



**I-69 EVANSVILLE TO INDIANAPOLIS**

**I-69 SECTION 2 REEVALUATION STATEMENT  
SEGMENT 2 & 3**

**I-69**  
**Evansville, IN to Indianapolis, IN**  
Designation Number: 0300378  
Federal Project No.: IN10 (005)

Tier 2 Final Environmental Impact Statement (FHWA-IN-EIS-10-01-F) approved February 25, 2010

Record of Decision approved April 30, 2010

This reevaluation of the Tier 2 Final Environmental Impact Statement (FEIS) was prepared to reflect design changes on Section 2 of the new terrain I-69 highway in Gibson, Pike, and Daviess Counties, Indiana. Section 2 will extend north from S.R. 64 near Oakland City approximately 29 miles to US 50 near Washington. The revised design for Section 2 within Segments 2 and 3 have added additional right-of-way areas to accommodate cul-de-sac construction; Local Service Road (LSR) revisions; building removal; revised right-of-way for even station offset; refined curve alignments; LSR added to provide access to landlocked parcel; align new right-of-way with existing right-of-way; and right-of-way revision to follow surveyed parcel lines. This reevaluation examined the potential impacts on the natural, human, and cultural environments of the revised design for Section 2. The analysis in this reevaluation supports the conclusion that these design changes will not have impacts sufficient to require the preparation of a Supplemental Environmental Impact Statement (SEIS) or an additional Draft Environmental Impact Statement (DEIS) for Section 2. Therefore, the Tier 2 FEIS and Record of Decision remain valid.

**Release for Public Involvement**

CAX for BTL  
OES Initials

11-5-2010  
Date

**Approval**  
[Signature]  
OES Signature

11-30-10  
Date

[Signature]  
FHWA Signature

12-8-10  
Date

## 1. INTRODUCTION

This reevaluation document analyzes the additional environmental impacts associated with minor design changes to Section 2 of the new terrain I-69 project for the construction section between SR 64 near Oakland City in Gibson County to US 50 near Washington in Daviess County, Indiana.

The I-69 project is a four lane interstate highway on mostly new terrain that will link Evansville, Indiana with Indianapolis, Indiana. The purpose of this reevaluation summary is to examine minor right-of-way changes required for the final design within design Segment 2 and 3 within Section 2 and to determine the changes in impacts to the affected environment from what was documented in the Section 2 Final Environmental Impact Statement (FEIS), (approved on February 25, 2010) and Section 2 Tier 2 Record of Decision (ROD) dated April 30, 2010. The Notice of Availability for the Section 2 FEIS was published in the Federal Register on March 5, 2010.

The I-69 project extends from Interstate 64 in Gibson County to Interstate 465 in Marion County. The project is being developed in six (6) Sections of independent utility, which are numbered from south (Section 1) to north (Section 6). Section 2 is approximately 29 miles long and extends north from SR 64 just west of Oakland City to US 50 just south of Washington.

This reevaluation document has been drafted to evaluate the environmental impacts of additional right-of-way areas not discussed in the Tier 2 FEIS as part of the Refined Preferred Alternative presented in the FEIS. The additional permanent and temporary right-of-way areas along the proposed new alignment of I-69 are required to accommodate cul-de-sac construction; Local Service Road (LSR) revisions; building removal; revised right-of-way for even station offset; refined curve alignments; LSR added to provide access to landlocked parcel; align new right-of-way with existing right-of-way; and right-of-way revision to follow surveyed parcel lines. One new permanent road closure not discussed in Table 5.3-4 in the Tier 2 FEIS will result from the changes identified in this reevaluation summary. The analysis in this reevaluation supports the conclusion that these design changes will not result in significant environmental impacts that were not evaluated in the EIS and that there is no new information or circumstances relevant to environmental concerns bearing on the proposed action or its impacts which will result in significant environmental impacts not discussed in the EIS.

## 2. PROJECT DESCRIPTION

### 2.1 Project Description and Area

This reevaluation document examines the following locations of Section 2 listed from south to north: Pike CR 200 S; Pike CR 125 S; Pike CR 250 W; Pike CR 50 S; Division Rd – Pike CR 200 W intersection; SR 57; Pike CR 125 W; Pike CR 50 W; Pike CR 150 N; Meridian Rd; Meridian Rd – Gum Tree Rd Intersection; SR 61 Interchange; Segment 3 & 4 breakpoint.

These areas are being reexamined because additional right-of-way or a change in right-of-way was identified during the final design of Section 2. These right-of-way impacts were not discussed in the Tier 2 FEIS or ROD. A complete description of why the additional right-of-way is required can be found below in the *Description of Project Changes* section of this document.

The reevaluation areas of Section 2 discussed in this document are not located within or directly adjacent to any cities or towns. Access points to I-69 throughout Section 2 as identified in the ROD will be built as interchanges with SR 61/56, North Pike County (deferred construction), South Daviess County (deferred construction), and US 50. As disclosed in the FEIS, residential relocations and environmental impacts to stream, wetland, and forest will occur during the construction of Section 2. Land use in the

vicinity of Section 2 includes developed land, residential, wetland habitat, water (ponds), upland habitat, forested areas, and agricultural land. Dominant crops in the vicinity are corn, wheat, and soybeans.

## **2.2 Approved Environmental Documentation**

The environmental review process for the I-69 project (Evansville to Indianapolis) is being conducted in two tiers. The Tier 1 environmental studies provided the information needed to select a corridor for I-69 between Evansville and Indianapolis. The Tier 1 DEIS for this project was approved in July 2002. The DEIS described resource impacts for each proposed corridor. The Tier 1 FEIS for this project was approved in December 2003. The FEIS documented additional impacts to the natural, human, and cultural environments not analyzed in the DEIS. The Record of Decision (ROD) for the Tier 1 project was approved in March 2004.

The Tier 2 studies identify alternative alignments within the corridor approved in Tier 1. For Tier 2 studies, the corridor is divided into six sections, and a DEIS and FEIS has/will be prepared for each section. The Tier 2 NEPA studies for Section 1 (the southernmost Section), Section 2, and Section 3 have been completed, while the studies in the remaining 3 sections are still in progress. The Revised Tier 2 DEIS for Section 2 was approved on April 27, 2009. The Tier 2 FEIS for Section 2 was approved February 25, 2010. The FEIS documented additional impacts to the natural, human, and cultural environments from design changes to the preferred alternative since the approval of the Revised DEIS.

## **2.3 Previously Identified Impacts**

Section 2 was divided into nine (9) subsections during the Tier 2 environmental survey. Impacts to the natural and human environments were examined for each of the subsection alternatives, including the Refined Preferred Alternative of Section 2. The environmental document evaluated the impacts of the subsection alternatives across multiple resource categories, such as right-of-way acres, parcels impacted by right-of-way acquisition, streams, wetlands, forest, farmland, relocations, HAZMAT sites, and historic and archaeological resources. The Refined Preferred Alternative was chosen to minimize impacts to these resources. Mitigation for unavoidable impacts is described in the Tier 2 DEIS and FEIS.

The Section 2 FEIS states that the Refined Preferred Alternative will directly impact 1,113 acres of agricultural land. Agricultural impacts in the form of permanent conversion of farmland to non-farmland use will not be mitigated by the creation of new farmland elsewhere. Minimization of the unavoidable impacts to farmland occurred during the development of alternatives for Section 2.

The Section 2 FEIS documents impacts to streams, wetlands, and forests. In Section 2, approximately 227.4 acres of forest (including wetland forest) are located within the right-of-way of the Refined Preferred Alternative; see FEIS Table 5.20-5. A total of 28.89 acres of wetland impacts (4.91 open water; 6.62 emergent; 0.55 scrub/shrub; 16.13 forested; and 0.68 aquatic bed) are documented in the FEIS, Tables 5.19-4a and 5.19-5. The Refined Preferred Alternative has stream impacts of 65,181 linear feet as shown in the FEIS Table 5.19-6. These environmental impacts will be mitigated at various mitigation sites located in the vicinity of the Patoka River, Flat Creek, East Fork White River, West Fork White River, and Veale Creek.

The I-69 Section 2 project was also evaluated for impacts to cultural resources. Four (4) above ground properties/districts eligible for or listed on the National Register of Historic Places (NRHP) are located within the Section 2 Area of Potential Effect (APE). On December 15, 2008, FHWA signed a "Section 106 Findings and Determinations: Area of Potential Effect, Eligibility Determinations, Effect Finding" for above-ground properties. The Patoka Bridges Historic District will be adversely impacted by the Section 2 project. On September 20, 2010 the FHWA re-issued the Section 2 finding of adverse effect after a change to the Section 2 APE for above-ground resources occurred due to floodplain easements

along at the East Fork White River. The APE for above ground resources was modified. However, there is no change to the effects finding as a result of this APE modification. The revised APE for above-ground resources in Section 2 is depicted in Appendix A, Figure 1.

#### **2.4 Other Reevaluation Documents**

Other reevaluation documents will be completed for additional right-of-way changes at other locations of the Section 2 Refined Preferred Alternative and throughout the I-69 project as final design of the highway is completed. Previously approved reevaluation documents include Section 1, I-64 to C.R. 825 S; Section 2, Design Segments 1 and 1A; Section 3, Early Bridge Contracts; Section 3, Design Segments 8 & 9; Section 3, Design Segments 10-13; Section 3, Design Segments 10-13(2); and Section 3, Flood Easements. All previously approved reevaluations can be found on the I-69 project website <http://www.i69indyevn.org/>.

#### **2.5 Public Involvement**

Two parcels not previously identified as impacted by right-of-way in the FEIS will now be affected. The owners of both parcels are aware of the impacts of the final design right-of-way to their properties through INDOT and/or those acting on behalf coordination to purchase the right-of-way. Through previous coordination with FHWA as required by *Part 1, Section IV, Page 32-33* in the INDOT and FHWA approved Public Involvement Manual (approved March 25, 2009 and title sheet dated April 1, 2009), it was determined that, additional public involvement activities were required based on the impact to previously unaffected property owners. A legal notice advertising this reevaluation document was placed in the *Vincennes Sun Commercial* on November 9 and 12, 2010, *Oakland City Journal* on November 10 and 17, 2010, and *Petersburg Press Dispatch* on November 10 and 17, 2010 (See Appendix D). On November 9, 2010 the reevaluation document was posted to the I-69 project website and a copy was made available for viewing at the INDOT Washington Project Office. The public was afforded 15 days to comment on the reevaluation. No comments were received from the public within the 15 day comment period.

### **3. DESCRIPTION OF PROJECT CHANGES**

This reevaluation focuses on areas of the final design in Section 2, Design Segments 2 and 3. The final design impacts approximately an additional 18.72 acres of permanent right-of-way and 0.35 acre of temporary right-of-way (total, 19.07 acres) not previously discussed in the FEIS (See Maps in Appendix A for locations.) Maps in Appendix A have individual figure numbers. Figure 1 shows the entire Section 2 project, including the location of each location where this evaluation addresses the modified right-of-way. Figure 2 shows only Design Segments 2 and 3, along with each location where this evaluation addresses modified right-of-way. The project changes discussed below are listed from south to north.

The first reevaluation area is located at Pike County Road 200 S in Segment 3 (See Figure 3 in Appendix A). This right-of-way was revised in order to construct a 50' radius cul-de-sac and to reduce the right-of-way impact of Local Service Road (LSR) 4. Approximately 4.68 acres of new permanent right-of-way is required at this location.

The second reevaluation area is located at Pike County Road 125 S in Segment 3 (See Figure 4 in Appendix A). The temporary right-of-way was added for building removal and the permanent right-of-way was added for even station offset, which results in right-of-way lines which are straight as opposed to curved. The building being removed is located both inside and outside of the limited access right-of-way. The temporary right-of-way is needed to remove the portion located outside of the limited access right-of-way. The structure to be removed is a garage. This property was identified as being relocated in the FEIS. The garage is located within the previously-approved APE for Section 2. The building was not

identified as listed or eligible for the NRHP in the Section 2 Historic Property Report. Approximately 0.05 acre of temporary and 0.09 acre of permanent right-of-way is required at this location.

The third reevaluation area is located at Pike County Road 250 W (See Figure 5 in Appendix A). Multiple reevaluation areas are located in this vicinity. The right-of-way changes shown in Figure 5 are as follows: (A) right-of-way increased in order to construct a 50' radius cul-de-sac; (B) this is the location of LSR-5 which had to be lengthened for proper horizontal and vertical tie-ins with the existing County Road 75 S and County Road 250 W; (C) right-of-way increased in order to construct a 50' radius cul-de-sac; (D) right-of-way increased in order to construct a 50' radius cul-de-sac; (E) right-of-way was corrected for an even station offset; approximately 2.56 acres of permanent right-of-way is required for areas A through E.

The fourth reevaluation area is located at the Division Road – Pike County Road 200 W Intersection (See Figure 6 in Appendix A). The design change removes back to back reverse curves. This was accomplished by lengthening the right-of-way at County Road 200 W. A total of approximately 0.46 acre of permanent right-of-way is required at this location.

The fifth reevaluation area is located at State Road 57 (See Figure 7 in Appendix A). The additional right-of-way at this location is required for an even station offset. A total of approximately 0.24 acre of permanent right-of-way is required at this location.

The sixth reevaluation area is located at Pike County Road 125 W (See Figure 8 in Appendix A). The right-of-way at this location increased to construct a 50' radius cul-de-sac on the north side of the highway and a LSR was added to provide access to a landlocked parcel. A total of approximately 3.08 acres of permanent right-of-way is required at this location.

The seventh reevaluation area is located at Pike County Road 50 W (See Figure 9 in Appendix A). The right-of-way at this location was revised to construct 50' radius cul-de-sacs on both sides of the highway. Pike County Road 50 W will be closed as a result of the final design. The overpass will not be constructed, since detailed engineering and economic analysis determined that the cost to construct it is not justified. The overpass would have provided access to one residential parcel, a private church camp, and a coal mine. The coal mine has alternative access using other county roads. The closure of CR 50 W will result in a relocation of a residence and associated outbuildings because the parcel will be landlocked. This relocation was not analyzed in the FEIS. A private owned church camp will lose its current access and will be landlocked as a result of the highway. INDOT made an offer to buy church camp property in its entirety. A settlement was not reached and INDOT will purchase only the right-of-way needed for highway construction from the church camp. INDOT will pay damages to the camp because of the loss of access and the church camp will work with adjacent property owners to either sell the property or re-establish access. LSR-8 and the right-of-way associated with it were eliminated at this location. The parcel which benefited from LSR-8 will now use the new LSR discussed above at the seventh reevaluation area and shown in Figure 8 of Appendix A. A total of approximately 1.21 acres of permanent right-of-way is required at this location to construct the cul-de-sacs.

The eighth reevaluation area is located at Pike County Road 150 N (See Figure 9 in Appendix A). The right-of-way at this location was revised to construct 50' radius cul-de-sacs on both sides of the highway. A total of approximately 0.7 acre of permanent right-of-way is required at this location.

The ninth reevaluation area is located at Meridian Road (Located within the operating Solar Sources Coal Mine - See Figure 10 in Appendix A). The right-of-way at this location was increased to construct two

50' radius cul-de-sacs, one on each side of the highway. A total of approximately 3.09 acres of permanent right-of-way is required at this location.

The tenth reevaluation area is located at the Meridian Road – Gum Tree Road Intersection (See Figure 11 in Appendix A). Multiple additional right-of-way areas are located in this vicinity and the right-of-way changes are as follows: (A) right-of-way increased for even station offset; (B) temporary right-of-way required for building removal; (C) right-of-way required for tie into existing right-of-way; (D) LSR and associated right-of-way eliminated and a drainage easement added - no additional right-of-way at this location; a total of approximately 0.57 acre of permanent and 0.28 acre of temporary right-of-way is required for areas A through D.

The eleventh reevaluation area is located at the State Road 61 Interchange (See Figure 12 in Appendix A). Multiple additional right-of-way areas are located in this vicinity and the right-of-way changes shown in Figure 12 of Appendix A are as follows: (A) two small right-of-way areas increased for even station offset; (B) LSR-9 eliminated because it cannot be constructed from a private road; (C) the FEIS identified this area as landlocked / excess land. During the right-of-way engineering phase of design, an easement was discovered that provides access to this area which provides access to a previously described landlocked parcel in the FEIS. Therefore this area is not landlocked; (D) right-of-way revised to encompass an entire parcel; (E) increased right-of-way in order to construct a 50' radius cul-de-sac; (F) right-of-way revised to follow surveyed property lines; (G) right-of-way revised for even station offset; a total of approximately 1.49 acres of permanent and 0.02 acre of temporary right-of-way is required for areas A through G.

The twelfth reevaluation area is located at the breakpoint of Design Segments 3 and 4 (See Figure 13 in Appendix A). The right-of-way at this location was revised for even station offset. A total of approximately 0.55 acre of permanent right-of-way is required at this location.

#### **4. ENVIRONMENTAL CONSEQUENCES**

The total additional 19.07 acres of right-of-way within Design Segments 2 and 3 of I-69, Section 2 described above will have minimal environmental consequences compared to the impacts previously documented for Section 2. They will not result in a significant increase to impacts previously analyzed for Section 2. This revised footprint for Section 2 was reviewed for impacts to the resource categories examined in the existing environmental documentation (i.e. wetlands, forest, streams, farmland, etc.).

Land use in the additional right-of-way areas is predominantly agriculture and existing transportation use. The FEIS shows approximately 1,702 acres of land to be acquired for right-of-way for the Section 2 Refined Preferred Alternative (See Table 5.3-1). These additional approximately 19.07 acres of land not within the Section 2 Refined Preferred Alternative were reviewed for environmental impacts. The additional right-of-way areas include agricultural, upland habitat, streams, wetlands, and developed land. Adjacent land uses to the additional right-of-way areas are residential, forest, transportation, and farmland.

According to the FEIS Table 5.3-1, agricultural land accounts for 1,113 acres, or 65% of the total direct land use impacts within the Section 2 Refined Preferred Alternative. Approximately 10.05 acres of agricultural land will be impacted within this additional right-of-way. This will not result in a significant increase in the impacts previously analyzed in the FEIS. Planning to reduce the farmland impacts in the FEIS focused on avoiding and/or minimizing the creation of uneconomic remnants, or designing alignments to minimize disruption to existing agricultural practices.

According to the FEIS Table 5.3-1, developed land accounts for 180.9 acres, or 11% of the total direct land use impacts. Approximately 3.74 acres of land within the additional right-of-way areas are used as residential, commercial, or existing transportation. This falls under the FEIS category of developed land. This will not result in a significant increase in the impacts analyzed in the FEIS.

According to the FEIS Table 5.3-1, upland habitat land (which consists of non-wetland forest, herbaceous cover, and scrub/shrub areas) accounts for 354 acres, or 21% of the total direct land use impacts. Approximately 5.18 acres of upland habitat<sup>1</sup> is located within the additional right-of-way areas. This will not result in a significant increase in the impacts analyzed in the FEIS. Table 7-1 in the FEIS states that INDOT and FHWA will mitigate upland forests impacted by Section 2 at a ratio of 3:1. Multiple sites have been secured for this mitigation effort. Additional mitigation measures beyond commitments in the FEIS are not anticipated as a result of the above described upland habitat impacts.

According to the FEIS Table 5.3-1, wetlands account for 26.6 acres, or 2% of the total direct land use impacts. Approximately 0.03 acre of forested wetlands is located within the additional right-of-way areas. This will not result in a significant increase in the impacts analyzed in the FEIS. Table 7-1 in the FEIS states that INDOT and FHWA will replace wetlands impacted by Section 2 in accordance with INDOT's Wetlands Memorandum of Understanding (MOU). Sites have been secured and mitigation construction is underway in advance of highway construction. The forested wetland impacts as a result of the final design right-of-way will be mitigated at the ratios described in the MOU and FEIS. Additional mitigation measures beyond commitments in the FEIS will not be required as a result of the above described 0.03 acre of impact to wetlands.

According to the FEIS Table 5.3-1, streams account for 15.1 acres, or 1 % of the total direct land use impacts. Approximately 0.07 acre of streams is located within the additional right-of-way areas. This will not result in a significant increase in the impacts analyzed in the FEIS. All stream impacts will be mitigated at a 1:1 ratio according to the FEIS (See FEIS p. 7-48). Sites have been secured and mitigation construction is underway in advance of highway construction. Additional mitigation measures beyond commitments in the FEIS will not be required as a result of the above described 0.07 acre of impact to streams.

In regard to above ground historic resources, the additional right-of-way areas are located inside the approved area of potential effect (APE) for Section 2; thus, these added right-of-way areas require no change to the above-ground APE (See Appendix A, Figure 1). According to the Section 2 Historic Property Report and the revised 800.11(e), one above ground property within the Section 2 APE (Patoka Bridges Historic District) is listed in the National Register of Historic Places (NRHP). As a result of identification and evaluation efforts for Section 2 of the I-69 project, three individual properties were determined eligible for listing in the NRHP. They are as follows: Thomas C. Singleton Round Barn, Chapman-Allison Farmstead, and State Road 257 Bridge over Veale Creek. Analysis of the location of the additional right-of-way areas compared to the location of the NRHP listed and eligible resources and potential changes in effects on these resources has been completed.

In summary, Table 1 below details the distance from each additional right-of-way area to the specified NRHP listed and eligible properties within Section 2. The closest final design additional right-of-way area in Segments 2 and 3 is located approximately 0.7 mile from a NRHP eligible or listed resource (Pike

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<sup>1</sup> The net forest impacts in Section 2 for the final design right-of-way are virtually unchanged from those documented in the Section 4 Tier 2 Biological Assessment and FEIS. Annual reporting to the United States Fish & Wildlife Service (USFWS) addresses the current state of forest impacts. Any changes not evaluated in the Tier 2 Biological Assessment and FEIS are addressed during this ongoing coordination.

C.R. 200 S is 0.7 miles from the Patoka Bridges Historic District). The I-69 project already has been determined to have an adverse effect on the Patoka Bridges Historic District, as stated in the FEIS. No other eligible or listed NRHP properties are located within 8.0 miles of the additional right-of-way areas. Therefore, based on the previous adverse effect finding on the Patoka Bridges Historic District, the distance of the additional right-of-way areas from the other eligible NRHP properties, and the minor changes in the proposed alternative, it has been determined that there would be no change to the identified effects on historic properties.

<b>Table 1: Additional Right-of-Way distance from NRHP property</b>				
<b>Additional R/W Area</b>	<b>Patoka Bridges Historic District</b>	<b>Thomas C. Singleton Round Barn</b>	<b>Chapman-Allison Farmstead</b>	<b>State Road 257 Bridge over Veale Creek</b>
Pike C.R. 200 S	0.7 mile	15.2 miles	17.1 miles	19.7 miles
Pike C.R. 125 S	1.4 miles	14.5 miles	16.4 miles	19.1 miles
Pike C.R. 250 W	1.9 miles	14.1 miles	15.9 miles	18.6 miles
Pike C.R. 50 S	2.3 miles	13.6 miles	15.5 miles	18.2 miles
Division Rd/Pike C.R. 200 W	2.9 miles	13.0 miles	14.9 miles	17.6 miles
S.R. 57	3.6 miles	12.4 miles	14.3 miles	16.9 miles
Pike C.R. 125 W	3.9 miles	12.1 miles	13.9 miles	16.5 miles
Pike C.R. 50 W	4.6 miles	11.4 miles	13.2 miles	15.8 miles
Pike C.R. 150 N	5.1 miles	10.9 miles	12.7 miles	15.3 miles
Meridian Rd	5.6 miles	10.4 miles	12.2 miles	14.8 miles
Meridian Rd/Gum Tree Rd	6.4 miles	9.5 miles	11.4 miles	14.0 miles
SR 61 Interchange	7.3 miles	8.7 miles	10.5 miles	13.2 miles
Segment 3 & 4 Breakpoint	7.8 miles	8.3 miles	10.0 miles	12.7 miles

In regard to archaeological resources, a Phase Ia field reconnaissance was conducted by Gray & Pape, Inc. for areas located outside of the original surveyed preferred alternative. In a report dated October 4, 2010 Gray & Pape determined that no archaeological resources identified during their survey are considered eligible for the NRHP and no further archaeological investigations for the above mentioned additional areas are required. INDOT approved the Phase Ia field reconnaissance report on October 15, 2010. The Phase Ia archaeological report was provided to the Indiana SHPO office on October 15, 2010 for informational purposes (See Appendix B for letter). In a letter dated October 28, 2010, the SHPO concurred with the findings of the archaeological report (See Appendix B for letter). Based on the investigation and SHPO concurrence, it has been determined that there would be no change to the potential effects on archaeological resources from the additional right-of-way areas (See Appendix C for Phase Ia summary).

Based on the above information, there is no intention to re-open the Section 106 process due to the following factors: all design changes occur within the previously approved APE; visually, there will essentially be no change due to the minor additional right-of-way areas; the determination that no above ground resources listed in or eligible for the NRHP will have any change to its effect finding due to the additional right-of-way areas; and the conclusion that the proposed action of adding approximately 19.07 acres of additional final design right-of-way within Segment 2 and 3 will have no change to the effect on archaeological resources.

Pike County Road 50 W, the seventh reevaluation area described above, is described as a grade separation in the FEIS and ROD. This grade separation would have provided access to the east side of I-69. The

final design provides for no grade separation at this location; Pike County Road 50 W will be closed at I-69. Three properties will be impacted by this road closure (residence, church camp, coal mine). A residential relocation and the possible relocation of a church camp not discussed in the FEIS will occur. The coal mine property has alternative access routes using various county roads and will not lose access due to this road closure. The design team has initiated coordination with all affected property owners and all are aware of the design change and impact to their properties.

The I-69 highway will change current access on roads used for the operating Solar Sources Coal Mine. Solar Sources will not lose access as a result of the highway and will retain access to this mine through various other access points. One private coal road which will be impacted by the highway is located just south of the SR 57 Bridge crossing Flat Creek. This road provides access to the operating Solar Sources Coal Mine to the east. The I-69 Bridge that will span over SR 57, Flat Creek and the Indiana Southern Rail Road will not allow this existing private coal road to remain open. The road would need to be reconstructed to continue to provide the same access to the Solar Sources Mine. Another private coal road impacted by the highway is located on the east side of the highway along Meridian Road. This road is located within the coal mine boundary and is used during the current operation of the mine. No grade separation will be constructed at this location and the road will dead end at the highway. This road would need to be reconstructed to continue to provide the same access within the coal mine boundary.

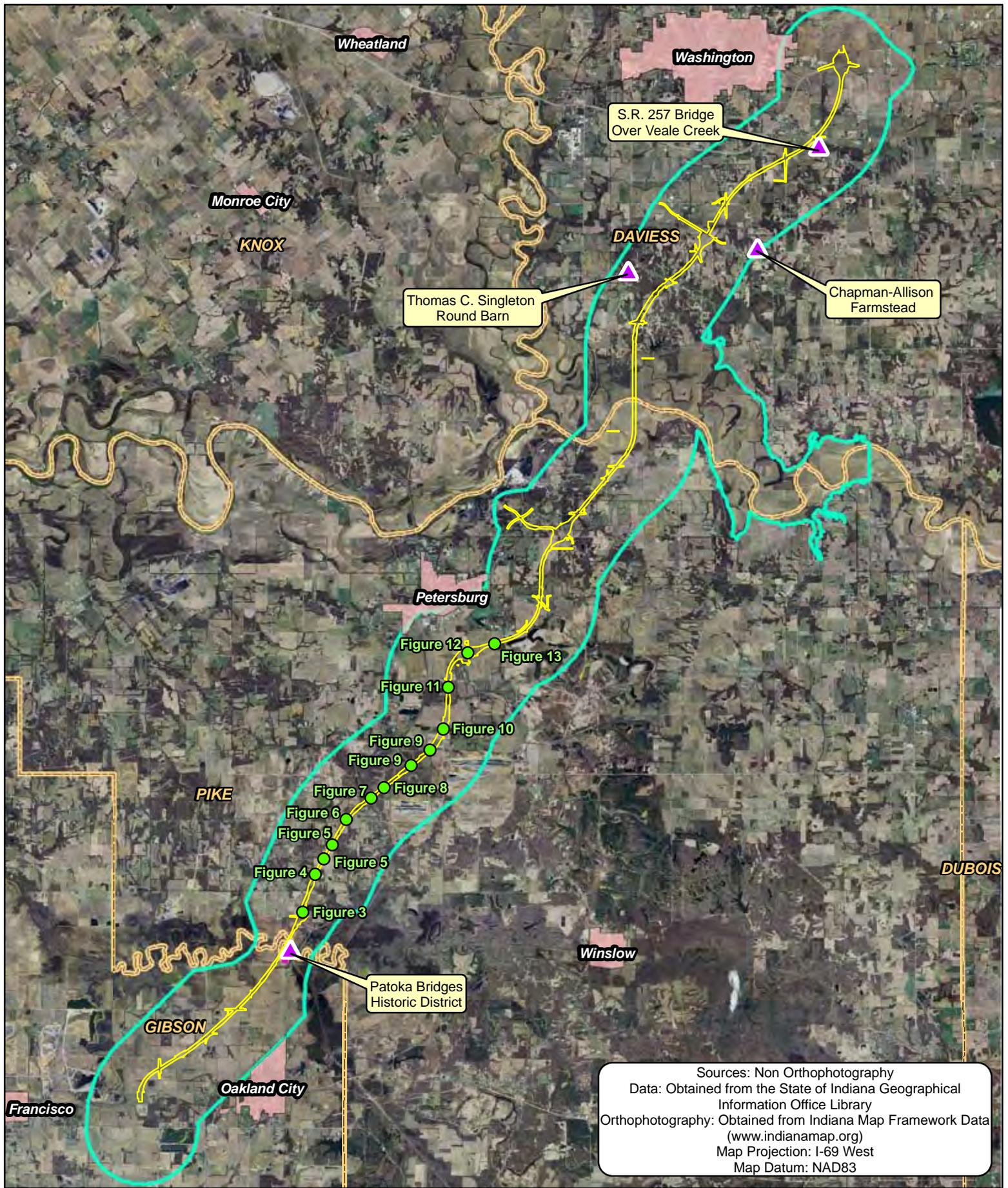
No private coal haul roads will be reconstructed as part of the I-69 project. INDOT intends to pay Solar Sources the cost to cure for its loss of access at these roads. This coordination is on-going. The reconstruction of these roads and any resulting impacts would be indirect impacts of the I-69 project not analyzed in the FEIS. There is the potential for the existing road at Flat Creek to be realigned under the I-69 Bridge to provide the same current access to the mine. There is the potential for a connector road to be constructed linking two roads which will dead end as a result of the highway at the Meridian Road location. The realigned roads would have impacts outside of the right-of-way analyzed during the FEIS and this reevaluation. Indirect impacts to forest, stream, and wetland areas could occur as a result of these potential private coal road reconstructions. It's currently estimated these areas may include impacts up to a total of approximately 2.7 acres of forest.

## **5. CONCLUSIONS**

In conclusion, the final design additional right-of-way as discussed above for Section 2 of the I-69 project will result in additional right-of-way, which at present are predominantly agricultural and previously disturbed areas. There will be no other notable direct impacts. Therefore, the revised design will not result in significant environmental impacts that were not evaluated in the EIS nor is there new information or circumstances relevant to environmental concerns bearing on the proposed action or its impacts which will result in significant environmental impacts not discussed in the EIS.

# Appendix A

## Graphics

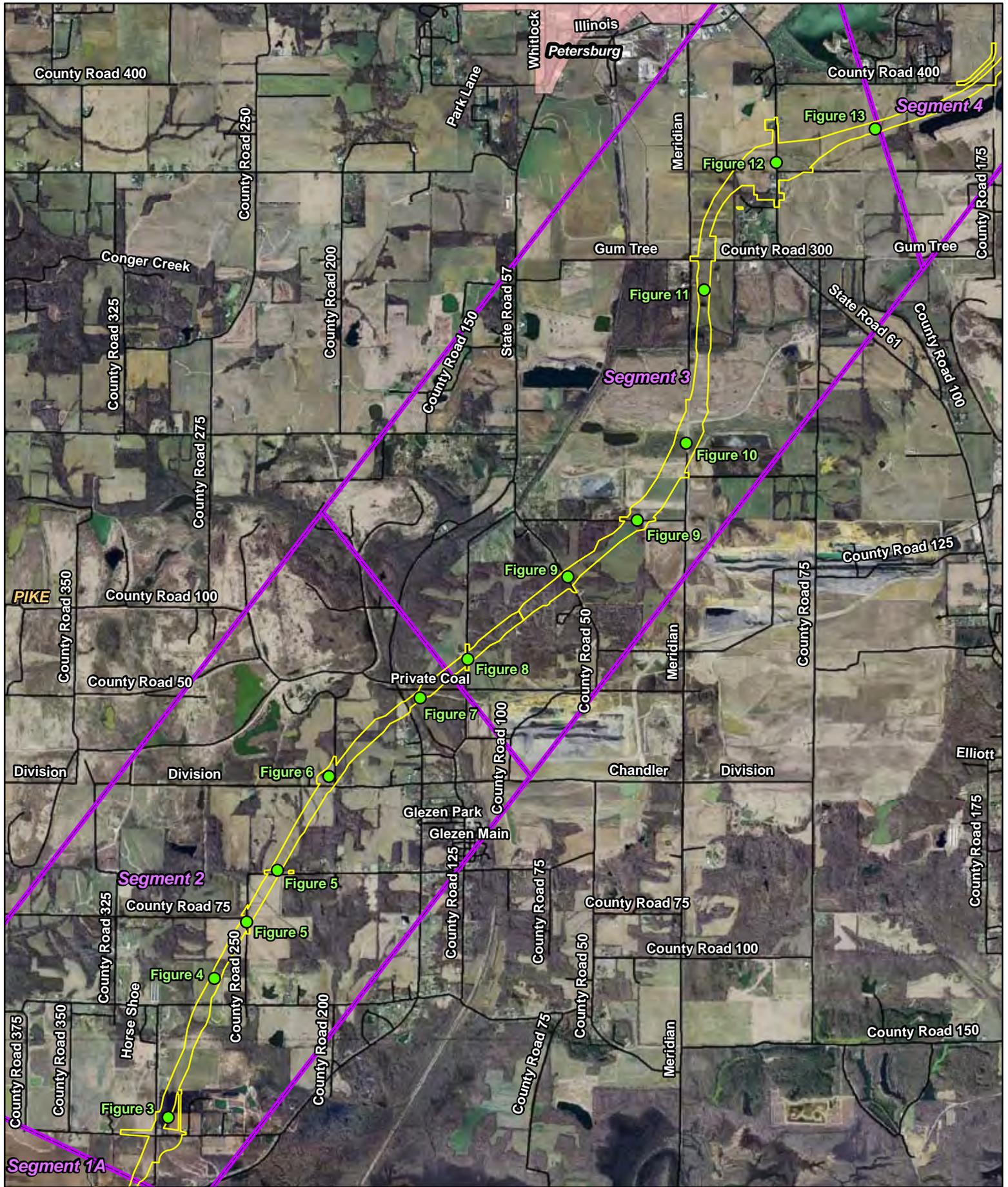


Sources: Non Orthophotography  
 Data: Obtained from the State of Indiana Geographical Information Office Library  
 Orthophotography: Obtained from Indiana Map Framework Data ([www.indianamap.org](http://www.indianamap.org))  
 Map Projection: I-69 West  
 Map Datum: NAD83

- ▲ Section 2 NRHP Resource
- Segment 2 & 3 Reevaluation Areas
- Section 2 FEIS Refined Preferred ROW
- Section 2 Historic APE
- County Line

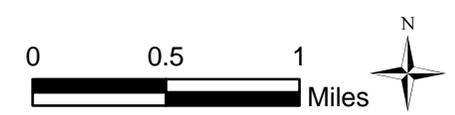
Figure 1  
 I-69 Section 2  
 Segment 2 and 3  
 Final Design Right-of-Way Changes





- Segment 2 & 3 Reevaluation Areas
- Section 2 FEIS Refined Preferred ROW
- County Line
- I-69 Design Segment Breaks

Figure 2  
 I-69 Section 2  
 Segment 2 and 3  
 Final Design Right-of-Way Changes



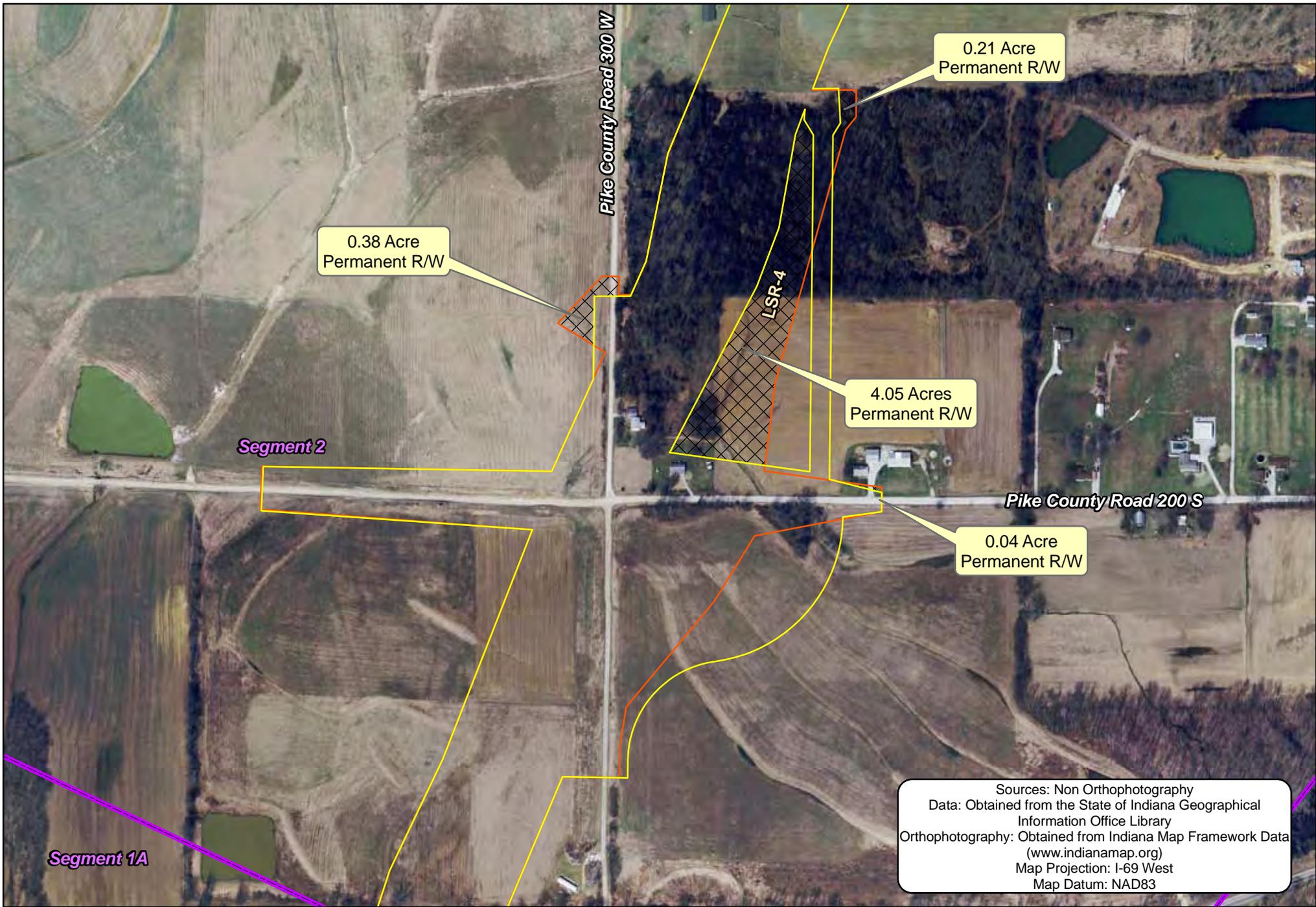
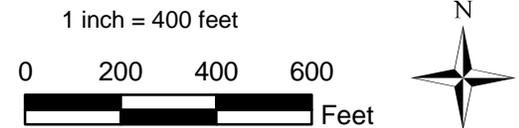
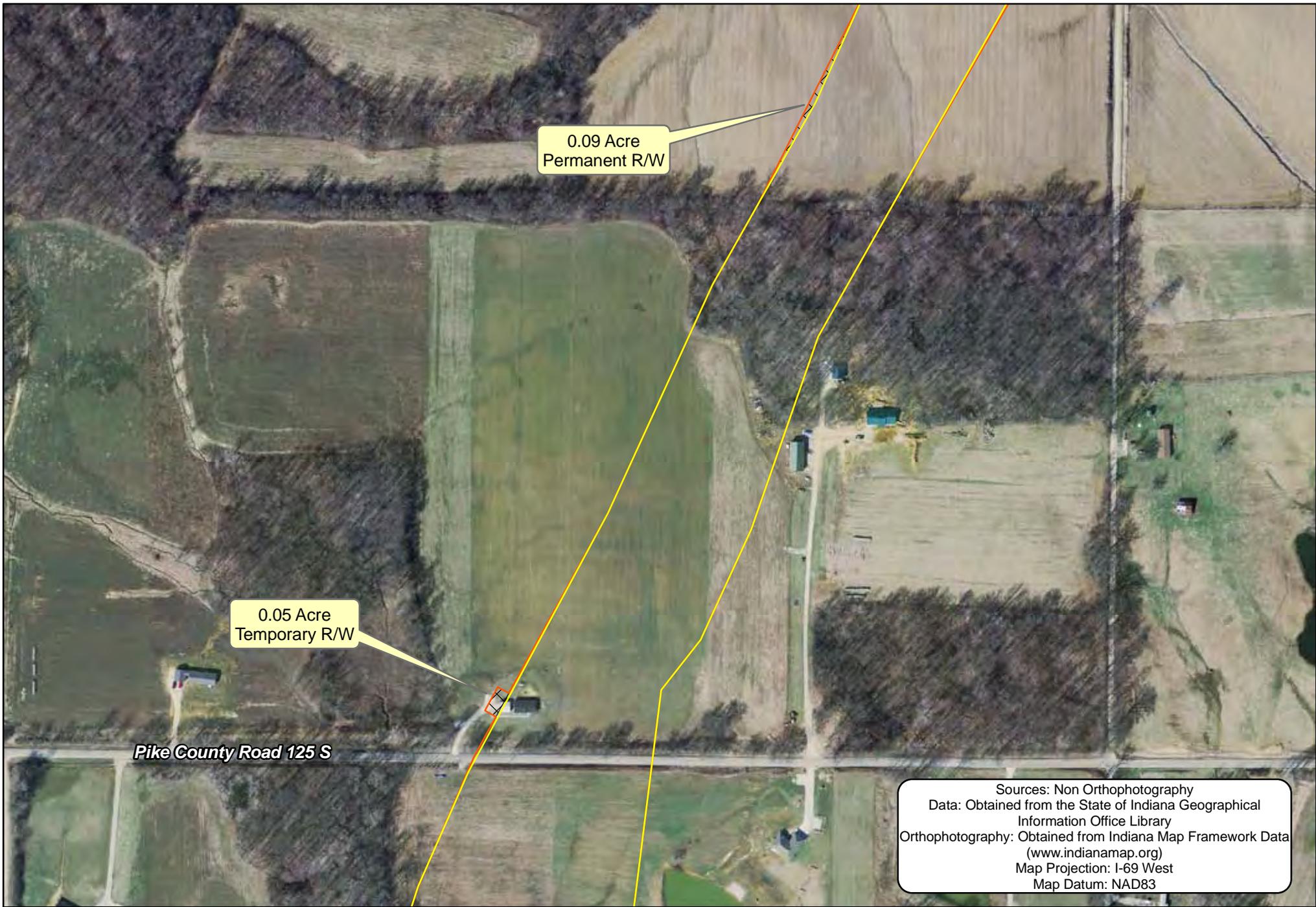


Figure 3  
 I-69 Section 2  
 Segment 2 and 3  
 Right-of-Way Changes  
 Shown on 2005 Aerial Photo

- Section 2 FEIS Refined Preferred R/W
- Section 2 Final Design R/W
- Reevaluation Area

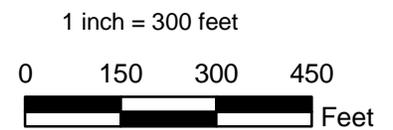
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 Data: Obtained from the State of Indiana Geographical  
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 Orthophotography: Obtained from Indiana Map Framework Data  
 ([www.indianamap.org](http://www.indianamap.org))  
 Map Projection: I-69 West  
 Map Datum: NAD83

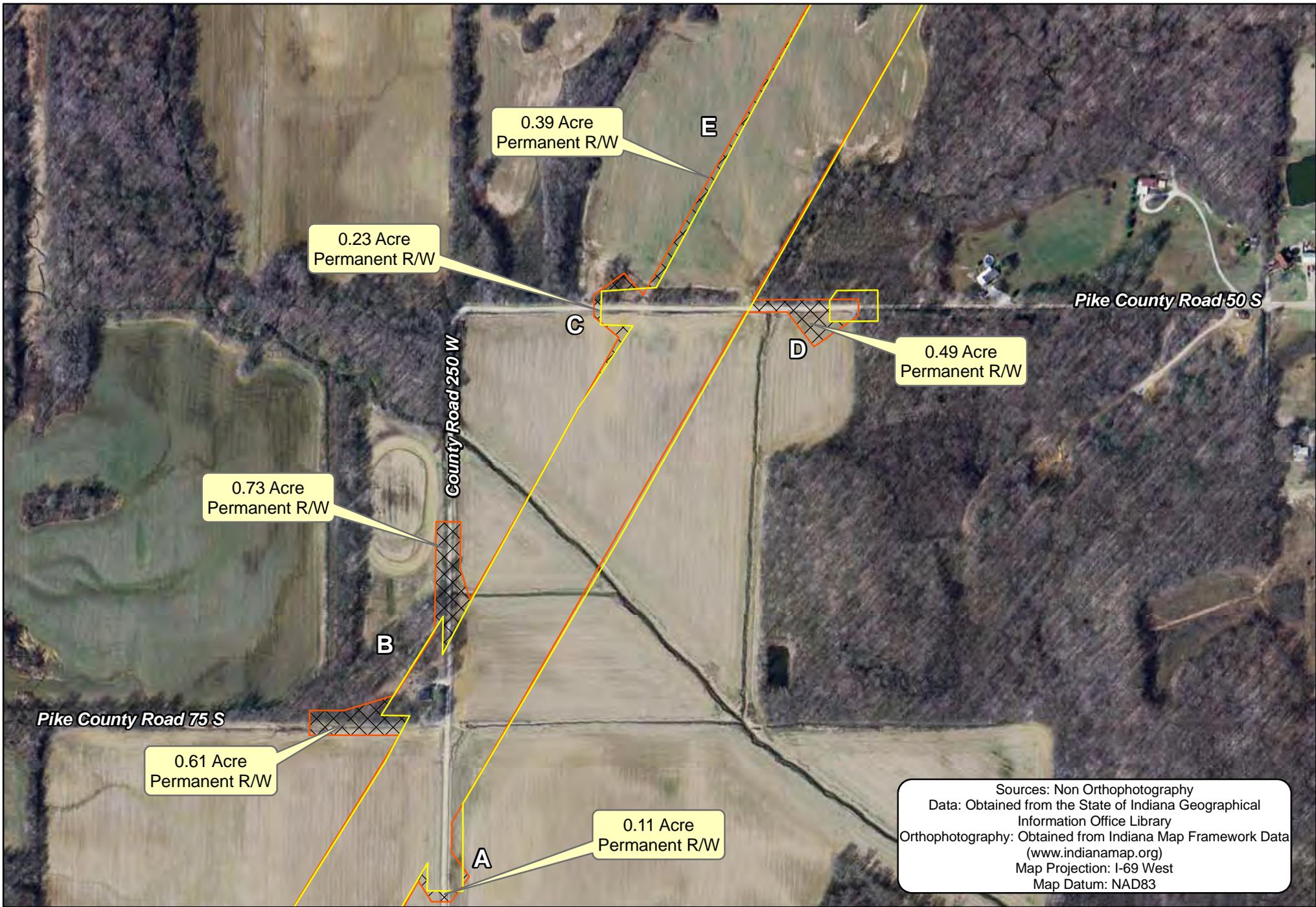




- Section 2 FEIS Refined Preferred R/W
- Section 2 Final Design R/W
- Reevaluation Area

Figure 4  
I-69 Section 2  
Segment 2 and 3  
Right-of-Way Changes  
Shown on 2005 Aerial Photo

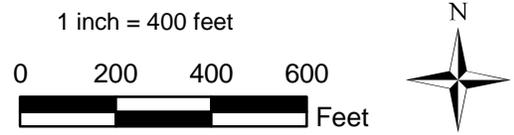


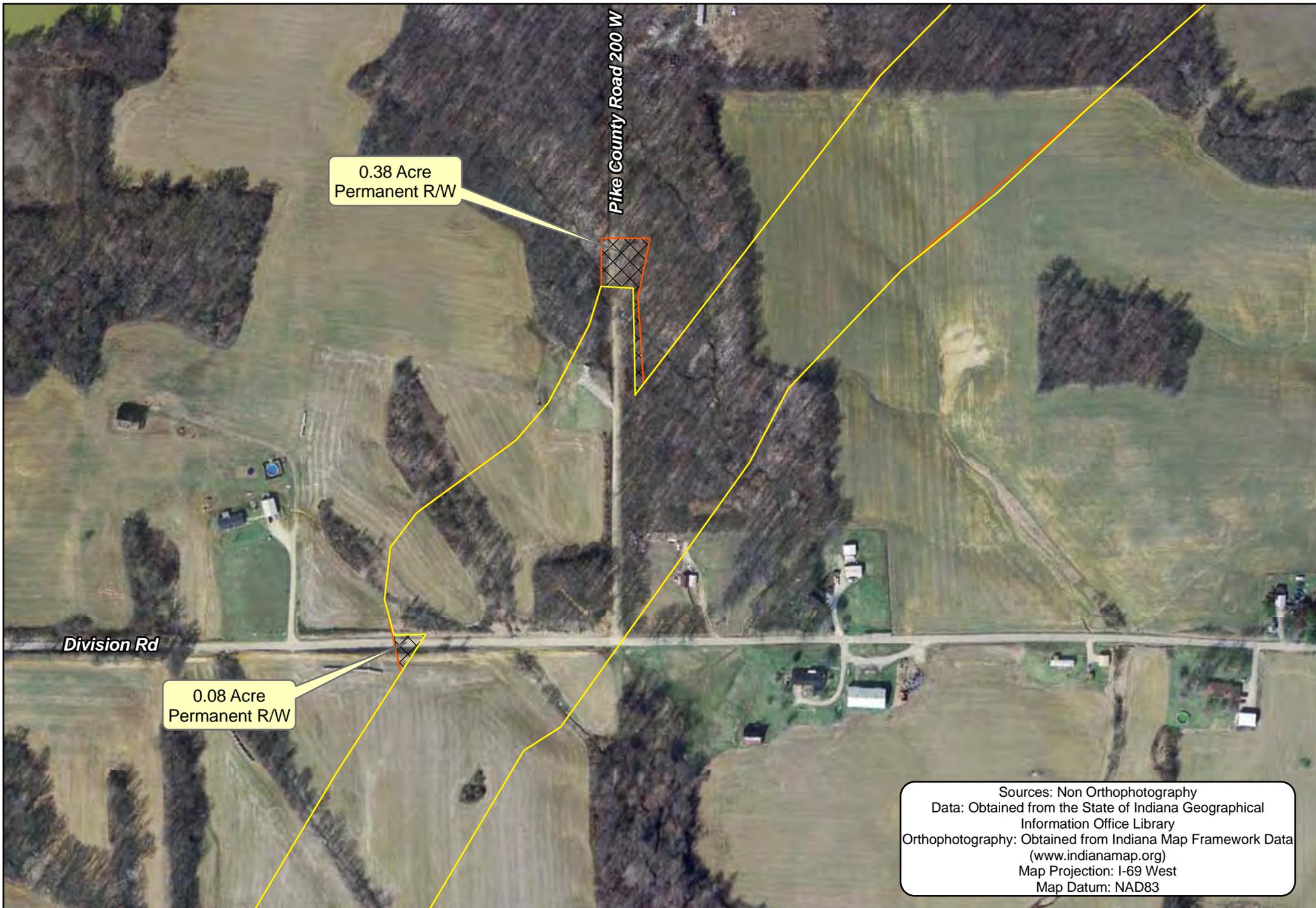


- Section 2 FEIS Refined Preferred R/W
- Section 2 Final Design R/W
- Reevaluation Area

Figure 5  
 I-69 Section 2  
 Segment 2 and 3  
 Right-of-Way Changes  
 Shown on 2005 Aerial Photo

Sources: Non Orthophotography  
 Data: Obtained from the State of Indiana Geographical  
 Information Office Library  
 Orthophotography: Obtained from Indiana Map Framework Data  
 ([www.indianamap.org](http://www.indianamap.org))  
 Map Projection: I-69 West  
 Map Datum: NAD83





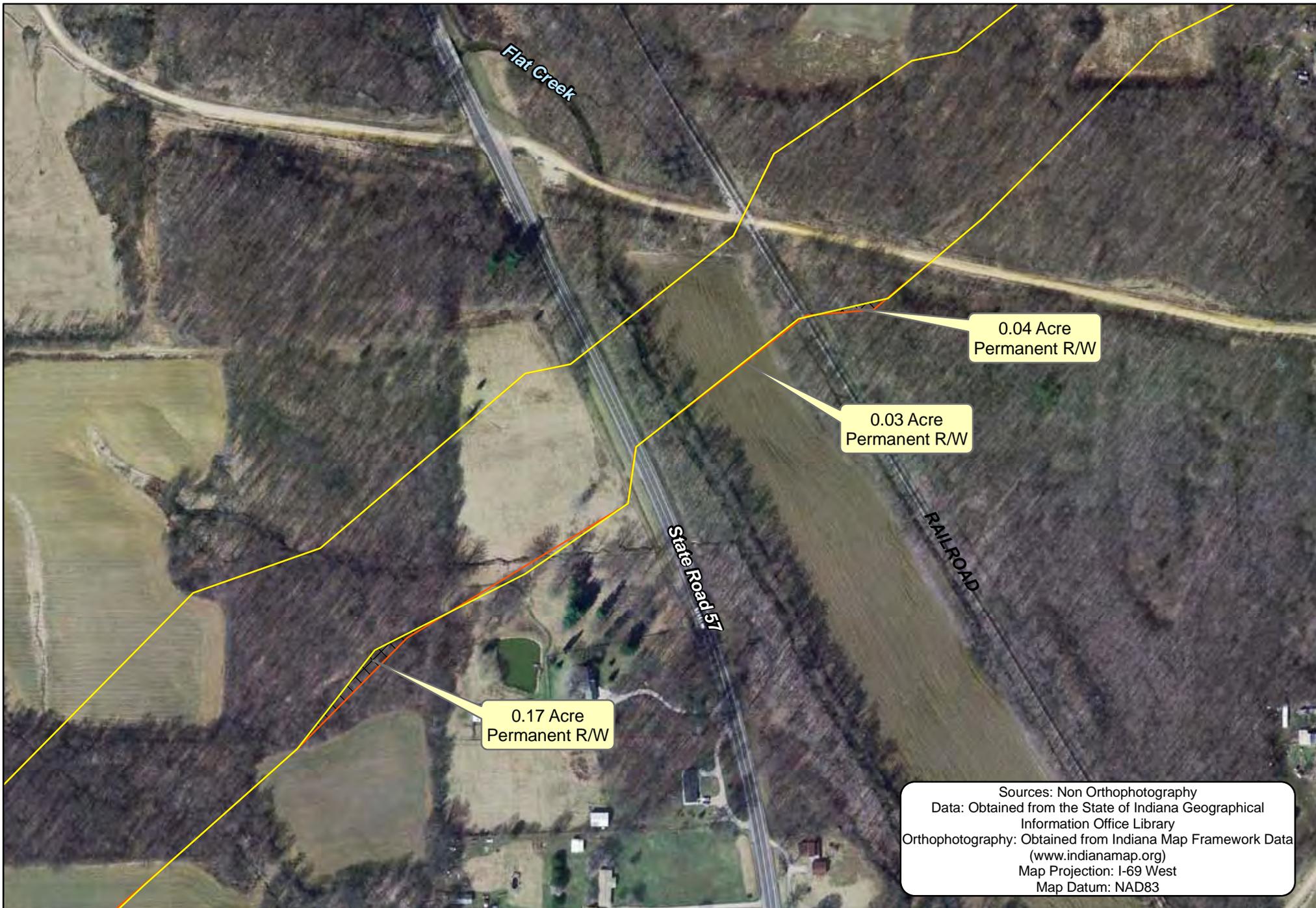
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 ([www.indianamap.org](http://www.indianamap.org))  
 Map Projection: I-69 West  
 Map Datum: NAD83

- Section 2 FEIS Refined Preferred R/W
- Section 2 Final Design R/W
- Reevaluation Area

Figure 6  
 I-99 Section 2  
 Segment 2 and 3  
 Right-of-Way Changes  
 Shown on 2005 Aerial Photo

1 inch = 300 feet

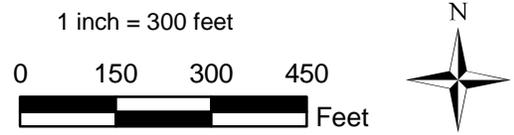
0 150 300 450 Feet

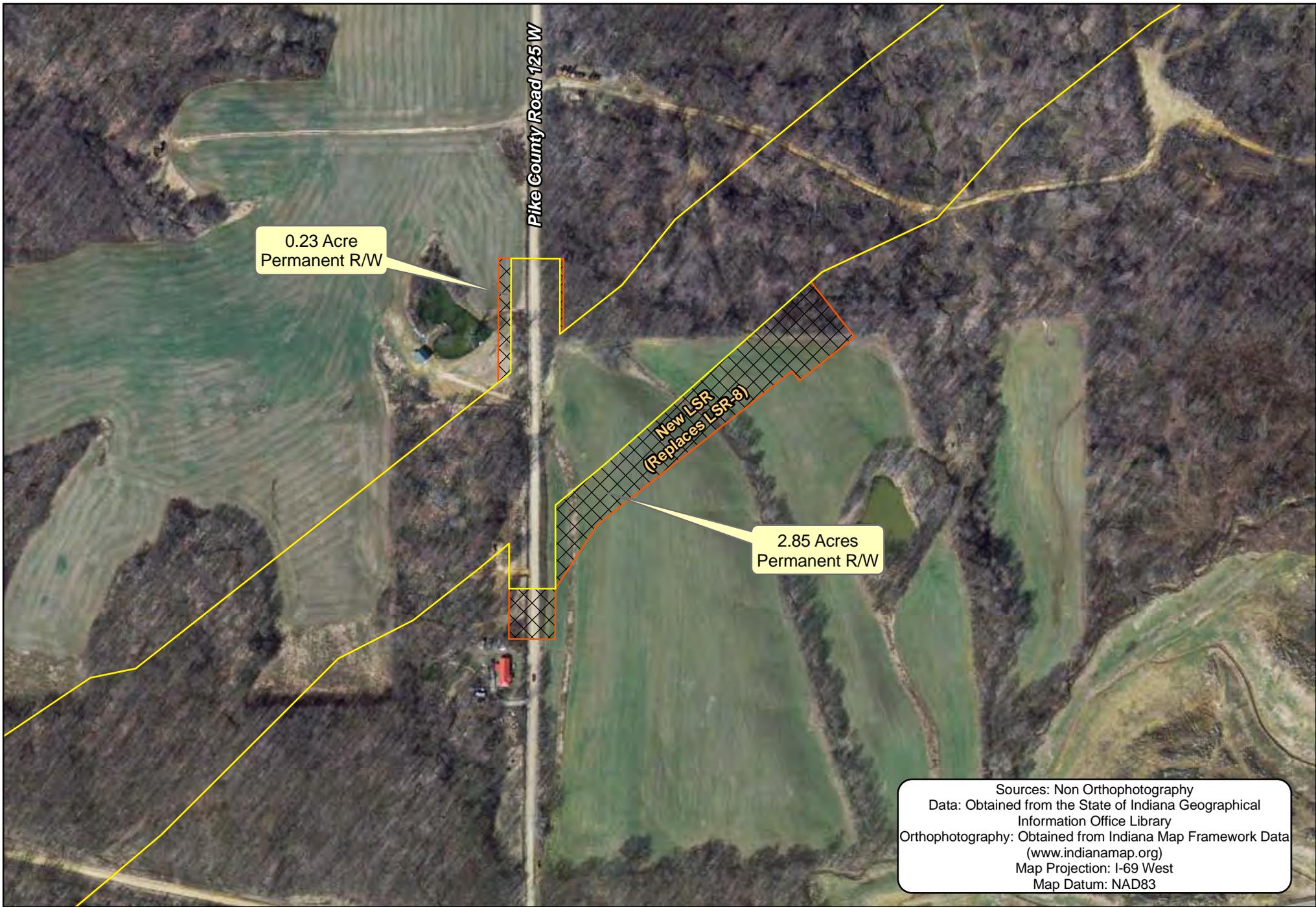


- Section 2 FEIS Refined Preferred R/W
- Section 2 Final Design R/W
- Reevaluation Area

Figure 7  
 I-69 Section 2  
 Segment 2 and 3  
 Right-of-Way Changes  
 Shown on 2005 Aerial Photo

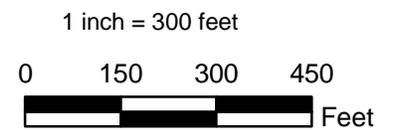
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 Map Datum: NAD83

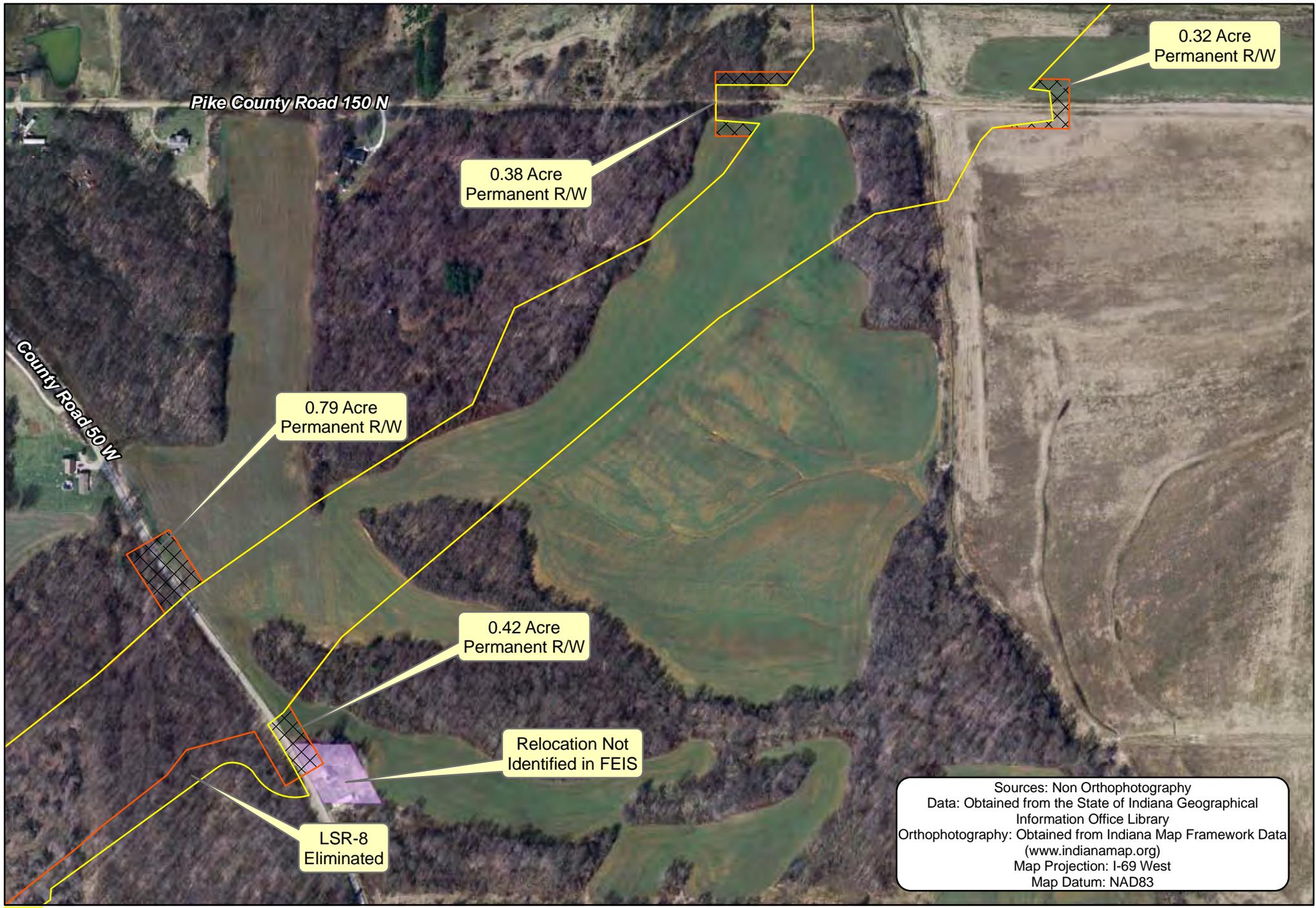




- Section 2 FEIS Refined Preferred R/W
- Section 2 Final Design R/W
- Reevaluation Area

Figure 8  
 I-69 Section 2  
 Segment 2 and 3  
 Right-of-Way Changes  
 Shown on 2005 Aerial Photo

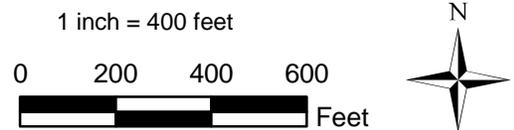




- Section 2 FEIS Refined Preferred R/W
- Section 2 Final Design R/W
- Reevaluation Area
- Relocation Not in FEIS

Figure 9  
 I-69 Section 2  
 Segment 2 and 3  
 Right-of-Way Changes  
 Shown on 2005 Aerial Photo

Sources: Non Orthophotography  
 Data: Obtained from the State of Indiana Geographical  
 Information Office Library  
 Orthophotography: Obtained from Indiana Map Framework Data  
 ([www.indianamap.org](http://www.indianamap.org))  
 Map Projection: I-69 West  
 Map Datum: NAD83





1.28 Acres  
Permanent R/W  
(West Side)

1.81 Acres  
Permanent R/W  
(East Side)

Meridian Rd

Sources: Non Orthophotography  
Data: Obtained from the State of Indiana Geographical  
Information Office Library  
Orthophotography: Obtained from Indiana Map Framework Data  
(www.indianamap.org)  
Map Projection: I-69 West  
Map Datum: NAD83

-  Section 2 FEIS Refined Preferred R/W
-  Section 2 Final Design R/W
-  Reevaluation Area

Figure 10  
I-69 Section 2  
Segment 2 and 3  
Right-of-Way Changes  
Shown on 2005 Aerial Photo

1 inch = 400 feet

0 200 400 600 Feet

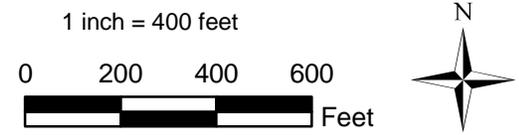




Sources: Non Orthophotography  
 Data: Obtained from the State of Indiana Geographical  
 Information Office Library  
 Orthophotography: Obtained from Indiana Map Framework Data  
 (www.indianamap.org)  
 Map Projection: I-69 West  
 Map Datum: NAD83

Figure 11  
 I-69 Section 2  
 Segment 2 and 3  
 Right-of-Way Changes  
 Shown on 2005 Aerial Photo

- Section 2 FEIS Refined Preferred R/W
- Section 2 Final Design R/W
- Reevaluation Area



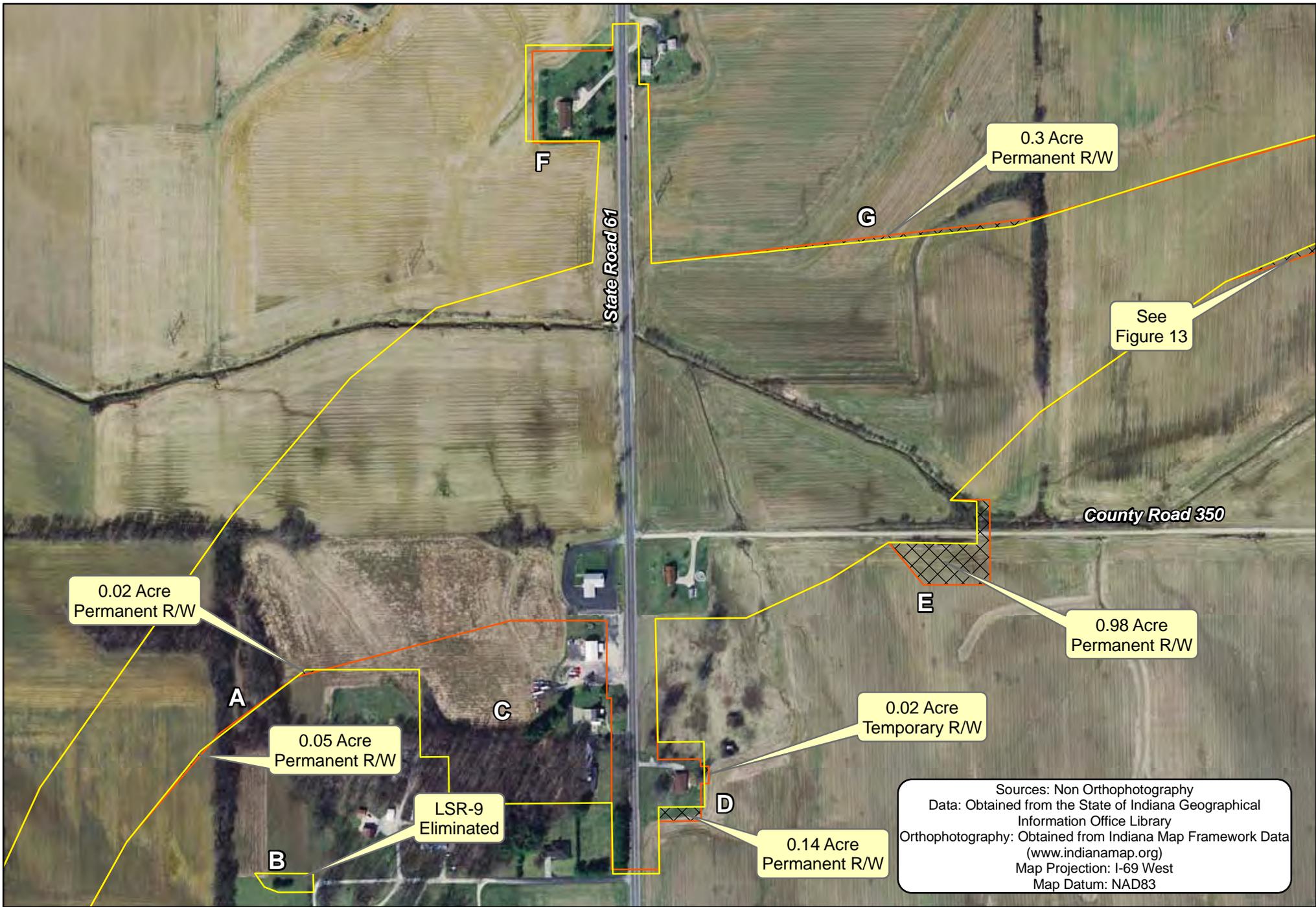
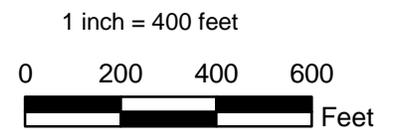
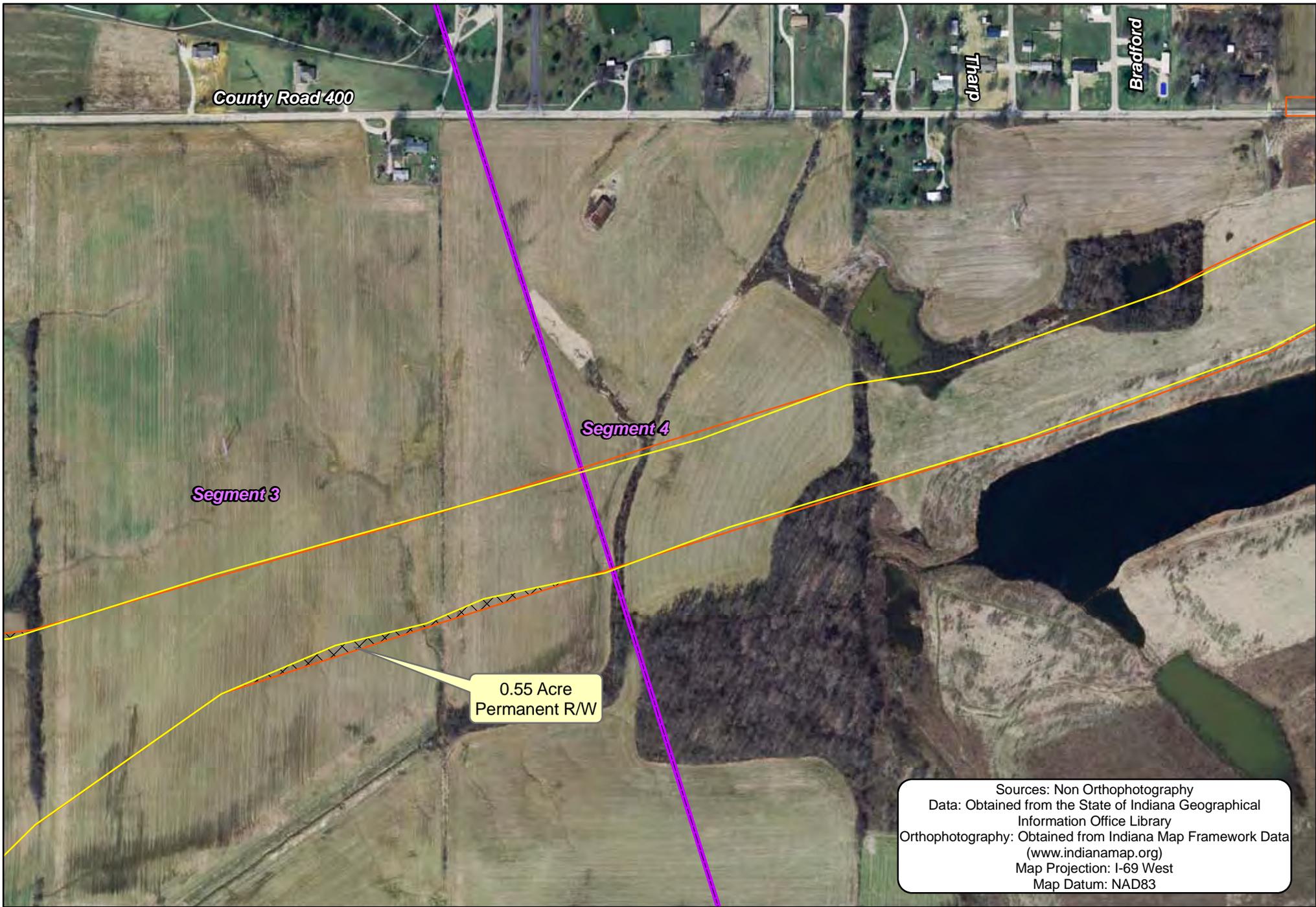


Figure 12  
 I-69 Section 2  
 Segment 2 and 3  
 Right-of-Way Changes  
 Shown on 2005 Aerial Photo

- Section 2 FEIS Refined Preferred R/W
- Section 2 Final Design R/W
- Reevaluation Area

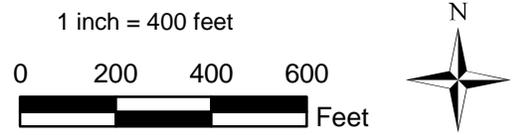




Sources: Non Orthophotography  
 Data: Obtained from the State of Indiana Geographical  
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 Orthophotography: Obtained from Indiana Map Framework Data  
 ([www.indianamap.org](http://www.indianamap.org))  
 Map Projection: I-69 West  
 Map Datum: NAD83

-  Section 2 FEIS Refined Preferred R/W
-  Section 2 Final Design R/W
-  Reevaluation Area

Figure 13  
 I-69 Section 2  
 Segment 2 and 3  
 Right-of-Way Changes  
 Shown on 2005 Aerial Photo



**Appendix B**  
**Informational Letter to SHPO**  
**&**  
**SHPO Reponse**



## **BERNARDIN · LOCHMUELLER & ASSOCIATES, INC.**

3502 Woodview Trace · Suite 150 · Indianapolis, IN 46268  
PHONE 317.222.3880 · TOLL FREE 888.830.6977 · FAX 317.222.3881

October 15, 2010

Dr. James A. Glass, Director  
Division of Historic Preservation and Archaeology  
402 W. Washington Street, Room W274  
Indianapolis, Indiana 46204-2739

RE: Additional information on Section 106 resources for the I-69 Section 2 additional right-of-way reevaluation areas – Design Segment 2 & 3 located in Pike County, Indiana.

DES #: 0300378

Project #: IN10 (005)

DHPA #: 11776

BLA Project #: 103-0001-1PL

Dear Dr. Glass,

On behalf of the Indiana Department of Transportation, the attached information is being provided for informational purposes only, showing that the adjustment in the original I-69 Section 2 preferred alternative right-of-way described herein does not modify the effect on historic properties. The final design for Section 2 within Segments 2 and 3 have added additional right-of-way areas to accommodate cul-de-sac construction; Local Service Road (LSR) revisions; building removal; revised right-of-way for even station offset; correction of back-to-back reverse curves not to INDOT standards; LSR added to provide access to landlocked parcel; alignment of new right-of-way with existing right-of-way; and right-of-way revision to follow surveyed parcel lines (See Appendix A). These final design areas total approximately 18.72 acres of permanent right-of-way and 0.35 acre of temporary right-of-way for 19.07 acres of total right-of-way not examined in the Section 2 Final Environmental Impact Statement (FEIS).

More specifically, the following locations of Section 2 additional right-of-way reevaluation areas are listed from south to north:

- 1) Pike County Road 200 S: this right-of-way was revised in order to construct a 50' radius cul-de-sac and to reduce the right-of-way impact of Local Service Road (LSR) 4; approximately 4.68 acres of permanent right-of-way is required at this location.
- 2) Pike County Road 125 S: the temporary right-of-way was added for building removal and the permanent right-of-way was added for even station offset that results in straight right-of-way lines as opposed to curved; approximately 0.05 acre of temporary and 0.09 acre of permanent right-of-way is required at this location.
- 3) Pike County Road 250 W: (A) right-of-way increased in order to construct a 50' radius cul-de-sac; (B) this is the location of LSR-5, which had to be lengthened for proper horizontal and vertical tie-in with the existing County Road 75 S and County Road 250 W; (C) right-of-way increased in order to construct a 50' radius cul-de-sac; (D) right-of-way increased in order to construct a 50' radius cul-de-sac; (E) right-of-way was corrected for even

station offset; approximately 2.56 acres of permanent right-of-way is required for areas A through E.

- 4) Division Road – Pike County Road 200 W Intersection: the FEIS right-of-way used back-to-back reverse curves that could not meet INDOT standards. This issue was corrected by lengthening the right-of-way at County Road 200 W; a total of approximately 0.46 acre of permanent right-of-way is required at this location.
- 5) State Road 57: the additional right-of-way at this location is required for even station offset; a total of approximately 0.24 acre of right-of-way is required at this location.
- 6) Pike County Road 125 W: the right-of-way at this location increased to construct a 50' radius cul-de-sac on the north side of the highway and a LSR was added to provide access to a landlocked parcel; a total of approximately 3.08 acres of permanent right-of-way is required at this location.
- 7) Pike County Road 50 W: the right-of-way at this location was revised to construct 50' radius cul-de-sacs on both sides of the highway. LSR-8 and the right-of-way associated with it were eliminated at this location because access to the parcel benefiting from the LSR will be eliminated due to the road closure; a total of approximately 1.21 acres of permanent right-of-way is required at this location.
- 8) Pike County Road 150 N: the right-of-way at this location was revised to construct 50' radius cul-de-sacs on both sides of the highway; a total of approximately 0.7 acre of permanent right-of-way is required at this location.
- 9) Meridian Road (Located within Coal Mine): the right-of-way at this location was increased to construct multiple 50' radius cul-de-sacs on both sides of the highway; a total of approximately 3.09 acres of permanent right-of-way is required at this location.
- 10) Meridian Road – Gum Tree Road Intersection: (A) right-of-way increased for even station offset; (B) temporary right-of-way was required for building removal; (C) right-of-way was required for tie into existing right-of-way; (D) LSR and associated right-of-way was eliminated and a drainage easement added - no additional right-of-way at this location; a total of approximately 0.57 acre of permanent and 0.28 acre of temporary right-of-way is required for areas A through D.
- 11) State Road 61 Interchange: (A) two small right-of-way areas increased for even station offset; (B) LSR-9 was eliminated because it cannot be constructed from a private road; (C) the FEIS identified this area as landlocked / excess land. During the right-of-way engineering phase of design, an easement was discovered that provides access to this area. Therefore this area is not landlocked; (D) right-of-way was revised to encompass entire parcel; (E) increased right-of-way required in order to construct a 50' radius cul-de-sac; (F) right-of-way was revised to follow survey lines; (G) right-of-way was revised for even station offset – no additional right-of-way required; a total of approximately 1.49 acres of permanent and 0.02 acre of temporary right-of-way is required for areas A through G.
- 12) Segment 3 and 4 breakpoint: the right-of-way at this location was revised for even station offset; a total of approximately 0.55 acre of permanent right-of-way is required at this location.

The Federal Highway Administration (FHWA) and Indiana Department of Transportation (INDOT) have reviewed potential modifications resulting from the additional right-of-way areas and determined no change to the original finding of “adverse effect” identified in the Tier 2 FEIS dated February 25, 2010. Therefore, based on this determination, FHWA does not intend to reopen the Section 106 process on the I-69 Section 2 project for the above-mentioned areas for the following reasons: visually, there will essentially be no change with the minor additional right-of-way areas; no above-ground resources listed in or eligible for the National Register of Historic Places (NRHP) will have any changes to its effect finding due to the additional right-of-way areas; and the proposed action of adding approximately 19.07 acres of additional final design right-of-way within Segment 2 and 3 will have no change to the effect on archaeological resources (see below).

The Section 2 Tier 2 Historic Property Report, dated October 18, 2005 concluded that four above-ground resources eligible for or listed in the NRHP are located within the Section 2 APE (See Appendix A). On December 15, 2008 the FHWA in consultation with the Indiana SHPO determined that Section 2 of the I-69 project will have an adverse effect (See Appendix B). On September 20, 2010 the FHWA re-issued the Section 2 finding of “adverse effect” after a change to the Section 2 APE occurred at the East Fork White River. The APE for above-ground resources will not be modified and there will be no change to the “adverse effect” finding as a result of these additional right-of-way areas.

The attached maps identify that the location of the additional right-of-way areas are within the previously documented above-ground resource APE for Section 2 of the I-69 project (See Appendix A). The approved APE for Section 2 above-ground resources is identified to be generally 1.0 mile beyond the typically 2,000-foot wide study corridor. General exceptions to this APE occur throughout Section 2 as defined in the Historic Property Report.

The attached maps show that both the additional right-of-way areas and the original alignment have similar overall impacts to above-ground resources for Section 2. The closest final design additional right-of-way area in Segments 2 and 3 is located approximately 0.7 mile from a NRHP eligible or listed resource (Pike C.R. 200 S from the Patoka Bridges Historic District). The I-69 project will have an adverse effect on the Patoka Bridges Historic District as stated in the FEIS. No other eligible or listed NRHP properties are located within 8.0 miles of the additional right-of-way areas (See Table 1 in Appendix C).

In regard to archaeological resources, a Phase Ia field reconnaissance was conducted by Gray & Pape, Inc. for areas located outside of the original surveyed preferred alternative. In a report dated October 4, 2010, Gray & Pape determined that no new archaeological sites were identified during the survey. Because no archaeological resources identified during their survey are considered eligible for the NRHP, no further archaeological investigations for the above-mentioned additional areas are needed (See Archaeological Report). Based on these surveys, it has been determined that there will be no change to the potential effects on archaeological resources from the additional right-of-way areas.

If any human remains are encountered at any point in the project, all work in the area will immediately cease and any burials will be reported to IDNR/DHPA within two business days in accordance with IC 14-21 and 312 IAC 21.

Again, this package is being sent for informational purposes only regarding the status of the project. INDOT and FHWA are proceeding with the approval of the reevaluation document to the original Tier 2 FEIS without modification of the previous Section 106 findings based on this information. If you should have any questions regarding this reevaluation information, please contact me at 317-222-3880 or via email at [shill@blainc.com](mailto:shill@blainc.com).

Sincerely,

A handwritten signature in cursive script that reads "Shannon Hill".

Shannon Hill  
Historic Resources Specialist  
Bernardin • Lochmueller and Associates, Inc.

Enclosures: Appendix A – Graphics  
Appendix B – Section 2 Effect Finding  
Appendix C – Table 1: Additional R/W Area Proximity to NRHP Properties  
  
Archaeology Report

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



October 28, 2010

Shannon Hill  
Historic Resources Specialist  
Bernardin, Lochmueller & Associates, Inc.  
3502 Woodview Trace, Suite 150  
Indianapolis, Indiana 46268

Federal Agency: Federal Highway Administration ("FHWA")

Re: Additional information on Section 106 resources and addendum to phase Ia archaeological investigations (Baltz, 10/4/10) for the I-69 Section 2 additional right-of-way reevaluation areas - Design Segment 2 & 3 in Pike County (Des. No. 0300378; Project No. IN10 (005); BLA Project No. 103-0001-1PL; DHPA No. 1351)

Dear Ms. Hill:

Pursuant to Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f), 36 C.F.R. Part 800, and the "Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program In the State of Indiana," the staff of the Indiana State Historic Preservation Officer has reviewed the documents submitted under your cover letter dated October 15, 2010, which were received on October 18, 2010, for the above-indicated project in Pike County, Indiana.

In compliance with the October 27 request by Staffan Peterson of the Indiana Department of Transportation ("INDOT"), we are commenting on the documents that you have provided here, even though your October 15 letter, after discussing both above-ground and archaeological investigations, said: "Again, this package is being sent for informational purposes only regarding the status of the project. INDOT and FHWA are proceeding with the approval of the reevaluation document to the original Tier 2 FEIS without modification of the previous Section 106 findings based on this information." Had we fully understood the purpose of the October 15 submission prior to commenting in our October 25, 2010 letter on FHWA's September 20, 2010 finding of adverse effect for I-69 Section 2, we might have been able to include our comments on the additional information in our October 25 letter.

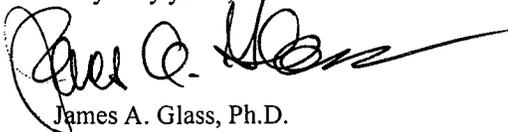
Based upon the documentation available to the staff of the Indiana SHPO, we have not identified any currently known archaeological resources listed in or eligible for inclusion in the National Register of Historic Places within the above proposed project areas.

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

As your letter indicates, the locations of the 19.07 acres of additional, permanent and temporary right-of-way of which you have apprised us lie within the previously-determined area of potential effects for I-69 Section 2. We have compared the marked aerial photographs (figures 1 through 13) in Appendix A of your submission with Map 2, sheets 1 through 4 of 7, in the October 18, 2005 historic property report for I-69 Section 2 (as it appears in the 36 C.F.R. § 800.11[e] documentation that accompanied FHWA's December 15, 2008 adverse effect finding). Based on that information, we do not believe that any of the locations of additional and permanent right-of-way include, or lie in close proximity to, any of the properties that were identified and evaluated in the October 18, 2005 historic property report.

If you have questions about archaeological issues, please contact Dr. Rick Jones at (317) 233-0953 or [rjones@dnr.IN.gov](mailto:rjones@dnr.IN.gov). Questions about buildings or structures should be directed to John Carr at (317) 233-1949 or [jcarr@dnr.IN.gov](mailto:jcarr@dnr.IN.gov). In all future correspondence regarding the I-69 Section 2 highway construction project, please refer to DHPA No.1351.

Very truly yours,



James A. Glass, Ph.D.  
Deputy State Historic Preservation Officer

JAG:JRJ:JLC:jlc

cc: Robert F. Tally, Jr., P.E., Indiana Division, Federal Highway Administration  
Staffan Peterson, Cultural Resources Section, Office of Environmental Services, Indiana Department of Transportation

emc: Michelle Allen, Indiana Division, Federal Highway Administration  
Staffan Peterson, Cultural Resources Section, Office of Environmental Services, Indiana Department of Transportation  
Mary Kennedy, Cultural Resources Section, Office of Environmental Services, Indiana Department of Transportation  
Shaun Miller, Cultural Resources Section, Office of Environmental Services, Indiana Department of Transportation  
Jason DuPont, P.E., Bernardin, Lochmueller & Associates, Inc.  
Shannon Hill, Bernardin, Lochmueller & Associates, Inc.  
Michael Elsner, Bernardin, Lochmueller & Associates, Inc.  
Beth McCord, Gray & Pape, Inc.  
Linda Weintraut, Ph.D., Weintraut & Associates, Inc.

# Appendix C

## Phase 1a Archaeological Report Summary

**I-69 CORRIDOR TIER 2 STUDIES**  
**Evansville to Indianapolis**  
*Addendum to Phase Ia Archaeological Investigations*  
*Section 2 (SR 64 to US 50)*  
*Reevaluation Group 2, Segments 2 and 3,*  
*Pike County, Indiana*

October 4, 2010



*Prepared by*

Gray & Pape, Inc.  
101 W. Kirkwood, Suite 207  
Bloomington, Indiana 47404

*Prepared for*

Federal Highway Administration and  
Indiana Department of Transportation



**I-69 CORRIDOR TIER 2 STUDIES**  
**Evansville to Indianapolis**  
*Addendum to Phase Ia Archaeological Investigations*  
*Section 2 (SR 64 to US 50)*  
*Reevaluation Group 2, Segments 2 and 3,*  
*Pike County, Indiana*

October 4, 2010

*Prepared by*

Christopher J. Baltz  
Gray & Pape, Inc.  
101 W. Kirkwood, Suite 207  
Bloomington, Indiana 47404



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Beth McCord  
Principal Investigator

### **3.0 CONCLUSIONS AND RECOMMENDATIONS**

Phase Ia survey of the Section 2 Reevaluation Groups 2 and 3 was conducted in September 2010. Much of the additional ROW was found to lie in previously disturbed contexts or on slope greater than 20%. These areas were investigated by means of walkover examination. Ground surface visibility in the cultivated fields was 30-90%. The Phase Ia survey employed surface reconnaissance within the cultivated fields and shovel testing in the yards and fallow fields. No archaeological sites were identified during the survey. It is recommended that the project will have no effect on historic properties.

# Appendix D

## Public Involvement Coordination



## **Public Involvement Memo I-69, Section 2, Segment 2 and 3 Reevaluation November 4, 2010**

The purpose of this reevaluation is to examine minor right-of-way changes required for the final design within design Segment 2 and 3 in Section 2 that have occurred since the approval of the Tier 2 Final Environmental Impact Statement (FEIS) and Record of Decision (ROD). Segment 2 begins where Segment 1A ends approximately 0.4 mile north of the Patoka River and extends north ending approximately 0.3 mile northeast of the I-69 SR 57 crossing for a total of 3.5 miles. Segment 3 begins where Segment 2 ends and stops approximately 0.6 miles east of the I-69 Interchange with State Road 61 for a total of 4.4 miles.

The revised design in Segment 2 and 3 totals approximately 18.72 acres of permanent right-of-way and 0.35 acre of temporary right-of-way for a total of 19.07 acres of total right-of-way (9.74 acres of agricultural land, 3.74 acres of developed land, 5.49 acres of upland habitat, 0.07 acre of stream, and 0.03 acre of wetlands). As required by *Part 1, Section IV, Page 32-33* in the March 25, 2009 FHWA and INDOT approved Public Involvement Manual, this memo has been drafted to document whether further public involvement activities are required.

The Segment 2 and 3 reevaluation examines the following locations of Section 2 listed from south to north as seen in the attached maps: Pike CR 200 S; Pike CR 125 S; Pike CR 250 W; Pike CR 50 S; Division Rd – Pike CR 200 W intersection; SR 57; Pike CR 125 W; Pike CR 50 W; Pike CR 150 N; Meridian Rd; Meridian Rd – Gum Tree Rd Intersection; SR 61 Interchange; Segment 3 & 4 breakpoint. The additional permanent and temporary right-of-way areas along the proposed new alignment of I-69 are required to accommodate: cul-de-sac construction; Local Service Road (LSR) revisions; building removal; revised right-of-way for even station offset; correction of back to back reverse curves not to INDOT standards; LSR added to provide access to landlocked parcel; align new right-of-way with existing right-of-way; and right-of-way revision to follow surveyed parcel lines.

One new permanent road closure not discussed in Table 5.3-4 in the Tier 2 FEIS will result from the changes identified in the reevaluation. Pike CR 50 W will be closed and no overpass will be built as discussed in the FEIS. The overpass will not be constructed, since detailed engineering and economic analysis determined that the cost to construct it is not justified. The overpass would have provided access to one residential parcel, a private church camp, and a coal mine. The coal mine has alternative access using other roads. The closure of CR 50 W will result in a relocation of a residence and associated outbuildings because the parcel will be landlocked. This relocation was not analyzed in the FEIS. A private owned church camp will lose its current access and will be landlocked as a result of the highway. INDOT made an offer to buy the church camp property in its entirety. A settlement was not reached and INDOT will purchase only the right-of-way needed for highway construction from the church camp. INDOT will pay damages to the camp because of the loss of access and the church camp will work with adjacent property owners to either sell the property or re-establish access. Two parcels not previously identified as impacted by right-of-way in the FEIS will now be affected. The owners of both parcels are aware of the impacts of the final design right-of-way to their properties through INDOT and/or those acting on behalf coordination to purchase the right-of-way.

All additional right-of-way areas are located within the previously approved area of potential effect (APE) and no change to the Section 2 findings of effect on historic properties will occur. A Phase 1a Archaeological Investigation was conducted for all of the additional right-of-way areas. No resources eligible for the National Register of Historic Places (NRHP) were found during this investigation. In a letter dated October 28, 2010, the SHPO concurred with the recommendations of the Phase 1a. Three of the above mentioned additional right-of-way areas are required for building removal. Multiple outbuildings are located partially within the limited access right-of-way and temporary right-of-way is required to demolish the buildings. All of these buildings were previously identified as being demolished in the FEIS. None of the buildings are eligible for or listed in the NRHP.



## I-69 EVANSVILLE TO INDIANAPOLIS

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Through previous coordination with FHWA as required by *Part 1, Section IV, Page 32-33* in the INDOT and FHWA approved Public Involvement Manual (approved March 25, 2009 and title sheet dated April 1, 2009), it was determined that, additional public involvement activities were required based on the impact to previously unaffected property owners. The reevaluation will be reviewed and released for public involvement by INDOT. A legal notice advertising the reevaluation document will be placed in the *Press Dispatch in Petersburg*, *Oakland City Journal*, and the *Vincennes Sun Commercial*. The reevaluation will also be posted to the I-69 Project website during the comment period. The public will be afforded 15 days to comment on the reevaluation. After the 15 day comment period has ended, the reevaluation will be updated to reflect any public comments and will be submitted for final signature.

## Public Notice

The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT) have completed a reevaluation of areas for Section 2 within Design Segments 2 and 3 of the I-69 project from SR 64 near Oakland City in Gibson County to US 50 near Washington in Daviess County. The I-69 project is a four lane interstate highway on mostly new terrain that will link Evansville, Indiana with Indianapolis, Indiana. The Section 2 Tier 2 Final Environmental Impact Statement (FEIS) was approved on February 25, 2010 and its Notice of Availability published in the Federal Register on March 5, 2010. The Section 2 Record of Decision (ROD) was approved on April 30, 2010. Since the publication of the above documents, final design refinements to the right-of-way have been identified within Segment 2 and 3 and are summarized in a reevaluation document.

Segment 2 begins approximately 0.4 mile north of the Patoka River and extends north ending approximately 0.3 mile northeast of the I-69 crossing of SR 57. It is 3.5 miles long. Segment 3 begins where Segment 2 ends and extends to approximately 0.6 miles east of the I-69 Interchange with State Road 61. Segment 3 is 4.4 miles long. Segment 3 includes the I-69 interchange with SR 61. The revised design totals approximately 18.72 acres of additional permanent right-of-way and 0.35 acre of additional temporary right-of-way for a total of 19.07 acres of new right-of-way.

The final design right-of-way changes occur at the following locations listed from south to north: Pike CR 200 S; Pike CR 125 S; Pike CR 250 W; Pike CR 50 S; Division Rd – Pike CR 200 W intersection; SR 57; Pike CR 125 W; Pike CR 50 W; Pike CR 150 N; Meridian Rd; Meridian Rd – Gum Tree Rd Intersection; SR 61 Interchange; Segment 3 & 4 breakpoint. The additional permanent and temporary right-of-way areas are required to accommodate: cul-de-sac construction; Local Service Road (LSR) revisions; building removal; revised right-of-way for even station offset; refined curve alignments; LSR added to provide access to landlocked parcel; align new right-of-way with existing right-of-way; and right-of-way revision to follow surveyed parcel lines.

The environmental impacts on all right-of-way areas have been considered and are documented in the reevaluation document. The additional right-of-way areas resulting from the final design will not have significant impacts on the natural and human environments. The analysis presented in the reevaluation confirms that the final design for Section 2, Design Segments 2 and 3 do not require the preparation of a Supplemental Environmental Impact Statement (SEIS) or an additional Draft Environmental Impact Statement (DEIS).

The reevaluation document is available for review and public comment on the I-69 project website at [www.i69indyevn.org](http://www.i69indyevn.org) and in the INDOT Washington Project Office. Questions or comments pertaining to Section 2 or other parts of the project may also be directed to the project website. The views of the public on the reevaluation are being sought. Please reply no later than November, 24, 2010. Please reply to the contact listed below.

David Pluckebaum  
INDOT Washington Project Office  
60 North Commercial Park Drive  
P.O. Box 522  
Washington, IN 47501  
Phone: 812-254-2831

## Public Notice

The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT) have completed a reevaluation of areas for Section 2 within Design Segments 2 and 3 of the I-69 project from SR 64 near Oakland City in Gibson County to US 50 near Washington in Daviess County. The I-69 project is a four lane interstate highway on mostly new terrain that will link Evansville, Indiana with Indianapolis, Indiana. The Section 2 Tier 2 Final Environmental Impact Statement (FEIS) was approved on February 25, 2010 and its Notice of Availability published in the Federal Register on March 5, 2010. The Section 2 Record of Decision (ROD) was approved on April 30, 2010. Since the publication of the above documents, final design refinements to the right-of-way have been identified within Segment 2 and 3 and are summarized in a reevaluation document.

Segment 2 begins approximately 0.4 mile north of the Patoka River and extends north ending approximately 0.3 mile northeast of the I-69 crossing of SR 57. It is 3.5 miles long. Segment 3 begins where Segment 2 ends and extends to approximately 0.6 miles east of the I-69 Interchange with State Road 61. Segment 3 is 4.4 miles long. Segment 3 includes the I-69 interchange with SR 61. The revised design totals approximately 18.72 acres of additional permanent right-of-way and 0.35 acre of additional temporary right-of-way for a total of 19.07 acres of new right-of-way.

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The environmental impacts on all right-of-way areas have been considered and are documented in the reevaluation document. Located at Pike CR 50 W, the grade separation described in the FEIS and ROD will be eliminated. The additional right-of-way areas resulting from the final design will not have significant impacts on the natural and human environments. The analysis presented in the reevaluation confirms that the final design for Section 2, Design Segments 2 and 3 do not require the preparation of a Supplemental Environmental Impact Statement (SEIS) or an additional Draft Environmental Impact Statement (DEIS).

The reevaluation document is available for review and public comment on the I-69 project website at [www.i69indyevn.org](http://www.i69indyevn.org) and in the INDOT Washington Project Office. Questions or comments pertaining to Section 2 or other parts of the project may also be directed to the project website. The views of the public on the reevaluation are being sought. Please reply no later than November, 24, 2010. Please reply to the contact listed below.

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INDOT Washington Project Office  
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Washington, IN 47501  
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David Pluckebaum  
INDOT Washington Project Office  
60 North Commercial Park Drive  
P.O. Box 522  
Washington, IN 47501  
Phone: 812-254-2831  
Nov. 9, 11

Prescribed by State Board of Accounts

General Form No. 99P (Rev. 2009A)

Bernardin, Lochmueller & Associates  
(Governmental Unit)

To Vincennes Sun-Commercial

Knox County Auditor

Vincennes, Indiana 47591

**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	-----	96

**COMPUTATION OF CHARGES**

96 lines, 1 column wide equals 96 equivalent lines at .416 cents per line	-----	\$	39.94
Additional charges for notices containing rule or tabular work (50 per cent of above amount)	-----	\$	0.00
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)	-----	\$	
<b>TOTAL AMOUNT OF CLAIM</b>	-----	\$	<b>39.94</b>

**DATA FOR COMPUTING COST**

Width of single column in picas 12	Size of type 7 point
Number of insertions 1	

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 1 times. The dates of publication being as follows:

November 9, 2010

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 November 9, 2010

*Misty Courm*  
Title: Accounting Clerk

*Stephanie Buchanan*  
Stephanie Buchanan  
My Commission expires the 12th day of March 2011.

ATTACH COPY OF ADVERTISEMENT HERE

Notary Public State of Kentucky

Prescribed by State Board of Accounts

General Form No. 99P (Rev. 2009A)

Bernardin Lochmeuller & Associates  
6200 Vogel Road  
Evansville, IN 47715-4006

Oakland City Journal  
P O Box 187  
Oakland City, IN 47660

(Governmental Unit)

Gibson County, Indiana

**PUBLISHER'S CLAIM**

**LINE COUNT**

Public Notice  
The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT) have completed a reevaluation of areas for Section 2 within Design Segments 2 and 3 of the I-69 project from SR 64 near Oakland City in Gibson County to US 50 near Washington in Daviess County. The I-69 project is a four lane interstate highway on mostly new terrain that will link Evansville, Indiana with Indianapolis, Indiana. The Section 2 Tier 2 Final Environmental Impact Statement (FEIS) was approved on February 25, 2010 and its Notice of Availability published in the Federal Register on March 5, 2010. The Section 2 Record of Decision (ROD) was approved on April 30, 2010. Since the publication of the above documents, final design refinements to the right-of-way have been identified within Segment 2 and 3 and are summarized in a reevaluation document.  
Segment 2 begins approximately 0.4 mile north of the Patoka River and extends north ending approximately 0.3 mile northeast of the I-69 crossing of SR 57. It is 3.5 miles long. Segment 3 begins where Segment 2 ends and extends to approximately 0.6 miles east of the I-69 interchange with State Road 61. Segment 3 is 4.4 miles long. Segment 3 includes the I-69 interchange with SR 61. The revised design totals approximately 18.72 acres of additional permanent right-of-way and 0.35 acres of additional temporary right-of-way for a total of 19.07 acres of new right-of-

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2 or other parts of the project may also be directed to the project website. The views of the public on the reevaluation are being sought. Please reply no later than November 24, 2010. Please reply to the contact listed below.  
David Pluckebaum  
INDOT Washington Project Office  
60 North Commercial Park Drive  
P.O. Box 522  
Washington, IN 47501  
Phone: 812-254-2891  
OCJ November 10, 2010

(\$1.00 for each proof in excess

**CLAIM**

Size of type 7 point

I, [Name], of IC 5-11-10-1, I hereby certify that the foregoing account is legally due, after allowing all just credits, and that no part of the same

attached hereto is a true copy, of the same column width and type size, time. The date of publication being as follows:

**November 10, 2010**

below is true and correct:

... a Web site. ... and this public notice was posted on the same day as it was published in

... a, but due to technical problem or error, public notice was posted on Newspaper has a Web site but refuses to post the public notice.

\$87.75

\$87.75

Date: November 10, 2010

**Nancy Wilder**  
Title: Accounting Manager

Prescribed by State Board of Accounts  
General Form No. 99P (Rev. 2009)

To The Press Dispatch (35-1132684) Dr.  
Petersburg, Indiana 47567

Bernardin, Lochmueller & Associates, Inc.  
Pike County, Indiana

## PUBLISHER'S CLAIM

### COMPUTATION OF CHARGES

80 lines at 0.4709 cents per line .....	\$37.67
Additional charges for notices containing rule or tabular work (50 percent of above amount) .....	0.00
Charge for extra proofs of publication (\$1.00 for each proof in excess of two) .....	0.00
TOTAL AMOUNT OF CLAIM .....	\$37.67

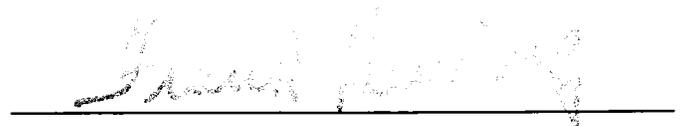
### DATA FOR COMPUTING COST

Width of single column in picas 6.5.....Size of type 8 point  
Number of insertions 1

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 1 time(s). The dates of publication being as follows: November 10, 2010.

Date: November 10, 2010



Publisher

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David Pluckebaum  
INDOT Washington Project Office  
60 North Commercial Park Drive  
P.O. Box 522  
Washington, IN 47501  
Phone: 812-254-2831  
(November 10, 2010)

LEGAL ADVERTISING

able of legal rates in the applicable State Board of Accounts

Claim No. \_\_\_\_\_ Warrant No. \_\_\_\_\_

IN FAVOR OF

The Press Dispatch  
Petersburg, IN 47567

\$ 37,677

ON ACCOUNT OF APPROPRIATION FOR

Public Advertising

Appropriation No. \_\_\_\_\_

ALLOWED

IN THE SUM OF \$ \_\_\_\_\_

I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is based upon statutory authority.

That it is apparently correct

incorrect

I certify that the within claim is true and correct, that the services there itemized and for which charge is made were ordered by me and were necessary to the public business

Public Notice

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David Pluckebaum  
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60 North Commercial Park Drive  
P.O. Box 522  
Washington, IN 47501  
Phone: 812-254-2831

Affidavit of Publication

STATE OF INDIANA }  
KNOX COUNTY } SS:

Before me, a Notary Public in and for the County of Knox and State of Indiana, personally appeared Misty Cozum who, being duly sworn upon her oath, deposes and says, that she is the Act Clerk of The Sun-Commercial, a public (daily) newspaper of general circulation of Knox County, State of Indiana, printed in the English language and printed and published (daily) at Vincennes, Vincennes Township, Knox County, State of Indiana, and that said Sun-Commercial has been published continuously for more than five years last past, in said County and State; that the Notice of Publication, a true copy of which is hereto annexed, was duly published in said newspaper, on the following dates to wit:

12<sup>th</sup> day of November 2010  
\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

And that all of said publication(s) were made in full compliance with the law.

Misty Cozum

Subscribed and sworn to before me this

12<sup>th</sup> day of November 2010

Stephanie Buchanan

My commission expires March 12, 2011

Publisher's fee \$ 244.15



To The Press Dispatch (35-1132684) Dr.  
Petersburg, Indiana 47567

Bernardin, Lochmueller, and Associates, Inc.  
Pike County, Indiana

## PUBLISHER'S CLAIM

### COMPUTATION OF CHARGES

82 lines at 0.4709 cents per line.....	\$38.61
Additional charges for notices containing rule or tabular work (50 percent of above amount) .....	0.00
Charge for extra proofs of publication (\$1.00 for each proof in excess of two).....	0.00
TOTAL AMOUNT OF CLAIM.....	\$38.61

### DATA FOR COMPUTING COST

Width of single column in picas 6.5..... Size of type 8 point  
Number of insertions 1

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 1 time(s). The dates of publication being as follows: **November 17, 2010.**

Date: November 17, 2010

  
\_\_\_\_\_  
Publisher

**PUBLIC NOTICE**

LEGAL ADVERTISING

The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT) have completed a reevaluation of areas for Section 2 within Design Segments 2 and 3 of the I-69 project from SR 64 near Oakland City in Gibson County to US 50 near Washington in Daviess County. The I-69 project is a four lane interstate highway on mostly new terrain that will link Evansville, Indiana with Indianapolis, Indiana. The Section 2 Tier 2 Final Environmental Impact Statement (FEIS) was approved on February 25, 2010 and its Notice of Availability published in the Federal Register on March 5, 2010. The Section 2 Record of Decision (ROD) was approved on April 30, 2010. Since the publication of the above documents, final design refinements to the right-of-way have been identified within Segment 2 and 3 and are summarized in a reevaluation document.

Segment 2 begins approximately 0.4 mile north of the Patoka River and extends north ending approximately 0.3 mile northeast of the I-69 crossing of SR 57. It is 3.5 miles long. Segment 3 begins where Segment 2 ends and extends to approximately 0.6 miles east of the I-69 Interchange with State Road 61. Segment 3 is 4.4 miles long. Segment 3 includes the I-69 interchange with SR 61. The revised design totals approximately 18.72 acres of additional permanent right-of-way and 0.35 acre of additional temporary right-of-way for a total of 19.07 acres of new right-of-way.

The final design right-of-way changes occur at the following locations listed from south to north: Pike CR 200 S; Pike CR 125 S; Pike CR 250 W; Pike CR 50 S; Division Rd - Pike CR 200 W intersection; SR 57; Pike CR 125 W; Pike CR 50 W; Pike CR 150 N; Meridian Rd; Meridian Rd - Gum Tree Rd Intersection; SR 61 Interchange; Segment 3 & 4 breakpoint. The additional permanent and temporary right-of-way areas are required to accommodate: cul-de-sac construction; Local Service Road (LSR) revisions; building removal; revised right-of-way for even station offset; refined curve alignments; LSR added to provide access to landlocked parcel; align new right-of-way with existing right-of-way; and right-of-way revision to follow surveyed parcel lines.

The environmental impacts on all right-of-way areas have been considered and are documented in the reevaluation document. Located at Pike CR 50 W, the grade separation described in the FEIS and ROD will be eliminated. The additional right-of-way areas resulting from the final design will not have significant impacts on the natural and human environments. The analysis presented in the reevaluation confirms that the final design for Section 2, Design Segments 2 and 3 do not require the preparation of a Supplemental Environmental Impact Statement (SEIS) or an additional Draft Environmental Impact Statement (DEIS).

The reevaluation document is available for review and public comment on the I-69 project website at [www.i69indyevn.org](http://www.i69indyevn.org) and in the INDOT Washington Project Office. Questions or comments pertaining to Section 2 or other parts of the project may also be directed to the project website. The views of the public on the reevaluation are being sought. Please reply no later than November 24, 2010. Please reply to the contact listed below.

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P.O. Box 522  
Washington, IN 47501  
Phone: 812-254-2831

(November 17, 2010)

Legal rates in the applicable State Board of Accounts Bulletin

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