION**

**By:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Mayela Sosa,  
Division Administrator  
Federal Highway Administration–Indiana Office

**SIGNATORY PAGE**

**MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,  
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AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA**

**REQUIRED SIGNATORY**

**INDIANA STATE HISTORIC PRESERVATION OFFICER**

**By:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Mitchell Zoll

Deputy State Historic Preservation Officer

Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology

**SIGNATORY PAGE**

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AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA**

**INVITED SIGNATORY**

**INDIANA DEPARTMENT OF TRANSPORTATION**

**By: \_\_\_\_\_ Date: \_\_\_\_\_**

Laura Hilden, Environmental Services Director  
Indiana Department of Transportation

**SIGNATORY PAGE**

**MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,  
THE INDIANA DEPARTMENT OF TRANSPORTATION AND  
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MORGAN COUNTY, INDIANA; WHITE RIVER TOWNSHIP, JOHNSON COUNTY; AND DECATUR  
AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA**

**OPTIONAL: CONCURRING PARTY**

**By: \_\_\_\_\_ Date: \_\_\_\_\_**

**Name and Title: \_\_\_\_\_**

(Typed or printed)

## ATTACHMENT A

### PROJECT DESCRIPTION

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The project is the construction of Section 6 of Interstate 69 (I-69) Evansville to Indianapolis. The Section 6 corridor is located along the State Road (SR) 37 and covers a distance of approximately twenty-six miles through Morgan, Johnson, and Marion Counties before terminating at I-465 in Indianapolis, Indiana. The project also proposes to improve I-465 from approximately Mann Road to United States (US) 31. The I-69 Evansville to Indianapolis project, which is approximately 142 miles in length, is a component of the congressionally designated national I-69 corridor extending more than 2,100 miles from the Canadian border to the Mexican border.

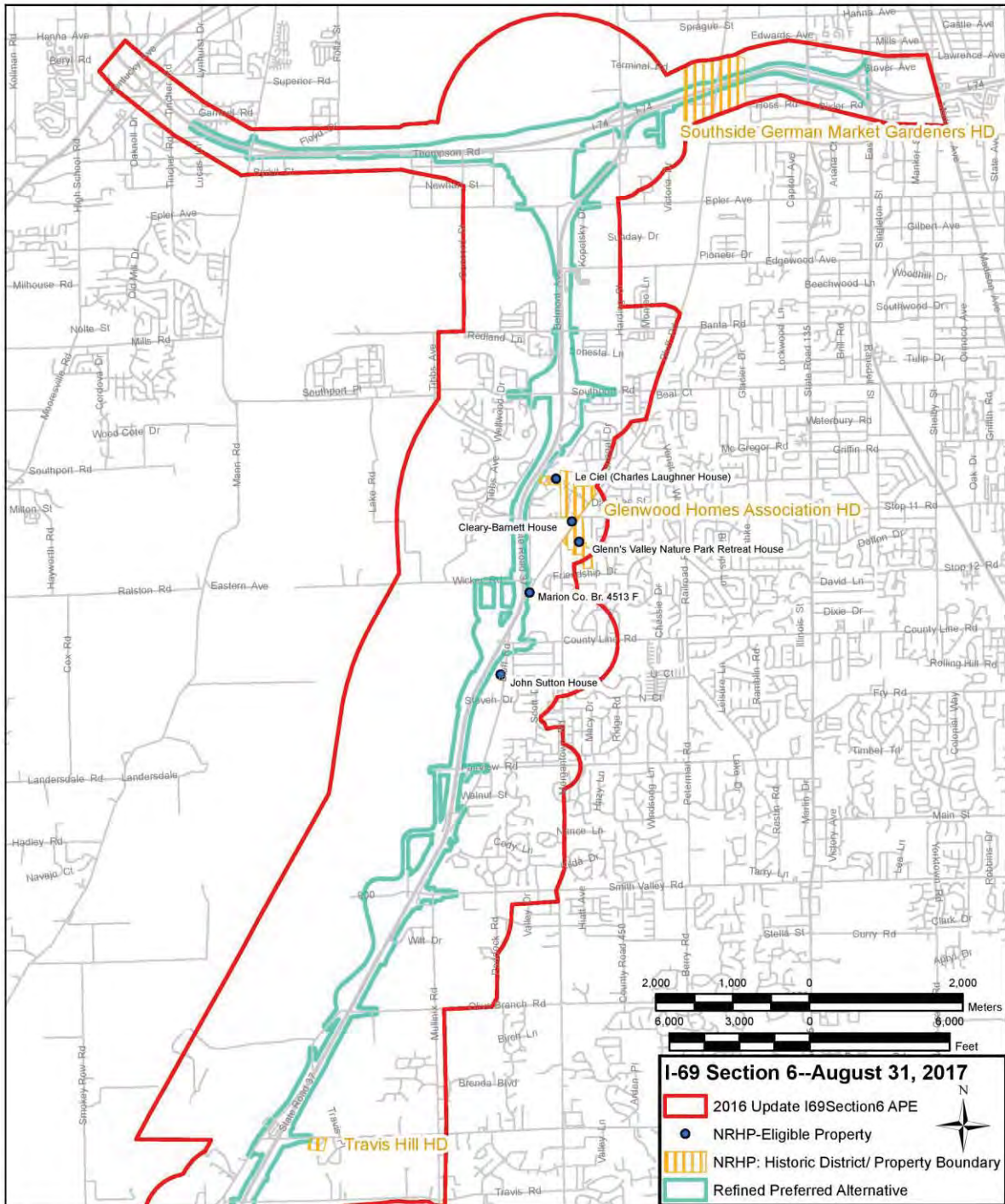
The project area for the SR 37 alternatives of Section 6 is comprised of rural and urban/suburban environments. Those portions of Martinsville and Indianapolis contained within Section 6 are characterized as being predominately clustered modern suburban residential developments along major roads with retail, commercial, and industrial nodes at major intersections and along SR 37. The area becomes more commercial and industrial near Martinsville and Indianapolis. Rural areas of the SR 37 alternatives for Section 6 are characterized by a scattering of commercial and retail businesses along SR 37, with a mix of agricultural land occupied by small farms, modern houses and modern residential developments, and forested land.

The Tier 1 Environmental Impact Statement (EIS) for the I-69 Evansville to Indianapolis project concluded in March 2004. The Federal Highway Administration (FHWA) selected a corridor— Alternative 3C—in its Record of Decision (ROD) and divided the corridor into six Tier 2 sections for detailed study. Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (54 U.S.C. 306108), mandates federal agencies to take into account the effects of their undertakings—i.e., projects wholly or partially funded, permitted, or licensed by a Federal agency—on historic properties. FHWA has allocated federal funds to the Indiana Department of Transportation (INDOT) to use for the Tier 2 Studies of the I-69 Evansville to Indianapolis Project.

On April 29, 2004, FHWA issued a Notice of Intent (NOI) for Section 6 of I-69. In 2006, environmental efforts in I-69 Section 6 were minimized to include only critical management and public outreach activities while other sections of the I-69 undertaking were being completed. On October 15, 2014, FHWA published a revised NOI in the Federal Register to advise the public and resource agencies that Tier 2 studies in I-69 Section 6 were resuming. The revised NOI indicated that the range of alternatives may include alternatives outside of the corridor selected in the Tier 1 ROD. All alternatives evaluated connect Section 5 of I-69 in Martinsville with I-465 in Indianapolis. On March 29, 2016, INDOT and FHWA announced that Section 6 would follow the SR 37 corridor.

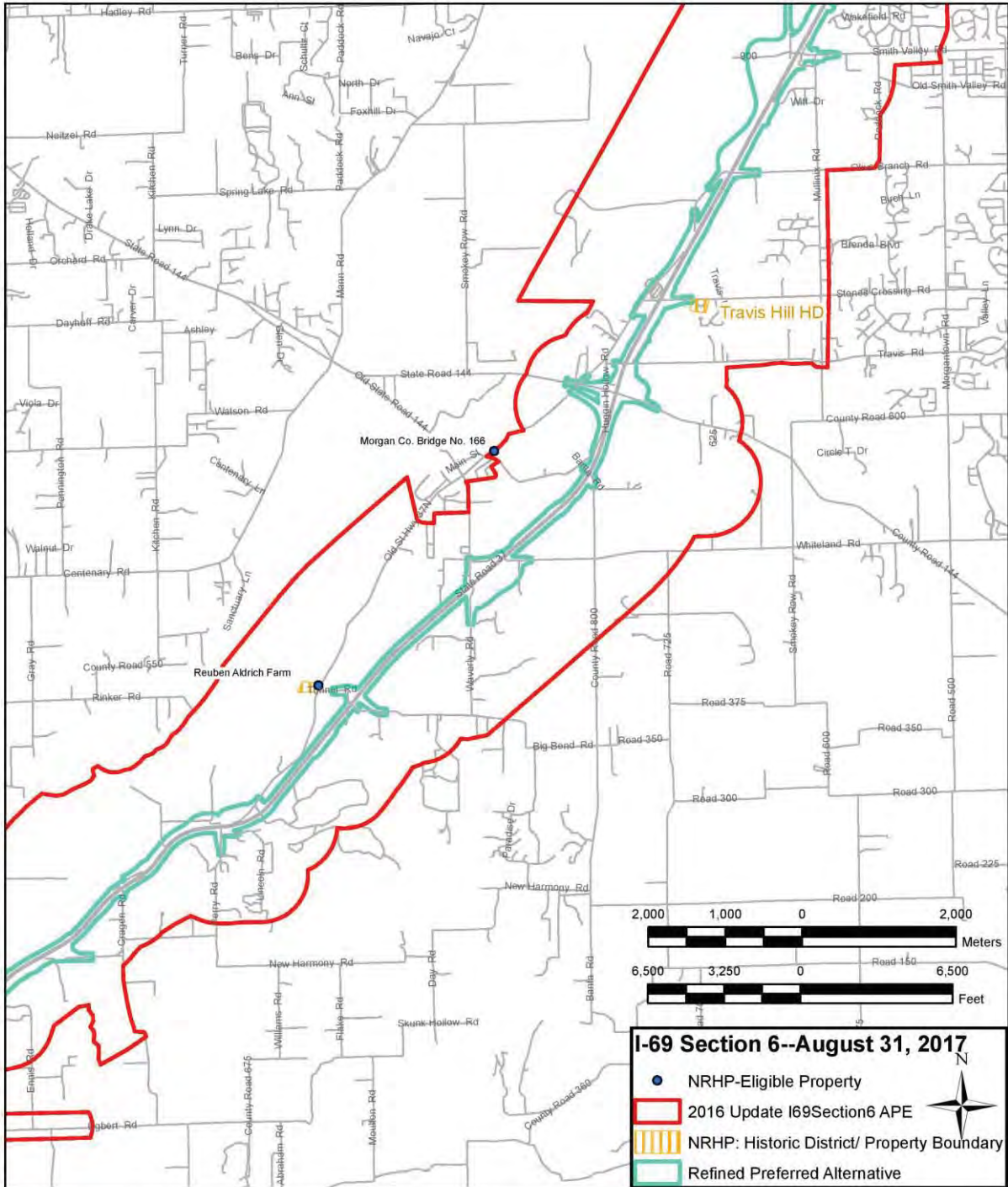
The Section 6 Refined Preferred Alternative is comprised of various features of Alternatives C1, C2, C3, and C4, as presented during consultation.

**ATTACHMENT B**  
**AREA OF POTENTIAL EFFECTS (APE)**

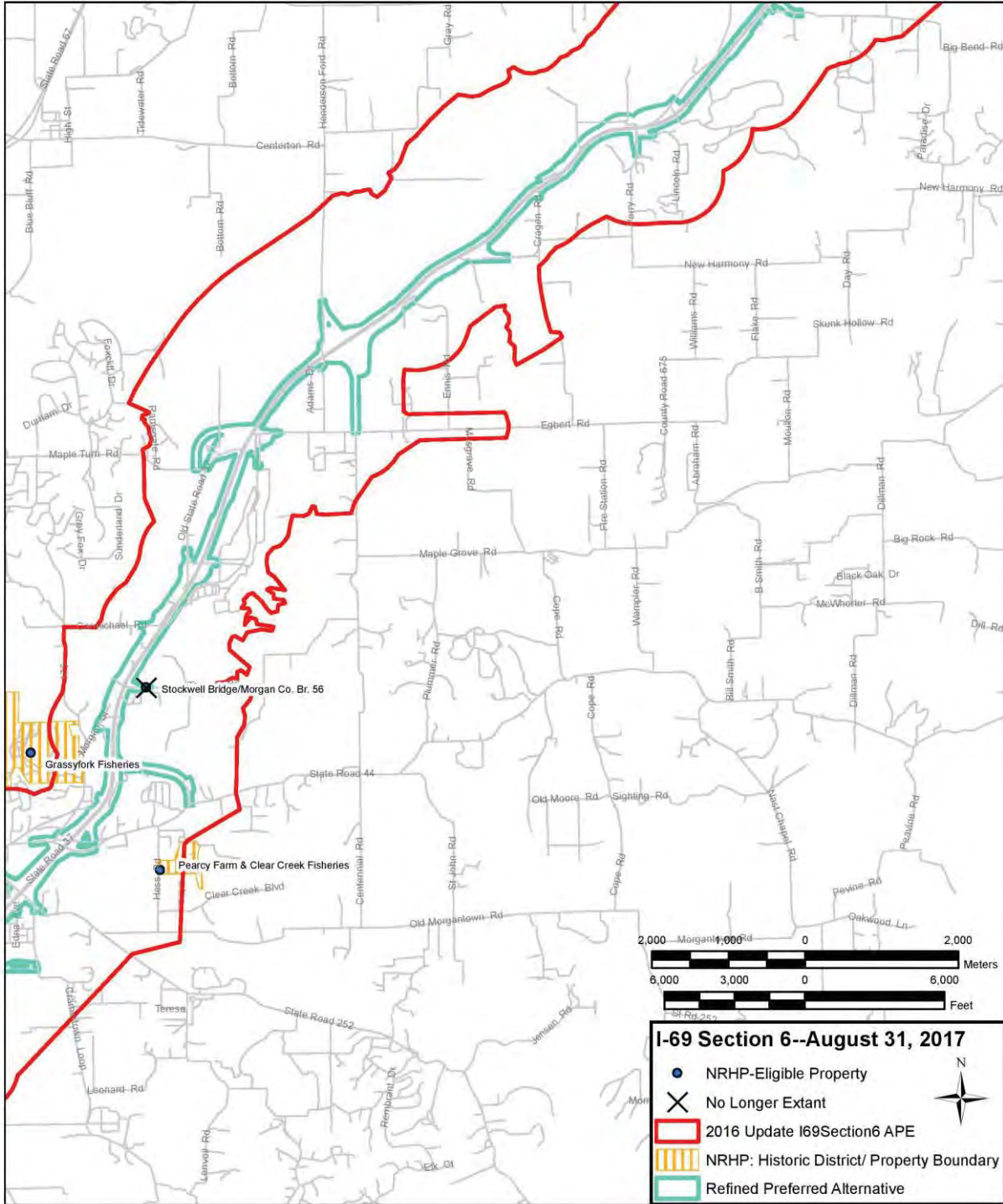


Map 1 of 4

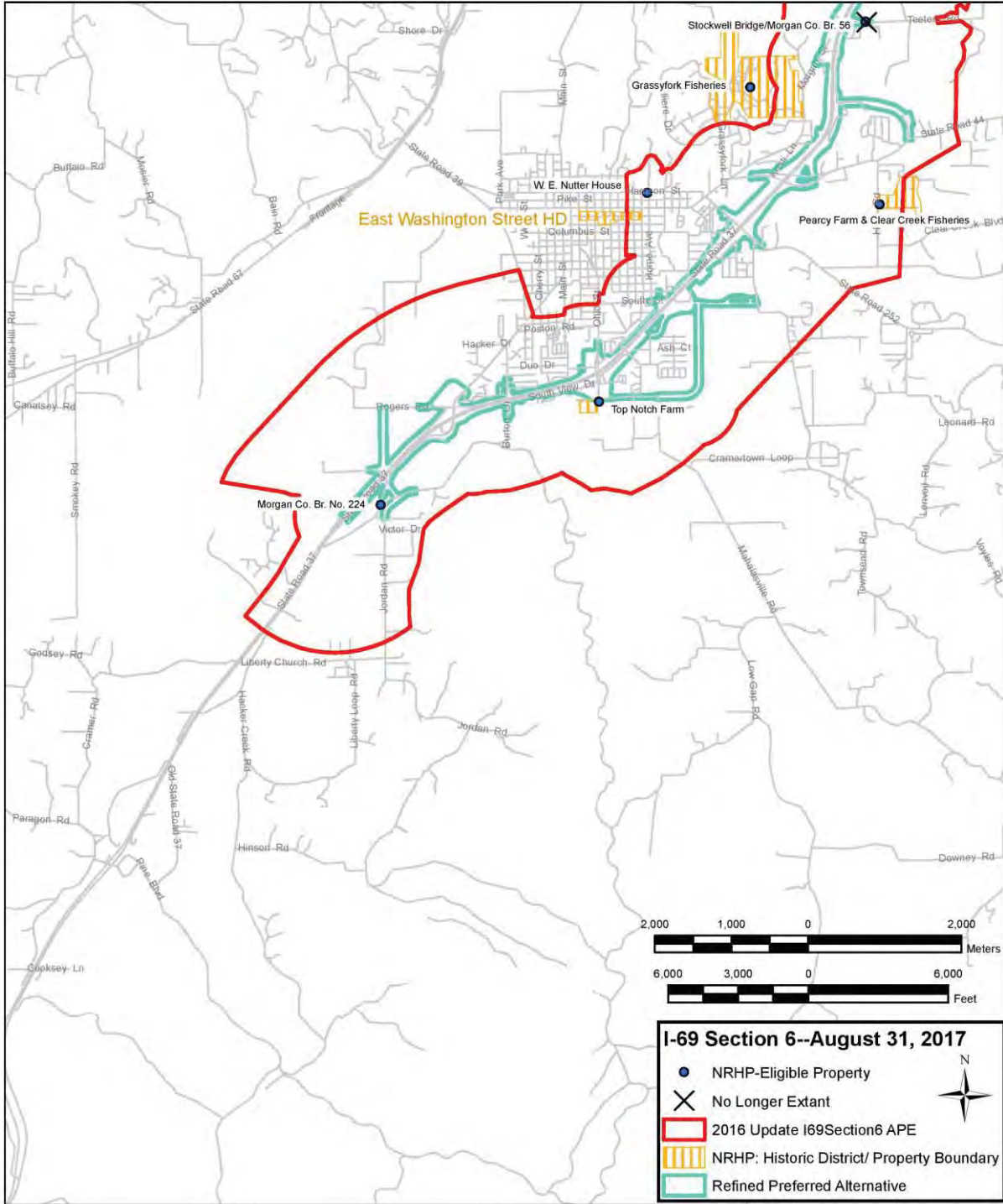




Map 2 of 4



Map 3 of 4



Map 4 of 4

**ATTACHMENT C**  
**LIST OF AGENCIES, TRIBES, AND CONSULTING PARTIES**

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**Agencies and Tribes:**

- Federal Highway Administration
  - Indiana Department of Transportation
  - Indiana State Historic Preservation Officer
  - Peoria Tribe of Indians of Oklahoma
  - Miami Tribe of Oklahoma
  - United Keetoowah Band of Cherokee Indians
  - Chippewa Cree
- 

**Consulting Parties:**

- |  |   |
|--|---|
| • Indiana Landmarks  | • Scott Greenhouse LLC                            |
| • Morgan County Historic Preservation Society & Martinsville Plan Commission | • Julie and Ryan Gettum                           |
| • Pauline Spiegel  | • Anne Bilodeau                                   |
| • Historic SPANs Taskforce   | • Melvin J. Crichton                              |
| • Indianapolis Historic Preservation Commission                              | • Henry and Mary Scheid                           |
| • Dr. James Cooper   | • Jeffery and Beth Line                           |
| • Morgan County Commissioner   | • Todd Bylsma and Beth Dillman                    |
| • City of Martinsville   | • Charles F. Laughner                             |
| • Johnson County Historian   | • Jerry L. Barnett                                |
| • Debra Underwood  | • City of Indianapolis Department of Public Works |
| • Larry and Loretta Hess   | • Lonnie and Marcia Smith                         |
| • Brehob Nursery Inc.  | • Rick Underwood                                  |
| • Mapa Properties LLC  | • Ozark Fisheries                                 |
| • Peaper & Proctor Real Estate LLC   | • M. Duane and C. Dean Leonard                    |
| • Erelyn Novicki Trust and Trustee   | • Ginger Fitzpatrick                              |
| • John W. Demaree, Summit Realty Group                                       | • John and Sandra Harrison                        |



Bethany Natali &lt;bethany@weintrautinc.com&gt;

**I 69 Section 6 (Des. No.: 0300382) Letter from FHWA, Memorandum, and Draft MOA**

1 message

Linda Weintraut &lt;linda@weintrautinc.com&gt;

Wed, Sep 13, 2017 at 2:36 PM

To: Mark Dollase <mdollase@indianalandmarks.org>, ssebree@indianalandmarks.org, jstuttgen@comcast.net, Pauline Spiegel <psspiegel@gmail.com>, Paul Brandenburg <indianabridges@sbcglobal.net>, dbaker@indygov.org, "James L. Cooper" <jlcooper@ccrtc.com>, dhpa@dnr.in.gov, "Carr, John" <Jcarr@dnr.in.gov>, "Slider, Chad" <Cslider@dnr.in.gov>, "Tharp, Wade" <WTharp1@dnr.in.gov>, nvoyles@morgancounty.in.gov, Ross@hollowayengineering.com, maxlois@sbcglobal.net, jdemaree@summitrealtygroup.com, Ann Bilodeau <bilodeau.ann@gmail.com>, Mel Crichton <kj9c@iquest.net>, bethannebylsma@gmail.com, barney8000@comcast.net, don.colvin@indy.gov, Marcia Smith <smithfirepro@aol.com>, dKunderwood@rdc-ics.com, joseph@ozarkfisheries.com, "N. B. Line" <bethline78@gmail.com>, Joseph Cleveland <cleveland07@gmail.com>, chrimmeyers@indygov.com, Sam Burgess <sburgess@indianalandmarks.org>, Sarah Stokely <sstokely@achp.gov>

Cc: Timothy Miller <tnmiller@hntb.com>, "Rubin, Sarah" <SRubin@indot.in.gov>, "Earl, James" <JEARL@indot.in.gov>, Christine Meador <CMeador@hntb.com>, Kia Gillette <kgillette@hntb.com>, "Kumar, Anuradha" <akumar@indot.in.gov>, "Kennedy, Mary" <mkennedy@indot.in.gov>, "Carpenter, Patrick A" <PACarpenter@indot.in.gov>, "Miller, Shaun (INDOT)" <smiller@indot.in.gov>, bethany w <bethany@weintrautinc.com>

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Please respond within thirty (30) days of receipt of this information to Dr. Linda Weintraut at [linda@weintrautinc.com](mailto:linda@weintrautinc.com) or Michelle Allen at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov).

Tribal Historic Preservation Officers or Representatives may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317.233.6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317.226.7344.

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Linda Weintraut, Ph.D.  
Weintraut & Associates, Inc.  
PO Box 5034  
4649 Northwestern Drive  
Zionsville, Indiana 46077  
[317.733.9770 ext. 310](tel:317.733.9770)

[www.weintrautinc.com](http://www.weintrautinc.com)



**I69 Section 6 MOA to CP's.pdf**

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Linda Weintraut &lt;linda@weintrautinc.com&gt;

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**FHWA Project: I 69 Section 6 (Des. No.: 0300382) Letter from FHWA A, Memorandum, and Draft MOA**

1 message

Miller, Shaun (INDOT) &lt;smiller@indot.in.gov&gt;

Wed, Sep 13, 2017 at 3:31 PM

To: Logan Pappenfort <lpappenfort@peoriatribe.com>, Diane Hunter <dhunter@miamination.com>, "ukbthpo-larue@yahoo.com" <ukbthpo-larue@yahoo.com>, "alvin@nei-yahw.com" <alvin@nei-yahw.com>, "melody.henry@nei-yahw.com" <melody.henry@nei-yahw.com>

Cc: "michelle.allen@dot.gov" <michelle.allen@dot.gov>, Linda Weintraut <linda@weintrautinc.com>, "Kumar, Anuradha" <akumar@indot.in.gov>, "Kennedy, Mary" <MKENNEDY@indot.in.gov>, "Hilden, Laura" <lhilden@indot.in.gov>, "Rubin, Sarah" <SRubin@indot.in.gov>, "Earl, James" <JEARL@indot.in.gov>, Beth McCord <bmccord@graypape.com>

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11/15/2017

Weintraut Inc Mail - FHWA Project: I 69 Section 6 (Des. No.: 0300382) Letter from FHWA, Memorandum, and Draft MOA

Tribal Historic Preservation Officers or Representatives may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317.233.6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317.226.7344.

As always thank you for your input,

Shaun Miller

Archaeological Team Lead

INDOT, Cultural Resources Office

[smiller@indot.in.gov](mailto:smiller@indot.in.gov)

(317) 233-6795



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Re: I 69 Section 6 (Des. No.: 0300382) Letter from FHW A, Memorandum, and Draft MOA

1 message

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Mel Crichton <kj9c@att.net>

Thu, Sep 14, 2017 at 11:14 AM

To: Linda Weintraut <linda@weintrautinc.com>

Cc: Bilodeau Ann <bilodeau@comcast.net>, Line Beth <designs915@aol.com>, drook cathy <cadrook@att.net>

Linda

Thanks for keeping us (Glennwood Homes) in the loop, even though (after reading the MOA) it appears that our neighborhood will not be of great concern regarding negative impact from I-69.

Of course, when construction starts, we'll probably moan and groan about the noise, dirt, and traffic on Bluff Road. I am sure that INDOT will do whatever is necessary to minimize these negative effects during construction

Of longer term concern, then, would be the potential for highway traffic noise once I-69 is opened. We hope that INDOT will use "quiet" road surfacing and even noise barriers, and have signs banning engine brakes in residential areas. That's probably an issue that has not yet been addressed, but I am putting our concerns forward now.

Thanks again, and good luck.

Mel Crichton  
(one of the consulting parties)



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## I 69 Section 6 (Des. No.: 0300382) Letter from FHWA, Memorandum, and Draft MOA

1 message

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Linda Weintraut <linda@weintrautinc.com>

Wed, Sep 13, 2017 at 2:36 PM

To: Mark Dollase <mdollase@indianalandmarks.org>, ssebree@indianalandmarks.org, jstuttgen@comcast.net, Pauline Spiegel <ppspiegel@gmail.com>, Paul Brandenburg <indianabridges@sbcglobal.net>, dbaker@indygov.org, "James L. Cooper" <jlcooper@ccrtc.com>, dhpaa@dnr.in.gov, "Carr, John" <Jcarr@dnr.in.gov>, "Slider, Chad" <Cslider@dnr.in.gov>, "Tharp, Wade" <WTharp1@dnr.in.gov>, nvoyles@morgancounty.in.gov, Ross@hollowayengineering.com, maxlois@sbcglobal.net, jdemaree@summitrealtygroup.com, Ann Bilodeau <bilodeau.ann@gmail.com>, Mel Crichton <kj9c@iquest.net>, bethannebylsma@gmail.com, barney8000@comcast.net, don.colvin@indy.gov, Marcia Smith <smithfirepro@aol.com>, dKunderwood@rdc-ics.com, joseph@ozarkfisheries.com, "N. B. Line" <bethline78@gmail.com>, Joseph Cleveland <cleveland07@gmail.com>, chrimmeyers@indygov.com, Sam Burgess <sburgess@indianalandmarks.org>, Sarah Stokely <sstokely@achp.gov>  
Cc: Timothy Miller <tnmiller@hntb.com>, "Rubin, Sarah" <SRubin@indot.in.gov>, "Earl, James" <JEARL@indot.in.gov>, Christine Meador <CMeador@hntb.com>, Kia Gillette <kgillette@hntb.com>, "Kumar, Anuradha" <akumar@indot.in.gov>, "Kennedy, Mary" <mkennedy@indot.in.gov>, "Carpenter, Patrick A" <PACarpenter@indot.in.gov>, "Miller, Shaun (INDOT)" <smiller@indot.in.gov>, bethany w <bethany@weintrautinc.com>

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Linda Weintraut, Ph.D.  
Weintraut & Associates, Inc.  
PO Box 5034  
4649 Northwestern Drive  
Zionsville, Indiana 46077  
[317.733.9770 ext. 310](tel:317.733.9770)

[www.weintrautinc.com](http://www.weintrautinc.com)



**169 Section 6 MOA to CP's.pdf**

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## FHWA Project: I 69 Section 6 (Des. No.: 0300382) Letter from FHWA A, Memorandum, and Draft MOA

1 message

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Miller, Shaun (INDOT) <smiller@indot.in.gov>

Wed, Sep 13, 2017 at 3:31 PM

To: Logan Pappenfort <lpappenfort@peoriatribe.com>, Diane Hunter <dhunter@miamination.com>, "ukbthpo-larue@yahoo.com" <ukbthpo-larue@yahoo.com>, "alvin@nei-yahw.com" <alvin@nei-yahw.com>, "melody.henry@nei-yahw.com" <melody.henry@nei-yahw.com>

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As always thank you for your input,

Shaun Miller


Archaeological Team Lead

INDOT, Cultural Resources Office

[smiller@indot.in.gov](mailto:smiller@indot.in.gov)

(317) 233-6795

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 I69 Section 6 MOA to CP's.pdf  
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September 14, 2017

Sarah Rubin  
Project Manager  
Indiana Department of Transportation  
I-69 Section 6 Project Office  
7847 Waverly Road  
Martinsville, Indiana 46151

Federal Agency: Federal Highway Administration ("FHWA")

Re: I-69 Section 6, Evansville to Indianapolis: August 14, 2017, Section 6 Resource Agency  
Comment Response Meeting #2; draft, written responses to state and federal agency comments, and  
final meeting minutes of June 27, 2017, DEIS Comment Resolution Meeting minutes; written  
information presented or referred to during the August 14 meeting (FHWA-IN-EIS01-D; Des. No.  
0300382; DHPA No. 4615)

Dear Ms. Rubin:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the National Environmental Policy Act of 1969 (42 U.S.C § 4321, *et seq.*), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed the submitted materials, which were received on August 4 and September 1, 2017, for the Section 6 project that is proposed to be built in Morgan County, Johnson County, and Marion County, in Indiana.

We have no questions or comments about the comment responses provided in James Earl's August 4, 2017, e-mail or during the August 14 Comment Resolution Meeting #2 and follow-up information provided by Mr. Earl by e-mail on September 1, 2017.

In regard to potential impacts upon archaeological resources by the proposed project, we direct your attention to the comments that we included in our letters of April 14, 2016, and June 19, 2017; both to Kia Gillette (then at Lochmueller Group).

Additionally, as previously indicated, we note that portions of the proposed project area appear to lie within 100 feet of Old Mount Olive Cemetery (CR-55-64 in the Indiana DHPA SHAARD database system) and within 100 feet of Bell Cemetery (CR-49-57 in the Indiana DHPA SHAARD database system). Please note that, if the proposed project area includes any areas within 100 feet of a cemetery, then a cemetery development plan may be necessary under IC 14-21-1-26.5. The aforementioned cemetery must be avoided by all project activities, and provisions of relevant state statutes regarding cemeteries (including IC 14-21-1 and IC 23-14) must be adhered to. Please also be aware of Indiana Code 23-14-44-1 and Indiana Code 23-14-44-2, regarding restrictions on roads and utility construction in cemeteries.

In Dr. Linda Weintraut's September 13, 2017, e-mail and the September 13 letter from FHWA that she had attached, the changes to the project alignment or design near three historic properties (now referred to as the Refined Preferred Alternative) that were described in the August 14 meeting and a draft, Section 106 memorandum of agreement are mentioned. We will be commenting on those documents from a Section 106 perspective in separate letter within the next few weeks.

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or [wtharp1@dnr.IN.gov](mailto:wtharp1@dnr.IN.gov). Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or [jcarr@dnr.IN.gov](mailto:jcarr@dnr.IN.gov).

In all future correspondence regarding the I-69 Evansville to Indianapolis: Tier 2 Study: Section 6 (FHWA-IN-EIS-17-01-D; Des. No. 0300382), please refer to DHPA No. 4615.

Very truly yours,



Mitchell K. Zoll  
Deputy State Historic Preservation Officer

MKZ:WTT:JLC:jlc

emc: Janice Osadczuk, Federal Highway Administration, Indiana Division  
Michelle Allen, Federal Highway Administration, Indiana Division  
Sarah Rubin, Indiana Department of Transportation  
James Earl, P.E., Indiana Department of Transportation  
Laura Hilden, Indiana Department of Transportation  
Anuradha Kumar, Indiana Department of Transportation  
Patrick Carpenter, Indiana Department of Transportation  
Mary Kennedy, Indiana Department of Transportation  
Shaun Miller, Indiana Department of Transportation  
Shirley Clark, Indiana Department of Transportation  
I-69 Section 6 Project Office  
Christine Meador, HNTB Corporation  
Rich Connolly, HNTB Corporation  
Timothy Miller, HNTB Corporation  
Kia Gillette, HNTB Corporation  
Michael Grovak, Lochmueller Group  
Jason DuPont, P.E., Lochmueller Group  
Linda Weintraut, Ph.D., Weintraut & Associates, Inc.  
Beth McCord, Gray & Pape, Inc.  
Matt Buffington, Indiana Department of Natural Resources, Division of Fish and Wildlife  
Mitchell Zoll, Deputy State Historic Preservation Officer, Indiana Department of Natural Resources  
Chad Slider, Indiana Department of Natural Resources, Division of Historic Preservation and Archaeology  
John Carr, Department of Natural Resources, Division of Historic Preservation and Archaeology  
Wade T. Tharp, Department of Natural Resources, Division of Historic Preservation and Archaeology

**From:** Marcia Smith <[smithfirepro@aol.com](mailto:smithfirepro@aol.com)>  
**Date:** September 30, 2017 at 3:13:21 PM EDT  
**To:** [linda@weintrautinc.com](mailto:linda@weintrautinc.com)  
**Subject:** **Historic Property**

Thank you for your letter dated September 13, 2017. Am I understanding correctly, there will be no adverse effect to our property, involving I69? Is there anything required of us at this point? Thank you for including us in your correspondence,  
Sincerely,

Lonnie and Marcia Smith  
[7020 Old St. Rd. 37 N.](#)

*Sent from my Verizon 4G LTE Droid*





Bethany Natali &lt;bethany@weintrautinc.com&gt;

---

**Re: Historic Property**

1 message

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**Bethany Natali** <bethany@weintrautinc.com>  
To: Marcia Smith <smithfirepro@aol.com>  
Cc: Linda Weintraut <linda@weintrautinc.com>

Tue, Oct 3, 2017 at 11:06 AM

Hello Ms. Smith,

I am writing in response to your email to Linda Weintraut. It is our understanding that the refined preferred alternative will have less of an impact than previously thought at the Reuben Aldrich Property, but that FHWA and INDOT continue to find the project will have an "Adverse Effect" (per FHWA's signed finding of February 2017). The draft Memorandum of Agreement (MOA) that was provided via the link to INSCOPE on September 13, 2017, includes language that would allow the property owner of the Reuben Aldrich Farm to consult with INDOT about the planting of vegetative screening, the preparation of a National Register Nomination, and the purchase of a plaque if the property is listed on the National Register.

You are not required to do anything at this point; however, you are welcome to provide comments on any of the materials that were provided via the link to INSCOPE on September 13, 2017.

Kind regards,

Bethany Natali

On Tue, Oct 3, 2017 at 7:19 AM, Linda Weintraut &lt;linda@weintrautinc.com&gt; wrote:

Linda Weintraut

Begin forwarded message:

---

**From:** Marcia Smith <smithfirepro@aol.com>  
**Date:** September 30, 2017 at 3:13:21 PM EDT  
**To:** linda@weintrautinc.com  
**Subject:** Historic Property

Thank you for your letter dated September 13, 2017. Am I understanding correctly, there will be no adverse effect to our property, involving I69? Is there anything required of us at this point? Thank you for including us in your correspondence,

Sincerely,

Lonnie and Marcia Smith  
7020 Old St. Rd. 37 N.*Sent from my Verizon 4G LTE Droid*--  
Bethany Natali

Historian  
Weintraut & Associates, Inc.  
PO Box 5034  
Zionsville, Indiana 46077  
T: (317) 733-9770 ext. 311  
F: (317) 733-9773  
[www.weintrautinc.com](http://www.weintrautinc.com)



October 16, 2017

Linda Weintraut, Ph.D.  
Weintraut & Associates, Inc.  
Post Office Box 5034  
Zionsville, Indiana 46077

Federal Agency: Federal Highway Administration ("FHWA")

Re: FHWA's September 13, 2017, letter, Weintraut & Associates' September 8, 2017, memorandum on the Refined Preferred Alternative, and the draft memorandum of agreement (Version September 11, 2017) for I-69 Section 6, Evansville to Indianapolis: August 14, 2017, Section 6 Resource Agency (HDA-IN; Des. No. 0300382; DHPA No. 4615)

Dear Dr. Weintraut:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the National Environmental Policy Act of 1969 (42 U.S.C § 4321, *et seq.*), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed Weintraut & Associates' review request submittal form dated September 14, 2017, FHWA's letter dated September 13, Weintraut & Associates' September 8, 2017, memorandum, and the September 11 draft memorandum of agreement ("MOA") for the I-69 Section 6 project that is proposed to be built in Morgan, Johnson, and Marion counties in Indiana.

We agree with the memorandum on the Refined Preferred Alternative ("RPA") that the *degree* of effect that previously was assessed for each, identified historic property at the time FHWA issued its February 14, 2017, findings of effect would not be any greater under the RPA, even though several aspects of the design have changed since then, and that the overall effect finding for the Refined Preferred Alternative should be Adverse Effect, as it was at the time of the February 14 finding. With regard to the conclusions of the memorandum on the RPA, however, please see our question below about Stipulation II.C. of the draft MOA.

The last sentence of Stipulation II.A.2.d) and the sole sentence in Stipulation II.A.2.e) are well-intentioned efforts to allow the Indiana SHPO to remain involved in the matters considered by the Advisory Team, even if the Indiana SHPO staff is unable to attend the Advisory Team meetings. However, we do not think those additional efforts to include us are necessary. As we understand those two stipulations, the Indiana SHPO would be presumed to be a member of the Advisory Team, whether or not his staff attends a particular Advisory Team meeting, and we would receive the materials before the meetings and meeting minutes afterward and could still comment on those, if we chose to do so. However, if we elect not to participate in one or more of the meetings, it likely would be because the greatest weight should be given to the opinions of local members of the Advisory Team, rather than to our opinions, and because of our other project review workload at the time.

Similarly, we do not think that it is necessary to refer to "the Advisory Team and Indiana SHPO" (or just "SHPO") in Stipulation II.B.1. with regard to submissions on the interpretive signage. It should be sufficient to refer there to "the Advisory Team," which would include the Indiana SHPO, whether or not we choose to comment on the sign at 30% and 60% of the completion of the design of the signage.

Furthermore, II.B.1. refers to "an interpretive sign," "the interpretive sign," "the sign," "proposed locations . . . of the interpretive signage," and "interpretive signs." We think that it would be appropriate to commit to more than one interpretive sign, but, in any case, the language should be consistently singular or plural.

The draft MOA, in Stipulation II.C., deals with situations in which “the Section 6 Project is modified after a finding of effect has been issued.” It appears to be consistent with stipulations on that kind of situation for the other I-69 projects. Is this the authority by which, as FHWA’s September 13 letter states, “FHWA and INDOT have determined the RPA will not result in any change of effects” from the February 14 finding, or will a new finding be issued for the RPA?

We have several comments and recommendations for the stipulations pertaining to the preparation of National Register of Historic Places (“NRHP”) nomination applications. It is apparent that you have drafted them with comments and recommendations that we have made on draft MOA’s for other highway projects, and we appreciate your efforts to anticipate our concerns. Even so, as we learn from past experience, our opinions about that kind of stipulation evolve over time. Also, we take into consideration the circumstances of a given project and of the historic property involved and sometimes modify our recommendations accordingly.

Stipulations II.B.2., 3., 4., and 5. use the term “NRHP District Nomination Documentation” or NRHP Nomination Documentation.” We think that a more appropriate term would be “NRHP nomination application” or “application for nomination to the NRHP.” It occurred to us that referring to that document as “documentation” might imply an intention to provide for a fallback mitigation measure, in the form of a partially-completed NRHP application nomination or an equivalent report, in the event it becomes impossible to undertake the preparation of the NRHP nomination application as a result of property owner objection or lack of cooperation. However, the way in which the first sentences of both II.B.2. and II.B.4. are written makes the funding of the preparation of the NRHP Nomination Documentation (or nomination application) contingent on property owner consent. Consequently, the NRHP nomination application would not even be prepared as substitute mitigation if property owner consent cannot be obtained up front. If FHWA and INDOT wish to provide for fallback mitigation (*e.g.*, in the event the property owner or owners do not consent), then that should be spelled out, probably in a separate paragraph within II.B.

Stipulations II.B.2. and II.B.4. require providing the NRHP nomination applications to the Indiana Department of Natural Resources/Division of Historic Preservation and Archaeology (or IDNR/DHPA) in an electronic format. However, if either of the NRHP nomination applications is successful in obtaining NRHP listing for the property, then we will post the contents of the nomination in SHAARD. We do not otherwise have a web page on which the application would be displayed.

We recommend that the following language be added to the end of the single-sentence in both Stipulation II.B.3.a) and II.B.5.a): “and to verify the NRHP eligibility and the boundaries of the property.”

Stipulations II.B.3.c) and II.B.5.b) appropriately require that NRHP nomination application photographs be taken either before or after project construction. Construction equipment, stockpiled construction materials, and signs of excavation or construction in progress would not enhance the views of the historic property. This would be especially applicable to the Southside German Market Gardeners Historic District. However, in this project, it does not seem essential to us that the photographs be taken within twelve months of the submission of the application to the Indiana SHPO. The time frame allowed in the NPS guidance should suffice.

However, in the case of the Reuben Aldrich Farm, we think it would be advisable to obtain the photographs (especially interior photographs) sooner, rather than later. The NRHP nomination application possibly could be completed even if the owner later changed his or her mind or if the property is transferred to a new owner before the application is completed. That way, even with owner objection, it might be possible to obtain a formal determination of eligibility from the Keeper of the NRHP, even if the property could not be listed (see our comments above about fallback mitigation). Also, because Stipulation II.A.1. provides for the planting of vegetative screening on the Reuben Aldrich Farm, with owner consent, it would be better to take the exterior photographs before the vegetative screening is planted, so that it does not become impossible to take those photographs unobscured from certain angles. It would be advisable for FHWA or INDOT in the near future to write to the current owner of the Reuben Aldrich Farm and request a written consent to the preparation of the NRHP nomination application and to providing access, to the property, including the interior of the house, for the purpose of preparing the application. The foregoing advice may not need to be formally incorporated into the MOA, but we recommend that FHWA, INDOT, and their consultants consider whether it would be prudent to head it.

The Southside German Market Gardeners Historic District is in a different situation with regard to photographs, because only exterior views of buildings and structures would be necessary, and it seems plausible that they could be obtained from the existing Bluff Road or I-465 rights-of-way, even if property owner consent could not be obtained.

The eleventh “whereas” clause in the preamble to the draft MOA acknowledges that archaeological investigation in parts of the RPA’s archaeological APE are incomplete. Stipulation III.A.6. makes a commitment to carry out archaeological identification, evaluation, and assessment for “[m]odifications to the Section 6 Project which fall outside of the archaeological APE, depicted in

Attachment B, dated August 31, 2017.” However, the maps in Attachment B in this draft MOA show the 2016 updated APE for *all* direct and indirect effects and what appear to be the boundaries of the entire RPA. Much of the RPA was included in the Preferred Alternative on which the February 14 findings of effect were made. Consequently, we do not know how to determine from the maps in Attachment B which areas “fall outside of the archaeological APE.”

As previously indicated, in regard to potential impacts upon archaeological resources by the proposed project, we direct your attention to the comments that we included in our letters of April 14, 2016, and June 19, 2017; both to Kia Gillette (then at Lochmueller Group).

Additionally, as previously indicated, we note that portions of the proposed project area appear to lie within 100 feet of Old Mount Olive Cemetery (CR-55-64 in the Indiana DHPA SHAARD database system) and within 100 feet of Bell Cemetery (CR-49-57 in the Indiana DHPA SHAARD database system). Please note that, if the proposed project area includes any areas within 100 feet of a cemetery, then a cemetery development plan may be necessary under IC 14-21-1-26.5. The aforementioned cemetery must be avoided by all project activities, and provisions of relevant state statutes regarding cemeteries (including IC 14-21-1 and IC 23-14) must be adhered to. Please also be aware of Indiana Code 23-14-44-1 and Indiana Code 23-14-44-2, regarding restrictions on roads and utility construction in cemeteries.

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or [wtharp1@dnr.IN.gov](mailto:wtharp1@dnr.IN.gov). Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or [jcarr@dnr.IN.gov](mailto:jcarr@dnr.IN.gov).

In all future correspondence regarding the I-69 Evansville to Indianapolis: Tier 2 Study: Section 6 (HDA-IN; Des. No. 0300382), please continue to refer to DHPA No. 4615.

Very truly yours,



Mitchell K. Zoll  
Deputy State Historic Preservation Officer

MKZ:JLC:WTT:wtt

emc: Janice Osadczuk, Federal Highway Administration, Indiana Division  
Michelle Allen, Federal Highway Administration, Indiana Division  
Sarah Rubin, Indiana Department of Transportation  
James Earl, P.E., Indiana Department of Transportation  
Laura Hilden, Indiana Department of Transportation  
Anuradha Kumar, Indiana Department of Transportation  
Patrick Carpenter, Indiana Department of Transportation  
Mary Kennedy, Indiana Department of Transportation  
Shaun Miller, Indiana Department of Transportation  
Shirley Clark, Indiana Department of Transportation  
I-69 Section 6 Project Office  
Christine Meador, HNTB Corporation  
Rich Connolly, HNTB Corporation  
Timothy Miller, HNTB Corporation  
Kia Gillette, HNTB Corporation  
Michael Grovak, Lochmueller Group  
Jason DuPont, P.E., Lochmueller Group  
Linda Weintraut, Ph.D., Weintraut & Associates, Inc.  
Beth McCord, Gray & Pape, Inc.  
Matt Buffington, Indiana Department of Transportation, Division of Fish and Wildlife  
Mitchell Zoll, Deputy State Historic Preservation Officer, Indiana Department of Transportation  
Chad Slider, Indiana Department of Transportation, Division of Historic Preservation and Archaeology  
John Carr, Indiana Department of Transportation, Division of Historic Preservation and Archaeology  
Wade T. Tharp, Indiana Department of Transportation, Division of Historic Preservation and Archaeology  
Paul Diebold, Indiana Department of Transportation, Division of Historic Preservation and Archaeology  
Holly Tate, Indiana Department of Transportation, Division of Historic Preservation and Archaeology



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Indiana Division** 575 North Pennsylvania Street, Rm 254  
Indianapolis, IN 46204  
October 27, 2017 (317) 226-7475  
(317) 226-7431  
<http://www.fhwa.dot.gov/indiv/>

In Reply Refer To:  
HDA-IN

Dear Consulting Party,

The Federal Highway Administration (FHWA), in cooperation with the Indiana Department of Transportation (INDOT), is preparing an Environmental Impact Statement (EIS) for Section 6 of the I-69 Evansville to Indianapolis Tier 2 Studies (Des. No. 0300382; DHPA No.: 4615). Section 106 of the National Historic Preservation Act (1966) requires Federal agencies to take into account the effects of their undertakings on historic properties. Historic properties are those properties that are listed in, or eligible for listing in, the National Register of Historic Places (NRHP).

On September 13, 2017, consulting parties were notified of the availability of a draft Memorandum of Agreement (MOA) and project information on INSCOPE. Consulting parties were invited to review the documentation and provide comments on the MOA.

Mel Crichton, a property owner from the Glennwood Homes Association Historic District, responded to the mailing via a comment posted the project website and a separate email to Weintraut & Associates on September 14, 2017:

***Mel Crichton Comment:*** Thanks for keeping us (Glennwood Homes) in the loop, even though (after reading the MOA) it appears that our neighborhood will not be of great concern regarding negative impact from I-69. Of course, when construction starts, we'll probably moan and groan about the noise, dirt, and traffic on Bluff Road. I am sure that INDOT will do whatever is necessary to minimize these negative effects during construction. Of longer term concern, then, would be the potential for highway traffic noise once I-69 is opened. We hope that INDOT will use "quiet" road surfacing and even noise barriers, and have signs banning engine brakes in residential areas. That's probably an issue that has not yet been addressed, but I am putting our concerns forward now.

***Response:*** The Glennwood Homes Association Historic District was recommended eligible for the NRHP as part of the Section 106 consultation process. As part of the Section 106 process, it was determined there would be no adverse effect from the project on the historic district. This is because the I-69 Section 6 project is located approximately 578 feet from the historic district and the district is set on a heavily wooded tract of land along Bluff Road. The historic district is accessed via Bluff Road and traffic is expected to decrease as a result of the project at Bluff Road, north of Stop 11 Road, which is the entrance/access to the majority of resources in the district.

Noise barriers will be constructed along Section 6 where deemed reasonable and feasible and supported by the benefited receptors. As part of the environmental review, a noise

analysis was conducted near the Glennwood Homes neighborhood but the projected noise levels in the design year of 2045 did not meet the threshold of a noise barrier. Although a noise barrier is not warranted at this time, it does not prevent a re-evaluation once construction is complete.

Marcia Smith, owner of the Reuben Aldrich Farm, responded to the documentation in an email dated September 30, 2017.

***Marcia Smith Comment:*** Am I understanding correctly, there will be no adverse effect to our property, involving I69? Is there anything required of us at this point? Thank you for including us in your correspondence.

***Response:*** Staff from W&A responded on October 3, 2017, and stated, “It is our understanding that the refined preferred alternative will have less of an impact than previously thought at the Reuben Aldrich Property, but that FHWA and INDOT continue to find the project will have an "Adverse Effect" (per FHWA's signed finding of February 2017). The draft Memorandum of Agreement (MOA) that was provided via the link to INSCOPE on September 13, 2017, includes language that would allow the property owner of the Reuben Aldrich Farm to consult with INDOT about the planting of vegetative screening, the preparation of a National Register Nomination, and the purchase of a plaque if the property is listed on the National Register.

You are not required to do anything at this point; however, you are welcome to provide comments on any of the materials that were provided via the link to INSCOPE on September 13, 2017.”

The Indiana State Historic Preservation Officer (SHPO) responded to the project documentation and MOA in comments dated October 16, 2017.

***SHPO Comment:*** We agree with the memorandum on the Refined Preferred Alternative (“RPA”) that the *degree* of effect that previously was assessed for each, identified historic property at the time FHWA issued its February 14, 2017, findings of effect would not be any greater under the RPA, even though several aspects of the design have changed since then, and that the overall effect finding for the Refined Preferred Alternative should be Adverse Effect, as it was at the time of the February 14 finding. With regard to the conclusions of the memorandum on the RPA, however, please see our question below about Stipulation II.C. of the draft MOA.

***Response:*** Please see responses to comments on Stipulation II.C. below.

***SHPO Comment:*** The last sentence of Stipulation II.A.2.d) and the sole sentence in Stipulation II.A.2.e) are well-intentioned efforts to allow the Indiana SHPO to remain involved in the matters considered by the Advisory Team, even if the Indiana SHPO staff is unable to attend the Advisory Team meetings. However, we do not think those additional efforts to include us are necessary. As we understand those two stipulations, the Indiana SHPO would be presumed to be a member of the Advisory Team, whether or not his staff attends a particular Advisory Team meeting, and we would receive the materials before the meetings and meeting minutes afterward and could still comment on those, if we chose to do so. However, if we elect not to participate in

one or more of the meetings, it likely would be because the greatest weight should be given to the opinions of local members of the Advisory Team, rather than to our opinions, and because of our other project review workload at the time.

**Response:** The reference to the Indiana SHPO has been removed from Stipulation II.A.2.d). The original Stipulation II.A.2.e) has been removed entirely and the following stipulations re-ordered to reflect that deletion.

**SHPO Comment:** Similarly, we do not think that it is necessary to refer to “the Advisory Team and Indiana SHPO” (or just “SHPO”) in Stipulation II.B.1. with regard to submissions on the interpretive signage. It should be sufficient to refer there to “the Advisory Team,” which would include the Indiana SHPO, whether or not we choose to comment on the sign at 30% and 60% of the completion of the design of the signage.

**Response:** References to Indiana SHPO have been removed from Stipulation II.B.1

**SHPO Comment:** Furthermore, II.B.1. refers to “an interpretive sign,” “the interpretive sign,” “the sign,” “proposed locations . . . of the interpretive signage,” and “interpretive signs.” We think that it would be appropriate to commit to more than one interpretive sign, but, in any case, the language should be consistently singular or plural.

**Response:** This stipulation has been revised to refer to “interpretative signage” in order to allow for input from the local community on the number of signs within the district. Similarly, language regarding the potential location of the signage has been changed to broaden the potential location of the signage based on public input. The language has been revised to read: “INDOT shall fund the manufacture and the installation of interpretive signage within the boundaries of the Southside German Market Gardeners Historic District or at a public space with a connection to the District. The interpretative signage shall provide information about the history of these resources in Section 6 of the Tier 2 Study. The design and graphic content of the interpretative signage may focus on German Ethnic Heritage in Indianapolis and/or Market Gardening in Indianapolis.”

INDOT and FHWA recognize that the Indiana Historical Bureau marker at the corner of Bluff Road and Hanna Avenue (in Bluff Park) discusses the presence of “German Greenhouses and Truck Gardens” in this part of southwestern Marion County.

**SHPO Comment:** The draft MOA, in Stipulation II.C., deals with situations in which “the Section 6 Project is modified after a finding of effect has been issued.” It appears to be consistent with stipulations on that kind of situation for the other I-69 projects. Is this the authority by which, as FHWA's September 13 letter states, “FHWA and INDOT have determined the RPA will not result in any change of effects” from the February 14 finding, or will a new finding be issued for the RPA?

**Response:** FHWA and INDOT do not intend to issue a new finding of effect for this undertaking. The intent of Stipulation II.C. is to address modifications that may be made after the MOA has been executed. Stipulation II.C. has been revised to read: “If the Section 6 Project is modified after a finding of effect has been **issued and this MOA has**



**been executed**, then FHWA shall review the Section 6 Project modifications and proceed by complying with II.C.1. and, if appropriate, II.C.2. References to FHWA also apply to INDOT, wherever INDOT is authorized to act on FHWA's behalf."

**SHPO Comment:** We have several comments and recommendations for the stipulations pertaining to the preparation of National Register of Historic Places ("NRHP") nomination applications. It is apparent that you have drafted them with comments and recommendations that we have made on draft MOA's for other highway projects, and we appreciate your efforts to anticipate our concerns. Even so, as we learn from past experience, our opinions about that kind of stipulation evolve over time. Also, we take into consideration the circumstances of a given project and of the historic property involved and sometimes modify our recommendations accordingly.

**Response:** The nomination language has been revised and is addressed below. Please note that, based on comments received from the National Park Service (NPS) for an NRHP nomination application prepared for a different Section of the I-69 project, Stipulations II.B.3. and II.B.5., have been modified with the following language:

- d) INDOT and/or its consultant shall be responsible for revising the NRHP nomination application to address revisions requested by IDNR/DHPA, the Indiana Historic Preservation Review Board, and/or the NPS.
- e) INDOT's obligation to prepare the NRHP nomination application shall be considered satisfied when the Indiana SHPO notifies INDOT and/or its consultant that the application is complete and has been accepted by the NPS.

**SHPO Comment:** Stipulations II.B.2., 3., 4., and 5. use the term "NRHP District Nomination Documentation" or "NRHP Nomination Documentation." We think that a more appropriate term would be "NRHP nomination application" or "application for nomination to the NRHP." It occurred to us that referring to that document as "documentation" might imply an intention to provide for a fallback mitigation measure, in the form of a partially-completed NRHP application nomination or an equivalent report, in the event it becomes impossible to undertake the preparation of the NRHP nomination application as a result of property owner objection or lack of cooperation. However, the way in which the first sentences of both II.B.2. and II.B.4. are written makes the funding of the preparation of the NRHP Nomination Documentation (or nomination application) contingent on property owner consent. Consequently, the NRHP nomination application would not even be prepared as substitute mitigation if property owner consent cannot be obtained up front. If FHWA and INDOT wish to provide for fallback mitigation (e.g., in the event the property owner or owners do not consent), then that should be spelled out, probably in a separate paragraph within II.B.

**Response:** References have been changed to "NRHP nomination application" in these stipulations. INDOT and FHWA do not wish to provide a fallback stipulation.

**SHPO Comment:** Stipulations II.B.2. and II.B.4. require providing the NRHP nomination applications to the Indiana Department of Natural Resources/Division of Historic Preservation

and Archaeology (or IDNR/DHPA) in an electronic format. However, if either of the NRHP nomination applications is successful in obtaining NRHP listing for the property, then we will post the contents of the nomination in SHAARD. We do not otherwise have a web page on which the application would be displayed.

**Response:** These stipulations have been revised to indicate the nomination would be placed on SHAARD.

**SHPO Comment:** We recommend that the following language be added to the end of the single-sentence in both Stipulation II.B.3.a) and II.B.5.a): “and to verify the NRHP eligibility and the boundaries of the property.”

**Response:** This phrase has been added.

**SHPO Comment:** Stipulations II.B.3.c) and II.B.5.b) appropriately require that NRHP nomination application photographs be taken either before or after project construction. Construction equipment, stockpiled construction materials, and signs of excavation or construction in progress would not enhance the views of the historic property. This would be especially applicable to the Southside German Market Gardeners Historic District. However, in this project, it does not seem essential to us that the photographs be taken within twelve months of the submission of the application to the Indiana SHPO. The time frame allowed in the NPS guidance should suffice.

**Response:** These stipulations have been revised to delete the twelve-month timeframe.

**SHPO Comment:** However, in the case of the Reuben Aldrich Farm, we think it would be advisable to obtain the photographs (especially interior photographs) sooner, rather than later. The NRHP nomination application possibly could be completed even if the owner later changed his or her mind or if the property is transferred to a new owner before the application is completed. That way, even with owner objection, it might be possible to obtain a formal determination of eligibility from the Keeper of the NRHP, even if the property could not be listed (see our comments above about fallback mitigation). Also, because Stipulation II.A.1. provides for the planting of vegetative screening on the Reuben Aldrich Farm, with owner consent, it would be better to take the exterior photographs before the vegetative screening is planted, so that it does not become impossible to take those photographs unobscured from certain angles. It would be advisable for FHWA or INDOT in the near future to write to the current owner of the Reuben Aldrich Farm and request a written consent to the preparation of the NRHP nomination application and to providing access, to the property, including the interior of the house, for the purpose of preparing the application. The foregoing advice may not need to be formally incorporated into the MOA, but we recommend that FHWA, INDOT, and their consultants consider whether it would be prudent to head it.

**Response:** Stipulation II.B.5.b. has been revised to read: "Photographs of the property that are required to be included in the NRHP nomination application shall be taken by the qualified professional within the timeframe allowed in the NPS guidance preceding the submission of the application to the IDNR/DHPA/Indiana SHPO, **and all such**

**photographs shall be taken prior to installation of vegetative screening, if the property owner has agreed to Stipulation II.A.1."**

INDOT and FHWA will work with the property owner in the near future to request written consent to the preparation of the NRHP nomination application and to request access to the interior and exterior of the house.

**SHPO Comment:** The Southside German Market Gardeners Historic District is in a different situation with regard to photographs, because only exterior views of buildings and structures would be necessary, and it seems plausible that they could be obtained from the existing Bluff Road or I-465 rights-of-way, even if property owner consent could not be obtained.

**Response:** Agreed, no further changes added to the Southside German Market Gardeners Historic District clauses.

**SHPO Comment:** The eleventh "whereas" clause in the preamble to the draft MOA acknowledges that archaeological investigation in parts of the RPA's archaeological APE are incomplete. Stipulation III.A.6. makes a commitment to carry out archaeological identification, evaluation, and assessment for "[m]odifications to the Section 6 Project which fall outside of the archaeological APE, depicted in Attachment B, dated August 31, 2017." However, the maps in Attachment B in this draft MOA show the 2016 updated APE for all direct and indirect effects and what appear to be the boundaries of the entire RPA. Much of the RPA was included in the Preferred Alternative on which the February 14 findings of effect were made. Consequently, we do not know how to determine from the maps in Attachment B which areas "fall outside of the archaeological APE."

**Response:** The reference to map in Attachment B has been removed and the stipulation has been revised to read, "Modifications to the Section 6 Project which fall outside of the archaeological APE and which have not been previously surveyed, shall be subject to archaeological identification, evaluation and assessment per Stipulations III.B - III.C. If FHWA determines that the modifications have the potential to cause adverse effects on archaeological resources, then FHWA shall re-open the Section 106 process in accordance with the 36 C.F.R. part 800 regulations in effect at that time."

Areas outside of the archaeological APE that have not been previously surveyed will be identified during the project design and surveyed appropriately. These areas will be clearly shown in any future Phase Ia archaeological reports.

**SHPO Comment:** As previously indicated, in regard to potential impacts upon archaeological resources by the proposed project, we direct your attention to the comments that we included in our letters of April 14, 2016, and June 19, 2017; both to Kia Gillette (then at Lochmueller Group).

**Response:** No response required.

**SHPO Comment:** Additionally, as previously indicated, we note that portions of the proposed project area appear to lie within 100 feet of Old Mount Olive Cemetery (CR-55-64 in the Indiana

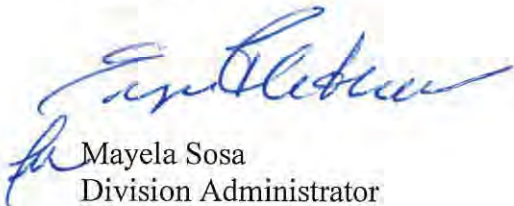
**SHPO Comment:** Additionally, as previously indicated, we note that portions of the proposed project area appear to lie within 100 feet of Old Mount Olive Cemetery (CR-55-64 in the Indiana DHPA SHAARD database system) and within 100 feet of Bell Cemetery (CR- 49-57 in the Indiana DHPA SHAARD database system). Please note that, if the proposed project area includes any areas within 100 feet of a cemetery, then a cemetery development plan may be necessary under IC 14-21-1-26.5. The aforementioned cemetery must be avoided by all project activities, and provisions of relevant state statutes regarding cemeteries (including IC 14- 21-1 and IC 23-14) must be adhered to. Please also be aware of Indiana Code 23-14-44-1 and Indiana Code 23-14-44-2, regarding restrictions on roads and utility construction in cemeteries.

**Response:** No responses required. A cemetery development plan will be prepared for each cemetery within 100 feet of ground disturbing activities, per Indiana Code.

A revised MOA document has been prepared and is being submitted to the SHPO for review and comment. If the changes to the document are appropriate, please proceed with signing the MOA. Please respond within fifteen (15) days of receipt of this information to Dr. Linda Weintraut at [linda@weintrautinc.com](mailto:linda@weintrautinc.com) or Michelle Allen at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov).

Tribal Historic Preservation Officers or Representatives may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317.233.6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317.226.7344.

Sincerely,



Mayela Sosa  
Division Administrator

Cc: Michelle Allen, FHWA  
Janice Osadczuk, FHWA  
David Clarke, FHWA  
Sarah Rubin, INDOT  
James Earl, INDOT  
Diane Hunter, Miami Tribe of Oklahoma  
Joe Bunch, United Keetoowah Band of Cherokee Indians  
Alvin Windy Boy, Chippewa Cree  
Logan Pappenfort, Peoria Tribe of Indians of Oklahoma  
Mark Dollase, Indiana Landmarks-Central Regional Office  
Joanne Raetz Stuttgen, Morgan County Historic Preservation Society & Martinsville Plan Commission  
Pauline Spiegel  
Paul Brandenburg, Historic SPANs Task Force  
David Baker, Indianapolis Historic Preservation  
James Cooper  
Mitch Zoll, IDNR-DHPA/SHPO

Wade Tharp, IDNR-DHPA/SHPO  
Normal Voyles, Morgan County Commissioner  
Ross Holloway, City of Martinsville  
Max Fitzpatrick, Johnson County Historian  
Debra Underwood  
Larry and Loretta Hess  
Brehob Nursery  
Mapa Properties, LLC  
Peaper & Proctor Real Estate, LLC  
Evelyn Novicki Trust and Trustee  
John W. Demaree  
Scott Greenhouse, LLC  
Julie and Ryan Gettum  
John and Sandra Harrison  
Ann Bilodeau  
Melvin J. Crichton  
Henry and Mary Scheid  
Jeffrey and Beth Line  
John R. Simms  
Charles F. Laughner  
Jerry L. Barnett  
Donald Colvin, Indianapolis DPW  
Lonnie and Marcia Smith  
Rich Underwood  
Joseph Cleveland, Ozark Fisheries, Inc.  
M. Duane and C. Dean Leonard  
Ginger Fitzpatrick  
Anuradha Kumar, INDOT CRO  
Patrick Carpenter, INDOT-CRO  
Mary Kennedy, INDOT-CRO  
Shaun Miller, INDOT-CRO  
Tim Miller, HNTB  
Christine Meador, HNTB  
Kia Gillette, HNTB  
Beth McCord, Gray & Pape  
Linda Weintraut, W &A

**MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,  
THE INDIANA DEPARTMENT OF TRANSPORTATION AND  
THE INDIANA STATE HISTORIC PRESERVATION OFFICER,  
PURSUANT TO 36 C.F.R. SECTION 800.6(b)(iv)  
REGARDING  
THE I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDY:  
SECTION 6, SR 39 TO I-465  
IN WASHINGTON, CLAY, MADISON, GREEN, and HARRISON TOWNSHIPS,  
MORGAN COUNTY, INDIANA; WHITE RIVER TOWNSHIP, JOHNSON COUNTY; AND DECATUR  
AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA**

**WHEREAS**, the Federal Highway Administration (“FHWA”) is proposing to construct Section 6, beginning on State Road (“SR”) 37 south of SR 39 in Martinsville, Indiana, centering on and continuing in a northeasterly direction along current SR 37 to I-465 in Indianapolis, Indiana (“Section 6 Project”), of the Interstate 69 (“I-69”) Evansville to Indianapolis Project, which is located in Washington, Clay, Madison, Green, and Harrison Townships of Morgan County, Indiana; White River Township of Johnson County, Indiana; and in Decatur and Perry Townships of Marion County, Indiana; and

**WHEREAS**, FHWA, in cooperation with the Indiana Department of Transportation (“INDOT”), has conducted a two-tiered study for the I-69 Evansville to Indianapolis Project; and

**WHEREAS**, the I-69 Evansville to Indianapolis Project has been divided into six sections for the Tier 2 Study; and

**WHEREAS**, each Tier 2 section, as defined in the I-69 Evansville to Indianapolis Project Tier 1 Environmental Impact Statement (“EIS”), is considered a separate undertaking for purposes of consultation; and

**WHEREAS**, the Section 6 Project provides for a divided interstate highway using the preferred alignment identified as the Refined Preferred Alternative which is composed of features of alternatives C1, C2, C3, and C4 as described in the I-69 Evansville to Indianapolis Project Tier 2 Draft EIS, and in Attachment A, Project Description; and

**WHEREAS**, FHWA, in consultation with the Indiana State Historic Preservation Officer (“Indiana SHPO”), has defined the Section 6 Project’s area of potential effects (“APE”), as defined in 36 C.F.R § 800.16(d) (2017), for aboveground resources to generally be not less than 4,000 feet wide and centered on existing SR 37 (a four-lane divided highway), identified as the Tier 1 Alternative 3C, and not less than 2,000 feet wide along I-465 (see Attachment B); and

**WHEREAS**, FHWA, in consultation with the Indiana SHPO, has defined the Section 6 Project APE for archaeological resources, as the term defined in 36 C.F.R. § 800.16(d) (2017), as the area within the right of way for the Section 6 Refined Preferred Alternative as described in Attachment A; and

**WHEREAS**, the East Washington Street Historic District and Grassyfork Fisheries Farm No. 1 are listed in the National Register of Historic Places (“NRHP”); and

**WHEREAS**, FHWA, in consultation with the Indiana SHPO, has determined, pursuant to 36 C.F.R. § 800.4(c) (2017), that the Morgan County Bridge 224 (National Bridge Inventory [“NBI”] No. 5500142), Top Notch Farm, W.E. Nutter House, Percy Farm and Clear Creek Fisheries, Reuben Aldrich Farm, Morgan County Bridge No. 166 (NBI No. 5500153), Travis Hill Historic District, John Sutton House, Marion County Bridge No. 4513 F (NBI No. 4900484), Cleary-Barnett House, Glenn’s Valley Nature Park Retreat House, Glennwood Homes Association Historic District, Le Ciel (Charles Laughner House), and Southside German Market Gardeners Historic District are eligible for inclusion in the NRHP; and

**WHEREAS**, FHWA, in consultation with the Indiana SHPO, has found that the Morgan County Bridge 224 (NBI No. 5500142), Top Notch Farm, East Washington Street Historic District, W.E. Nutter House, Percy Farm and Clear Creek Fisheries, Grassyfork Fisheries Farm No. 1, Reuben Aldrich Farm, Morgan

County Bridge No. 166 (NBI No. 5500153), Travis Hill Historic District, John Sutton House, Marion County Bridge No. 4513 F (NBI No. 4900484), Cleary-Barnett House, Glenn's Valley Nature Park Retreat House, Glennwood Homes Association Historic District, Le Ciel (Charles Laughner House), and Southside German Market Gardeners Historic District are within the Section 6 Project's APE; and

**WHEREAS**, in accordance with 36 C.F.R. § 800.4, FHWA and the Indiana SHPO, has determined that the identification and evaluation of archaeological properties, within portions of the archaeological APE of the Refined Preferred Alternative remains to be completed; and

**WHEREAS**, in accordance with 36 C.F.R. § 800.4(b)(2), FHWA and the Indiana SHPO have agreed to use of a phased process to complete the identification and evaluation of archaeological properties that may be affected by the undertaking; and

**WHEREAS** the FHWA, in consultation with the Indiana SHPO, has determined pursuant to 36 C.F.R. Section 800.5(a) that the Section 6 Project will have an adverse effect on the Reuben Aldrich Farm and the Southside German Market Gardeners Historic District; and

**WHEREAS** the FHWA has consulted with the Indiana SHPO in accordance with Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) and its implementing regulations (36 C.F.R. Section 800) to resolve the adverse effect on the Reuben Aldrich Farm and the Southside German Market Gardeners Historic District; and

**WHEREAS**, the public was given an opportunity to comment on the undertaking's adverse effect in a notice published on March 21, March 28, and April 4, 2017, in the *Daily Journal* (Johnson County), the *Indianapolis Star* (Marion County), and the *Martinsville Reporter* (Morgan County); and

**WHEREAS**, FHWA has notified the Advisory Council on Historic Preservation ("Council") of the adverse effect and invited the Council's participation in the project, pursuant to 36 C.F.R. § 800.6(a)(1) (2017), in a notification dated March 20, 2017, and notified the Council of an objection to certain individual effect findings in a letter dated July 26, 2017, and

**WHEREAS**, the Council has declined to participate in consultation in a letter dated April 6, 2017 and the Council concurred that FHWA correctly applied the Criteria of Adverse effect on individual properties in a letter dated August 17, 2017; and

**WHEREAS**, INDOT is responsible for assisting FHWA to carry out the requirements of this Memorandum of Agreement ("MOA"), has participated in consultation, and has been invited by FHWA to be a signatory to this MOA; and

**WHEREAS**, the Delaware Nation of Oklahoma, Peoria Tribe of Indians of Oklahoma; Prairie Band Potawatomi Nation; Shawnee Tribe; Miami Tribe of Oklahoma; United Keetoowah Band of Cherokee Indians; Absentee Shawnee Tribe of Oklahoma; Eastern Shawnee Tribe of Oklahoma; Red Cliff Band of Lake Superior Chippewas; Grand Traverse Band of Ottawa and Chippewa Indians, Michigan; Chippewa Cree; Saginaw Chippewa Tribe of Michigan were invited to participate in consultation; and

**WHEREAS**, the Peoria Tribe of Indians of Oklahoma; Miami Tribe of Oklahoma; United Keetoowah Band of Cherokee Indians; and Chippewa Cree have participated in consultation; and

**WHEREAS**, Consulting Parties have participated in consultation as identified in Attachment C; and

**WHEREAS**, FHWA has consulted with the Indiana SHPO in accordance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulations (36 C.F.R. part 800) concerning the scope of work as presented in the materials and plans dated: June 14, 2004; June 29, 2004; August 13, 2005; August 15, 2005; October 24, 2005; August 24, 2006; June 25, 2008; February 5, 2015; April 27, 2015; July 31, 2016; April 27, 2015; June 30, 2015; October 15, 2015; November 19, 2015; January 4, 2016; March 14, 2016; April 21, 2016; June 15, 2016; August 2, 2016; and August 29, 2016; October 28, 2016; March 17, 2017; July 7, 2017; and agreed to proceed with the project as proposed and as reflected in Indiana SHPO correspondence dated June 25, 2004, September 7, 2005; November 21, 2005; December 21, 2006; July 25, 2008; March 10, 2015; May 15, 2015; May 19, 2015; May 26, 2015; July 30, 2015; November 4, 2015; December 21, 2015; February 4, 2016; April 14, 2016;

May 11, 2016; June 1, 2016; July 14, 2016; August 26, 2016; September 1, 2016; November 28, 2016; April 13, 2017; May 5, 2017; June 19, 2017; and August 7, 2017.

**NOW, THEREFORE**, FHWA, and the Indiana SHPO agree that upon FHWA's approval of the Section 6 Project, FHWA shall ensure that the following stipulations are implemented in order to take into account the effect of the Section 6 Project on historic properties.

## **STIPULATIONS**

FHWA shall ensure that the following measures are carried out:

### **I. PROFESSIONAL QUALIFICATIONS**

**A.** In consultation with the Indiana SHPO, INDOT shall ensure that all work performed pursuant to this MOA is performed or supervised by a qualified individual and/or team(s) that meet the Secretary of the Interior's Professional Qualification Standards as outlined in Appendix A to 36 CFR 61 for history, archaeology, architectural history, architecture, and/or historic architecture, as appropriate.

**B.** The individual and/or team(s) performing or supervising the archaeology investigations shall have supervisory experience in the prehistoric and historic archaeology of the southeastern Indiana region. All work performed or supervised by such person or persons shall be conducted pursuant the provisions of Indiana Code 14-21-1, 312 Indiana Administrative Code 22, and the most current versions of the "Guidebook for Indiana Historic Sites and Structures Inventory-Archaeological Sites" and the INDOT Cultural Resources Manual.

### **II. MITIGATION MEASURES**

#### **A. Context Sensitive Design**

FHWA and INDOT shall ensure Context Sensitive Design is implemented in the following manner. The execution of this stipulation is considered to satisfy, for the Section 6 Project, the commitment in Stipulation II.A.4. of the 2003 "I-69 Tier 1 Memorandum of Agreement Between the Federal Highway Administration and the Indiana State Historic Preservation Officer Regarding the Selection of a Corridor for I-69, From Evansville to Indianapolis, Indiana" ("Tier 1 MOA").

1. INDOT and/or its representatives shall consult with the property owner of the Reuben Aldrich Farm and, if appropriate and given consent by the property owner, will fund and install vegetative screening on this property. If the property owner provides consent for the vegetative screen, the property owner will provide INDOT and/or its contractors with right of entry to the property during mitigation implementation and subsequent monitoring. After the installation of the vegetative screening, maintenance of such screening on private property will be the responsibility the property owner of the Reuben Aldrich Farm.

2. As soon as practical, FHWA will convene an Advisory Team to consider the treatment of the side slopes along I-465 within the Southside German Market Gardeners Historic District and the bridge carrying I-465 over Bluff Road within the Southside German Market Gardeners Historic District. Responsibilities of and participation of the Advisory Team include the following:

**a)** At the discretion of FHWA, the following may be invited to participate on the Advisory Team: individuals having a geographic connection to, or an interest in, the Southside German Market Gardeners Historic District or individuals with an expertise pertaining to historic preservation. Representatives from INDOT or the Indiana SHPO may participate in Advisory Team meetings at their discretion.

**b)** FHWA will convene no less than two meetings of the Advisory Team: one meeting shall occur at the thirty (30) percent design phase and one meeting shall occur at the sixty (60) percent design phase. The Advisory Team shall review plans, comment, and make specific recommendations regarding the Project design, scopes of work, and details for consideration by FHWA. The Advisory Team will be chaired or overseen by a



representative from INDOT or by a consultant. The chair will be responsible for convening meetings of the Advisory Team, preparing and maintaining a summary of meetings, and preparing and submitting Advisory Team recommendations to FHWA for consideration, in consultation with the Indiana SHPO.

c) The Advisory Team will function in an advisory capacity to assist INDOT in developing certain Section 6 Project design details within the Southside German Market Gardeners Historic District, limited to aesthetic treatments, such as the use and type of vegetative screening and/or stamped or textured bridge walls.

d) INDOT and/or its consultants will provide any materials needed for review by the Advisory Team at least fifteen (15) days before scheduled meetings. In addition to comments voiced in meetings, Advisory Team members may provide written comments to the chair within fifteen (15) days following the scheduled meeting. Meeting summaries will be distributed to all attendees, FHWA, and INDOT following each meeting.

e) Based on the comments provided by the Advisory Team members, the chair will develop recommendations and submit them to FHWA for consideration and action.

f) INDOT and/or its consultant shall be responsible for providing final design plans, or one hundred (100) percent design, provided to members of the Advisory Team and the Indiana SHPO for their records.

g) FHWA shall have the authority for final approval of actions recommended by the Advisory Team regarding the implementation of measures to avoid, minimize, or mitigate effects to the Southside German Market Gardeners Historic District.

## **B. Education and Interpretation**

FHWA and INDOT shall ensure Education and Interpretation are implemented in the following manner. The execution of this stipulation shall be considered to satisfy, for the Section 6 Project, the commitment in Stipulations II.C.2 and II.C.3. of the Tier 1 MOA.

1. INDOT shall fund the manufacture and the installation of interpretive signage within the boundaries of the Southside German Market Gardeners Historic District or at a public space with a connection to the District. The interpretative signage shall provide information about the history of these resources in Section 6 of the Tier 2 Study. The design and graphic content of the interpretative signage may focus on German Ethnic Heritage in Indianapolis and/or Market Gardening in Indianapolis. The proposed design and content (text and illustrations) of the interpretive signage will be prepared by a qualified professional historian and shall be submitted to the Advisory Team at thirty (30) and sixty (60) percent completion for review and comment. If the Advisory Team does not respond within thirty (30) days, acceptance will be assumed. If the Advisory Team responds with recommendations, a good faith effort to accommodate the recommendations will be made. Content, graphic design, and final design plans for the interpretative signage will be provided to Advisory Team for their records.

2. INDOT shall fund the preparation a NRHP nomination application, if given consent by the majority of property owners within the Southside German Market Gardeners Historic District. This NRHP nomination application will serve as an educational component to disseminate information about the history of the District. The NRHP nomination application shall be made available as a paper copy at selected repositories in Marion County and in an electronic format on selected websites including but not limited to those of the NRHP (National Park Service ["NPS"]), INDOT, and the Indiana State Architectural and Archaeological Research Database ("SHAARD") of the Indiana Department of Natural Resources/Division of Historic Preservation and Archaeology ("IDNR/DHPA").

3. FHWA and INDOT shall ensure that the NRHP nomination application is completed. If the NRHP nomination application preparation is not undertaken directly by INDOT, INDOT shall

provide funding to a consultant for activities performed in preparation of the application. INDOT and/or its consultant shall prepare and submit the first draft of the application to the Indiana SHPO within two years of the project's construction letting.

- a)** The qualified professional shall contact the National Register Survey and Registration staff at the IDNR/DHPA/Indiana SHPO prior to beginning work on the NRHP nomination application to discuss the National Register process and expectations for completion of the application and to verify the NRHP eligibility and boundaries of the property.
  - b)** Prior to preparing the NRHP nomination application to the Indiana SHPO, INDOT shall publicize and hold a public meeting for the purpose of informing property owners and residents of the proposed district and other interested persons about the National Register and application process.
  - c)** Photographs of the district that are required to be included in the NRHP nomination application shall be taken by the qualified professional preceding the submission of the application to the Indiana SHPO, and all such photographs shall be taken either before the commencement of construction of this project or after the completion of this project.
  - d)** INDOT and/or its consultant shall be responsible for revising the NRHP nomination application to address revisions requested by IDNR/DHPA, the Indiana Historic Preservation Review Board, and/or the NPS.
  - e)** INDOT's obligation to prepare the NRHP nomination application shall be considered satisfied when the Indiana SHPO notifies INDOT and/or its consultant that the application is complete and has been accepted by the NPS.
- 4.** INDOT shall fund the preparation of the NRHP nomination application for the Reuben Aldrich Farm, if the property owner gives permission for the preparation of the application. This NRHP nomination application will provide a means to disseminate information about the history of agriculture. The NRHP nomination application shall be made available as a paper copy at selected repositories in Morgan County and in an electronic format on selected websites including but not limited to those of the NRHP (NPS), INDOT, and SHAARD.
- 5.** FHWA and INDOT shall ensure that the NRHP nomination application for the Aldrich Farm is completed. If the nomination application preparation is not undertaken directly by INDOT, INDOT shall provide funding to a consultant for activities performed in preparation of the application. INDOT or its consultant shall prepare and submit the application to the Indiana SHPO within two years of the project's construction letting.
- a)** The qualified professional shall contact the Survey and Registration staff at the IDNR/DHPA prior to beginning work on the NRHP nomination application to discuss the National Register process and expectations for completion of the application and to verify the NRHP eligibility and boundaries of the property.
  - b)** Photographs of the property that are required to be included in the NRHP nomination application shall be taken by the qualified professional preceding the submission of the application to the IDNR/DHPA/Indiana SHPO, and all such photographs shall be taken prior to installation of vegetative screening, if the property owner has agreed to Stipulation II.A.1.
  - c)** INDOT and/or its consultant shall be responsible for revising the NRHP nomination application to address revisions requested by IDNR/DHPA, the Indiana Historic Preservation Review Board, and/or the NPS.
  - d)** INDOT's obligation to prepare the NRHP nomination application shall be considered satisfied when the Indiana SHPO notifies INDOT and/or its consultant that the application is complete and has been accepted by the NPS.

6. INDOT shall fund the manufacture and the installation of a commemorative plaque for the Reuben Aldrich Farm upon acceptance of the Reuben Aldrich Farm for listing in the NRHP, if the property owner provides permission for the installation and for access to the property. The plaque will state that the Reuben Aldrich Farm is listed in the NRHP and will be affixed to one of the buildings that contribute to the significance of the property. INDOT's obligation to manufacture and install the plaque should be completed within one year of the property's listing in the NRHP.

**C. Modification or Modifications ("Modifications") of the Project with Respect to Aboveground Resources**

If the Section 6 Project is modified after a finding of effect has been issued and this MOA has been executed, then FHWA shall review the Section 6 Project modifications and proceed by complying with II.C.1. and, if appropriate, II.C.2. References to FHWA also apply to INDOT, wherever INDOT is authorized to act on FHWA's behalf.

1. FHWA shall determine whether any modifications have the potential to cause adverse effects on aboveground resources, if any are found to exist within the area in which the modifications may cause effects.

a) If FHWA determines that the project modifications do not have the potential to cause adverse effects on aboveground resources, then FHWA or INDOT shall document that determination in its records, and no further review or consultation with respect to those modifications' effects on aboveground properties is required for purposes of this MOA.

b) If FHWA determines that the project modifications have the potential to adversely affect aboveground resources, then FHWA or INDOT shall proceed to review the modifications in accordance with Stipulation II.C.2.

c) Prior to determining whether the project modifications have the potential to adversely affect aboveground resources, FHWA may submit, for the Indiana SHPO's files, copies of reports generated as a result of modifications or may request the opinion of the Indiana SHPO about identification, evaluation, effects assessment or avoidance, minimization or mitigation, or about any other issue under federal or state preservation or archaeological law pertaining to the project, provided that such a request for an opinion is not substituted for formal consultation under Stipulation II.C.2. The Indiana SHPO shall have thirty (30) days to respond to such a request.

2. If FHWA determines that project Modifications have the potential to cause adverse effects on aboveground resources, then FHWA shall re-open the Section 106 consultation process in accordance with the 36 C.F.R. part 800 regulations that are in effect on the date upon which this MOA has been signed by the last of all required and invited signatories.

a) The re-opened consultation shall occur with regard only to:

(i) Adverse effects assessment, or avoidance, minimization or mitigation of adverse effects related to the project modifications, for previously-evaluated aboveground properties within the APE, or

(ii) Identification, evaluation, adverse effects assessment, or avoidance, minimization or mitigation of adverse effects related to the project modifications, for aboveground properties, within the area added to the APE, as a result of the expansion of the APE.

(iii) Except that if Stipulation III.B. also requires re-opening the Section 106 process for identification, evaluation, or adverse effects assessment or for avoidance, minimization, or mitigation of adverse effects, then any such activities pertaining to archaeological resources also shall be included in the consultation.

b) FHWA shall consult with the consulting parties listed in Attachment C and other parties, as appropriate, except to the extent that the public disclosure of information about resources is withheld or limited under Stipulation III.A.3.

c) FHWA shall issue a new finding, supported either by revised documentation or by an update to the documentation, regardless of whether additional, or different kinds of, adverse effects have been found to result from the Modifications of the project.

### **III. TREATMENT OF ARCHAEOLOGICAL RESOURCES**

#### **A. Statutory and Regulatory Standards**

1. The studies completed pursuant to Stipulation III.E. shall demonstrate a level of effort consistent with the 36 C.F.R. part 800 regulations in effect on the date upon which the last of the required signatories has signed this MOA and provide FHWA with the information to determine, in consultation with the Indiana SHPO, which archaeological properties are eligible for inclusion in the NRHP. FHWA shall acknowledge and seek the special expertise of any federally recognized Indian Tribes which have previously entered into consultation in assessing the eligibility of historic properties and/or that may possess religious and cultural significance to them.

2. In implementing Stipulation III.A through III.F., INDOT may consult with the consulting parties listed in Attachment C and others identified in accordance with the 36 C.F.R. part 800 regulations in effect on the date upon which this MOA is fully executed.

3. In accordance with Section 304 of the NHPA and the 36 C.F.R. part 800 regulations in effect on the date upon which this MOA is fully executed INDOT and its consultants, shall ensure that sensitive information regarding the nature and location of human remains and grave goods, and the location, character, and ownership of archaeological sites is kept confidential from the public.

4. In ensuring that any human remains and grave goods identified are treated in a sensitive, respectful, and careful manner, INDOT shall be guided by the Council's "Policy Statement Regarding Treatment of Human Remains and Grave Goods" (February 23, 2007) and the Native American Graves Protections and Repatriation Act ("NAGPRA") regulations set forth in 43 C.F.R. part 10, and other guidelines as appropriate.

5. If any human remains are encountered during the project, work shall cease in the immediate area and the human remains left undisturbed. INDOT shall contact the county coroner and law enforcement officials immediately, and the discovery must be reported to the Indiana SHPO within two (2) business days. The discovery must be treated in accordance with Indiana Code 14-21-1 and 312 Indiana Administrative Code 22. Work at this site shall not resume until a plan for the treatment of the human remains is developed and approved in consultation with the Indiana SHPO, the INDOT Cultural Resources Office, and any appropriate consulting parties.

6. Modifications to the Section 6 Project which fall outside of the archaeological APE and which have not been previously surveyed shall be subject to archaeological identification, evaluation and assessment per Stipulations III.B - III.C. If FHWA determines that the modifications have the potential to cause adverse effects on archaeological resources, then FHWA shall re-open the Section 106 process in accordance with the 36 C.F.R. part 800 regulations in effect at that time.

7. Any dispute regarding the report(s) shall be resolved in accordance with Stipulations IV.A.

Upon completion of work, FHWA shall provide copies of final reports to the Indiana SHPO, INDOT, and federally recognized Indian Tribes when appropriate, and afford them thirty (30) days to review and submit comments on the reports. FHWA shall respond to all comments received.

## **B. Identification & Evaluation**

1. Before commencing ground-disturbing activities in the Section 6 Project archaeological APE for the Refined Preferred Alternative (as identified on the Attachment B map dated August 31, 2017), INDOT and/or its consultants shall complete the identification and evaluation of archaeological resources for inclusion in the NRHP in any of these areas of ground disturbance in accordance with applicable Federal and State standards and guidelines listed in Stipulation III.A.

2. INDOT and/or its consultants shall investigate any additional locations where ground-disturbing activities are proposed or where they may occur within temporary easements and permanent right of way.

3. INDOT and/or its consultants shall prepare and distribute a final Identification and Evaluation report in accordance with Stipulations I and III.A.

4. Upon completion of the evaluation, INDOT and/or its consultants shall follow the procedures set forth in the 36 C.F.R. part 800 regulations in effect on the date upon which this MOA is fully executed which shall include updated documentation described in those regulations, if it is determined that no historic properties shall be affected.

5. If FHWA and the Indiana SHPO agree that any archaeological resources identified are not NRHP eligible, then no further action is necessary under the terms of this MOA and FHWA's responsibilities under Section 106 are fulfilled.

6. If FHWA determines any of the NRHP criteria are met and the Indiana SHPO agrees, the archaeological resource shall be considered eligible for the NRHP and treated in accordance with the Stipulations III.C - III.F.

7. If FHWA and the Indiana SHPO do not agree on NRHP eligibility, FHWA shall follow the procedures identified in accordance with Stipulation IV.A.

## **C. Assessment of Effects**

1. In consultation with the Indiana SHPO, federally recognized Indian Tribes that may ascribe traditional cultural and religious significance to affected properties, and other parties whom FHWA deems appropriate, FHWA shall determine if the Section 6 Project shall adversely affect archeological properties determined eligible for inclusion in the NRHP pursuant to the 36 C.F.R. part 800 regulations in effect on the date upon which this MOA is fully executed.

2. If, in consultation with the Indiana SHPO, federally recognized Indian Tribes that may ascribe traditional cultural and religious significance to affected properties, and other parties whom FHWA deems appropriate, FHWA determines the Project may adversely affect NRHP-eligible archeological properties, then FHWA shall make reasonable efforts to avoid or minimize the adverse effect. If, after this consultation, FHWA determines it is not possible to

avoid or minimize adverse effects, then FHWA shall treat the archaeological resource in accordance with Stipulation III.F. of the MOA.

3. Any dispute regarding the determination of effects on NRHP-eligible archaeological properties shall be resolved in accordance with applicable Federal and State standards and guidelines listed in Stipulation IV.A.

#### **D. Avoidance**

1. Consultation with the Indiana SHPO determined that there is insufficient information regarding archaeological sites 12-Mg-0564, 12-Mg-0565, 12-Mg-0566, 12-Mg-0567, and 12-Mg-0568 to determine whether they are eligible for inclusion in the NRHP. These sites must be avoided or subjected to further archaeological investigations. If avoidance is not feasible, a plan for evaluative testing will be submitted to the Indiana SHPO for review and comment.

2. Additionally, consultation with the Indiana SHPO revealed that there is insufficient information regarding archaeological sites 12-Mg-0052, 12-Mg-0334, 12-Mg-0561, 12-Mg-0571, 12-Jo-0010, 12-Jo-0017, 12-Jo-0042, 12-Jo-0044, 12-Jo-0062, 12-Jo-0489, 12-Ma-0052, 12-Ma-0170, 12-Ma-0171, 12-Ma-0174, 12-Ma-0175, and 12-Ma-0241 to determine whether they are eligible for inclusion in the NRHP. However, portions of these sites within the Section 6 Project APE do not appear to contain significant archaeological deposits; and, therefore, no further archaeological investigations are necessary in those portions of the sites. The portions of the sites located outside the Section 6 Project APE will be clearly marked prior to ground disturbing activities so that they are avoided by all project activities. If avoidance is not feasible, a plan for further archaeological investigations will be submitted to the Indiana SHPO for review and comment.

3. Similarly, consultation with the Indiana SHPO revealed that there is insufficient information regarding archaeological site 12-Mg-0525 to determine whether it is eligible for inclusion in the NRHP. This site must be avoided by project activities or if it cannot be avoided subjected to additional investigation to make an eligibility determination. Site 12-Mg-0525 lies outside the Section 6 Project APE and will be avoided by all project related ground disturbance.

4. Also in consultation with Indiana SHPO, it has been determined that an Alluvial Floodplain Area near Indian Creek, an Alluvial Floodplain Area (three loci) near Crooked Creek, and an Alluvial Floodplain Area near Honey Creek in the White River valley have the potential for buried cultural deposits and should be avoided by project activities, or if they cannot be avoided, subjected to Phase Ic investigations as necessary to identify and evaluate potential buried archaeological sites.

#### **E. Additional Investigations**

1. Where avoidance is not possible, all archaeological investigations shall be conducted according to applicable Federal and State standards and guidelines listed in Stipulations I and III.A.

2. To maximize the opportunity to avoid adverse effects, the required archaeological investigations shall be conducted as soon as practicable upon securing the appropriate rights to access property.

3. INDOT, in consultation with the Indiana SHPO, and other parties deemed appropriate by INDOT, shall take reasonable measures to avoid disinterment and disturbance to human remains and grave goods of religious and cultural significance to Native Americans, including investigations associated with modifications of the Section 6 Project.

4. Upon completion of any additional investigations, FHWA shall complete the identification and evaluation of archaeological resources for inclusion in the NRHP in accordance with applicable Federal and State standards and guidelines in consultation with the Indiana SHPO and appropriate consulting parties and federally recognized Indian Tribes.

## **F. Treatment**

If FHWA, in consultation with the Indiana SHPO, federally recognized Indian Tribes that may ascribe traditional cultural and religious significance to affected properties, and other parties whom FHWA deems appropriate, determines that the adverse effect cannot be avoided or minimized, then FHWA shall develop and implement a Treatment Plan(s), as part of the above consultation, to mitigate the adverse effects to an archeological resource on a site-by-site basis. The implementation of the Treatment Plan(s) must be completed for each site prior to the initiation of any Project construction activities within a segment that could affect that site.

## **IV. ADMINISTRATIVE PROVISIONS**

Disagreement and misunderstanding about how this MOA is or is not being implemented shall be resolved in the following manner:

### **A. Dispute Resolution**

1. If any signatory or concurring party to this MOA should object in writing to FHWA regarding any action carried out or proposed with respect to the Section 6 Project and implementation of this MOA, then FHWA shall consult with the objecting party to resolve this objection. If after such consultation FHWA determines that the objection cannot be resolved through consultation, then FHWA shall forward all documentation relevant to the objection to the Council, including FHWA's proposed response to the objection. Within forty-five (45) days after receipt of all pertinent documentation, the Council shall exercise one of the following options:

a) Provide FHWA with a staff-level recommendation, which FHWA shall take into account in reaching a final decision regarding its response to the objection; or

b) Notify FHWA that the objection shall be referred for formal comment pursuant to the 36 C.F.R. part 800 regulations in effect at that time, and proceed to refer the objection and comment. FHWA shall take into account the Council's comments in reaching a final decision regarding its response to the objection.

2. If comments or recommendations from the Council are provided in accordance with this stipulation, then FHWA shall take into account any Council comment or recommendations provided in accordance with this stipulation with reference only to the subject of the objection. FHWA's responsibility to carry out all actions under the MOA that are not the subject(s) of the objection shall remain unchanged.

### **B. Post Review Discovery**

In the event that one or more historic properties—other than the Morgan County Bridge 224 (NBI No. 5500142), Top Notch Farm, East Washington Street Historic District, W.E. Nutter House, Percy Farm and Clear Creek Fisheries, Grassyfork Fisheries Farm No. 1, Reuben Aldrich Farm, Morgan County Bridge No. 166 (NBI No. 5500153), Travis Hill Historic District, John Sutton House, Marion County Bridge No. 4513 F (NBI No.4900484), Cleary-Barnett House, Glenn's Valley Nature Park Retreat House, Glennwood Homes Association Historic District, Le Ciel (Charles Laughner House), and Southside German Market Gardeners Historic District, or the archaeological sites (12-Mg-0525, 12-Mg-0556, 12-Mg-0052, and the Alluvial Floodplain Area south of Martinsville) discussed in Stipulation I.D.1. through I.D.3—are discovered or that unanticipated effects on historic properties are found during the implementation of this MOA, FHWA shall follow the procedure specified in the 36 C.F.R. part 800 regulations in effect at that time, as well as Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29, by stopping work in the immediate area and informing the Indiana SHPO and the INDOT Cultural Resources Office of such unanticipated discoveries or effects within two (2) business days. Any necessary archaeological investigations shall be conducted according to the provisions of Indiana Code 14-21-1, 312 Indiana Administrative Code 22, and the most current versions of the "Guidebook for

Indiana Historic Sites and Structures Inventory—Archaeological Sites” and the INDOT Cultural Resources Manual.

**C. Amendment**

Any signatory to this MOA may request that it be amended, whereupon the parties shall consult to consider the proposed amendment. The 36 C.F.R. part 800 regulations in effect at the time of the amendment shall govern the execution of any such amendment.

**D. Duration**

If the terms of this MOA have not been implemented by December 31, 2032, then this MOA shall be considered null and void. In such an event, FHWA shall so notify the parties to this MOA and, if it chooses to continue with the Section 6 Project, then it shall reinstate review of the Section 6 Project in accordance with the 36 C.F.R. part 800 regulations in effect at that time.

**E. Termination**

1. Any signatory to the MOA may terminate it by providing thirty (30) days’ notice to the other parties, provided that the parties shall consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, FHWA shall comply with the 36 C.F.R. part 800 regulations in effect at the time that the MOA is terminated regarding the review of the Section 6 Project.
2. In the event that FHWA does not carry out the terms of this MOA, then FHWA shall comply with the 36 C.F.R. part 800 regulations in effect at the time that the MOA is terminated, with regard to the review of the Section 6 Project.

The execution of this MOA and its implementation is evidence that FHWA has afforded the Council an opportunity to comment on the Section 6 Project and its effect on historic properties and that FHWA has taken into account the effects of the Section 6 Project on historic properties.

**SIGNATORIES (Required):**

FEDERAL HIGHWAY ADMINISTRATION  
INDIANA STATE HISTORIC PRESERVATION OFFICER

**INVITED SIGNATORY:**

INDIANA DEPARTMENT OF TRANSPORTATION

**CONCURRING PARTIES**



**SIGNATORY PAGE**

**MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,  
THE INDIANA DEPARTMENT OF TRANSPORTATION AND  
THE INDIANA STATE HISTORIC PRESERVATION OFFICER,  
PURSUANT TO 36 C.F.R. SECTION 800.6(b)(iv)  
REGARDING  
THE I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDY:  
SECTION 6, SR 39 TO I-465**

**IN WASHINGTON, CLAY, MADISON, GREEN, and HARRISON TOWNSHIPS,  
MORGAN COUNTY, INDIANA; WHITE RIVER TOWNSHIP, JOHNSON COUNTY; AND DECATUR  
AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA**

**REQUIRED SIGNATORY**

**FEDERAL HIGHWAY ADMINISTRATION**

**By: \_\_\_\_\_ Date: \_\_\_\_\_**

Mayela Sosa,

Division Administrator

Federal Highway Administration–Indiana Office

**SIGNATORY PAGE**

**MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,  
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AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA**

**REQUIRED SIGNATORY**

**INDIANA STATE HISTORIC PRESERVATION OFFICER**

**By: \_\_\_\_\_ Date: \_\_\_\_\_**

Mitchell Zoll

Deputy State Historic Preservation Officer

Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology

**SIGNATORY PAGE**

**MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,  
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AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA**

**INVITED SIGNATORY**

**INDIANA DEPARTMENT OF TRANSPORTATION**

**By: \_\_\_\_\_ Date: \_\_\_\_\_**

Laura Hilden, Environmental Services Director  
Indiana Department of Transportation

**SIGNATORY PAGE**

**MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,  
THE INDIANA DEPARTMENT OF TRANSPORTATION AND  
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THE I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDY:  
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**IN WASHINGTON, CLAY, MADISON, GREEN, and HARRISON TOWNSHIPS,  
MORGAN COUNTY, INDIANA; WHITE RIVER TOWNSHIP, JOHNSON COUNTY; AND DECATUR  
AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA**

**OPTIONAL: CONCURRING PARTY**

**By: \_\_\_\_\_ Date: \_\_\_\_\_**

**Name and Title: \_\_\_\_\_**

(Typed or printed)

## ATTACHMENT A

### PROJECT DESCRIPTION

---

The project is the construction of Section 6 of Interstate 69 (I-69) Evansville to Indianapolis. The Section 6 corridor is located along the State Road (SR) 37 and covers a distance of approximately twenty-six miles through Morgan, Johnson, and Marion Counties before terminating at I-465 in Indianapolis, Indiana. The project also proposes to improve I-465 from approximately Mann Road to United States (US) 31. The I-69 Evansville to Indianapolis project, which is approximately 142 miles in length, is a component of the congressionally designated national I-69 corridor extending more than 2,100 miles from the Canadian border to the Mexican border.

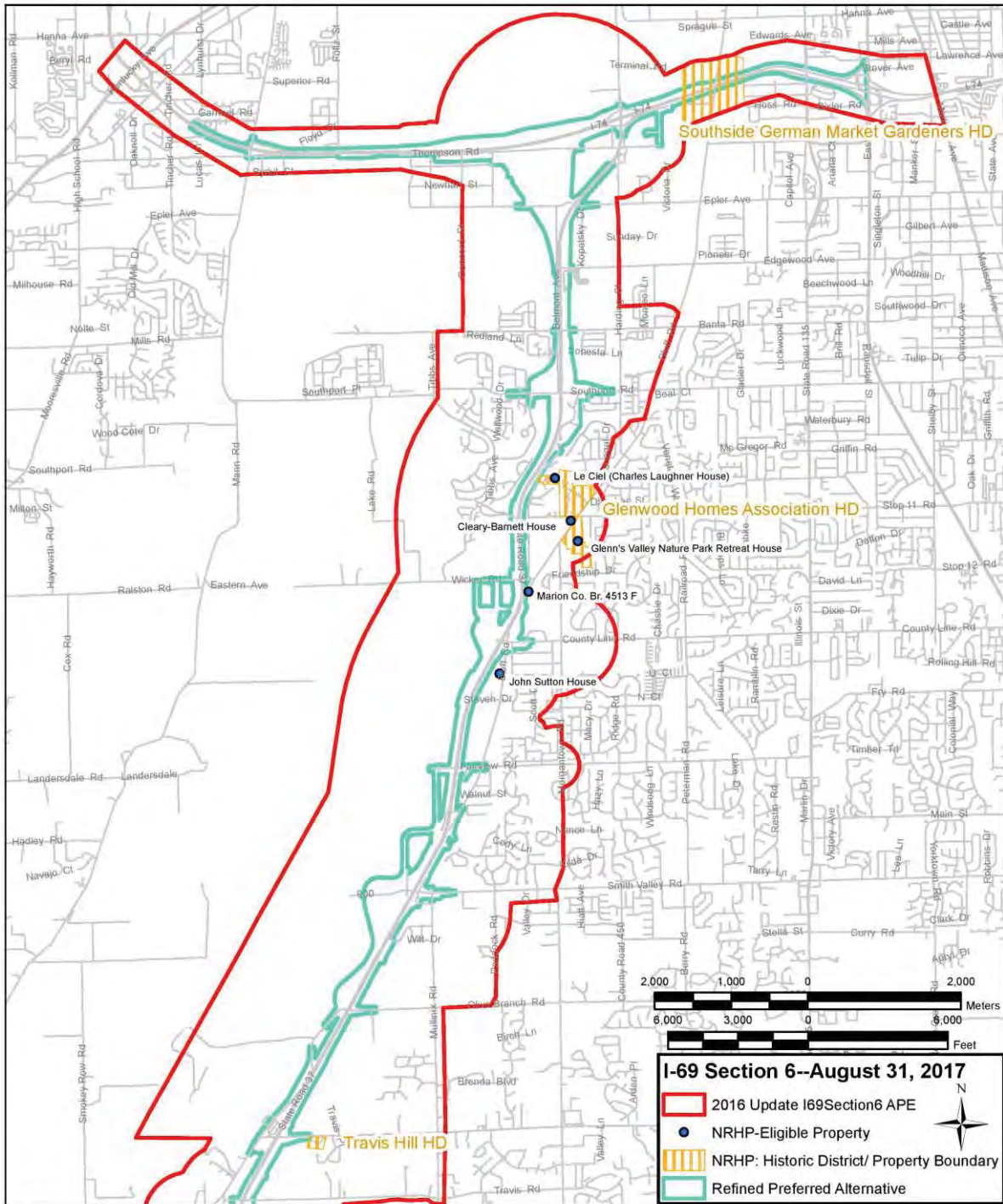
The project area for the SR 37 alternatives of Section 6 is comprised of rural and urban/suburban environments. Those portions of Martinsville and Indianapolis contained within Section 6 are characterized as being predominately clustered modern suburban residential developments along major roads with retail, commercial, and industrial nodes at major intersections and along SR 37. The area becomes more commercial and industrial near Martinsville and Indianapolis. Rural areas of the SR 37 alternatives for Section 6 are characterized by a scattering of commercial and retail businesses along SR 37, with a mix of agricultural land occupied by small farms, modern houses and modern residential developments, and forested land.

The Tier 1 Environmental Impact Statement (EIS) for the I-69 Evansville to Indianapolis project concluded in March 2004. The Federal Highway Administration (FHWA) selected a corridor— Alternative 3C—in its Record of Decision (ROD) and divided the corridor into six Tier 2 sections for detailed study. Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (54 U.S.C. 306108), mandates federal agencies to take into account the effects of their undertakings—i.e., projects wholly or partially funded, permitted, or licensed by a Federal agency—on historic properties. FHWA has allocated federal funds to the Indiana Department of Transportation (INDOT) to use for the Tier 2 Studies of the I-69 Evansville to Indianapolis Project.

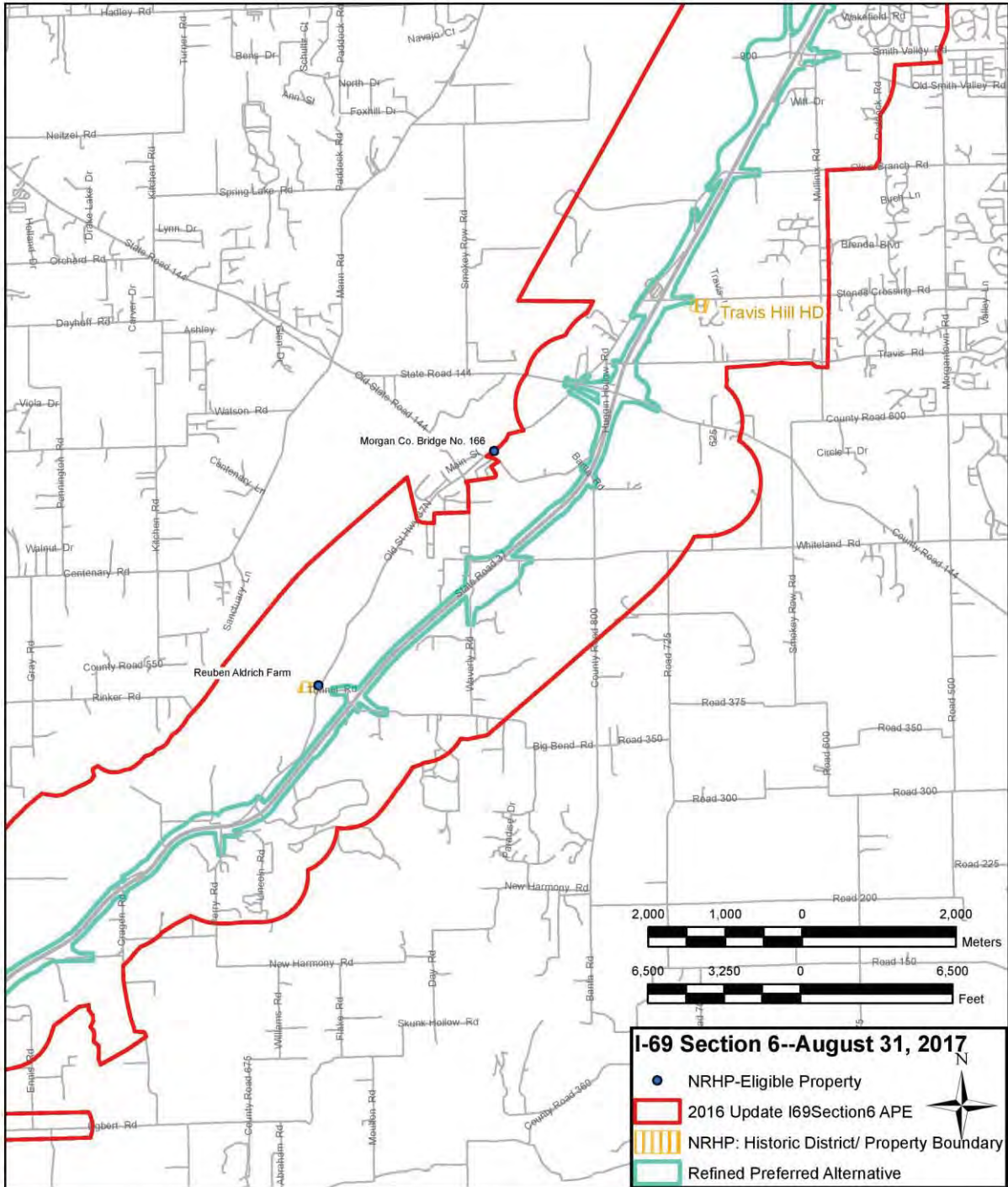
On April 29, 2004, FHWA issued a Notice of Intent (NOI) for Section 6 of I-69. In 2006, environmental efforts in I-69 Section 6 were minimized to include only critical management and public outreach activities while other sections of the I-69 undertaking were being completed. On October 15, 2014, FHWA published a revised NOI in the Federal Register to advise the public and resource agencies that Tier 2 studies in I-69 Section 6 were resuming. The revised NOI indicated that the range of alternatives may include alternatives outside of the corridor selected in the Tier 1 ROD. All alternatives evaluated connect Section 5 of I-69 in Martinsville with I-465 in Indianapolis. On March 29, 2016, INDOT and FHWA announced that Section 6 would follow the SR 37 corridor.

The Section 6 Refined Preferred Alternative is comprised of various features of Alternatives C1, C2, C3, and C4, as presented during consultation.

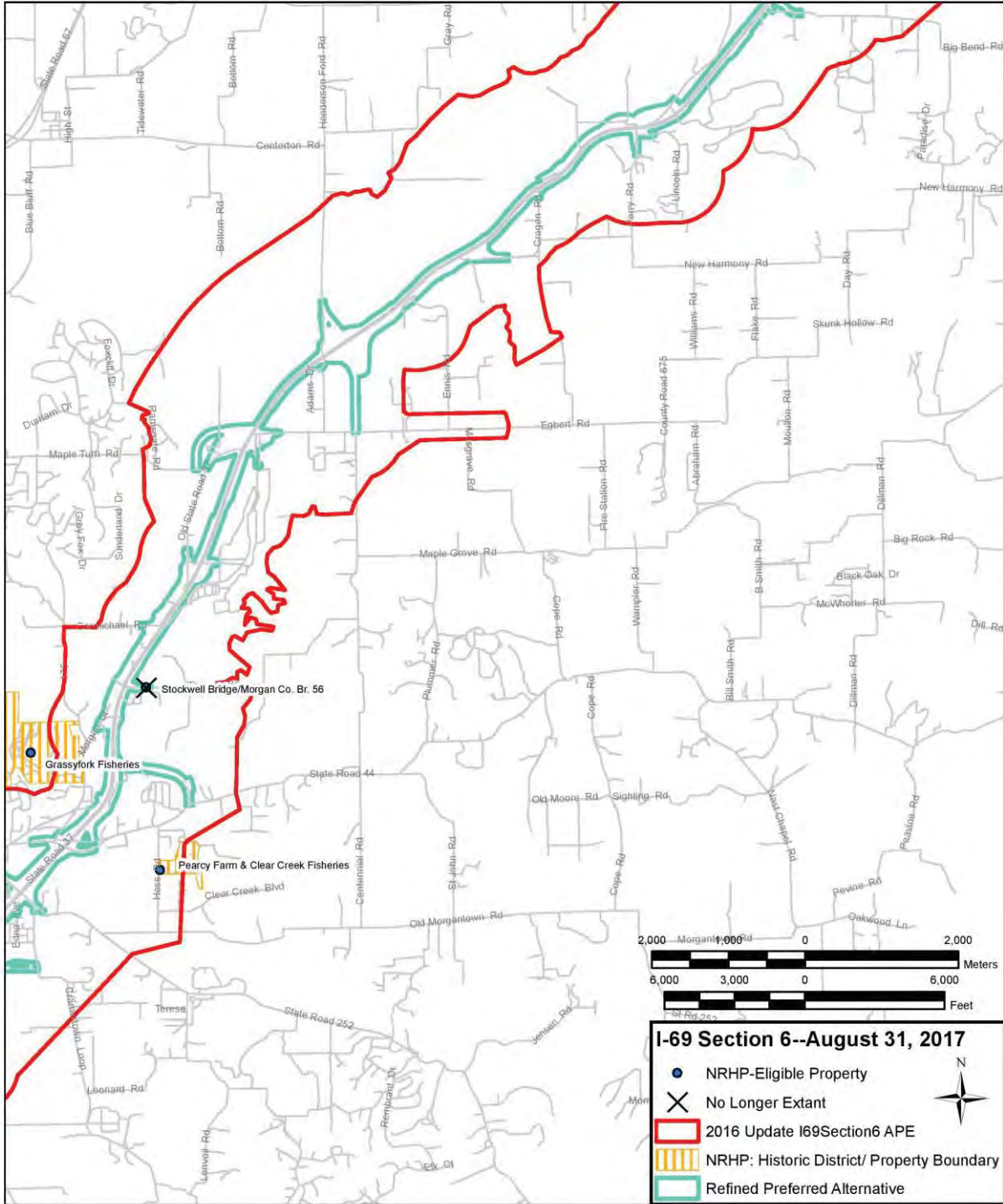
**ATTACHMENT B**  
**AREA OF POTENTIAL EFFECTS (APE)**



**Map 1 of 4**

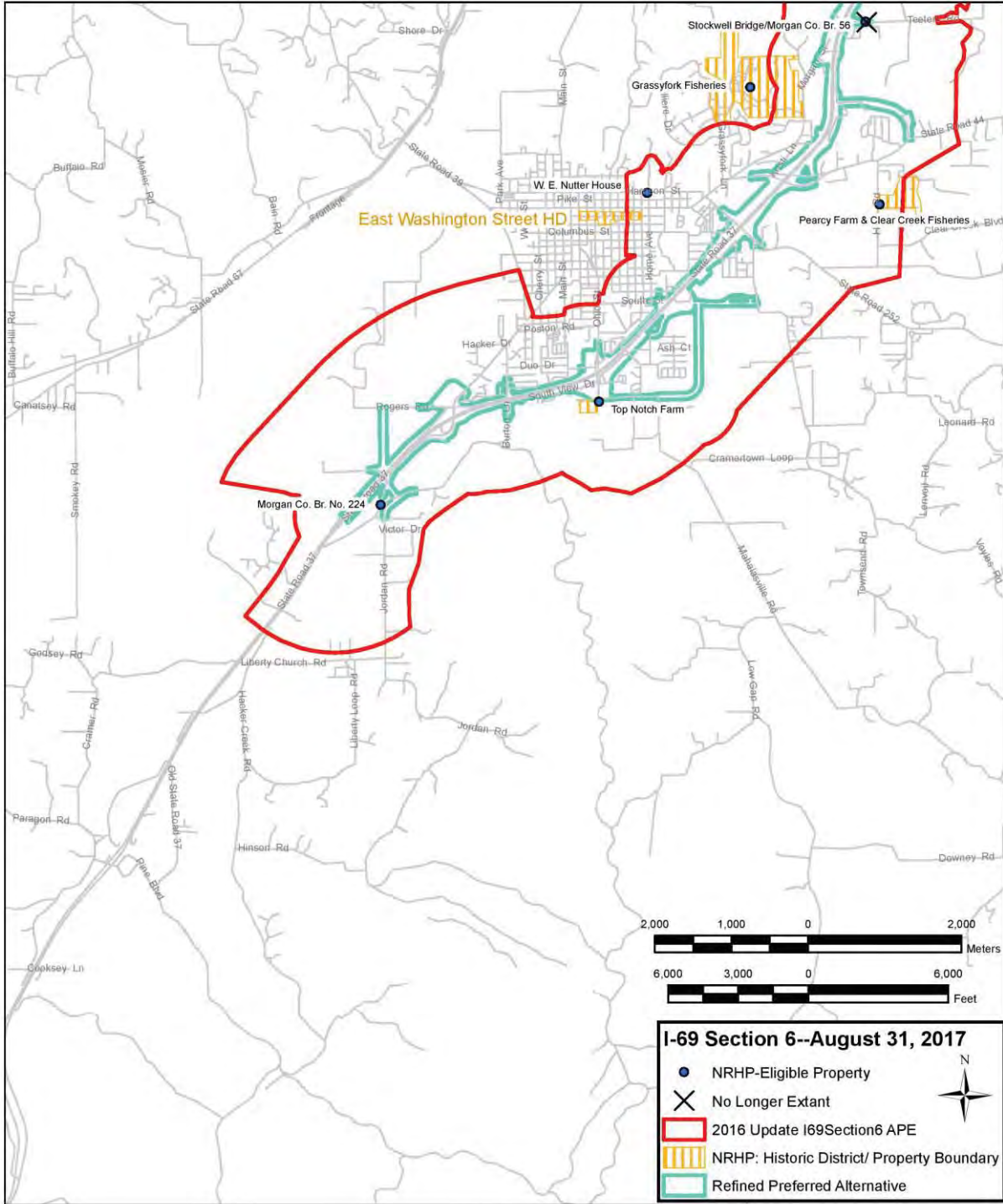


Map 2 of 4



Map 3 of 4





Map 4 of 4

**ATTACHMENT C**  
**LIST OF AGENCIES, TRIBES, AND CONSULTING PARTIES**

---

**Agencies and Tribes:**

- Federal Highway Administration
  - Indiana Department of Transportation
  - Indiana State Historic Preservation Officer
  - Peoria Tribe of Indians of Oklahoma
  - Miami Tribe of Oklahoma
  - United Keetoowah Band of Cherokee Indians
  - Chippewa Cree
- 

**Consulting Parties:**

- |  |   |
|--|---|
| • Indiana Landmarks  | • Scott Greenhouse LLC                            |
| • Morgan County Historic Preservation Society & Martinsville Plan Commission | • Julie and Ryan Gettum                           |
| • Pauline Spiegel  | • Anne Bilodeau                                   |
| • Historic SPANs Taskforce   | • Melvin J. Crichton                              |
| • Indianapolis Historic Preservation Commission                              | • Henry and Mary Scheid                           |
| • Dr. James Cooper   | • Jeffery and Beth Line                           |
| • Morgan County Commissioner   | • Todd Bylsma and Beth Dillman                    |
| • City of Martinsville   | • Charles F. Laughner                             |
| • Johnson County Historian   | • Jerry L. Barnett                                |
| • Debra Underwood  | • City of Indianapolis Department of Public Works |
| • Larry and Loretta Hess   | • Lonnie and Marcia Smith                         |
| • Brehob Nursery Inc.  | • Rick Underwood                                  |
| • Mapa Properties LLC  | • Ozark Fisheries                                 |
| • Peaper & Proctor Real Estate LLC   | • M. Duane and C. Dean Leonard                    |
| • Erelyn Novicki Trust and Trustee   | • Ginger Fitzpatrick                              |
| • John W. Demaree, Summit Realty Group                                       | • John and Sandra Harrison                        |



Bethany Natali &lt;bethany@weintrautinc.com&gt;

**Des. No.: 0300382; I-69 Section 6 in Morgan, Johnson, and Marion Counties, Indiana**

1 message

Linda Weintraut &lt;linda@weintrautinc.com&gt;

Fri, Oct 27, 2017 at 3:01 PM

To: Mark Dollase <mdollase@indianalandmarks.org>, ssebree@indianalandmarks.org, jstuttgen@comcast.net, Pauline Spiegel <psspiegel@gmail.com>, Paul Brandenburg <indianabridges@sbcglobal.net>, dbaker@indygov.org, "James L. Cooper" <jlcooper@ccrtc.com>, dhpa@dnr.in.gov, "Carr, John" <Jcarr@dnr.in.gov>, "Slider, Chad" <Cslider@dnr.in.gov>, "Tharp, Wade" <WTharp1@dnr.in.gov>, nvoyles@morgancounty.in.gov, Ross@hollowayengineering.com, maxlois@sbcglobal.net, jdemaree@summitrealtygroup.com, Ann Bilodeau <bilodeau.ann@gmail.com>, Mel Crichton <kj9c@iquest.net>, bethannebylsma@gmail.com, barney8000@comcast.net, don.colvin@indy.gov, Marcia Smith <smithfirepro@aol.com>, dKunderwood@rdc-ics.com, joseph@ozarkfisheries.com, "N. B. Line" <bethline78@gmail.com>, Joseph Cleveland <cleveland07@gmail.com>, chrismeyers@indygov.com, Sarah Stokely <sstokely@achp.gov>

Cc: Christine Meador <CMeador@hntb.com>, Timothy Miller <tnmiller@hntb.com>, "Earl, James" <JEARL@indot.in.gov>, "Rubin, Sarah" <SRubin@indot.in.gov>, "Kumar, Anuradha" <akumar@indot.in.gov>, "michelle.allen@dot.gov" <michelle.allen@dot.gov>, Kia Gillette <kgillette@hntb.com>, "Kennedy, Mary" <mkennedy@indot.in.gov>, "Miller, Shaun (INDOT)" <smiller@indot.in.gov>, Beth McCord <bmccord@graypape.com>, bethany w <bethany@weintrautinc.com>

**Des. No.: 0300382****Project Description: I-69 Section 6****Location: Morgan, Johnson, and Marion Counties**

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with Section 6 of the I-69 Evansville to Indianapolis Tier 2 Studies (Des. No. 0300382; DHPA No.: 4615).

As part of Section 106 of the National Historic Preservation Act, a Memorandum of Agreement and a transmittal letter that responds to comments received on the draft Memorandum of Agreement and the 800.11 Findings and Determinations have been prepared and are ready for review and comment by consulting parties.

Please review this documentation located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

Consulting parties have fifteen (15) calendar days from receipt of this information to review and provide comment. Tribal contacts may contact Shaun Miller at [smiller@indot.in.gov](mailto:smiller@indot.in.gov) or 317-233-6795 or Michelle Allen at FHWA at [michelle.allen@dot.gov](mailto:michelle.allen@dot.gov) or 317-226-7344.

Thank you in advance for your input,

--

Linda Weintraut, Ph.D.  
Weintraut & Associates, Inc.

PO Box 5034  
4649 Northwestern Drive  
Zionsville, Indiana 46077  
317.733.9770 ext. 310

[www.weintrautinc.com](http://www.weintrautinc.com)

----- Forwarded message -----

From: **Kennedy, Mary** <MKENNEDY@indot.in.gov>

Date: Fri, Oct 27, 2017 at 3:35 PM

Subject: FHWA Project: Des. No. 0300382; I-69 Section 6 in Morgan, Johnson, and Marion Counties, Indiana; MOA

To: "eooswahwee-voss@ukb-nsn.gov" <eooswahwee-voss@ukb-nsn.gov>, "jbunch@unk-nsn.gov" <jbunch@unk-nsn.gov>, "lpappenfort@peoriatribe.com" <lpappenfort@peoriatribe.com>, "dhunter@miamination.com" <dhunter@miamination.com>, "ukbthpo-larue@yahoo.com" <ukbthpo-larue@yahoo.com>, "alvin@nei-yahw.com" <alvin@nei-yahw.com>, "melody.henry@nei-yahw.com" <melody.henry@nei-yahw.com>

Cc: "Miller, Shaun (INDOT)" <smiller@indot.in.gov>, "Allen, Michelle (FHWA)" <michelle.allen@dot.gov>, Linda Weintraut <linda@weintrautinc.com>

**Des. No.: 0300382**

**Project Description: I-69 Section 6**

**Location: Morgan, Johnson, and Marion Counties, Indiana**

---

The Indiana Department of Transportation, with funding from the Federal Highway Administration, proposes to proceed with Section 6 of the I-69 Evansville to Indianapolis Tier 2 Studies (Des. No. 0300382; DHPA No.: 4615).

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Please review this document located in IN SCOPE at <http://erms.indot.in.gov/Section106Documents/> (the Des. No. is the most efficient search term, once in IN SCOPE), and respond with any comments that you may have. If a hard copy of the materials is needed, please respond to this email with your request within seven (7) days.

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Thank you in advance for your input,

**Mary E. Kennedy**

*Historic Bridge Specialist/Acting History Team Lead*

*Cultural Resources Office*

*Environmental Services*

100 N. Senate Ave., Room N642

Indianapolis, IN 46204

**Office:** (317) 232-5215

**Email:** [mkennedy@indot.in.gov](mailto:mkennedy@indot.in.gov)



--  
Linda Weintraut, Ph.D.  
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PO Box 5034  
4649 Northwestern Drive  
Zionsville, Indiana 46077  
317.733.9770 ext. 310

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Indiana Department  
of Natural Resources

Eric Holcomb, Governor  
Cameron F. Clark, Director

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



November 3, 2017

Linda Weintraut, Ph.D.  
Weintraut & Associates, Inc.  
Post Office Box 5034  
Zionsville, Indiana 46077

Federal Agency: Federal Highway Administration ("FHWA")

Re: FHWA's October 27, 2017, comment response letter, with the memorandum of agreement (October 27, 2017) enclosed, for I-69 Section 6, Evansville to Indianapolis: Tier 2 Study: SR 39 to I-465 (HDA-IN; Des. No. 0300382; DHPA No. 4615)

Dear Dr. Weintraut:

Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (54 U.S.C. § 306108), 36 C.F.R. Part 800, and the National Environmental Policy Act of 1969 (42 U.S.C § 4321, *et seq.*), the staff of the Indiana State Historic Preservation Officer ("Indiana SHPO") has reviewed the aforementioned letter and memorandum of agreement ("MOA"), which we received in paper form on November 1, 2017, for the I-69 Section 6 project that is proposed to be built in Morgan, Johnson, and Marion counties in Indiana.

Thank you for taking into consideration the comments we made about the September 11, 2017, version of the draft MOA in our October 16, 2017, letter.

I have signed the MOA, indicating our agreement with its terms. We are returning the Indiana SHPO's signature page with this letter.

If you have questions about archaeological issues, please contact Wade T. Tharp at (317) 232-1650 or [wtharp1@dnr.IN.gov](mailto:wtharp1@dnr.IN.gov). Questions about buildings or structures should be directed to John Carr at (317) 232-1949 or [jcarr@dnr.IN.gov](mailto:jcarr@dnr.IN.gov).

In all future correspondence regarding the I-69 Evansville to Indianapolis: Tier 2 Study: Section 6 (HDA-IN; Des. No. 0300382), please continue to refer to DHPA No. 4615.

Very truly yours,

Mitchell K. Zoll  
Deputy State Historic Preservation Officer

MKZ:JLC:jlc

enclosure (MOA signature page)

emc: Janice Osadczuk, Federal Highway Administration, Indiana Division  
Michelle Allen, Federal Highway Administration, Indiana Division  
Sarah Rubin, Indiana Department of Transportation  
James Earl, P.E., Indiana Department of Transportation  
Laura Hilden, Indiana Department of Transportation  
Anuradha Kumar, Indiana Department of Transportation  
Patrick Carpenter, Indiana Department of Transportation  
Mary Kennedy, Indiana Department of Transportation  
Shaun Miller, Indiana Department of Transportation

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Linda Weintraut, Ph.D.

November 3, 2017

Page 2

Shirley Clark, Indiana Department of Transportation

I-69 Section 6 Project Office

Christine Meador, HNTB Corporation

Rich Connolly, HNTB Corporation

Timothy Miller, HNTB Corporation

Kia Gillette, HNTB Corporation

Michael Grovak, Lochmueller Group

Jason DuPont, P.E., Lochmueller Group

Linda Weintraut, Ph.D., Weintraut & Associates, Inc.

Beth McCord, Gray & Pape, Inc.

Matt Buffington, Indiana Department of Transportation, Division of Fish and Wildlife

Mitchell Zoll, Deputy State Historic Preservation Officer, Indiana Department of Transportation

Chad Slider, Indiana Department of Transportation, Division of Historic Preservation and Archaeology

John Carr, Indiana Department of Transportation, Division of Historic Preservation and Archaeology

Wade T. Tharp, Indiana Department of Transportation, Division of Historic Preservation and Archaeology

Paul Diebold, Indiana Department of Transportation, Division of Historic Preservation and Archaeology

Holly Tate, Indiana Department of Transportation, Division of Historic Preservation and Archaeology



SIGNATORY PAGE

MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,  
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IN WASHINGTON, CLAY, MADISON, GREEN, and HARRISON TOWNSHIPS,  
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AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA

REQUIRED SIGNATORY

INDIANA STATE HISTORIC PRESERVATION OFFICER

By:  Date: 11-3-2017

Mitchell Zoll

Deputy State Historic Preservation Officer

Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology

Consulting Party Comment	Action Taken to Address Comment
<p>The Advisory Council on Historic Preservation (ACHP) has received your notification and supporting documentation regarding the adverse effects of the referenced undertaking on a property or properties listed or eligible for listing in the National Register of Historic Places. Based upon the information provided, we have concluded that Appendix A, Criteria for Council Involvement in Reviewing Individual Section 106 Cases, of our regulations, “Protection of Historic Properties” (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO), affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and it is determined that our participation is needed to conclude the consultation process, please notify us.</p> <p><i>Letter from LaShavio Johnson, Historic Preservation Technician, Office of Federal Agency Programs, Advisory Council on Historic Preservation, April 6, 2017</i></p>	<p>FHWA/INDOT will notify the ACHP if circumstances change and it is determined that ACHP participation is needed to conclude the consultation process.</p>
<p>Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the Indiana State Historic Preservation Officer (SHPO), and any other consulting parties, and related documentation with the ACHP at the conclusion of the consultation process. The filing of the MOA, and supporting documentation with the ACHP is required in order to complete the requirements of Section 106 of the National Historic Preservation Act.</p> <p><i>Letter from LaShavio Johnson, Historic Preservation Technician, Office of Federal Agency Programs, Advisory Council on Historic Preservation, April 6, 2017</i></p>	<p>FHWA/INDOT will file the final MOA with the ACHP.</p>

<p>We concur with FHWA’s February 14, 2017 Section 106 finding of Adverse Effect for the I-69 Evansville to Indianapolis: Tier 2 Study: Section 6.</p> <p>Specifically, for the purposes of Section 106 and also for the purposes of Section 4(f) of the U.S. Department of Transportation Act of 1966, <b>we concur with each of the following effect findings by FHWA on historic properties:</b></p> <ul style="list-style-type: none"> <li>• Morgan County Bridge 224—No Adverse Effect</li> <li>• Top Notch Farm—No Adverse Effect</li> <li>• East Washington Street Historic District—No Effect</li> <li>• W.E. Nutter House—No Effect</li> <li>• Percy Farm and Clear Creek Fisheries—No Effect</li> <li>• Grassy Fork Fishers Farm No. 1—No Adverse Effect</li> <li>• Reuben Aldrich Farm—Adverse Effect</li> <li>• Morgan County Bridge No. 166—No Effect</li> <li>• Travis Hill Historic District—No Adverse Effect</li> <li>• John Sutton House—No Adverse Effect</li> <li>• Marion County Bridge No. 4513 F—No Adverse Effect</li> <li>• Cleary-Barnett House—No Adverse Effect</li> <li>• Glenn’s Valley Nature Park Retreat House—No Adverse Effect</li> <li>• Glennwood Homes Association Historic District—No Adverse Effect</li> <li>• La Ciel (Charles Laughner House)—No Adverse Effect</li> <li>• Southside German Market Gardeners Historic District—Adverse Effect</li> </ul> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, April 13, 2017</i></b></p>	<p>Thank you for your comment. No further action required.</p>
<p>We agree with the conclusions of the DEIS that the Southside German Market Gardeners Historic District . . .and the Reuben Aldrich Farm . . . are the only above-ground, historic properties within the Section 106</p>	<p>Thank you for your comment. No further action required.</p>

<p>area of potential effects for Section 6 that will suffer adverse impacts.</p> <p><b>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, May 5, 2017</b></p>	
<p>In regard to potential impacts upon archaeological resources by the proposed project, we direct your attention to the comments that we included in our April 14, 2016, letter to Kia Gillette (Lochmueller Group, Inc.), and portions of which we herein repeat:</p> <p><b>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, May 5, 2017</b></p>	<p>Thank you for this comment. Please see the Comment / Response form in <b>Appendix M-5</b> for responses to the April 14, 2016 letter.</p>
<p>We recommend that the DEIS be revised to include the following:</p> <ul style="list-style-type: none"> <li>• A requirement that 12-Mg-0556 should be clearly marked so that it is avoided by all ground- disturbing project activities. If avoidance is not feasible, etc. (See text, above.)</li> <li>• That Field 1 of Segment 2 (as indicated in Survey Coverage Map 3 of 39, Survey Coverage Map 4 of 39, and Survey Coverage Map 5 of 39) is suitable to contain intact buried cultural deposits, and should be subjected to Phase I archaeological investigations. (If this area is still within the proposed project area.) (See text, above.)</li> <li>• A reference to the avoidance of (or additional testing at) archaeological site 12-Mg-0525, if the proposed project area will include it. (See text, above.)</li> </ul> <p><b>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, May 5, 2017</b></p>	<p>These changes will be added to the Final EIS (FEIS).</p>
<p>We concur with the findings of National Register of Historic Places (NRHP) eligibility for historic properties identified within the APE. We do not object to the findings of “no effect” or “no adverse effect” for the</p>	<p>No retaining wall would be required for Travis Hill.</p>

<p>properties identified in sections 4.1-4.8 or 4.11-4.16 of the Finding/800.11 Documentation. However, we would like to ask some further questions about the undertaking as it impacts the NRHP-eligible Travis Hill Historic District (4.9) and the John Sutton House (4.10) before we determine whether we concur with the finding of “no adverse effect” for those resources.</p> <p>Regarding Travis Hill, we would like to know whether the realignment of Stones Crossing Road would require the construction of a retaining wall where the road abuts the district. If so, we would ask that the wall be completed according to the principles of context-sensitive design to minimize its impact on the setting of the resource. A typical highway-grade retaining wall of stamped concrete or faux ashlar that is readily identifiable as cast concrete would not be considered acceptable in this setting.</p> <p><b><i>Letter from Sam Burgess, Community Preservation Specialist, Indiana Landmarks, May 8, 2017</i></b></p>	
<p>Regarding the John Sutton House, we believe that the significant increase in elevation of the adjacent section of I-69 will have an adverse effect on the setting of the property and thus that the finding for this resource should be “adverse effect.”</p> <p><b><i>Letter from Sam Burgess, Community Preservation Specialist, Indiana Landmarks, May 8, 2017</i></b></p>	<p>It is the opinion of INDOT and FHWA that setting is one of the less important aspects of integrity associated with the John Sutton House because 1) the property is significant for its architecture and 2) SR 37 and modern intrusions already surround the property and detract from the property’s original setting.</p> <p>The grade difference between existing SR 37 and proposed I-69 will be approximately 0 to 5 feet in height where the roadway is closest to the Sutton House property. Side slopes will be grassed.</p> <p>The John Sutton House is eligible for listing in the National Register of Historic Places under Criterion C for Architecture. According to National Register Bulletin No. 15, “a property significant under Criterion C must retain those physical features that characterize the type, period, or method of construction that the property represents. Retention of design, workmanship, and materials will usually be more</p>

	<p>important than location, setting, feeling, and association. Location and setting will be important; however, for those properties whose design is a reflection of their immediate environment (such as designed landscapes and bridges).” The John Sutton house does “retain those physical features that characterize the type, period, or method of construction that the property represents,” which the National Park Service states are the more important elements of integrity. As noted in the “Effects Report,” at the present time, integrity has been diminished by the modern buildings located between the Sutton House and the proposed interchange and by the gas station, mall, and residential development within its setting.</p> <p>The John Sutton House retains design, workmanship, and materials in the physical features of its Italianate architecture; therefore, it is the opinion of FHWA and INDOT that the characteristics that make this property eligible for listing in the National Register would not be affected adversely by the undertaking.</p>
<p>We concur with the findings of adverse effect for the Reuben Aldrich Farm and the Southside German Market Gardens Historic District. To mitigate the adverse effect upon the Reuben Aldrich Farm, we recommend that FHWA fund the preparation of a NRHP nomination and the planting of vegetative screening. As a mitigation measure for the adverse effect upon the proposed Southside German Market Gardens Historic District, we also recommend that FHWA fund a NRHP nomination for the district; provide vegetative screening as desired by the property owners; and ensure that all retaining walls conform to principles of context-sensitive design.</p> <p><b><i>Letter from Sam Burgess, Community Preservation Specialist, Indiana Landmarks, May 8, 2017</i></b></p>	<p>FHWA and INDOT agree that both of these mitigation measures are appropriate, and if the property owner provides consent, they are willing to stipulate such in a Memorandum of Agreement. Note that once installed, any screening would be the responsibility of the property owner to maintain.</p> <p>During the design phase, FHWA and INDOT propose to convene an advisory team comprised of property owners in the district to consider these proposed mitigation measures. Context-sensitive design will also be considered as it relates to the environment within the district.</p>
<p>We appreciate the clarification regarding the plans for realigning Stones Crossing Road adjacent to the Travis Hill Historic District. Although</p>	<p>The preferred alternative in the Draft EIS included an overpass at Stones Crossing Road. It is the opinion of FHWA and INDOT that</p>

we are pleased to learn that there will be no retaining walls added where Stones Crossing Road abuts the district, we are still concerned that the construction of an elevated access bridge might dramatically alter the approach to the district and thus impact the setting of multiple historic properties. Indeed, as the name of the district suggests, the character of Travis Hill is partly dependent on the topography of its site, and we believe that a drastic change in the sloped approach to the Travis Hill Historic District would constitute an adverse effect on the resource. Although a portion of Stones Crossing Road will still descend from Travis Hill, it appears that the introduction of an elevated bridge would [affect] a significant abbreviation of the existing sloped portion of the approach, thus adversely affecting the district.

***Letter from Sam Burgess, Community Preservation Specialist, Indiana Landmarks, May 31, 2017***

Travis Hill Historic District would be affected but not adversely by the introduction of an overpass at the new I-69. There would be a change in the elevation of Stones Crossing Road between the overpass and the crest of the hill. Motorists would still, however, experience some rise in elevation on route to the entrance of Travis Hill, just not as large of an increase. Homeowners on Travis Hill would still experience sweeping vistas from their homes atop Travis Hill. Changing the elevation of Stones Crossing Road is a minor impact.

Alternatively, however, FHWA and INDOT have offered the option of utilizing an access road from SR 144 to provide access for those property owners along Stones Crossing Road. No overpass for Stones Crossing Road and no realignment of Stones Crossing Road would be necessary under this option. This option would affect the view from some homes in Travis Hill Historic District only slightly during the winter months. This minimization effort results in the acquisition of one additional home along Jay Dee Lane, which is in a neighborhood south of Stones Crossing Road. This home is not part of the Travis Hill Historic District and is not individually eligible for listing in the National Register of Historic Places. INDOT and FHWA believe this option would minimize any effects to the district.

Regarding the John Sutton House (081-031-10002), we assert that while design, workmanship, and materials may be the most critical qualities of a property insofar as it is eligible for the National Register of Historic Places (NRHP) under Criterion C, the setting, feeling, and association are still important. Although the setting of the John Sutton house has been somewhat altered by the construction of more modern buildings on nearby sites and the existence of S.R. 37, we contend that the construction of I-69 represents a more drastic alteration of the resource's setting, as the undertaking will require a major change in the elevation of the land surrounding the site. The construction of I-69 would also appear to require the destruction of trees that currently serve as a visual buffer and organic sound barrier between the John Sutton House and present-day S.R. 37. Accordingly, it appears that I-69 will

It is the opinion of INDOT and FHWA that setting is one of the less important aspects of integrity associated with the John Sutton House because 1) the property is significant for its architecture and 2) SR 37 and modern intrusions already surround the property and detract from the property's original setting.

The proposed highway facility has been moved to the west to maintain the same right-of-way line in the vicinity of the Sutton House; only vegetation in the right-of-way would be removed. No acquisition of right-of-way would take place in the immediate vicinity of the Sutton House.

As noted above, the John Sutton House is eligible for listing in the

have an even more significant effect on the setting of the resource for the loss of this mature vegetative growth. Consequently, we maintain that the undertaking will have an adverse effect on the John Sutton House and that INDOT/FHWA should mitigate the effect by funding the creation of a new vegetative barrier between the resource and the I-69 corridor. As a further mitigation measure, we recommend that INDOT/FHWA fund the preparation of a N RHP nomination for the resource, pending the owner's consent.

***Letter from Sam Burgess, Community Preservation Specialist, Indiana Landmarks, May 31, 2017***

National Register of Historic Places under Criterion C for Architecture. According to National Register Bulletin No. 15, "a property significant under Criterion C must retain those physical features that characterize the type, period, or method of construction that the property represents. Retention of design, workmanship, and materials will usually be more important than location, setting, feeling, and association. Location and setting will be important, however, for those properties whose design is a reflection of their immediate environment (such as designed landscapes and bridges)." The John Sutton house does "retain those physical features that characterize the type, period, or method of construction that the property represents," which the National Park Service states are the more important elements of integrity. As noted in the "Effects Report," at the present time, integrity has been diminished by the modern buildings located between the Sutton House and the proposed interchange and by the gas station, mall, and residential development within its setting.

The John Sutton House retains design, workmanship, and materials in the physical features of its Italianate architecture; therefore, we believe that the characteristics that make this property eligible for listing in the National Register would not be affected adversely by the undertaking.

With respect to the Reuben Aldrich Farm and the Southside German Market Gardeners Historic District, we concur with INDOT's proposed measures to mitigate adverse effects. However, we would request to be a part of the advisory team that INDOT will assemble to consult with property owners about the possibility of pursuing a NRHP nomination for the district. We would also like to request a formal commitment from INDOT/FHWA to fund the preparation of a NRHP nomination for the Southside German Market Gardeners Historic District, contingent upon the consent of more than 50% of the property owners in the district.

***Letter from Sam Burgess, Community Preservation Specialist, Indiana Landmarks, May 31, 2017***

It would be appropriate that Indiana Landmarks be invited join the committee at the time that it is formed and FHWA and INDOT is willing to stipulate that a National Register Nomination be prepared if be prepared only 50% property owner consent.



<p>Sites 12-Mg-0564, 12-Mg-0565, 12-Mg-0566, 12-Mg-0567, and 12-Mg-0568 will be clearly marked and avoided by all ground-disturbing project activities. If avoidance is not feasible, a plan for subsurface archaeological investigations will be submitted to the DHPA for review and comment.</p>	<p>Based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur with the opinion of the archaeologist, as expressed in the submitted archaeological reconnaissance survey report (Baltz et al., 05/11/2017), that there is insufficient information regarding archaeological sites 12-Mg-0564, 12-Mg-0565, 12-Mg-0566, 12-Mg-0567, and 12-Mg-0568, all of which were identified during these investigations, to determine whether they are eligible for inclusion in the National Register of Historic Places ("NRHP"). These sites must either be avoided or subjected to further archaeological investigations. Additionally, these sites should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations must be submitted to the Division of Historic Preservation and Archaeology for review and comment. Any further archaeological investigations must be done in accordance with the "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation" (48 F.R. 44716).</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, June 19, 2017</i></b></p>
<p>Thank you for this comment. No further action required.</p>	<p>Additionally, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur with the opinion of the archaeologist, as expressed in the submitted archaeological reconnaissance survey report (Baltz et al., 05/11/2017), that archaeological sites 12-Mg-0562, 12-Mg-0563, 12-Mg-0569, 12-Mg-0570, 12-Mg-0572, 12-Mg-0573, 12-Mg-0574, 12-Mg-0575, 12-Mg-0576, 12-Mg-0577, 12-Jo-0703, 12-Jo-0704, 12-Jo-0705, 12-Jo-0706, 12-Jo-0707, 12-Jo-0708, 12-Jo-0709, 12-Ma-1007, and 12-Ma-1008, all of which were identified during the archaeological investigations, do not appear eligible for inclusion in the NRHP.</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation</i></b></p>

***Officer, June 19, 2017***

Additionally, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur with the opinion of the archaeologist, as expressed in the submitted archaeological reconnaissance survey report (Baltz et al., 05/11/2017), that there is insufficient information regarding archaeological sites 12-Mg-0561 and 12-Mg-0571, both of which were identified during the archaeological investigations, to determine whether they are eligible for inclusion in the NRHP. However, we concur with the opinion of the archaeologist, as expressed in the submitted archaeological report, that the portions of these sites that lie within the proposed project area do not appear to contain significant archaeological deposits, and that no further archaeological investigations are necessary in those areas. The portions of these sites that lie outside the proposed project area must either be avoided or subjected to further archaeological investigations. Additionally, those areas of the sites should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations must be submitted to the Division of Historic Preservation and Archaeology ("DHAPA") for review and comment. Any further archaeological investigations must be done in accordance with the "Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation" (48 F.R. 44716)

***Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, June 19, 2017***

Based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur with the opinion of the archaeologist, as expressed in the submitted archaeological reconnaissance survey report (Baltz et al., 05/11/2017), that sites 12-Mg-0327, 12-Mg-0430, 12-Mg-0431, 12-Mg-0556, 12-Jo-0043, 12-Jo-0157, 12-Jo-0159, 12-Jo-0160, 12-Jo-0161, 12-Jo-0359, 12-Jo-0360, 12-Jo-0361, 12-Jo-0362, 12-Jo-0486, 12-Jo-0487, 12-Jo-0488, 12-Jo-0580, 12-Ma-0176, and 12-Ma-0334, all of which were which were

The portions of Sites 12-Mg-0561 and 12-Mg-0571 that lie outside of the proposed project area will be avoided or subjected to further archaeological investigation. Those areas of the sites should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations will be submitted to the DHAPA for review and comment.

Thank you for this comment. No further action is required.

<p>resurveyed during the archaeological investigations, do not appear eligible for inclusion in the NRHP.</p> <p><b>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, June 19, 2017</b></p>	
<p>Additionally, based upon the submitted information and the documentation available to the staff of the Indiana SHPO, we concur with the opinion of the archaeologist, as expressed in the submitted archaeological reconnaissance survey report (Baltz et al., 05/J 1/2017), that there is insufficient information regarding archaeological sites 12-Mg-0334, 12-Jo-0010, 12-Jo-0017, 12-Jo-0042, 12-Jo-0044, 12-Jo-0062, 12-Jo-0489, 12-Ma-0052, 12-Ma-0170, 12-Ma-0171, 12-Ma-0175, and 12-Ma-0241, all of which were resurveyed during the archaeological investigations, to determine whether they are eligible for inclusion in the NRHP. However, we concur with the opinion of the archaeologist, as expressed in the submitted archaeological report, that the portions of these sites that lie within the proposed project area do not appear to contain significant archaeological deposits, and that no further archaeological investigations are necessary in those areas. The portions of these sites that lie outside the proposed project area must either be avoided or subjected to further archaeological investigations. Additionally, those areas of the sites should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigation and Archaeology (“DHPA”) for review and comment. Any further archaeological investigations must be done in accordance with the “Secretary of the Interior’s Standards and Guidelines for Archeology and Historic Preservation” (48 F.R. 44716).</p> <p><b>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, June 19, 2017</b></p>	<p>Portions of Sites 12-Mg-0334, 12-Jo-0010, 12-Jo-0017, 12-Jo-0042, 12-Jo-0044, 12-Jo-0062, 12-Jo-0489, 12-Ma-0052, 12-Ma-0170, 12-Ma-0171, 12-Ma-0174, 12-Ma-0175, and 12-Ma-0241 that lie outside the proposed project area will either be avoided or subjected to further archaeological investigations. Additionally, those areas of the sites should be clearly marked so that they are avoided by all ground-disturbing project activities. If avoidance is not feasible, then a plan for subsurface archaeological investigations will be submitted to the DHPA for review and comment.</p>

<p>Additionally, we note that portions of the proposed project area appear to lie within 100 feet of Old Mount Olive Cemetery (CR-55-64 in the Indiana DHPA SHAARD database system) and within 100 feet of Bell Cemetery (CR-49-57 in the Indiana DHPA SHAARD database system). Please note that, if the proposed project area includes any areas within 100 feet of a cemetery, then a cemetery development plan may be necessary under IC 14-21-1-26.5. The aforementioned cemetery must be avoided by all project activities, and provisions of relevant state statutes regarding cemeteries (including IC 14-21-1 and IC 23-14) must be adhered to. Please also be aware of Indiana Code 23-14-44-1 and Indiana Code 23-14-44-2, regarding restrictions on roads and utility construction in cemeteries.</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, June 19, 2017</i></b></p>	<p>The Old Mount Olive Cemetery and Bell Cemetery will be avoided by all project activities, and provisions of relevant state statutes regarding cemeteries will be adhered to. If the proposed project area includes any area within 100 feet of a cemetery, then a cemetery development plan may be necessary and prepared.</p>
<p>The archaeological report is acceptable, with the following revisions:</p> <p>Please revise the report to address the inaccuracies in, and the inconsistencies between, the information contained in the tables in the <i>Site Descriptions</i> section (pp. 134-139) and the information in the <i>Summary and Recommendations</i> section (pp. 248 and 249), and elsewhere in the report, as appropriate.</p> <p>In regard to our previous comments regarding potential impacts upon archaeological resources by the proposed project, we direct your attention to the comments that we included in our April 14, 2016, letter to Kia Gillette (Lochmueller Group, Inc.).</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, June 19, 2017</i></b></p>	<p>Thank you for this comment. The noted report revisions have been made and the Phase Ia Archaeological Survey 2 for Section 6 (June 21, 2017) was transmitted to DHPA on July 7, 2017.</p> <p>Please see comments above for any responses to the April 14, 2016 letter.</p>
<p>Thank you for the summary of our June 12, 2017 site visit and additional details regarding the project. I also found the meeting to be very productive.</p>	<p>The second option (the one that eliminates the overpass over I-69 and extends a local access road to Stones Crossing Road) requires one additional relocation (in addition to the south of Stones Crossing Road). There are other acquisitions and re-locations in the area that</p>

<p>I will confer with Mark Dollase and reply with a full list of questions and comments very soon. In the meantime, I would appreciate clarification on one point. Between the two alternatives for rerouting the entrance to Travis Hill, am I correct that only the second option would require the demolition of a house?</p> <p><b><i>Email from Sam Burgess, Community Preservation Specialist, Indiana Landmarks, July 5, 2017</i></b></p>	<p>would be incurred as a result of the undertaking. This second option does not change those acquisitions and re-locations. The difference between the two options is the additional re-location.</p> <p>The entrance into Travis Hill Historic District is not altered with either option; under both options Stones Crossing Road will be the access point to Travis Hill. Under the second option, people will access Stones Crossing Road via the new access road.</p>
<p>After learning further details about the intervention near the John Sutton House, we have a better understanding of the need for a nearby ramp. We still find that the ascent of I-69 will have an adverse effect on the John Sutton house as it will alter the character of the setting. Although neighboring contemporary buildings may initially block parts of the ramp from view, our hope is that the John Sutton House will have a longer lifespan than some of the more recent and less significant buildings in its surroundings, and we want to anticipate the long-term effects of the I-69 ramp may have on this historic house's view-shed after some of the nearby structures are gone.</p> <p><b><i>Letter from Sam Burgess, Community Preservation Specialist, Indiana Landmarks, July 17, 2017</i></b></p>	<p>It is the opinion of INDOT and FHWA that setting is one of the less important aspects of integrity associated with the John Sutton House because 1) the property is significant for its architecture and 2) SR 37 and modern intrusions already surround the property and detract from the property's original setting.</p> <p>Furthermore, it is the opinion of the INDOT and FHWA, that to speculate about the future structural viability of buildings between the Sutton House and I-69 interchange ramp is not reasonable and that speculation on the "lifespan" of this property and "some of the more recent and less significant buildings" should not be factored into a foreseeable consequence of this project.</p>
<p>Regarding Travis Hill, we find that while there will be a change in the approach to the district resulting from the alterations to Stones Crossing Road as specified under the first option noted in the minutes for the June 12 meeting, this change is not severe enough to warrant the additional relocation that would occur under option two. Accordingly, we favor the first option. However, we still find that the change to the approach will have an adverse effect on the district insofar as it will alter the character of its setting.</p> <p><b><i>Letter from Sam Burgess, Community Preservation Specialist, Indiana Landmarks, July 17, 2017</i></b></p>	<p>The preferred alternative in the Draft EIS included an overpass at Stones Crossing Road. It is the opinion of FHWA and INDOT that Travis Hill Historic District would be affected but not adversely by the introduction of an overpass at the new I-69. There would be a change in the elevation of Stones Crossing Road between the overpass and the crest of the hill. Motorists would still, however, experience some rise in elevation on route to the entrance of Travis Hill, just not as large of an increase. Homeowners on Travis Hill would still experience sweeping vistas from their homes atop Travis Hill. Changing the elevation of Stones Crossing Road is a minor impact.</p> <p>Alternatively, however, FHWA and INDOT have offered the option of</p>

<p>utilizing an access road from SR 144 to provide access for those property owners along Stones Crossing Road. No overpass for Stones Crossing Road and no realignment of Stones Crossing Road would be necessary under this option. This option would affect the view from some homes in Travis Hill Historic District only slightly during the winter months. This minimization effort results in the acquisition of one additional home along Jay Dee Lane, which is in a neighborhood south of Stones Crossing Road. This home is not part of the Travis Hill Historic District and is not individually eligible for listing in the National Register of Historic Places. INDOT and FHWA believe this option would minimize any effects to the district.</p>	<p>A paper copy of the material transmitted to the ACHP was sent to Marcia and Lonnie Smith.</p> <p>The plaque and the conceptual discussions with INDOT about the vegetative screening are included in the draft Memorandum of Agreement (MOA), which was distributed to consulting parties on September 13, 2017.</p> <p>Thank you for this comment. No further action is required.</p> <p>Thank you for this comment. No further action is required.</p>
<p>Thank you for the notice. Lonnie and Marcia Smith would like a hard copy of this document. Were we supposed to get a plaque for a historical property? And the "tree" study, for noise? What happened with that? Thank you for your consideration.</p> <p><b><i>Email from Marcia Smith, consulting party and owner of the Rueben Aldrich Farm, July 27, 2017</i></b></p>	<p>Thank you for submitting the above-referenced archaeological report containing the revisions that we requested in our 06/19/2017 response letter. The report is acceptable.</p> <p><b><i>Email from Wade Tharp, DHPA, August 7, 2017</i></b></p> <p>It is the ACHP's opinion that the FHWA has applied the Criteria of Adverse Effect correctly in this case and this letter provides the ACHP's reasoning for this opinion.</p> <p>...</p> <p>The ACHP's advisory opinion is that FHWA applied the Criteria of Adverse Effect correctly as the undertaking will not alter the character defining elements or the integrity of these two historic properties at the time it is implemented or in the future.</p>

<p><b>Letter from Reid J. Nelson, Director, Office of Federal Agency Programs, Advisory Council on Historic Preservation, August 17, 2017</b></p>	<p>In regards to the John Sutton House, the ACHP does not concur with Indiana Landmark's assertions that the possible removal of the modern construction adjacent to the proposed construction of I-69 would alter the setting and therefore result in indirect adverse effects, since such actions are not reasonable and foreseeable. Currently, these modern structures would block a significant portion of the planned construction from view at the John Sutton House. Considering this modern construction is extant and the proposed I-69 construction will be located behind it when viewed from the John Sutton House, it is the ACHP's view that the undertaking will not alter the character of the setting for this historic property.</p>		<p>Thank you for this comment. No further action is required.</p>
<p><b>Letter from Reid J. Nelson, Director, Office of Federal Agency Programs, Advisory Council on Historic Preservation, August 17, 2017</b></p> <p>The Travis Hill Historic District is an early example of a post-war, rural, suburban development that is oriented to highways. The disputed potential indirect effects concerning a change in the elevation of Stones Crossing Road, which is the main road entering the historic district, would alter the character of setting in the approach to the historic district are not substantiated. The original design of entering the development through an ascent up Travis Hill is the character defining element distinguishing the approach into this historic district. Based upon our review, this will not be altered with the proposed change in elevation of Stones Crossing Road.</p>	<p>Thank you for this comment. No further action is required.</p>		
<p><b>Letter from Reid J. Nelson, Director, Office of Federal Agency Programs, Advisory Council on Historic Preservation, August 17, 2017</b></p> <p>In accordance with 36 CFR 800.5(c)(3), the FHWA is required to take into account this advisory opinion in reaching a final decision on its finding of effect, and to provide to the ACHP, Indiana SHPO, Indiana</p>	<p>FHWA will follow this process in accordance with 36 CFR 800.5(c)(3).</p>		

<p>Landmarks, and any other consulting parties a summary of how these advisory comments were considered by FHWA. Once the summary of the decision has been sent to the ACHP and other parties, the FHWA's responsibilities are fulfilled for this step in the Section 106 process.</p> <p><b><i>Letter from Reid J. Nelson, Director, Office of Federal Agency Programs, Advisory Council on Historic Preservation, August 17, 2017</i></b></p>	
<p>Thanks for keeping us (Glennwood Homes) in the loop, even though (after reading the MOA) it appears that our neighborhood will not be of great concern regarding negative impact from I-69.</p> <p>Of course, when construction starts, we'll probably moan and groan about the noise, dirt, and traffic on Bluff Road. I am sure that INDOT will do whatever is necessary to minimize these negative effects during construction.</p> <p>Of longer term concern, then, would be the potential for highway traffic noise once I-69 is opened. We hope that INDOT will use "quiet" road surfacing and even noise barriers, and have signs banning engine brakes in residential areas. That's probably an issue that has not yet been addressed, but I am putting our concerns forward now.</p> <p><b><i>Email from Melvin Crichton, consulting party, September 14, 2017</i></b></p>	<p>The Glennwood Homes Association Historic District was recommended eligible for the NRHP as part of the Section 106 consultation process. As part of the Section 106 process, it was determined there would be no adverse effect from the project on the historic district. This is because the I-69 Section 6 project is located approximately 578 feet from the historic district and the district is set on a heavily wooded tract of land along Bluff Road. The historic district is accessed via Bluff Road and traffic is expected to decrease as a result of the project at Bluff Road, north of Stop 11 Road, which is the entrance/access to the majority of resources in the district.</p> <p>Noise barriers will be constructed along Section 6 where deemed reasonable and feasible and supported by the benefited receptors. As part of the environmental review, a noise analysis was conducted near the Glennwood Homes neighborhood but the projected noise levels in the design year of 2045 did not meet the threshold of a noise barrier. Although a noise barrier is not warranted at this time, it does not prevent a re-evaluation once construction is complete.</p>
<p>We have no questions or comments about the comment responses provided in James Earl's August 4, 2017, e-mail or during the August 14 Comment Resolution Meeting #2 and follow-up information provided by Mr. Earl by e-mail on September 1, 2017.</p> <p>In regard to potential impacts upon archaeological resources by the proposed project, we direct your attention to the comments that we included in our letters of April 14, 2016, and June 19, 2017; both to Kia Gillette (then at Lochmueller Group).</p>	<p>Thank you for this comment. A cemetery development plan will be prepared for cemeteries that have ground disturbing activities occurring within 100 feet.</p>



<p>Additionally, as previously indicated, we note that portions of the proposed project area appear to lie within 100 feet of Old Mount Olive Cemetery (CR-55-64 in the Indiana DHPA SHAARD database system) and within 100 feet of Bell Cemetery (CR-49-57 in the Indiana DHPA SHAARD database system). Please note that, if the proposed project area includes any areas within 100 feet of a cemetery, then a cemetery development plan may be necessary under IC 14-21-1-26.5. The aforementioned cemetery must be avoided by all project activities, and provisions of relevant state statutes regarding cemeteries (including IC 14-21-1 and IC 23-14) must be adhered to. Please also be aware of Indiana Code 23-14-44-1 and Indiana Code 23-14-44-2, regarding restrictions on roads and utility construction in cemeteries.</p> <p><b>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, September 14, 2017</b></p>	
<p>In Dr. Linda Weintraut's September 13, 2017, e-mail and the September 13 letter from FHWA that she had attached, the changes to the project alignment or design near three historic properties (now referred to as the Refined Preferred Alternative) that were described in the August 14 meeting and a draft, Section 106 memorandum of agreement are mentioned. We will be commenting on those documents from a Section 106 perspective in separate letter within the next few weeks.</p> <p><b>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, September 14, 2017</b></p>	<p>Thank you for this comment. No further action required.</p>
<p>Am I understanding correctly, there will be no adverse effect to our property, involving I-69? Is there anything required of us at this point? Thank you for including us in your correspondence.</p> <p><b>Email from Marcia Smith, Reuben Aldrich Farm, September 30, 2017</b></p>	<p>It is our understanding that the refined preferred alternative will have less of an impact than previously thought at the Reuben Aldrich Property, but that FHWA and INDOT continue to find the project will have an "Adverse Effect" (per FHWA's signed finding of February 14, 2017).</p> <p>You are not required to do anything at this point. Please see responses to Stipulation II.C. below.</p>
<p>We agree with the memorandum on the Refined Preferred Alternative ("RPA") that the degree of effect that previously was assessed for each, identified historic property at the time FHWA issued its February 14, 2017, findings of effect would not be any greater under the RPA, even</p>	

<p>though several aspects of the design have changed since then, and that the overall effect finding for the Refined Preferred Alternative should be Adverse Effect, as it was at the time of the February 14 finding. With regard to the conclusions of the memorandum on the RPA, however, please see our question below about Stipulation II.C. of the draft MOA.</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</i></b></p>	
<p>The last sentence of Stipulation II.A.2.d) and the sole sentence in Stipulation II.A.2.e) are well-intentioned efforts to allow the Indiana SHPO to remain involved in the matters considered by the Advisory Team, even if the Indiana SHPO staff is unable to attend the Advisory Team meetings. However, we do not think those additional efforts to include us are necessary. As we understand those two stipulations, the Indiana SHPO would be presumed to be a member of the Advisory Team, whether or not his staff attends a particular Advisory Team meeting, and we would receive the materials before the meetings and meeting minutes afterward and could still comment on those, if we chose to do so. However, if we elect not to participate in one or more of the meetings, it likely would be because the greatest weight should be given to the opinions of local members of the Advisory Team, rather than to our opinions, and because of our other project review workload at the time.</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</i></b></p>	<p>The reference to the Indiana SHPO has been removed from Stipulation II.A.2.d). The original Stipulation II.A.2.e) has been removed entirely and the following stipulations re-ordered to reflect that deletion.</p>
<p>Similarly, we do not think that it is necessary to refer to “the Advisory Team and Indiana SHPO” (or just “SHPO”) in Stipulation II.B.1. with regard to submissions on the interpretive signage. It should be sufficient to refer there to “the Advisory Team,” which would include the Indiana SHPO, whether or not we choose to comment on the sign at 30% and 60% of the completion of the design of the signage.</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</i></b></p>	<p>References to Indiana SHPO have been removed from Stipulation II.B.1.</p>

<p><i>Officer, October 16, 2017</i></p>	<p>Furthermore, II.B.1. refers to “an interpretive sign,” “the interpretive sign,” “the sign,” “proposed locations . . . of the interpretive signage,” and “interpretive signs.” We think that it would be appropriate to commit to more than one interpretive sign, but, in any case, the language should be consistently singular or plural.</p>
<p>This stipulation has been revised to refer to “interpretative signage” in order to allow for input from the local community on the number of signs within the district. Similarly, language regarding the potential location of the signage has been changed to broaden the potential location of the signage based on public input. The language has been revised to read: “INDOT shall fund the manufacture and the installation of interpretive signage within the boundaries of the Southside German Market Gardeners Historic District or at a public space with a connection to the District. The interpretative signage shall provide information about the history of these resources in Section 6 of the Tier 2 Study. The design and graphic content of the interpretative signage may focus on German Ethnic Heritage in Indianapolis and/or Market Gardening in Indianapolis.” INDOT and FHWA recognize that the Indiana Historical Bureau marker at the corner of Bluff Road and Hanna Avenue (in Bluff Park) discusses the presence of “German Greenhouses and Truck Gardens” in this part of southwestern Marion County.</p>	<p><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</i></p> <p>The draft MOA, in Stipulation II.C., deals with situations in which “the Section 6 Project is modified after a finding of effect has been issued.” It appears to be consistent with stipulations on that kind of situation for the other I-69 projects. Is this the authority by which, as FHWA’s September 13 letter states, “FHWA and INDOT have determined the RPA will not result in any change of effects” from the February 14 finding, or will a new finding be issued for the RPA?</p>
<p>FHWA and INDOT do not intend to issue a new finding of effect for this undertaking. The intent of Stipulation II.C. is to address modifications that may be made after the MOA has been executed. Stipulation II.C. has been revised to read: “If the Section 6 Project is modified after a finding of effect has been <b>issued and this MOA has been executed</b>, then FHWA shall review the Section 6 Project modifications and proceed by complying with II.C.1. and, if appropriate, II.C.2. References to FHWA also apply to INDOT, wherever INDOT is authorized to act on FHWA’s behalf.”</p>	<p><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</i></p> <p>We have several comments and recommendations for the stipulations pertaining to the preparation of National Register of Historic Places (“NRHP”) nomination applications. It is apparent that you have drafted them with comments and recommendations that we have made on draft</p>
<p>The nomination language has been revised and is addressed below. Please note that, based on comments received from the National Park Service (NPS) for an NRHP nomination application prepared for a different Section of the I-69 project, Stipulations II.B.3. and II.B.5.,</p>	<p>The nomination language has been revised and is addressed below. Please note that, based on comments received from the National Park Service (NPS) for an NRHP nomination application prepared for a different Section of the I-69 project, Stipulations II.B.3. and II.B.5.,</p>

<p>MOA's for other highway projects, and we appreciate your efforts to anticipate our concerns. Even so, as we learn from past experience, our opinions about that kind of stipulation evolve over time. Also, we take into consideration the circumstances of a given project and of the historic property involved and sometimes modify our recommendations accordingly.</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</i></b></p>	<p>have been modified with the following language:</p> <p>d) INDOT and/or its consultant shall be responsible for revising the NRHP nomination application to address revisions requested by IDNR/DHPA, the Indiana Historic Preservation Review Board, and/or the NPS.</p> <p>e) INDOT's obligation to prepare the NRHP nomination application shall be considered satisfied when the Indiana SHPO notifies INDOT and/or its consultant that the application is complete and has been accepted by the NPS.</p>
<p>Stipulations II.B.2., 3., 4., and 5. use the term "NRHP District Nomination Documentation" or "NRHP Nomination Documentation." We think that a more appropriate term would be "NRHP nomination application" or "application for nomination to the NRHP." It occurred to us that referring to that document as "documentation" might imply an intention to provide for a fallback mitigation measure, in the form of a partially-completed NRHP application nomination or an equivalent report, in the event it becomes impossible to undertake the preparation of the NRHP nomination application as a result of property owner objection or lack of cooperation. However, the way in which the first sentences of both II.B.2. and II.B.4. are written makes the funding of the preparation of the NRHP Nomination Documentation (or nomination application) contingent on property owner consent. Consequently, the NRHP nomination application would not even be prepared as substitute mitigation if property owner consent cannot be obtained up front. If FHWA and INDOT wish to provide for fallback mitigation (e.g., in the event the property owner or owners do not consent), then that should be spelled out, probably in a separate paragraph within II.B.</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</i></b></p>	<p>References have been changed to "NRHP nomination application" in these stipulations. INDOT and FHWA do not wish to provide a fallback stipulation.</p>
<p>Stipulations II.B.2. and II.B.4. require providing the NRHP nomination</p>	<p>These stipulations have been revised to indicate the nomination would</p>

<p>applications to the Indiana Department of Natural Resources/Division of Historic Preservation and Archaeology (or IDNR/DHPA) in an electronic format. However, if either of the NRHP nomination applications is successful in obtaining NRHP listing for the property, then we will post the contents of the nomination in SHAARD. We do not otherwise have a web page on which the application would be displayed.</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</i></b></p>	<p>be placed in SHAARD.</p>
<p>We recommend that the following language be added to the end of the single sentence in both Stipulation II.B.3.a) and II.B.5.a): “and to verify the NRHP eligibility and the boundaries of the property.”</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</i></b></p>	<p>This phrase has been added.</p>
<p>Stipulations II.B.3.c) and II.B.5.b) appropriately require that NRHP nomination application photographs be taken either before or after project construction. Construction equipment, stockpiled construction materials, and signs of excavation or construction in progress would not enhance the views of the historic property. This would be especially applicable to the Southside German Market Gardeners Historic District. However, in this project, it does not seem essential to us that the photographs be taken within twelve months of the submission of the application to the Indiana SHPO. The time frame allowed in the NPS guidance should suffice.</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</i></b></p>	<p>These stipulations have been revised to delete the twelve-month timeframe.</p>
<p>However, in the case of the Reuben Aldrich Farm, we think it would be advisable to obtain the photographs (especially interior photographs) sooner, rather than later. The NRHP nomination application possibly could be completed even if the owner later changed his or her mind or if</p>	<p>Stipulation II.B.5.b. has been revised to read: "Photographs of the property that are required to be included in the NRHP nomination application shall be taken by the qualified professional within the timeframe allowed in the NPS guidance preceding the submission of the</p>

<p>the property is transferred to a new owner before the application is completed. That way, even with owner objection, it might be possible to obtain a formal determination of eligibility from the Keeper of the NRHP, even if the property could not be listed (see our comments above about fallback mitigation). Also, because Stipulation II.A.1. provides for the planting of vegetative screening on the Reuben Aldrich Farm, with owner consent, it would be better to take the exterior photographs before the vegetative screening is planted, so that it does not become impossible to take those photographs unobscured from certain angles. It would be advisable for FHWA or INDOT in the near future to write to the current owner of the Reuben Aldrich Farm and request a written consent to the preparation of the NRHP nomination application and to providing access, to the property, including the interior of the house, for the purpose of preparing the application. The foregoing advice may not need to be formally incorporated into the MOA, but we recommend that FHWA, INDOT, and their consultants consider whether it would be prudent to head it.</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</i></b></p>	<p>application to the IDNR/DHPA/Indiana SHPO, and all such photographs shall be taken prior to installation of vegetative screening, if the property owner has agreed to Stipulation II.A.1."</p> <p>INDOT and FHWA will work with the property owner in the near future to request written consent to the preparation of the NRHP nomination application and to request access to the interior and exterior of the house.</p>
<p>The Southside German Market Gardeners Historic District is in a different situation with regard to photographs, because only exterior views of buildings and structures would be necessary, and it seems plausible that they could be obtained from the existing Bluff Road or I-465 rights-of-way, even if property owner consent could not be obtained.</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</i></b></p>	<p>Agreed, no further changes added to the Southside German Market Gardeners Historic District clauses.</p>
<p>The eleventh "whereas" clause in the preamble to the draft MOA acknowledges that archaeological investigation in parts of the RPA's archaeological APE are incomplete. Stipulation III.A.6. makes a commitment to carry out archaeological identification, evaluation, and assessment for "[m]odifications to the Section 6 Project which fall</p>	<p>The reference to map in Attachment B has been removed and the stipulation has been revised to read: "Modifications to the Section 6 Project, which fall outside of the archaeological APE and which have not been previously surveyed, shall be subject to archaeological identification, evaluation, and assessment per Stipulations III.B - III.C.</p>

<p>outside of the archaeological APE, depicted in Attachment B, dated August 31, 2017.” However, the maps in Attachment B in this draft MOA show the 2016 updated APE for all direct and indirect effects and what appear to be the boundaries of the entire RPA. Much of the RPA was included in the Preferred Alternative on which the February 14 findings of effect were made. Consequently, we do not know how to determine from the maps in Attachment B which areas "fall outside of the archaeological APE.”</p> <p><b>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</b></p>	<p>If FHWA determines that the modifications have the potential to cause adverse effects on archaeological resources, then FHWA shall re-open the Section 106 process in accordance with the 36 C.F.R. part 800 regulations in effect at that time.” Areas outside of the archaeological APE that have not been previously surveyed will be identified during the project design and surveyed appropriately. These areas will be clearly shown in any future Phase Ia archaeological reports.</p>
<p>As previously indicated, in regard to potential impacts upon archaeological resources by the proposed project, we direct your attention to the comments that we included in our letters of April 14, 2016, and June 19, 2017; both to Kia Gillette (then at Lochmueller Group).</p> <p><b>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</b></p>	<p>No response required.</p>
<p>Additionally, as previously indicated, we note that portions of the proposed project area appear to lie within 100 feet of the Old Mount Olive Cemetery (CR-55-65 in the Indiana DPHA SHAARD database system) and within 100 feet of Bell Cemetery (CR-49-57 in the Indiana DHPA SHAARD database system). Please note that, if the proposed project area includes any areas within 100 feet of a cemetery, then a cemetery development plan may be necessary under IC 14-21-1-26.5. The aforementioned cemetery must be avoided by all project activities, and provisions of relevant state statutes regarding cemeteries (including IC 14-21-1 and IC 23-14) must be adhered to. Please also be aware of Indiana Code 23-14-44-1 and Indiana Code 23-14-44-2, regarding restrictions on roads and utility construction in cemeteries.</p> <p><b>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, October 16, 2017</b></p>	<p>No response required. A cemetery development plan will be prepared for each cemetery within 100 feet of ground disturbing activities, per Indiana Code.</p>

<p>Thank you for taking into consideration the comments we made about the September 11, 2017, version of the draft MOA in our October 16, 2017, letter.</p> <p>I have signed the MOA, indicating our agreement with its terms. We are returning the Indiana SHPO's signature page with this letter.</p> <p><b><i>Letter from Mitchell K. Zoll, Deputy State Historic Preservation Officer, November 3, 2017</i></b></p>	<p>No response required. The MOA was fully executed on November 13, 2017.</p>
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**APPENDIX M-8**  
**Memorandum of Agreement**

**MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,  
THE INDIANA DEPARTMENT OF TRANSPORTATION AND  
THE INDIANA STATE HISTORIC PRESERVATION OFFICER,  
PURSUANT TO 36 C.F.R. SECTION 800.6(b)(iv)  
REGARDING  
THE I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDY:  
SECTION 6, SR 39 TO I-465  
IN WASHINGTON, CLAY, MADISON, GREEN, and HARRISON TOWNSHIPS,  
MORGAN COUNTY, INDIANA; WHITE RIVER TOWNSHIP, JOHNSON COUNTY; AND DECATUR  
AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA**

**WHEREAS**, the Federal Highway Administration (“FHWA”) is proposing to construct Section 6, beginning on State Road (“SR”) 37 south of SR 39 in Martinsville, Indiana, centering on and continuing in a northeasterly direction along current SR 37 to I-465 in Indianapolis, Indiana (“Section 6 Project”), of the Interstate 69 (“I-69”) Evansville to Indianapolis Project, which is located in Washington, Clay, Madison, Green, and Harrison Townships of Morgan County, Indiana; White River Township of Johnson County, Indiana; and in Decatur and Perry Townships of Marion County, Indiana; and

**WHEREAS**, FHWA, in cooperation with the Indiana Department of Transportation (“INDOT”), has conducted a two-tiered study for the I-69 Evansville to Indianapolis Project; and

**WHEREAS**, the I-69 Evansville to Indianapolis Project has been divided into six sections for the Tier 2 Study; and

**WHEREAS**, each Tier 2 section, as defined in the I-69 Evansville to Indianapolis Project Tier 1 Environmental Impact Statement (“EIS”), is considered a separate undertaking for purposes of consultation; and

**WHEREAS**, the Section 6 Project provides for a divided interstate highway using the preferred alignment identified as the Refined Preferred Alternative which is composed of features of alternatives C1, C2, C3, and C4 as described in the I-69 Evansville to Indianapolis Project Tier 2 Draft EIS, and in Attachment A, Project Description; and

**WHEREAS**, FHWA, in consultation with the Indiana State Historic Preservation Officer (“Indiana SHPO”), has defined the Section 6 Project’s area of potential effects (“APE”), as defined in 36 C.F.R § 800.16(d) (2017), for aboveground resources to generally be not less than 4,000 feet wide and centered on existing SR 37 (a four-lane divided highway), identified as the Tier 1 Alternative 3C, and not less than 2,000 feet wide along I-465 (see Attachment B); and

**WHEREAS**, FHWA, in consultation with the Indiana SHPO, has defined the Section 6 Project APE for archaeological resources, as the term defined in 36 C.F.R. § 800.16(d) (2017), as the area within the right of way for the Section 6 Refined Preferred Alternative as described in Attachment A; and

**WHEREAS**, the East Washington Street Historic District and Grassyfork Fisheries Farm No. 1 are listed in the National Register of Historic Places (“NRHP”); and

**WHEREAS**, FHWA, in consultation with the Indiana SHPO, has determined, pursuant to 36 C.F.R. § 800.4(c) (2017), that the Morgan County Bridge 224 (National Bridge Inventory [“NBI”] No. 5500142), Top Notch Farm, W.E. Nutter House, Percy Farm and Clear Creek Fisheries, Reuben Aldrich Farm, Morgan County Bridge No. 166 (NBI No. 5500153), Travis Hill Historic District, John Sutton House, Marion County Bridge No. 4513 F (NBI No. 4900484), Cleary-Barnett House, Glenn’s Valley Nature Park Retreat House, Glennwood Homes Association Historic District, Le Ciel (Charles Laughner House), and Southside German Market Gardeners Historic District are eligible for inclusion in the NRHP; and

**WHEREAS**, FHWA, in consultation with the Indiana SHPO, has found that the Morgan County Bridge 224 (NBI No. 5500142), Top Notch Farm, East Washington Street Historic District, W.E. Nutter House, Percy Farm and Clear Creek Fisheries, Grassyfork Fisheries Farm No. 1, Reuben Aldrich Farm, Morgan

County Bridge No. 166 (NBI No. 5500153), Travis Hill Historic District, John Sutton House, Marion County Bridge No. 4513 F (NBI No. 4900484), Cleary-Barnett House, Glenn's Valley Nature Park Retreat House, Glennwood Homes Association Historic District, Le Ciel (Charles Laughner House), and Southside German Market Gardeners Historic District are within the Section 6 Project's APE; and

**WHEREAS**, in accordance with 36 C.F.R. § 800.4, FHWA and the Indiana SHPO, has determined that the identification and evaluation of archaeological properties, within portions of the archaeological APE of the Refined Preferred Alternative remains to be completed; and

**WHEREAS**, in accordance with 36 C.F.R. § 800.4(b)(2), FHWA and the Indiana SHPO have agreed to use of a phased process to complete the identification and evaluation of archaeological properties that may be affected by the undertaking; and

**WHEREAS** the FHWA, in consultation with the Indiana SHPO, has determined pursuant to 36 C.F.R. Section 800.5(a) that the Section 6 Project will have an adverse effect on the Reuben Aldrich Farm and the Southside German Market Gardeners Historic District; and

**WHEREAS** the FHWA has consulted with the Indiana SHPO in accordance with Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108) and its implementing regulations (36 C.F.R. Section 800) to resolve the adverse effect on the Reuben Aldrich Farm and the Southside German Market Gardeners Historic District; and

**WHEREAS**, the public was given an opportunity to comment on the undertaking's adverse effect in a notice published on March 21, March 28, and April 4, 2017, in the *Daily Journal* (Johnson County), the *Indianapolis Star* (Marion County), and the *Martinsville Reporter* (Morgan County); and

**WHEREAS**, FHWA has notified the Advisory Council on Historic Preservation ("Council") of the adverse effect and invited the Council's participation in the project, pursuant to 36 C.F.R. § 800.6(a)(1) (2017), in a notification dated March 20, 2017, and notified the Council of an objection to certain individual effect findings in a letter dated July 26, 2017, and

**WHEREAS**, the Council has declined to participate in consultation in a letter dated April 6, 2017 and the Council concurred that FHWA correctly applied the Criteria of Adverse effect on individual properties in a letter dated August 17, 2017; and

**WHEREAS**, INDOT is responsible for assisting FHWA to carry out the requirements of this Memorandum of Agreement ("MOA"), has participated in consultation, and has been invited by FHWA to be a signatory to this MOA; and

**WHEREAS**, the Delaware Nation of Oklahoma, Peoria Tribe of Indians of Oklahoma; Prairie Band Potawatomi Nation; Shawnee Tribe; Miami Tribe of Oklahoma; United Keetoowah Band of Cherokee Indians; Absentee Shawnee Tribe of Oklahoma; Eastern Shawnee Tribe of Oklahoma; Red Cliff Band of Lake Superior Chippewas; Grand Traverse Band of Ottawa and Chippewa Indians, Michigan; Chippewa Cree; Saginaw Chippewa Tribe of Michigan were invited to participate in consultation; and

**WHEREAS**, the Peoria Tribe of Indians of Oklahoma; Miami Tribe of Oklahoma; United Keetoowah Band of Cherokee Indians; and Chippewa Cree have participated in consultation; and

**WHEREAS**, Consulting Parties have participated in consultation as identified in Attachment C; and

**WHEREAS**, FHWA has consulted with the Indiana SHPO in accordance with Section 106 of the National Historic Preservation Act (54 U.S.C. 306108) and its implementing regulations (36 C.F.R. part 800) concerning the scope of work as presented in the materials and plans dated: June 14, 2004; June 29, 2004; August 13, 2005; August 15, 2005; October 24, 2005; August 24, 2006; June 25, 2008; February 5, 2015; April 27, 2015; July 31, 2016; April 27, 2015; June 30, 2015; October 15, 2015; November 19, 2015; January 4, 2016; March 14, 2016; April 21, 2016; June 15, 2016; August 2, 2016; and August 29, 2016; October 28, 2016; March 17, 2017; July 7, 2017; and agreed to proceed with the project as proposed and as reflected in Indiana SHPO correspondence dated June 25, 2004, September 7, 2005; November 21, 2005; December 21, 2006; July 25, 2008; March 10, 2015; May 15, 2015; May 19, 2015; May 26, 2015; July 30, 2015; November 4, 2015; December 21, 2015; February 4, 2016; April 14, 2016;

May 11, 2016; June 1, 2016; July 14, 2016; August 26, 2016; September 1, 2016; November 28, 2016; April 13, 2017; May 5, 2017; June 19, 2017; and August 7, 2017.

**NOW, THEREFORE**, FHWA, and the Indiana SHPO agree that upon FHWA's approval of the Section 6 Project, FHWA shall ensure that the following stipulations are implemented in order to take into account the effect of the Section 6 Project on historic properties.

## **STIPULATIONS**

FHWA shall ensure that the following measures are carried out:

### **I. PROFESSIONAL QUALIFICATIONS**

**A.** In consultation with the Indiana SHPO, INDOT shall ensure that all work performed pursuant to this MOA is performed or supervised by a qualified individual and/or team(s) that meet the Secretary of the Interior's Professional Qualification Standards as outlined in Appendix A to 36 CFR 61 for history, archaeology, architectural history, architecture, and/or historic architecture, as appropriate.

**B.** The individual and/or team(s) performing or supervising the archaeology investigations shall have supervisory experience in the prehistoric and historic archaeology of the southeastern Indiana region. All work performed or supervised by such person or persons shall be conducted pursuant the provisions of Indiana Code 14-21-1, 312 Indiana Administrative Code 22, and the most current versions of the "Guidebook for Indiana Historic Sites and Structures Inventory-Archaeological Sites" and the INDOT Cultural Resources Manual.

### **II. MITIGATION MEASURES**

#### **A. Context Sensitive Design**

FHWA and INDOT shall ensure Context Sensitive Design is implemented in the following manner. The execution of this stipulation is considered to satisfy, for the Section 6 Project, the commitment in Stipulation II.A.4. of the 2003 "I-69 Tier 1 Memorandum of Agreement Between the Federal Highway Administration and the Indiana State Historic Preservation Officer Regarding the Selection of a Corridor for I-69, From Evansville to Indianapolis, Indiana" ("Tier 1 MOA").

1. INDOT and/or its representatives shall consult with the property owner of the Reuben Aldrich Farm and, if appropriate and given consent by the property owner, will fund and install vegetative screening on this property. If the property owner provides consent for the vegetative screen, the property owner will provide INDOT and/or its contractors with right of entry to the property during mitigation implementation and subsequent monitoring. After the installation of the vegetative screening, maintenance of such screening on private property will be the responsibility the property owner of the Reuben Aldrich Farm.

2. As soon as practical, FHWA will convene an Advisory Team to consider the treatment of the side slopes along I-465 within the Southside German Market Gardeners Historic District and the bridge carrying I-465 over Bluff Road within the Southside German Market Gardeners Historic District. Responsibilities of and participation of the Advisory Team include the following:

**a)** At the discretion of FHWA, the following may be invited to participate on the Advisory Team: individuals having a geographic connection to, or an interest in, the Southside German Market Gardeners Historic District or individuals with an expertise pertaining to historic preservation. Representatives from INDOT or the Indiana SHPO may participate in Advisory Team meetings at their discretion.

**b)** FHWA will convene no less than two meetings of the Advisory Team: one meeting shall occur at the thirty (30) percent design phase and one meeting shall occur at the sixty (60) percent design phase. The Advisory Team shall review plans, comment, and make specific recommendations regarding the Project design, scopes of work, and details for consideration by FHWA. The Advisory Team will be chaired or overseen by a

representative from INDOT or by a consultant. The chair will be responsible for convening meetings of the Advisory Team, preparing and maintaining a summary of meetings, and preparing and submitting Advisory Team recommendations to FHWA for consideration, in consultation with the Indiana SHPO.

c) The Advisory Team will function in an advisory capacity to assist INDOT in developing certain Section 6 Project design details within the Southside German Market Gardeners Historic District, limited to aesthetic treatments, such as the use and type of vegetative screening and/or stamped or textured bridge walls.

d) INDOT and/or its consultants will provide any materials needed for review by the Advisory Team at least fifteen (15) days before scheduled meetings. In addition to comments voiced in meetings, Advisory Team members may provide written comments to the chair within fifteen (15) days following the scheduled meeting. Meeting summaries will be distributed to all attendees, FHWA, and INDOT following each meeting.

e) Based on the comments provided by the Advisory Team members, the chair will develop recommendations and submit them to FHWA for consideration and action.

f) INDOT and/or its consultant shall be responsible for providing final design plans, or one hundred (100) percent design, provided to members of the Advisory Team and the Indiana SHPO for their records.

g) FHWA shall have the authority for final approval of actions recommended by the Advisory Team regarding the implementation of measures to avoid, minimize, or mitigate effects to the Southside German Market Gardeners Historic District.

## **B. Education and Interpretation**

FHWA and INDOT shall ensure Education and Interpretation are implemented in the following manner. The execution of this stipulation shall be considered to satisfy, for the Section 6 Project, the commitment in Stipulations II.C.2 and II.C.3. of the Tier 1 MOA.

1. INDOT shall fund the manufacture and the installation of interpretive signage within the boundaries of the Southside German Market Gardeners Historic District or at a public space with a connection to the District. The interpretative signage shall provide information about the history of these resources in Section 6 of the Tier 2 Study. The design and graphic content of the interpretative signage may focus on German Ethnic Heritage in Indianapolis and/or Market Gardening in Indianapolis. The proposed design and content (text and illustrations) of the interpretive signage will be prepared by a qualified professional historian and shall be submitted to the Advisory Team at thirty (30) and sixty (60) percent completion for review and comment. If the Advisory Team does not respond within thirty (30) days, acceptance will be assumed. If the Advisory Team responds with recommendations, a good faith effort to accommodate the recommendations will be made. Content, graphic design, and final design plans for the interpretative signage will be provided to Advisory Team for their records.

2. INDOT shall fund the preparation a NRHP nomination application, if given consent by the majority of property owners within the Southside German Market Gardeners Historic District. This NRHP nomination application will serve as an educational component to disseminate information about the history of the District. The NRHP nomination application shall be made available as a paper copy at selected repositories in Marion County and in an electronic format on selected websites including but not limited to those of the NRHP (National Park Service ["NPS"]), INDOT, and the Indiana State Architectural and Archaeological Research Database ("SHAARD") of the Indiana Department of Natural Resources/Division of Historic Preservation and Archaeology ("IDNR/DHPA").

3. FHWA and INDOT shall ensure that the NRHP nomination application is completed. If the NRHP nomination application preparation is not undertaken directly by INDOT, INDOT shall

provide funding to a consultant for activities performed in preparation of the application. INDOT and/or its consultant shall prepare and submit the first draft of the application to the Indiana SHPO within two years of the project's construction letting.

- a)** The qualified professional shall contact the National Register Survey and Registration staff at the IDNR/DHPA/Indiana SHPO prior to beginning work on the NRHP nomination application to discuss the National Register process and expectations for completion of the application and to verify the NRHP eligibility and boundaries of the property.
  - b)** Prior to preparing the NRHP nomination application to the Indiana SHPO, INDOT shall publicize and hold a public meeting for the purpose of informing property owners and residents of the proposed district and other interested persons about the National Register and application process.
  - c)** Photographs of the district that are required to be included in the NRHP nomination application shall be taken by the qualified professional preceding the submission of the application to the Indiana SHPO, and all such photographs shall be taken either before the commencement of construction of this project or after the completion of this project.
  - d)** INDOT and/or its consultant shall be responsible for revising the NRHP nomination application to address revisions requested by IDNR/DHPA, the Indiana Historic Preservation Review Board, and/or the NPS.
  - e)** INDOT's obligation to prepare the NRHP nomination application shall be considered satisfied when the Indiana SHPO notifies INDOT and/or its consultant that the application is complete and has been accepted by the NPS.
- 4.** INDOT shall fund the preparation of the NRHP nomination application for the Reuben Aldrich Farm, if the property owner gives permission for the preparation of the application. This NRHP nomination application will provide a means to disseminate information about the history of agriculture. The NRHP nomination application shall be made available as a paper copy at selected repositories in Morgan County and in an electronic format on selected websites including but not limited to those of the NRHP (NPS), INDOT, and SHAARD.
- 5.** FHWA and INDOT shall ensure that the NRHP nomination application for the Aldrich Farm is completed. If the nomination application preparation is not undertaken directly by INDOT, INDOT shall provide funding to a consultant for activities performed in preparation of the application. INDOT or its consultant shall prepare and submit the application to the Indiana SHPO within two years of the project's construction letting.
  - a)** The qualified professional shall contact the Survey and Registration staff at the IDNR/DHPA prior to beginning work on the NRHP nomination application to discuss the National Register process and expectations for completion of the application and to verify the NRHP eligibility and boundaries of the property.
  - b)** Photographs of the property that are required to be included in the NRHP nomination application shall be taken by the qualified professional preceding the submission of the application to the IDNR/DHPA/Indiana SHPO, and all such photographs shall be taken prior to installation of vegetative screening, if the property owner has agreed to Stipulation II.A.1.
  - c)** INDOT and/or its consultant shall be responsible for revising the NRHP nomination application to address revisions requested by IDNR/DHPA, the Indiana Historic Preservation Review Board, and/or the NPS.
  - d)** INDOT's obligation to prepare the NRHP nomination application shall be considered satisfied when the Indiana SHPO notifies INDOT and/or its consultant that the application is complete and has been accepted by the NPS.

6. INDOT shall fund the manufacture and the installation of a commemorative plaque for the Reuben Aldrich Farm upon acceptance of the Reuben Aldrich Farm for listing in the NRHP, if the property owner provides permission for the installation and for access to the property. The plaque will state that the Reuben Aldrich Farm is listed in the NRHP and will be affixed to one of the buildings that contribute to the significance of the property. INDOT's obligation to manufacture and install the plaque should be completed within one year of the property's listing in the NRHP.

**C. Modification or Modifications (“Modifications”) of the Project with Respect to Aboveground Resources**

If the Section 6 Project is modified after a finding of effect has been issued and this MOA has been executed, then FHWA shall review the Section 6 Project modifications and proceed by complying with II.C.1. and, if appropriate, II.C.2. References to FHWA also apply to INDOT, wherever INDOT is authorized to act on FHWA's behalf.

1. FHWA shall determine whether any modifications have the potential to cause adverse effects on aboveground resources, if any are found to exist within the area in which the modifications may cause effects.

a) If FHWA determines that the project modifications do not have the potential to cause adverse effects on aboveground resources, then FHWA or INDOT shall document that determination in its records, and no further review or consultation with respect to those modifications' effects on aboveground properties is required for purposes of this MOA.

b) If FHWA determines that the project modifications have the potential to adversely affect aboveground resources, then FHWA or INDOT shall proceed to review the modifications in accordance with Stipulation II.C.2.

c) Prior to determining whether the project modifications have the potential to adversely affect aboveground resources, FHWA may submit, for the Indiana SHPO's files, copies of reports generated as a result of modifications or may request the opinion of the Indiana SHPO about identification, evaluation, effects assessment or avoidance, minimization or mitigation, or about any other issue under federal or state preservation or archaeological law pertaining to the project, provided that such a request for an opinion is not substituted for formal consultation under Stipulation II.C.2. The Indiana SHPO shall have thirty (30) days to respond to such a request.

2. If FHWA determines that project Modifications have the potential to cause adverse effects on aboveground resources, then FHWA shall re-open the Section 106 consultation process in accordance with the 36 C.F.R. part 800 regulations that are in effect on the date upon which this MOA has been signed by the last of all required and invited signatories.

a) The re-opened consultation shall occur with regard only to:

(i) Adverse effects assessment, or avoidance, minimization or mitigation of adverse effects related to the project modifications, for previously-evaluated aboveground properties within the APE, or

(ii) Identification, evaluation, adverse effects assessment, or avoidance, minimization or mitigation of adverse effects related to the project modifications, for aboveground properties, within the area added to the APE, as a result of the expansion of the APE.

(iii) Except that if Stipulation III.B. also requires re-opening the Section 106 process for identification, evaluation, or adverse effects assessment or for avoidance, minimization, or mitigation of adverse effects, then any such activities pertaining to archaeological resources also shall be included in the consultation.

b) FHWA shall consult with the consulting parties listed in Attachment C and other parties, as appropriate, except to the extent that the public disclosure of information about resources is withheld or limited under Stipulation III.A.3.

c) FHWA shall issue a new finding, supported either by revised documentation or by an update to the documentation, regardless of whether additional, or different kinds of, adverse effects have been found to result from the Modifications of the project.

### **III. TREATMENT OF ARCHAEOLOGICAL RESOURCES**

#### **A. Statutory and Regulatory Standards**

1. The studies completed pursuant to Stipulation III.E. shall demonstrate a level of effort consistent with the 36 C.F.R. part 800 regulations in effect on the date upon which the last of the required signatories has signed this MOA and provide FHWA with the information to determine, in consultation with the Indiana SHPO, which archaeological properties are eligible for inclusion in the NRHP. FHWA shall acknowledge and seek the special expertise of any federally recognized Indian Tribes which have previously entered into consultation in assessing the eligibility of historic properties and/or that may possess religious and cultural significance to them.

2. In implementing Stipulation III.A through III.F., INDOT may consult with the consulting parties listed in Attachment C and others identified in accordance with the 36 C.F.R. part 800 regulations in effect on the date upon which this MOA is fully executed.

3. In accordance with Section 304 of the NHPA and the 36 C.F.R. part 800 regulations in effect on the date upon which this MOA is fully executed INDOT and its consultants, shall ensure that sensitive information regarding the nature and location of human remains and grave goods, and the location, character, and ownership of archaeological sites is kept confidential from the public.

4. In ensuring that any human remains and grave goods identified are treated in a sensitive, respectful, and careful manner, INDOT shall be guided by the Council's "Policy Statement Regarding Treatment of Human Remains and Grave Goods" (February 23, 2007) and the Native American Graves Protections and Repatriation Act ("NAGPRA") regulations set forth in 43 C.F.R. part 10, and other guidelines as appropriate.

5. If any human remains are encountered during the project, work shall cease in the immediate area and the human remains left undisturbed. INDOT shall contact the county coroner and law enforcement officials immediately, and the discovery must be reported to the Indiana SHPO within two (2) business days. The discovery must be treated in accordance with Indiana Code 14-21-1 and 312 Indiana Administrative Code 22. Work at this site shall not resume until a plan for the treatment of the human remains is developed and approved in consultation with the Indiana SHPO, the INDOT Cultural Resources Office, and any appropriate consulting parties.



6. Modifications to the Section 6 Project which fall outside of the archaeological APE and which have not been previously surveyed shall be subject to archaeological identification, evaluation and assessment per Stipulations III.B - III.C. If FHWA determines that the modifications have the potential to cause adverse effects on archaeological resources, then FHWA shall re-open the Section 106 process in accordance with the 36 C.F.R. part 800 regulations in effect at that time.

7. Any dispute regarding the report(s) shall be resolved in accordance with Stipulations IV.A.

Upon completion of work, FHWA shall provide copies of final reports to the Indiana SHPO, INDOT, and federally recognized Indian Tribes when appropriate, and afford them thirty (30) days to review and submit comments on the reports. FHWA shall respond to all comments received.

## **B. Identification & Evaluation**

1. Before commencing ground-disturbing activities in the Section 6 Project archaeological APE for the Refined Preferred Alternative (as identified on the Attachment B map dated August 31, 2017), INDOT and/or its consultants shall complete the identification and evaluation of archaeological resources for inclusion in the NRHP in any of these areas of ground disturbance in accordance with applicable Federal and State standards and guidelines listed in Stipulation III.A.

2. INDOT and/or its consultants shall investigate any additional locations where ground-disturbing activities are proposed or where they may occur within temporary easements and permanent right of way.

3. INDOT and/or its consultants shall prepare and distribute a final Identification and Evaluation report in accordance with Stipulations I and III.A.

4. Upon completion of the evaluation, INDOT and/or its consultants shall follow the procedures set forth in the 36 C.F.R. part 800 regulations in effect on the date upon which this MOA is fully executed which shall include updated documentation described in those regulations, if it is determined that no historic properties shall be affected.

5. If FHWA and the Indiana SHPO agree that any archaeological resources identified are not NRHP eligible, then no further action is necessary under the terms of this MOA and FHWA's responsibilities under Section 106 are fulfilled.

6. If FHWA determines any of the NRHP criteria are met and the Indiana SHPO agrees, the archaeological resource shall be considered eligible for the NRHP and treated in accordance with the Stipulations III.C - III.F.

7. If FHWA and the Indiana SHPO do not agree on NRHP eligibility, FHWA shall follow the procedures identified in accordance with Stipulation IV.A.

## **C. Assessment of Effects**

1. In consultation with the Indiana SHPO, federally recognized Indian Tribes that may ascribe traditional cultural and religious significance to affected properties, and other parties whom FHWA deems appropriate, FHWA shall determine if the Section 6 Project shall adversely affect archeological properties determined eligible for inclusion in the NRHP pursuant to the 36 C.F.R. part 800 regulations in effect on the date upon which this MOA is fully executed.

2. If, in consultation with the Indiana SHPO, federally recognized Indian Tribes that may ascribe traditional cultural and religious significance to affected properties, and other parties whom FHWA deems appropriate, FHWA determines the Project may adversely affect NRHP-eligible archeological properties, then FHWA shall make reasonable efforts to avoid or minimize the adverse effect. If, after this consultation, FHWA determines it is not possible to

avoid or minimize adverse effects, then FHWA shall treat the archaeological resource in accordance with Stipulation III.F. of the MOA.

3. Any dispute regarding the determination of effects on NRHP-eligible archaeological properties shall be resolved in accordance with applicable Federal and State standards and guidelines listed in Stipulation IV.A.

#### **D. Avoidance**

1. Consultation with the Indiana SHPO determined that there is insufficient information regarding archaeological sites 12-Mg-0564, 12-Mg-0565, 12-Mg-0566, 12-Mg-0567, and 12-Mg-0568 to determine whether they are eligible for inclusion in the NRHP. These sites must be avoided or subjected to further archaeological investigations. If avoidance is not feasible, a plan for evaluative testing will be submitted to the Indiana SHPO for review and comment.

2. Additionally, consultation with the Indiana SHPO revealed that there is insufficient information regarding archaeological sites 12-Mg-0052, 12-Mg-0334, 12-Mg-0561, 12-Mg-0571, 12-Jo-0010, 12-Jo-0017, 12-Jo-0042, 12-Jo-0044, 12-Jo-0062, 12-Jo-0489, 12-Ma-0052, 12-Ma-0170, 12-Ma-0171, 12-Ma-0174, 12-Ma-0175, and 12-Ma-0241 to determine whether they are eligible for inclusion in the NRHP. However, portions of these sites within the Section 6 Project APE do not appear to contain significant archaeological deposits; and, therefore, no further archaeological investigations are necessary in those portions of the sites. The portions of the sites located outside the Section 6 Project APE will be clearly marked prior to ground disturbing activities so that they are avoided by all project activities. If avoidance is not feasible, a plan for further archaeological investigations will be submitted to the Indiana SHPO for review and comment.

3. Similarly, consultation with the Indiana SHPO revealed that there is insufficient information regarding archaeological site 12-Mg-0525 to determine whether it is eligible for inclusion in the NRHP. This site must be avoided by project activities or if it cannot be avoided subjected to additional investigation to make an eligibility determination. Site 12-Mg-0525 lies outside the Section 6 Project APE and will be avoided by all project related ground disturbance.

4. Also in consultation with Indiana SHPO, it has been determined that an Alluvial Floodplain Area near Indian Creek, an Alluvial Floodplain Area (three loci) near Crooked Creek, and an Alluvial Floodplain Area near Honey Creek in the White River valley have the potential for buried cultural deposits and should be avoided by project activities, or if they cannot be avoided, subjected to Phase Ic investigations as necessary to identify and evaluate potential buried archaeological sites.

#### **E. Additional Investigations**

1. Where avoidance is not possible, all archaeological investigations shall be conducted according to applicable Federal and State standards and guidelines listed in Stipulations I and III.A.

2. To maximize the opportunity to avoid adverse effects, the required archaeological investigations shall be conducted as soon as practicable upon securing the appropriate rights to access property.

3. INDOT, in consultation with the Indiana SHPO, and other parties deemed appropriate by INDOT, shall take reasonable measures to avoid disinterment and disturbance to human remains and grave goods of religious and cultural significance to Native Americans, including investigations associated with modifications of the Section 6 Project.

4. Upon completion of any additional investigations, FHWA shall complete the identification and evaluation of archaeological resources for inclusion in the NRHP in accordance with applicable Federal and State standards and guidelines in consultation with the Indiana SHPO and appropriate consulting parties and federally recognized Indian Tribes.

## **F. Treatment**

If FHWA, in consultation with the Indiana SHPO, federally recognized Indian Tribes that may ascribe traditional cultural and religious significance to affected properties, and other parties whom FHWA deems appropriate, determines that the adverse effect cannot be avoided or minimized, then FHWA shall develop and implement a Treatment Plan(s), as part of the above consultation, to mitigate the adverse effects to an archeological resource on a site-by-site basis. The implementation of the Treatment Plan(s) must be completed for each site prior to the initiation of any Project construction activities within a segment that could affect that site.

## **IV. ADMINISTRATIVE PROVISIONS**

Disagreement and misunderstanding about how this MOA is or is not being implemented shall be resolved in the following manner:

### **A. Dispute Resolution**

1. If any signatory or concurring party to this MOA should object in writing to FHWA regarding any action carried out or proposed with respect to the Section 6 Project and implementation of this MOA, then FHWA shall consult with the objecting party to resolve this objection. If after such consultation FHWA determines that the objection cannot be resolved through consultation, then FHWA shall forward all documentation relevant to the objection to the Council, including FHWA's proposed response to the objection. Within forty-five (45) days after receipt of all pertinent documentation, the Council shall exercise one of the following options:

a) Provide FHWA with a staff-level recommendation, which FHWA shall take into account in reaching a final decision regarding its response to the objection; or

b) Notify FHWA that the objection shall be referred for formal comment pursuant to the 36 C.F.R. part 800 regulations in effect at that time, and proceed to refer the objection and comment. FHWA shall take into account the Council's comments in reaching a final decision regarding its response to the objection.

2. If comments or recommendations from the Council are provided in accordance with this stipulation, then FHWA shall take into account any Council comment or recommendations provided in accordance with this stipulation with reference only to the subject of the objection. FHWA's responsibility to carry out all actions under the MOA that are not the subject(s) of the objection shall remain unchanged.

### **B. Post Review Discovery**

In the event that one or more historic properties—other than the Morgan County Bridge 224 (NBI No. 5500142), Top Notch Farm, East Washington Street Historic District, W.E. Nutter House, Percy Farm and Clear Creek Fisheries, Grassyfork Fisheries Farm No. 1, Reuben Aldrich Farm, Morgan County Bridge No. 166 (NBI No. 5500153), Travis Hill Historic District, John Sutton House, Marion County Bridge No. 4513 F (NBI No.4900484), Cleary-Barnett House, Glenn's Valley Nature Park Retreat House, Glennwood Homes Association Historic District, Le Ciel (Charles Laughner House), and Southside German Market Gardeners Historic District, or the archaeological sites (12-Mg-0525, 12-Mg-0556, 12-Mg-0052, and the Alluvial Floodplain Area south of Martinsville) discussed in Stipulation I.D.1. through I.D.3—are discovered or that unanticipated effects on historic properties are found during the implementation of this MOA, FHWA shall follow the procedure specified in the 36 C.F.R. part 800 regulations in effect at that time, as well as Indiana Code 14-21-1-27 and Indiana Code 14-21-1-29, by stopping work in the immediate area and informing the Indiana SHPO and the INDOT Cultural Resources Office of such unanticipated discoveries or effects within two (2) business days. Any necessary archaeological investigations shall be conducted according to the provisions of Indiana Code 14-21-1, 312 Indiana Administrative Code 22, and the most current versions of the "Guidebook for

Indiana Historic Sites and Structures Inventory—Archaeological Sites” and the INDOT Cultural Resources Manual.

**C. Amendment**

Any signatory to this MOA may request that it be amended, whereupon the parties shall consult to consider the proposed amendment. The 36 C.F.R. part 800 regulations in effect at the time of the amendment shall govern the execution of any such amendment.

**D. Duration**

If the terms of this MOA have not been implemented by December 31, 2032, then this MOA shall be considered null and void. In such an event, FHWA shall so notify the parties to this MOA and, if it chooses to continue with the Section 6 Project, then it shall reinstate review of the Section 6 Project in accordance with the 36 C.F.R. part 800 regulations in effect at that time.

**E. Termination**

1. Any signatory to the MOA may terminate it by providing thirty (30) days’ notice to the other parties, provided that the parties shall consult during the period prior to termination to seek agreement on amendments or other actions that would avoid termination. In the event of termination, FHWA shall comply with the 36 C.F.R. part 800 regulations in effect at the time that the MOA is terminated regarding the review of the Section 6 Project.
2. In the event that FHWA does not carry out the terms of this MOA, then FHWA shall comply with the 36 C.F.R. part 800 regulations in effect at the time that the MOA is terminated, with regard to the review of the Section 6 Project.

The execution of this MOA and its implementation is evidence that FHWA has afforded the Council an opportunity to comment on the Section 6 Project and its effect on historic properties and that FHWA has taken into account the effects of the Section 6 Project on historic properties.

**SIGNATORIES (Required):**

FEDERAL HIGHWAY ADMINISTRATION  
INDIANA STATE HISTORIC PRESERVATION OFFICER

**INVITED SIGNATORY:**

INDIANA DEPARTMENT OF TRANSPORTATION

**CONCURRING PARTIES**

SIGNATORY PAGE

MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,  
THE INDIANA DEPARTMENT OF TRANSPORTATION AND  
THE INDIANA STATE HISTORIC PRESERVATION OFFICER,  
PURSUANT TO 36 C.F.R. SECTION 800.6(b)(iv)  
REGARDING  
THE I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDY:  
SECTION 6, SR 39 TO I-465

IN WASHINGTON, CLAY, MADISON, GREEN, and HARRISON TOWNSHIPS,  
MORGAN COUNTY, INDIANA; WHITE RIVER TOWNSHIP, JOHNSON COUNTY; AND DECATUR  
AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA

REQUIRED SIGNATORY

FEDERAL HIGHWAY ADMINISTRATION

By: Michelle Allen Date: 11.13.17

for

Mayela Sosa,

Division Administrator

Federal Highway Administration—Indiana Office

SIGNATORY PAGE

MEMORANDUM OF AGREEMENT  
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THE INDIANA DEPARTMENT OF TRANSPORTATION AND  
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AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA

REQUIRED SIGNATORY

INDIANA STATE HISTORIC PRESERVATION OFFICER

By:  Date: 11-3-2017

Mitchell Zoll

Deputy State Historic Preservation Officer

Indiana Department of Natural Resources, Division of Historic Preservation & Archaeology

SIGNATORY PAGE

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AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA

INVITED SIGNATORY

INDIANA DEPARTMENT OF TRANSPORTATION

By: \_\_\_\_\_



Date: \_\_\_\_\_

11/9/2017

Laura Hilden, Environmental Services Director

Indiana Department of Transportation

**SIGNATORY PAGE**

**MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL HIGHWAY ADMINISTRATION,  
THE INDIANA DEPARTMENT OF TRANSPORTATION AND  
THE INDIANA STATE HISTORIC PRESERVATION OFFICER,  
PURSUANT TO 36 C.F.R. SECTION 800.6(b)(iv)  
REGARDING  
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SECTION 6, SR 39 TO I-465**

**IN WASHINGTON, CLAY, MADISON, GREEN, and HARRISON TOWNSHIPS,  
MORGAN COUNTY, INDIANA; WHITE RIVER TOWNSHIP, JOHNSON COUNTY; AND DECATUR  
AND PERRY TOWNSHIPS, MARION COUNTY, INDIANA**

**OPTIONAL: CONCURRING PARTY**

**By: \_\_\_\_\_ Date: \_\_\_\_\_**

**Name and Title: \_\_\_\_\_**

(Typed or printed)



**ATTACHMENT A**  
**PROJECT DESCRIPTION**

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The project is the construction of Section 6 of Interstate 69 (I-69) Evansville to Indianapolis. The Section 6 corridor is located along the State Road (SR) 37 and covers a distance of approximately twenty-six miles through Morgan, Johnson, and Marion Counties before terminating at I-465 in Indianapolis, Indiana. The project also proposes to improve I-465 from approximately Mann Road to United States (US) 31. The I-69 Evansville to Indianapolis project, which is approximately 142 miles in length, is a component of the congressionally designated national I-69 corridor extending more than 2,100 miles from the Canadian border to the Mexican border.

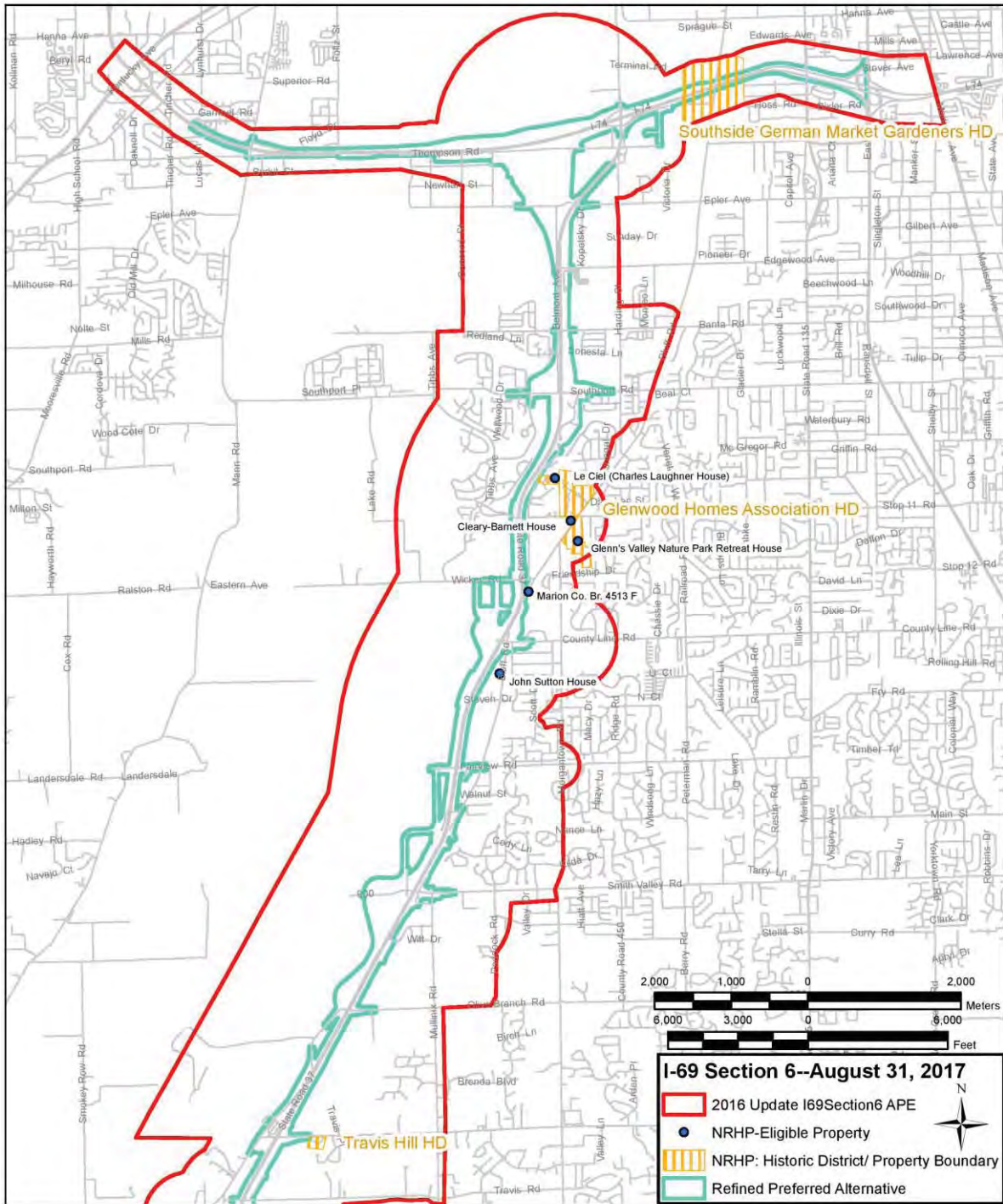
The project area for the SR 37 alternatives of Section 6 is comprised of rural and urban/suburban environments. Those portions of Martinsville and Indianapolis contained within Section 6 are characterized as being predominately clustered modern suburban residential developments along major roads with retail, commercial, and industrial nodes at major intersections and along SR 37. The area becomes more commercial and industrial near Martinsville and Indianapolis. Rural areas of the SR 37 alternatives for Section 6 are characterized by a scattering of commercial and retail businesses along SR 37, with a mix of agricultural land occupied by small farms, modern houses and modern residential developments, and forested land.

The Tier 1 Environmental Impact Statement (EIS) for the I-69 Evansville to Indianapolis project concluded in March 2004. The Federal Highway Administration (FHWA) selected a corridor— Alternative 3C—in its Record of Decision (ROD) and divided the corridor into six Tier 2 sections for detailed study. Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (54 U.S.C. 306108), mandates federal agencies to take into account the effects of their undertakings—i.e., projects wholly or partially funded, permitted, or licensed by a Federal agency—on historic properties. FHWA has allocated federal funds to the Indiana Department of Transportation (INDOT) to use for the Tier 2 Studies of the I-69 Evansville to Indianapolis Project.

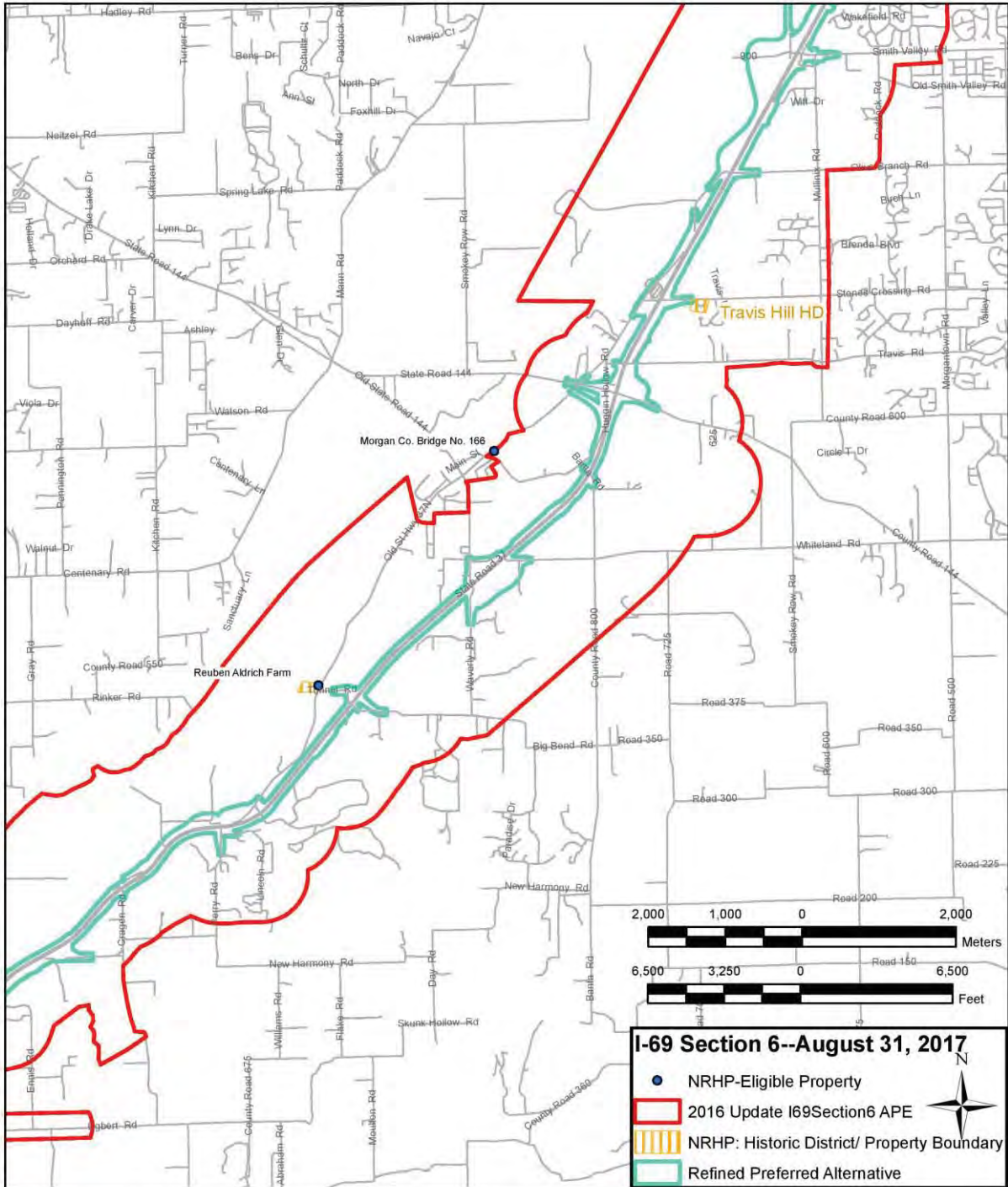
On April 29, 2004, FHWA issued a Notice of Intent (NOI) for Section 6 of I-69. In 2006, environmental efforts in I-69 Section 6 were minimized to include only critical management and public outreach activities while other sections of the I-69 undertaking were being completed. On October 15, 2014, FHWA published a revised NOI in the Federal Register to advise the public and resource agencies that Tier 2 studies in I-69 Section 6 were resuming. The revised NOI indicated that the range of alternatives may include alternatives outside of the corridor selected in the Tier 1 ROD. All alternatives evaluated connect Section 5 of I-69 in Martinsville with I-465 in Indianapolis. On March 29, 2016, INDOT and FHWA announced that Section 6 would follow the SR 37 corridor.

The Section 6 Refined Preferred Alternative is comprised of various features of Alternatives C1, C2, C3, and C4, as presented during consultation.

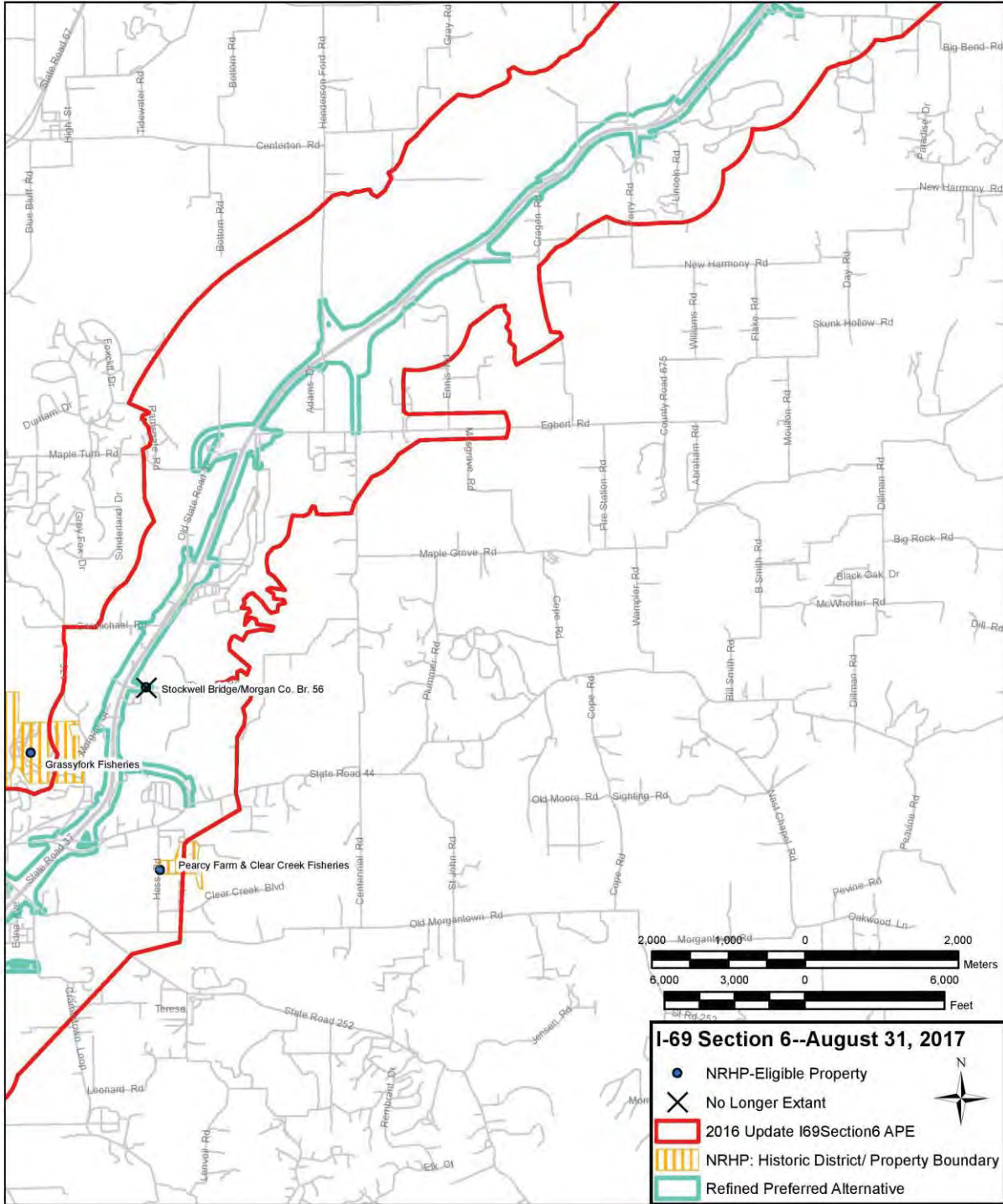
**ATTACHMENT B**  
**AREA OF POTENTIAL EFFECTS (APE)**



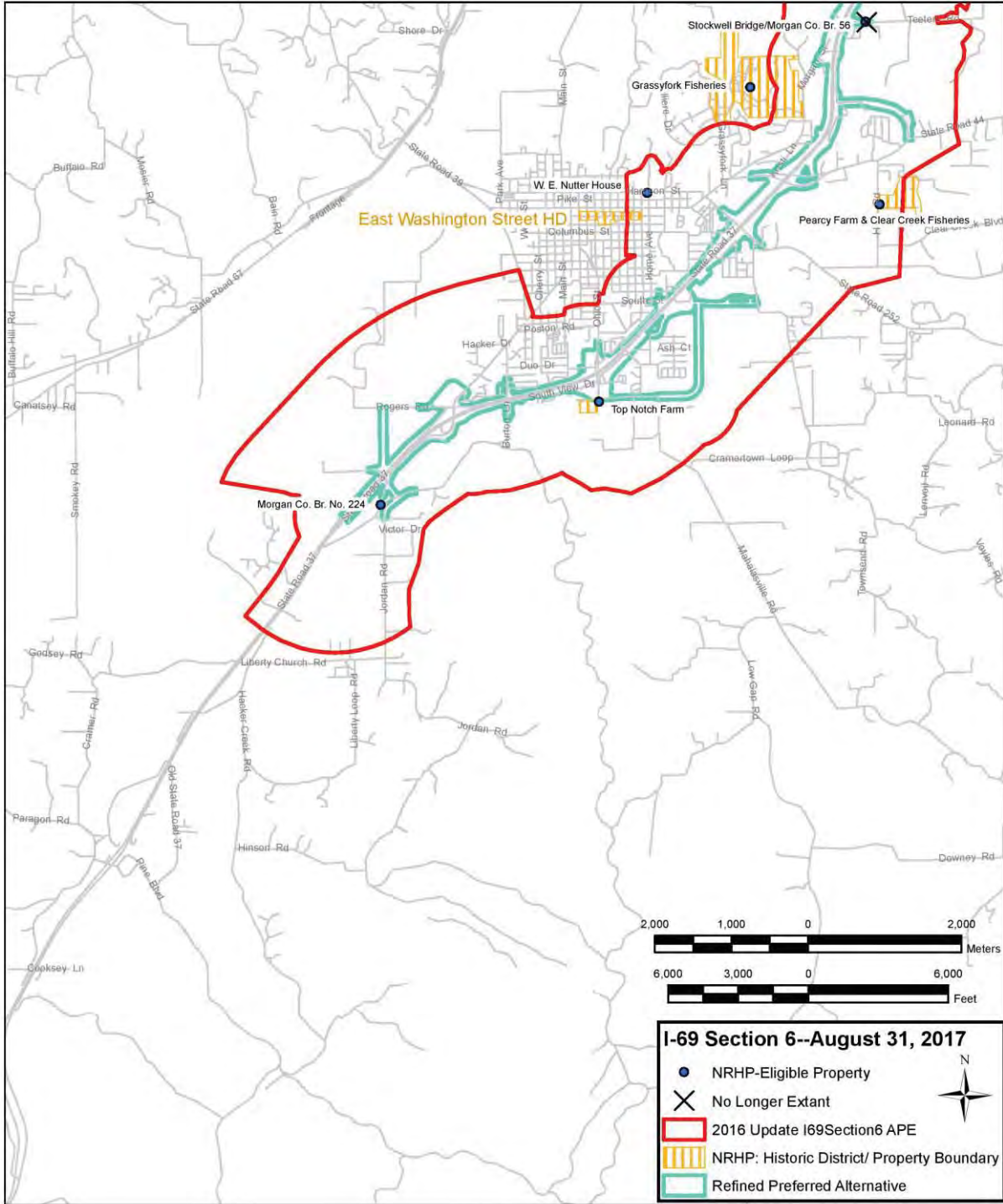
**Map 1 of 4**



Map 2 of 4



Map 3 of 4



Map 4 of 4

**ATTACHMENT C**  
**LIST OF AGENCIES, TRIBES, AND CONSULTING PARTIES**

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**Agencies and Tribes:**

- Federal Highway Administration
  - Indiana Department of Transportation
  - Indiana State Historic Preservation Officer
  - Peoria Tribe of Indians of Oklahoma
  - Miami Tribe of Oklahoma
  - United Keetoowah Band of Cherokee Indians
  - Chippewa Cree
- 

**Consulting Parties:**

- |  |   |
|--|---|
| • Indiana Landmarks  | • Scott Greenhouse LLC                            |
| • Morgan County Historic Preservation Society & Martinsville Plan Commission | • Julie and Ryan Gettum                           |
| • Pauline Spiegel  | • Anne Bilodeau                                   |
| • Historic SPANs Taskforce   | • Melvin J. Crichton                              |
| • Indianapolis Historic Preservation Commission                              | • Henry and Mary Scheid                           |
| • Dr. James Cooper   | • Jeffery and Beth Line                           |
| • Morgan County Commissioner   | • Todd Bylsma and Beth Dillman                    |
| • City of Martinsville   | • Charles F. Laughner                             |
| • Johnson County Historian   | • Jerry L. Barnett                                |
| • Debra Underwood  | • City of Indianapolis Department of Public Works |
| • Larry and Loretta Hess   | • Lonnie and Marcia Smith                         |
| • Brehob Nursery Inc.  | • Rick Underwood                                  |
| • Mapa Properties LLC  | • Ozark Fisheries                                 |
| • Peaper & Proctor Real Estate LLC   | • M. Duane and C. Dean Leonard                    |
| • Erelyn Novicki Trust and Trustee   | • Ginger Fitzpatrick                              |
| • John W. Demaree, Summit Realty Group                                       | • John and Sandra Harrison                        |