



**I-69 SECTION 3 REEVALUATION ADDENDUM
FLOOD EASEMENTS**

I-69

Evansville, IN to Indianapolis, IN

Designation Number: 0300379

Federal Project No.: IN10 (006)

This addendum has been prepared as an update to the approved reevaluation document for the I-69 Section 3 Flood Easements. The Section 3 Flood Easement Reevaluation document was approved by the Indiana Department of Transportation (INDOT) on May 5, 2010 and the Federal Highway Administration (FHWA) on May 6, 2010 and can be viewed on the I-69 project website <http://www.i69indyevn.org/>. Two additional items are documented in this addendum, which represent changes from the Section 3 Flood Easement document of May, 2010. They are as follow:

- The modification to the boundaries of the flood easements located at North Fork Prairie Creek (STA 1981+00 and STA 2003+00) and Epsom Lateral (STA 2241+00).
- The acquisition of flood easements within the existing floodplain of North Fork Prairie Creek.

The Section 3 Flood Easement Reevaluation (approved May 5, 2010 by INDOT and May 6, 2010 by FHWA) documented areas which will be inundated as a result of the final highway design that were not previously inundated by the regulatory storm event. The regulatory flood is defined as “a flood having a one percent (1%) probability of being equaled or exceeded in a year as calculated by a method and procedure that is approved by the [Natural Resources Commission]. The regulatory flood is equivalent to the base flood or the 100-year frequency flood” (312 IAC 10-2-35). The final highway design has identified hydraulic structure sizes which would increase the depth of backwater during the regulatory flood event by less than a foot, and would inundate areas not previously inundated, for a duration of less than 24 hours. This design incorporates FHWA-approved design standards.

The first additional item is the modification to the boundaries of the flood easements located at the North Fork Prairie Creek (STA 1981+00 and STA 2003+00) and Epsom Lateral (STA 2241+00). See Figure 1, which shows both of these locations. The boundary changes are listed below.

- As documented in the Section 3 Flood Easement Reevaluation (approved May 5, 2010 by INDOT and May 6, 2010 by FHWA) the flood easement on the south side of North Fork Prairie Creek (STA 1981+00) totaled approximately 0.42 acre and impacted 2 parcels of land consisting of forest and agricultural land. The revised flood easement at this location increased approximately 0.37 acre to a new total of approximately 0.79 acre and impacts an additional parcel of land (for a total of 3 parcels) consisting of forest, agricultural, and old field land uses (See Figure 2 in Attachment 1). All easements will be acquired from property owners previously impacted by right-of-way or identified in the Section 3 Flood Easement reevaluation. The revision at this location is due to hydraulic model revisions requested by the Indiana Department of Natural Resources (IDNR) in their Construction in a Floodway (CIF) Permit review.
- As documented in the Section 3 Flood Easement Reevaluation (approved May 5, 2010 by INDOT and May 6, 2010 by FHWA) the flood easement on the north side of North Fork Prairie Creek (STA 2003+00) totaled approximately 0.79 acre and impacted 1 parcel of land consisting entirely of agricultural land. The revised flood easement at this location increased



approximately 1.67 acres to a new total of approximately 2.46 acres located on the same parcel of land, consisting entirely of agricultural land (See Figure 3 in Attachment 1). The revision at this location is due to hydraulic model revisions requested by IDNR in their CIF review.

- As documented in the Section 3 Flood Easement Reevaluation (approved May 5, 2010 by INDOT and May 6, 2010 by FHWA) the flood easement at Epsom Lateral (STA 2241+00) totaled approximately 1.58 acres and impacted 3 parcels of land consisting of predominantly pasture land and open water. The revised flood easement at this location decreased approximately 1.24 acres to a new total of approximately 0.34 acre and impacts the same 3 parcels of land. Due to the revision, the flood easement is not located within the open water area, but rather follows the western and southern edge of the open water. The revised flood easement will impact predominantly pasture land (See Figure 4 in Attachment 1). The revision at this location was completed after the flood easement line work was questioned by the design-builder, reevaluated, and revised.

The second additional item is the planned acquisition of flood easements within the existing floodplain of the North Fork Prairie Creek. The acquisition of permanent flood easements within the existing floodplain at this location was not discussed in the original flood easement reevaluation. The acquisition of permanent flood easements within the existing floodplain is an INDOT policy decision made subsequent to the original flood easement reevaluation. Per IC-14-28-1-22, flood easements will be acquired for all areas within the existing floodplain which will be inundated more than an additional 0.14 feet as a result of the final design of bridge crossings which will require a CIF Permit from the IDNR. The additional inundation may not exceed 1.00 feet. The North Fork Prairie Creek is the only bridge crossing within Section 3 requiring a CIF Permit. Property owners will receive compensation for additional flooding (in excess of 0.14 feet) on areas within the existing floodplain. Easements in this category will be acquired from property owners previously identified in the Section 3 Flood Easement reevaluation or affected by I-69 right-of-way. Flood easements will be purchased on a total of approximately 125 acres of land within the existing floodplain in which a minor increase in water depth (greater than 0.14 feet but no greater than 1.00 feet) will occur.

All of the additional easement areas outlined above were examined for potential impacts on the natural, human, and cultural environments. The above-ground historic resource environmental review completed for the original reevaluation document remains valid for the additional flood easements. All flood easements are located within the previously approved APE for above-ground resources in Section 3; the closest identified resource eligible for or listed in the National Register of Historic Places (NRHP) is located approximately one mile from the nearest flood easement area. In regard to archaeological resources, a review of the flood easement areas shown in Attachment 1 was conducted by Gray & Pape, Inc. This analysis determined (based upon soil survey data) that all of these areas are in poorly drained soils, indicating that these areas have been historically and prehistorically subjected to inundation. In addition, based on anticipated the short duration and infrequent recurrence of the potential flooding (based on the current design), there would be no effect on any archaeological resources present. Based on this evaluation, no further archaeological investigations for the above-mentioned flood easement areas are needed, and it has been determined that there would be no change to the original determination of effects on potential archaeological resources in the flood easement areas.

The existing land use includes agricultural, forested, old field, and pasture. The existing land use is not expected to change as a result of the flood easements. The increased backwater could affect crop



I-69 EVANSVILLE TO INDIANAPOLIS

production during regulatory flood events. The effect of the increased backwater on forested areas is not anticipated to have any effect on these resources due to the short duration of the increased inundation. A summary of the initial public outreach to property owners affected by the flood easements can be found in the reevaluation document. As of October 12, 2010 subsequent public outreach completed for property owners impacted at the North Fork Prairie Creek was completed in the form of a letter mailed to all affected owners (See Attachment 2). In summary, each owner is given the opportunity to discuss in greater detail the flood easements. Additional public involvement beyond individual owner contact is not required because all affected property owners identified in this addendum were previously affected by I-69 right-of-way or flood easements covered in the Section 3 Flood Easement Reevaluation approved May 6, 2010 by FHWA.

The permanent flood easement areas will experience infrequent temporary impacts due to floodwater inundation on predominantly agricultural, forest, old field, and pasture areas. These temporary impacts will not require additional mitigation measures beyond commitments in the Tier 2 FEIS. Therefore, the additional flood easements resulting from the final design will not have significant impacts on the natural and human environments. This addendum modifies the analysis presented in the Section 3 Flood Easement reevaluation and confirms that the final design for Section 3 does not require the preparation of a Supplemental Environmental Impact Statement (SEIS) or an additional Draft Environmental Impact Statement (DEIS).

Approval

OES Signature

11-3-10

Date

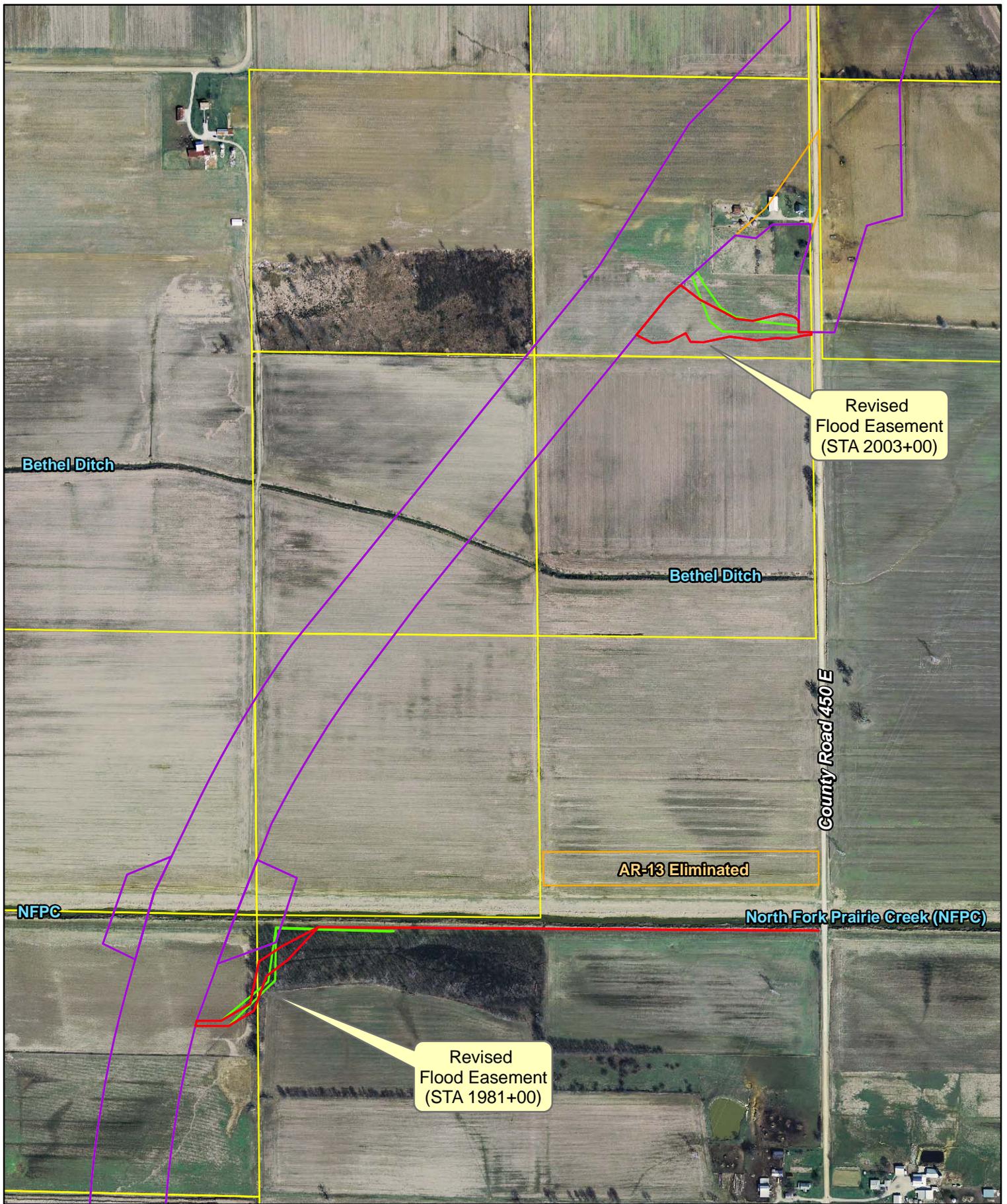
FHWA Signature

11-17-10

Date

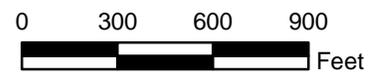
Attachment 1

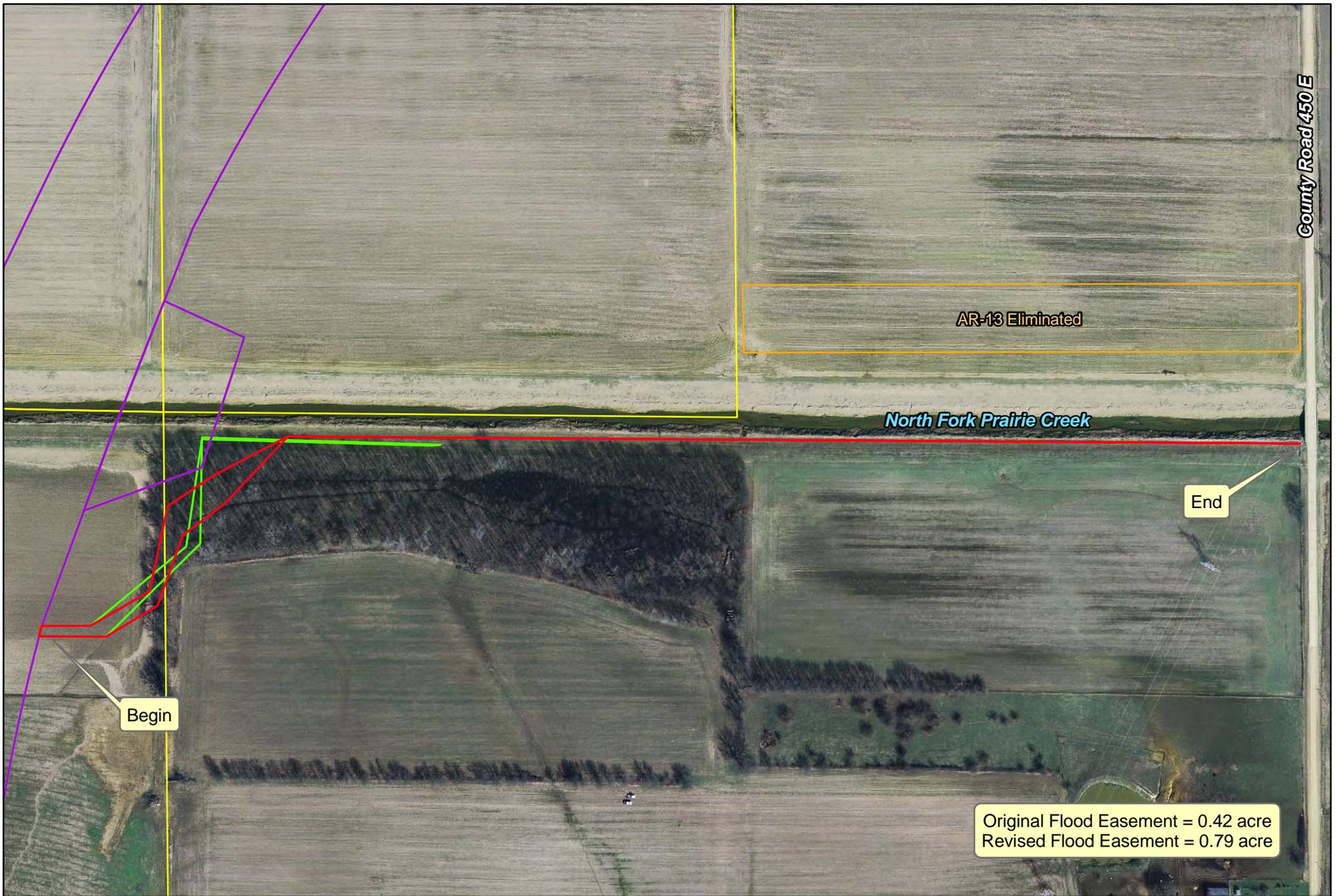
Addendum Graphics



- ▭ Original Flood Easements
- ▭ Revised Flood Easements
- ▭ Section 3 Final Design Right-of-Way
- ▭ Section 3 FEIS Right-of-Way
- ▭ Parcel Lines

Figure 1
 I-69 Section 3
 Flood Easements 1981+00 & 2003+00
 Shown on 2005 Aerial Photo
 Daviess County, Indiana

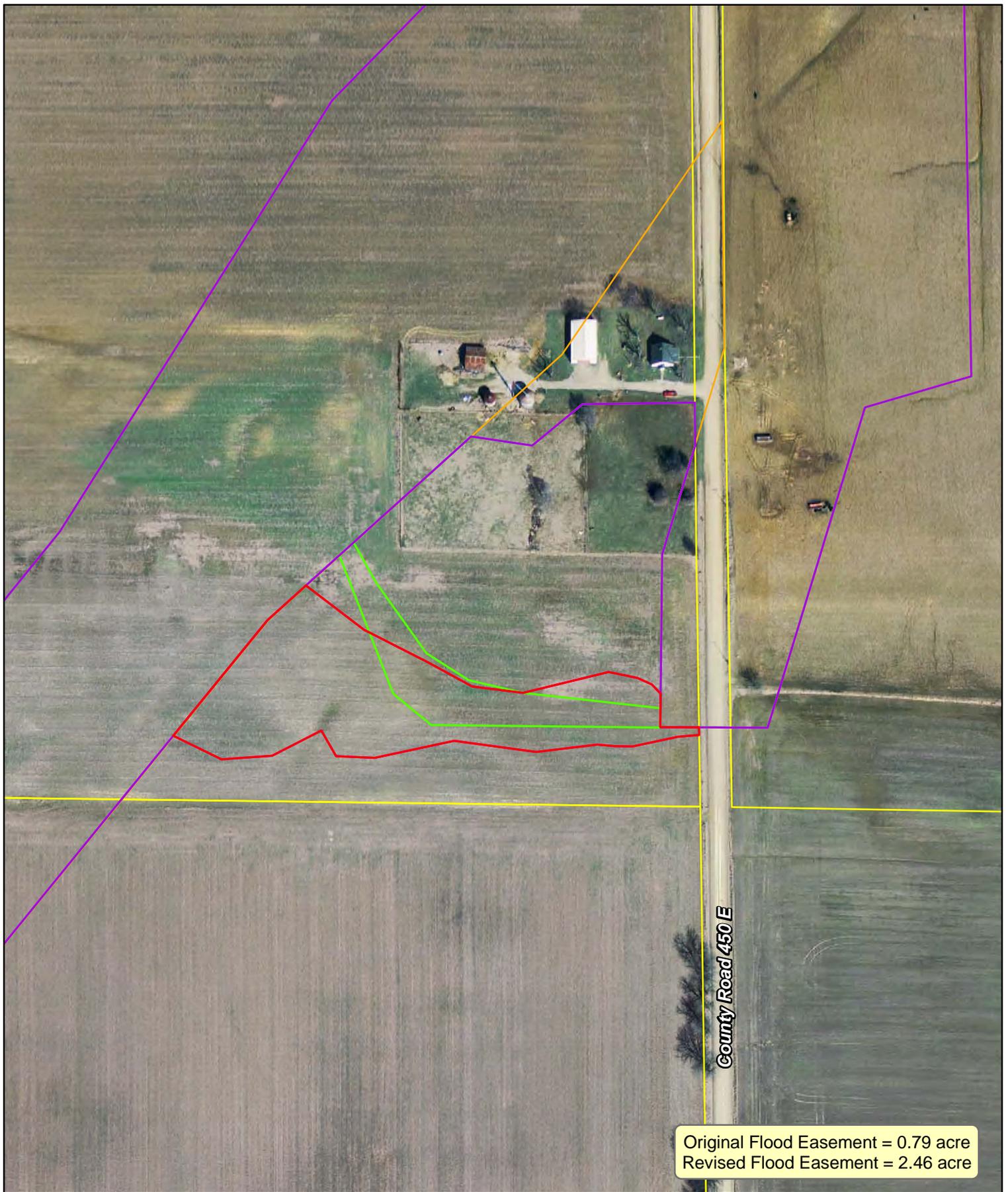




- ▭ Original Flood Easement
- ▭ Revised Flood Easement
- ▭ Section 3 Final Design Right-of-Way
- ▭ Section 3 FEIS Right-of-Way
- ▭ Parcel Lines

Figure 2
 I-69 Section 3
 Flood Easement 1981+00
 Shown on 2005 Aerial Photo
 Daviess County, Indiana

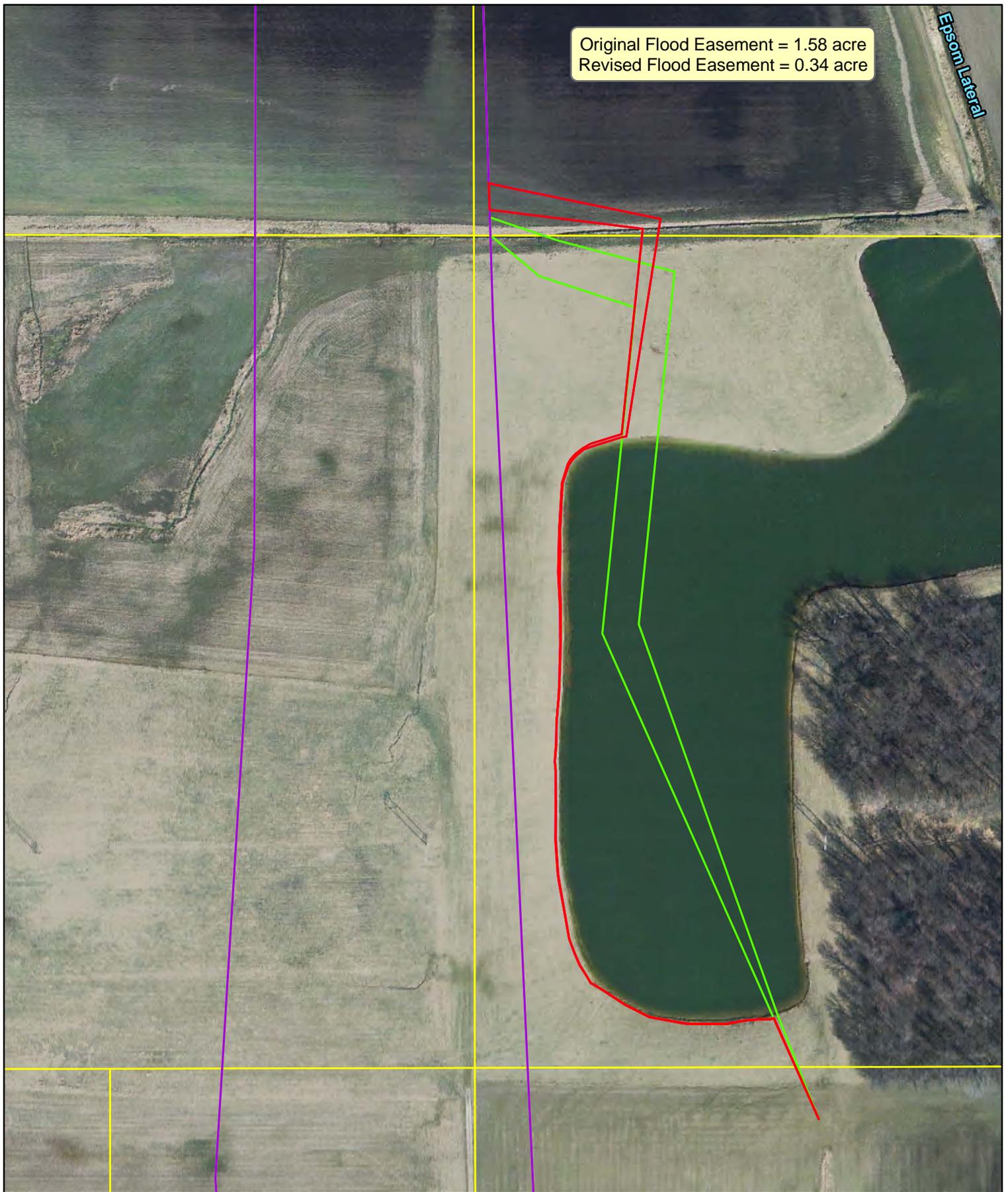




- Original Flood Easement
- Revised Flood Easement
- Section 3 Final Design Right-of-Way
- Section 3 FEIS Right-of-Way
- Parcel Lines

Figure 3
 I-69 Section 3
 Flood Easement 2003+00
 Shown on 2005 Aerial Photo
 Daviess County, Indiana





Original Flood Easement = 1.58 acre
 Revised Flood Easement = 0.34 acre

Epsom Lateral

- Original Flood Easement
- Revised Flood Easement
- Section 3 Final Design Right-of-Way
- Section 3 FEIS Right-of-Way
- Parcel Lines

Figure 4
 I-69 Section 3
 Flood Easement 2241+00
 Shown on 2005 Aerial Photo
 Daviess County, Indiana



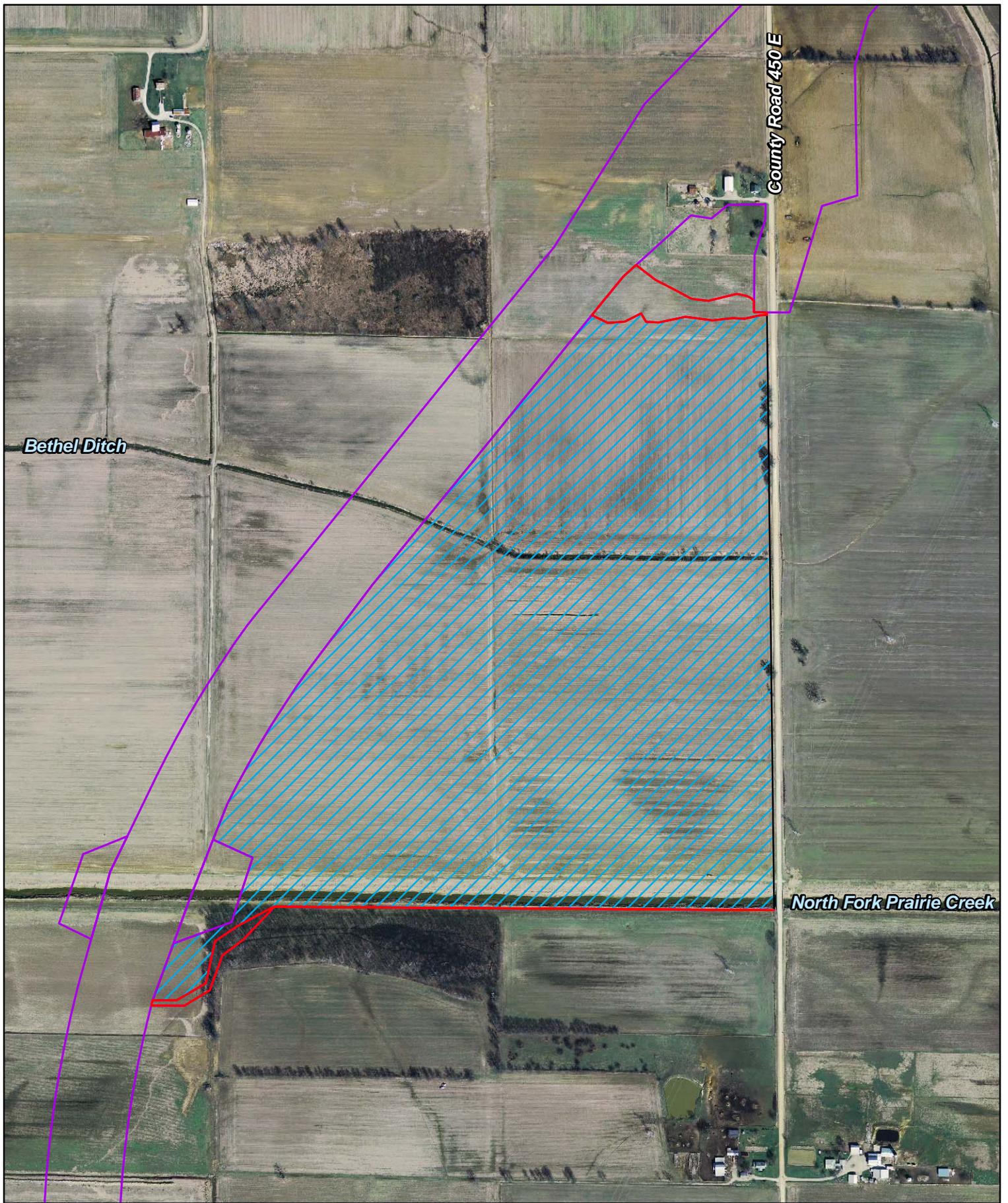
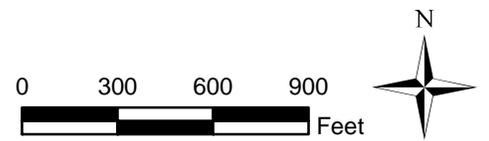


Figure 5
 I-69 Section 3
 Showing Revised Flood Easement Area
 Shown on 2005 Aerial Photo
 Daviess County, Indiana

- Revised Fringe Flood Easements
- Section 3 Final Design Right-of-Way
- Existing Floodplain Flood Easement Area



Attachment 2

Addendum Public Outreach



I-69 Evansville to Indianapolis

October 7, 2010

Property Owner Name(s)

Address

Address

RE: I-69 from US 50 east of Washington to US 231 near Scotland (Section 3)

Dear Property Owner:

The Indiana Department of Transportation (INDOT) is conducting design work for the portion of I-69 from SR 64 near Oakland City to US 231 near Scotland. As part of the design process, an evaluation of structure size and types for water crossings is conducted. In Section 3, the portion of interstate from US 50 east of Washington to US 231 near Scotland, the size determinations have resulted in the need for acquisition of flood easements at various locations.

Flood easements are limited property interests or rights purchased by the state to compensate the landowner for additional water that may accumulate in one percent of storms as the result of a state project. Under State of Indiana law, a state agency, such as INDOT must acquire a flood easement when installing new structures (bridges and culverts) that are predicted (through modeling) to increase backwater elevations during the 100-year regulatory flood event by more than 0.14 feet (1.7 inches) above existing conditions under the same event.

The design of the structure at the North Fork Prairie Creek will result in the need to acquire a flood easement on your property. Please find the enclosed graphic(s) of your property. Analyses of this property indicate it is currently within the existing floodplain. That is, this property is fully inundated with floodwater during a 100-year regulatory storm event. With the construction of the interstate the level of inundation under a 100-year regulatory event will now be somewhat higher.

We would like the opportunity to discuss in greater detail how flood easement areas are determined and how the easement acquisition process works. We are prepared to meet in person with each impacted property owner over the coming weeks. A hydraulics specialist and project representative will participate in this meeting. They are prepared to address questions you may have regarding the desired flood easements or other pertinent information. If however, you would prefer to communicate by phone or email, we will accommodate this communication as well.

INDOT will be preparing an addendum to the Section 3 Flood Easement Reevaluation Document that will address your property and other similar parcels in this section. It will be posted to the I-69 Project Website at www.i69indyevn.org under the Resources tab after it is approved by FHWA in the next few months.

Please call me at your earliest convenience, so that I can make all necessary arrangements to answer your questions. I have included two phone numbers and an email address at which you can reach me. I look forward to hearing from you in the near future.

Sincerely,

David Goffinet

Project Management Consultant Public Involvement Director

Bernardin, Lochmueller and Associates, Inc.

Office: (800) 423-7411 or Cell: (812) 893-0642

dgoffinet@blainc.com



I-69 Evansville to Indianapolis

October 7, 2010

Property Owner Name(s)

Address

Address

RE: I-69 from US 50 east of Washington to US 231 near Scotland (Section 3)

Dear _____:

Earlier this year, I sent you a letter regarding flood easements related to the construction of I-69 in the vicinity of the North Fork Prairie Creek. Since that time, INDOT has completed a review and revision of its policy on securing flood easements. As a result of this effort, INDOT will be acquiring an easement over both the newly flooded areas and property that, while currently inundated with flood water during a 100-year regulatory event, may experience additional flooding resulting from the project.

In the near future you will be contacted to discuss the acquisition of a flood easement on this additional portion of your property. Prior to that communication, INDOT and the Federal Highway Administration (FHWA) have requested that I notify you of this change. As well, they have requested that I provide you the opportunity to discuss what this policy change means for you. Please feel free to contact me at your earliest convenience so that we can arrange a meeting to discuss this further. As before, I would be happy to discuss this with you by phone if you prefer.

I have enclosed a graphic(s) with this letter which identifies the affected parcel(s) that is being impacted by this new flood easement. To clarify, the additional area identified is area currently subject to flooding during a 100-year event but will experience additional flooding as a result of the project.

INDOT previously prepared a Flood Easement Reevaluation Document which addressed flood easements in this Section 3. It is posted on the I-69 Project Website at www.i69indyevn.org under the Resources tab. Further, INDOT is in the process of preparing an addendum to this document which addresses the adjustment of flood easement areas and will post it to the project after it is approved by the Federal Highway Administration (FHWA) in the next few months.

I look forward to hearing from you in the near future.

Sincerely,

David Goffinet

Project Management Consultant Public Involvement Director

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