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I-69 SECTION 3 REEVALUATION STATEMENT
SEGMENT 10 - 13

I-69
Evansville, IN to Indianapolis, IN
Designation Number: 0300379
Federal Project No.: IN10 (006)

Tier 2 Final Environmental Impact Statement (FHWA-IN-EIS-09-01-F) approved December 3, 2009

Record of Decision approved January 28, 2010

This reevaluation of the Tier 2 Final Environmental Impact Statement (FEIS) was prepared by Bernardin, Lochmueller & Associates to reflect design changes on Section 3 of the new terrain I-69 highway in Daviess and Greene Counties, Indiana. Section 3 will extend north from US 50 approximately 26 miles to the US 231/SR 58 intersection. The revised design for Section 3 has added additional right-of-way to accommodate berm reconstruction, access road construction, driveway construction, cul-de-sac adjustments, building removal, and stream channel relocation. This reevaluation examined the potential impacts on the natural, human, and cultural environments of the revised design for Design Segments 10 through 13 in Section 3. 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 3. Therefore, the Tier 2 FEIS and Record of Decision remain valid.

6-15-10

Federal Highway Administration — Date

5-27-10

Indiana Department of Transportation — Date

1. INTRODUCTION

This reevaluation summary examines the additional environmental impacts associated with minor design changes to Section 3 of the new terrain I-69 project for the construction section between US 50 in Daviess County to US 231 in Greene 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 the design changes in design Segments 10-13 within Section 3 and determine the impact on the affected environment after the completion of the Tier 2 Final Environmental Impact Statement (FEIS), title sheet dated December 1, 2009 and Record of Decision (ROD) dated January 28, 2010. The Section 3 FEIS was entered into the Federal Register on December 11, 2009.

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, which are numbered from south (Section 1) to north (Section 6). Section 3 is approximately 26 miles long and extends north from US 50 just east of Washington to the US 231/SR 58 intersection. Segment 10-13 begins just south of the North Fork Prairie Creek and ends at the US 231 interchange.

This reevaluation summary has been drafted to evaluate the effects of additional right-of-way areas, not discussed in the Tier 2 FEIS, which have been revised from the refined preferred alternative presented in the FEIS and approved in the ROD. The additional permanent and temporary right-of-way areas along the proposed new alignment of I-69 are required to accommodate berm reconstruction, access road construction, driveway construction, cul-de-sac adjustments, building removal, and stream channel relocation within Section 3, design Segments 10-13 as seen in Appendix A. No new road closures beyond those 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 have impacts sufficient to require the preparation of a Supplemental Environmental Impact Statement (SEIS) or an additional Draft Environmental Impact Statement (DEIS) for Section 3.

2. PROJECT DESCRIPTION

2.1 Project Description and Area

This reevaluation summary examines the following locations of Section 3 listed from south to north: North Fork Prairie Creek, Daviess CR 750 N, Daviess CR 1000 N, Daviess CR 1250 N, SR 58 Interchange, Daviess CR 1500 N, Daviess CR 800 E and the US 231 Interchange. These areas are being reexamined because additional right-of-way or a change in right-of-way was required during the final design of Section 3. These right-of-way areas were not discussed in the Tier 2 FEIS. 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 3 discussed in this document are not located within or directly adjacent to any cities or towns. Small towns such as Elnora, Newberry, and Odon are the closest incorporated areas to the additional right-of-way locations. Access points to I-69 throughout Section 3 will be built as interchanges with SR 58 and US 231, as identified in the FEIS.

As disclosed in the FEIS, residential relocations and environmental impacts to stream, wetland, and forest will occur with the implementation of Section 3. Land use in the vicinity of Section 3 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) contains 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 covered in the DEIS. The Record of Decision (ROD) for the Tier 1 studies was approved in March 2004.

The Tier 2 studies are intended to determine a specific alignment within the selected corridor. The Tier 2 studies divided the corridor into six sections and a DEIS and FEIS will be prepared for each section. The Tier 2 studies for Section 1, the southernmost Section, and Section 3 have been completed and the Section 2 FEIS and ROD have been issued. The remaining 3 sections are still in progress. The Tier 2 DEIS for Section 3 was approved on January 26, 2009. The DEIS described resource impacts on several spatial scales: corridor, Traffic Analysis Zones (TAZ), county, and region. The Tier 2 FEIS for Section 3 was approved December 3, 2009 (title sheet dated December 1, 2009). The FEIS documented additional impacts to the natural, human, and cultural environments from design changes on the preferred alternative that had occurred since the approval of the DEIS.

2.3 Previously Identified Impacts

Section 3 was divided into five (5) subsections (A-E) during the Tier 2 environmental survey. Impacts to the natural and human environments were examined for each of the segment alternatives, including the refined preferred alternative of Section 3. The environmental document evaluated the impact of the Section 3 subsections 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 3 refined preferred alternative, as described in the Tier 2 FEIS, will directly impact 1,501 acres of agricultural land. According to Table 5.3-1 in the FEIS, no Section 3 alternative studied, including the refined preferred alternative, had a clear advantage over the others regarding impacts to 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 3. Examples of efforts to avoid farmland impacts during the development of alternatives included: regular coordination with the Natural Resources Conservation Service (NRCS); and where reasonable, following existing property lines and minimizing dividing or splitting of large tracts of farmland; crossing fields at near perpendicular angles to reduce point rows and the creation of uneconomic remnants; providing access to parcels that would otherwise be landlocked as a result of the project; and providing overpasses at several locations to maintain the connectivity of county roads, thereby facilitating access to farm fields and operations severed by the Interstate.

Within Section 3 for the I-69 project, the Tier 2 DEIS and FEIS document impacts to streams, wetlands, and forests. In Section 3, approximately 69 acres of forest will be directly affected by the refined preferred alternative. In regards to water resource impacts, a total of 7.25 acres of wetlands (2.22 open water; 2.4 emergent; 1.18 scrub/shrub; and 1.45 forested) and a total of 34,620 linear feet of streams are located within the Section 3 refined preferred alternative. These environmental impacts will be mitigated at an approximate 355 acre site located adjacent to West Fork of the White River in Greene County, northwest of the proposed I-69 highway.

The I-69 Section 3 project was also evaluated for impacts to cultural resources. Five (5) above ground properties/districts eligible for or listed on the National Register of Historic Places (NRHP) are located within the Section 3 Area of Potential Effect (APE). On November 7, 2008, FHWA signed a "Section 106 Findings and Determinations: Area of Potential Effect, Eligibility Determinations, Effect Finding" for above-ground properties. Only one (1) property, the McCall Family Farmstead will be adversely impacted by Section 3.

2.4 Other Reevaluation Documents

Other reevaluation documents have been and will be completed for additional right-of-way changes at other locations of the Section 3 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 3, Early Bridge Contracts; Section 3, Segments 8 & 9; and Section 3, Flood Easements.

3. DESCRIPTION OF PROJECT CHANGES

This reevaluation focuses on the revised design in Section 3, Segments 10-13. The revised design requires seven additional right-of-way acquisition areas within the I-69 corridor totaling approximately 6.8 acres of permanent right-of-way and 4.1 acres of temporary right-of-way for a total of 10.9 acres of total right-of-way (See Maps in Appendix A for locations). These acquisition areas will occur within the design Segments 10-13 in Section 3. Furthermore, three (3) change in design areas not requiring additional right-of-way will also be discussed for informational purposes. The project changes discussed below are listed from south to north.

The first additional right-of-way acquisition area is located at the North Fork Prairie Creek, at the beginning of Segment 10. The landowner at this location had constructed berms/levees along North Fork Prairie Creek. These berms need to be reconstructed. The proposed temporary right-of-way is to allow for the reconstruction of the berms and to tie them back into existing berms. Approximately 1.56 acres will be required on the west side of the highway and approximately 2.12 acres on the east for a total of 3.68 acres of additional temporary right-of-way (See Appendix A).

A change in design area not requiring right-of-way outside of that defined in the FEIS is located at Access Road 13 (AR-13). AR-13 is located on the west side of County Road 450 E. The proposed right-of-way has been removed and is no longer needed due to change of ownership of the land (See Appendix A).

The second additional right-of-way area is located at Daviess County Road 750 N in Segment 10. This permanent right-of-way is needed to accommodate access road construction. Approximately 0.18 acre will be needed on the north side of County Road 750 N and approximately 0.19 acre will be needed on the south for a total of approximately 0.37 acre of permanent right-of-way at this location (See Appendix A).

The third additional right-of-way area is located at Daviess County Road 1000 N in Segment 11. This temporary right-of-way is needed to accommodate driveway and field access construction. Approximately 0.05 acre of temporary right-of-way is needed at this location (See Appendix A).

The fourth additional right-of-way area is located at Daviess County Road 1250 N in Segment 11. The right-of-way at this location has been revised to avoid relocation of a commercial building and to reduce right-of-way impacts and costs. The mainline highway has been tightened at this location and the cul-de-sac located on County Road 1250 N on the east side of the mainline has been shifted to the north.

Approximately 0.17 acre of permanent right-of-way is needed on the north side of the county road and approximately 0.02 is needed on the south for a total of 0.19 acre of permanent right-of-way at this location (See Appendix A).

A change in design area not requiring right-of-way outside of that defined in the FEIS is located at the State Road 58 Interchange in Segment 11. The relocation of Daviess County Road 500 E and right-of-way associated with this will be eliminated. There was no commitment in the FEIS to relocate County Road 500 E. The relocation was designed to maintain access on this road while accommodating the FEIS interchange design. The southbound ramp associated with the interchange is now a tight-diamond configuration, thus the relocation of Daviess County Road 500 E is not necessary.

The fifth additional right-of-way area is located at Daviess County Road 1500 N in Segment 12. The right-of-way at this location has been revised to accommodate building removal affected by the mainline highway. No relocations not discussed in the FEIS will occur at this location. Approximately 0.28 acre of temporary right-of-way is needed on the north side of County Road 1500 N at this location (See Appendix A).

The sixth additional right-of-way area is located at Daviess County Road 800 E in Segment 13. The right-of-way at this location has been revised to accommodate building removal as a structure is located within the proposed right-of-way limits. The final limits of the building removal have not been finalized to date. These limits and the relocation of the residence will be discussed in a subsequent reevaluation document. Approximately 0.19 acre of temporary right-of-way is needed on the north side of the mainline highway at this location (See Appendix A).

The seventh additional right-of-way area is located at the US 231 interchange. The right-of-way at this location has been revised to meet INDOT requirements and to accommodate a natural channel design relocation of Doan's Creek. Approximately 6.12 acres of permanent right-of-way is needed at this location to accommodate the changes. A graphic showing the overall site layout of the channel relocation can be viewed in Appendix A.

A change in design area not requiring additional right-of-way outside of that defined in the FEIS is also located along US 231. The right-of-way will be reduced in this area due to the revised design limits of the truck climbing lane. The length of the truck climbing lane will be reduced and the right-of-way limits now begin at Greene County Road 800 S and extend north.

4. ENVIRONMENTAL CONSEQUENCES

The approximately 10.9 acres of additional right-of-way acquisition for Section 3 of I-69 as mentioned above are expected to have minimal environmental consequences compared to the impacts previously documented for Section 3. This revised footprint for Section 3 was reviewed for impacts to the resource categories examined in the existing environmental documentation (i.e. wetlands, streams, farmland, etc.). Because the additional right-of-way areas are located directly adjacent to the Section 3 refined preferred alternative, several resource categories were covered by the analysis presented in the Tier 2 FEIS.

Land use in the additional right-of-way areas is predominantly agricultural, forested, and residential. Approximately 1,722 acres of land to be acquired for right-of-way was documented within the Section 3 refined preferred alternative as defined by the FEIS. As a result of the proposed additional right-of-way areas, approximately 10.9 acres of land not within the Section 3 refined preferred alternative was reviewed for environmental impacts. The additional right-of-way areas fall into the FEIS categories of

agricultural, undeveloped land, and developed land. Adjacent land uses to the additional right-of-way areas are residential, forest, transportation, and farmland.

According to the FEIS, agricultural land accounts for 1,501 acres, or 87% of the total direct land use impacts within the Section 3 refined preferred alternative. Approximately 5.3 acres of agricultural land will be impacted as a part of the additional right-of-way. Planning to reduce the farmland impacts as stated in the FEIS focused on practices that assisted in avoiding and/or minimizing farmland conversion from uneconomical remnants, or designing alignments to minimize disruption to existing agricultural practices. Only the necessary amount of land needed for making the proposed improvements will be acquired.

According to the FEIS, developed land accounts for 100 acres, or 6% of the total direct land use impacts. Approximately 1.2 acres of land within the additional right-of-way areas are used as residential, existing transportation, commercial, and industrial. This falls under the FEIS category of developed land. The developed land located within the reevaluation areas represents only a slight increase from that stated in the FEIS.

According to the FEIS, upland habitat land which consists of non-wetland forest, herbaceous cover, and scrub/shrub areas account for 110.1 acres, or 6% of the total direct land use impacts. Approximately 3.6 acres of upland habitat is located within the additional right-of-way areas. Of this, an additional 0.37 acre of forest will be impacted by construction activities. Additional forest mitigation measures beyond those discussed in the FEIS will not be required due to excess forest mitigation at the Section 3 mitigation site.

According to the FEIS, wetland habitat accounts for 6.8 acres, or 0.01% of the total direct land use impacts. Approximately 0.56 acres of forested wetland is located within the additional right-of-way areas. However, the wetland area will not be impacted by construction activities and will be preserved.

According to the FEIS, water accounts for 7 acres, or 0.01% of the total direct land use impacts. The remaining 0.22 acre of land within the additional right-of-way areas consists of the North Fork Prairie Creek. Stream impacts to the North Fork Prairie Creek channel as a result of the additional right-of-way are not expected during construction activities.

In regard to historic resources, the additional right-of-way areas are located inside the approved area of potential effect (APE) for Section 3, and given their location within the Tier 1 corridor and in immediate proximity to the previously reviewed right-of-way, there is no change to the APE (See Appendix A for map). According to the Section 3 Historic Property Report, one above ground property within the Section 3 APE (Scotland Hotel) is listed in the National Register of Historic Places (NRHP). As a result of identification and evaluation efforts for Section 3 of the I-69 project, three individual properties and one district were determined eligible for listing in the NRHP. They are as follows: McCall Family Farmstead; Blackmore Store; State Road 257 Bridge over Veale Creek; and Daviess County Home Historic District. Analysis has been completed for the location of the additional right-of-way areas compared to the location of the NRHP listed and eligible resources for potential changes in effects on these resources.

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 3. None of the NRHP listed and eligible properties are located within 0.5 mile of the additional right-of-way areas. Based on the distance from these properties, and the minor changes in the proposed alternative which require the right-of-way changes, it has been determined that there would be no change to the identified effects on historic properties.

Table 1: Additional R/W Area distance from NRHP property					
Additional R/W Area	**Scotland Hotel**	**McCall Family Farmstead**	**Blackmore Store**	**Daviess County Home Historic District**	**SR 257 Bridge over Veale Creek**
North Fork Prairie Creek	15.4 miles	1.99 miles	15.4 miles	4.22 miles	8.2 miles
C.R. 750 N	13.75 miles	0.5 mile	13.75 miles	5.81 miles	9.7 miles
C.R. 1000 N	11.87 miles	1.88 miles	11.87 miles	8.08 miles	12.2 miles
C.R. 1250 N	10.28 miles	4.45 miles	10.28 miles	10.48 miles	14.7 miles
C.R. 1500 N	9.4 miles	6.97 miles	9.4 miles	17.16 miles	12.83 miles
C.R. 800 E	6.16 miles	9.14 miles	6.16 miles	15.4 miles	19.48 miles
US 231 Interchange	0.75 mile	12.9 miles	0.75 miles	19.2 miles	22.7 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 within Segment 10-13. Some of the areas shown in Appendix A were not surveyed by Gray & Pape at this time, as they were covered during the previous preferred alternative Phase Ia survey. In a report dated April 27, 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 needed (See Appendix B for Archaeological Summary). Based on this survey, it has been determined that there would be no change to the potential effects on archaeological resources from the additional right-of-way areas.

Based on the above information, there is no intention to re-open the Section 106 process due to the following factors: visually, there will essentially be no change with 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 10.9 acres of additional right-of-way within Segment 10-13 will have no change to the effect on archaeological resources. The archaeological report was provided to the Indiana SHPO office on April 28, 2010. An information letter stating the intention to not re-open the Section 106 process was sent to the SHPO on May 17, 2010 (See Appendix C).

5. CONCLUSIONS

In conclusion, the revised design for Section 3 of the I-69 project will result in the conversion of predominantly agricultural and previously disturbed areas. Additionally, approximately 0.37 acre of forest will be impacted by the additional right-of-way. However, the forest impact or any other impacts listed above will not require additional mitigation measures beyond those committed in the Tier 2 FEIS. As stated above, excess forest acres to compensate the additional 0.37 acre forest impact were mitigated for at the Section 3 mitigation site. There will be no other notable impacts. Therefore, the revised design will not have significant impacts on the natural and human environments. The analysis presented in this reevaluation summary confirms that the revised design for Section 3 does not require the preparation of a supplemental EIS or a new DEIS.

Appendix A
Graphics

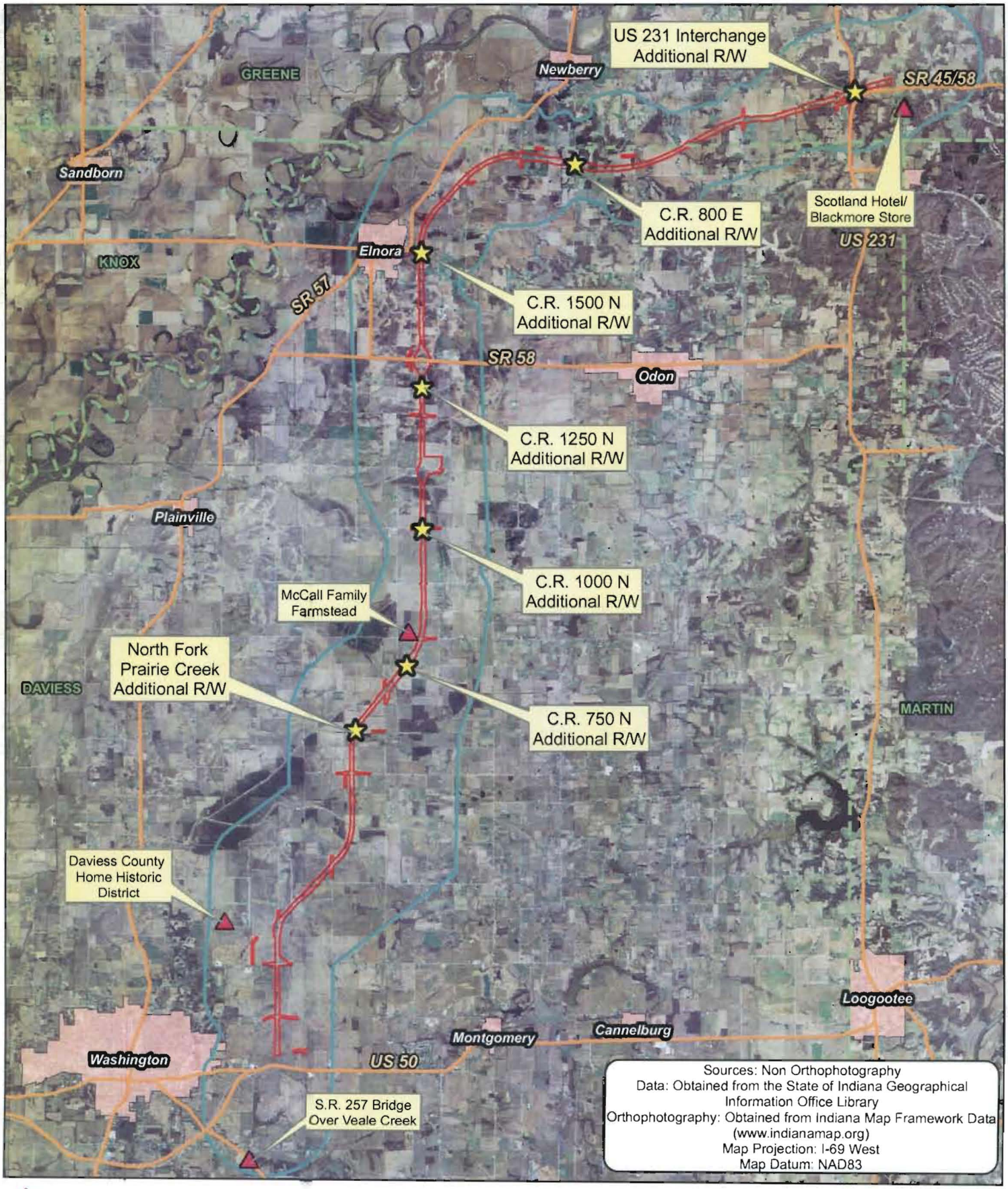


Figure 1
I-69 Section 3
Segment 10-13
Additional Right-of-Way Areas

Section 3 FEIS R/W
Section 3 Final Design R/W

Figure 2
I-69 Section 3 - Segment 10
Additional Right-of-Way Area
Located at North Fork Prairie Creek
Shown on 2005 Aerial Photograph

1 inch = 600 feet

0 300 600 900 Feet

N

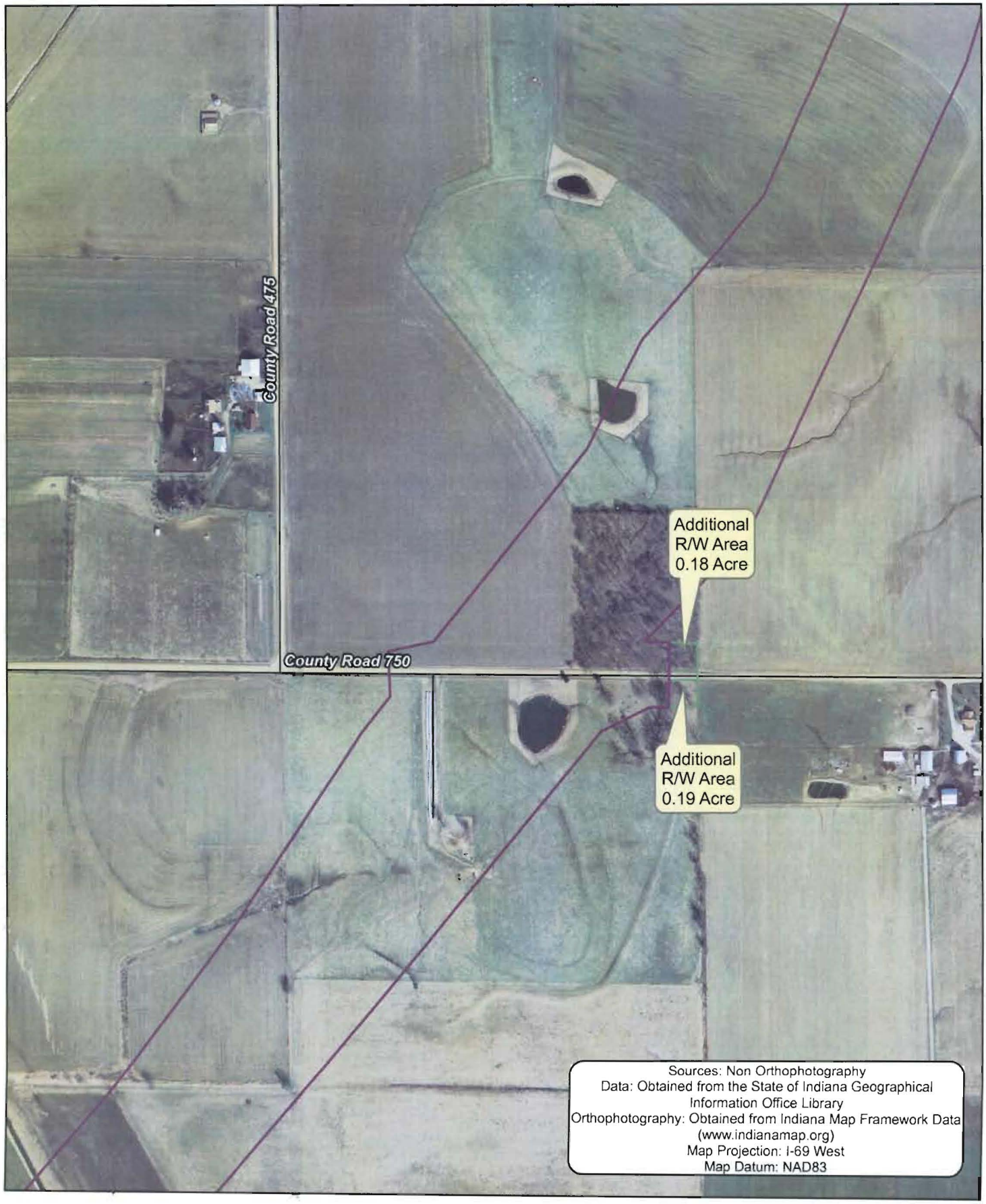


Figure 3
I-69 Section 3 - Segment 10
Additional Right-of-Way Area
Located at Daviess C.R. 750 N
Shown on 2005 Aerial Photograph

Section 3 FEIS R/W
Section 3 Final Design R/W

1 inch = 400 feet

0 200 400 600
Feet

N

Figure 4
I-69 Section 3 - Segment 11
Additional Right-of-Way Area
Located at Daviess C.R. 1000 N
Shown on 2005 Aerial Photograph

Section 3 FEIS R/W
Section 3 Final Design R/W

1 inch = 400 feet

0 200 400 600
Feet

N

Figure 5
I-69 Section 3 - Segment 11
Additional Right-of-Way Area
Located at Daviess C.R. 1250 N
Shown on 2005 Aerial Photograph

Section 3 Final Design R/W
Section 3 FEIS R/W

1 inch = 500 feet

0 250 500 750 Feet

N

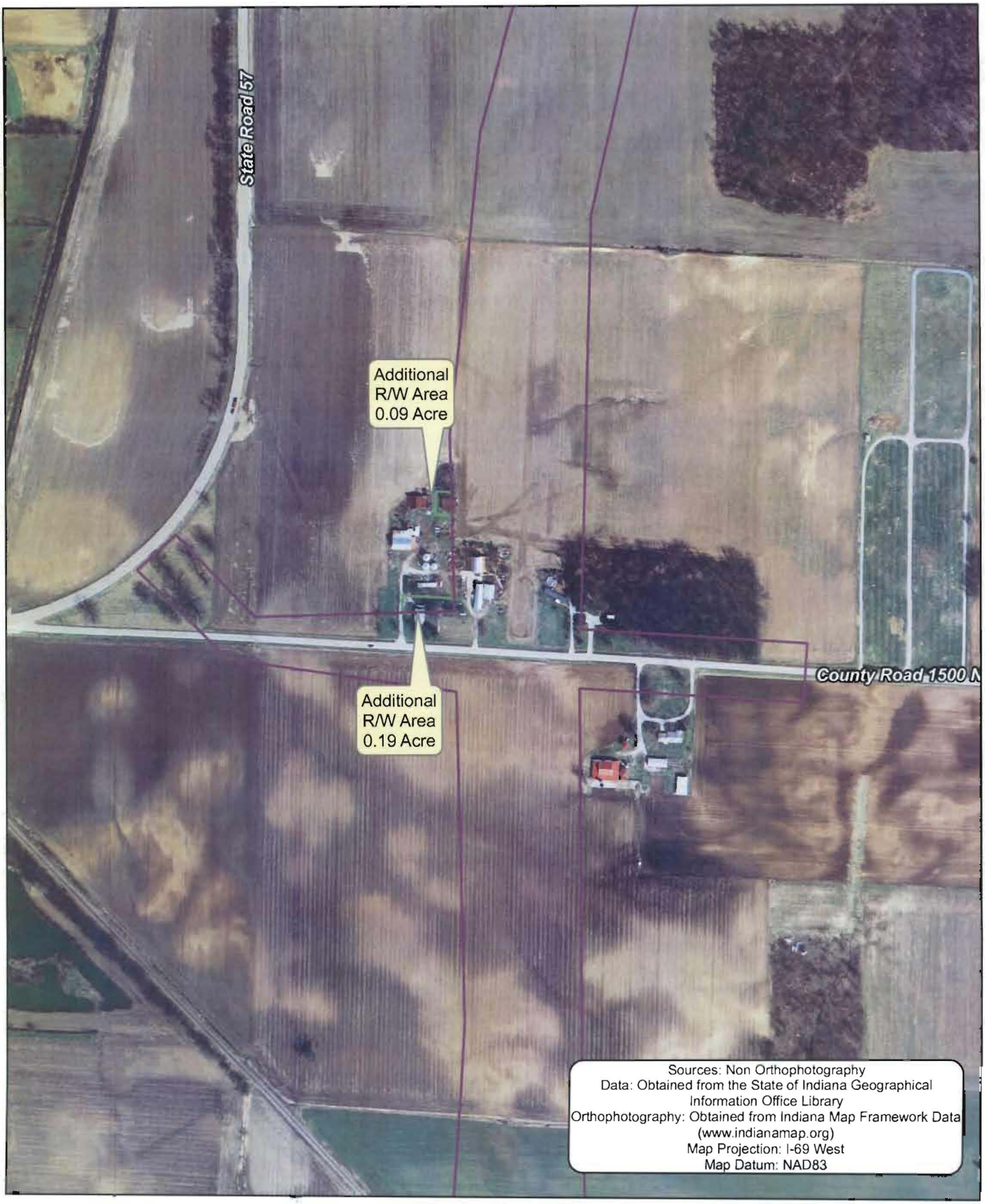


Figure 6
I-69 Section 3 - Segment 12
Additional Right-of-Way Area
Located at Daviess C.R. 1500 N
Shown on 2005 Aerial Photograph

Section 3 FEIS R/W
Section 3 Final Design R/W

1 inch = 400 feet

0 200 400 600
Feet

N

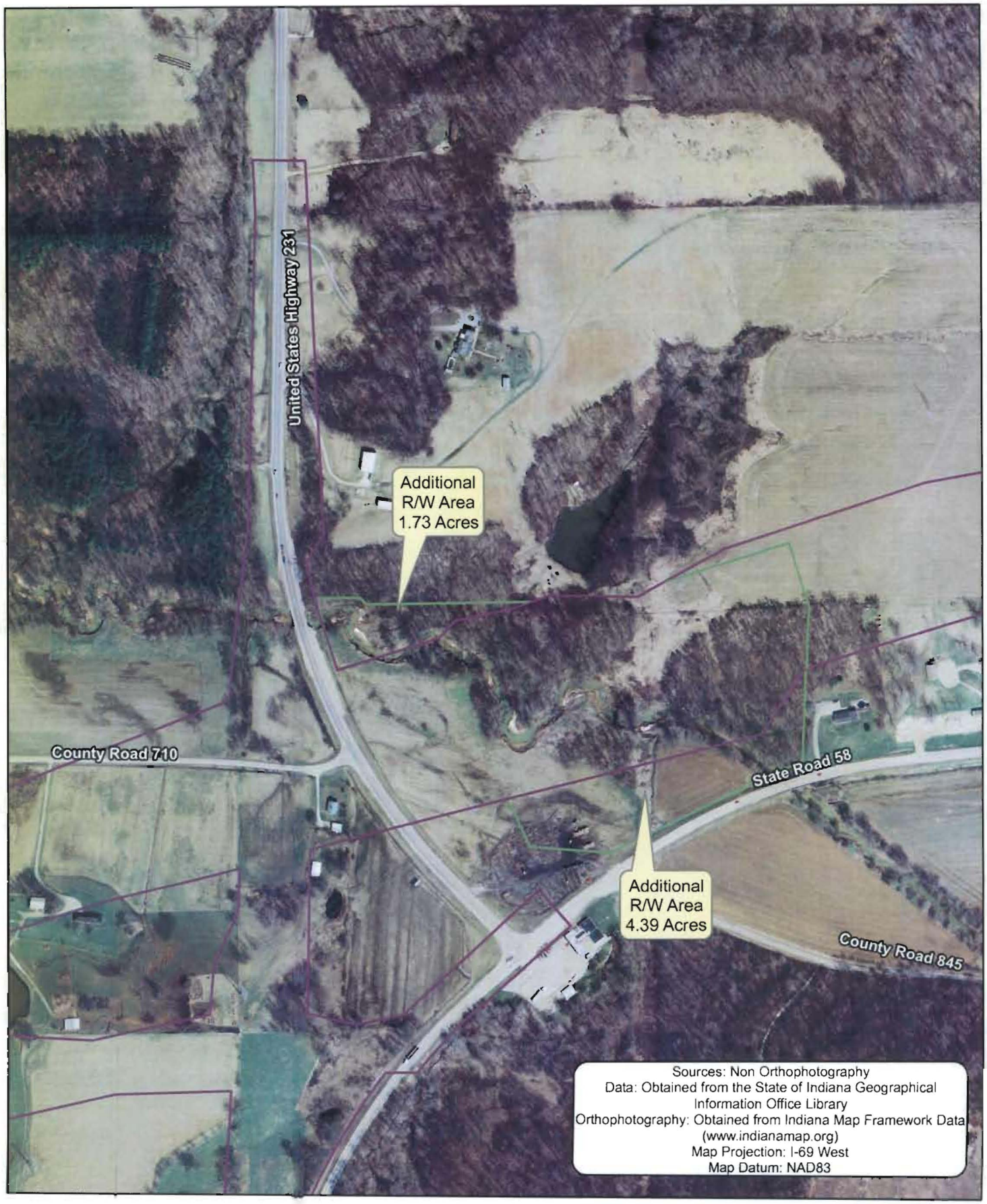
Figure 7
I-69 Section 3 - Segment 13
Additional Right-of-Way Area
Located at Daviess C.R. 800 E
Shown on 2005 Aerial Photograph

Section 3 FEIS R/W
Section 3 Final Design R/W

1 inch = 400 feet

0 200 400 600
Feet

N



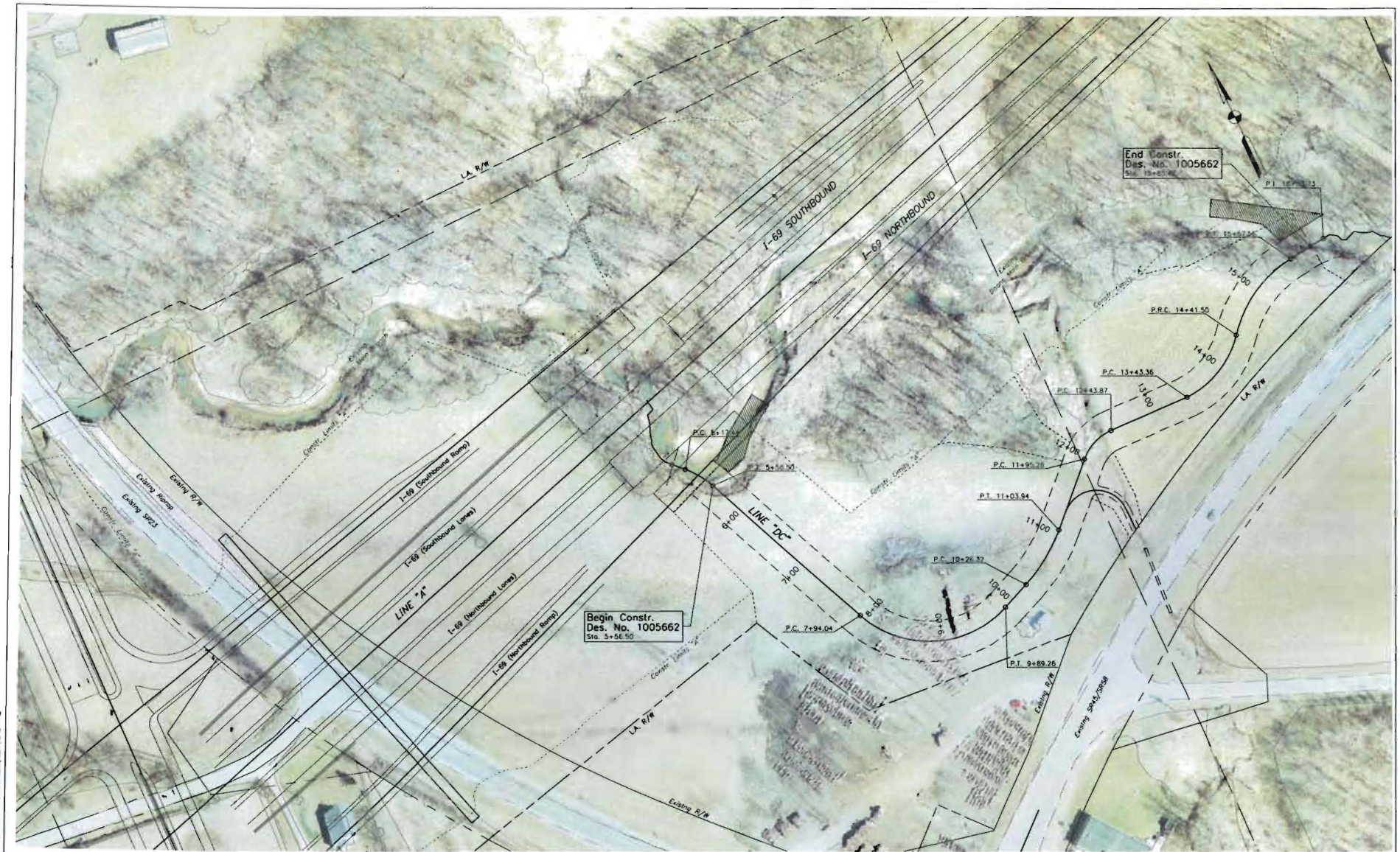
Section 3 FEIS R/W
Section 3 Final Design R/W

Figure 8
I-69 Section 3 - Segment 13
Additional Right-of-Way Area
Located at U.S. 231 Interchange
Shown on 2005 Aerial Photograph

1 inch = 400 feet

0 200 400 600
Feet

N



JASON A. BURDINE
REGISTERED
No. PE10303058
STATE OF INDIANA
PROFESSIONAL ENGINEER

RECOMMENDED FOR APPROVAL	DESIGN ENGINEER	05/18/10 DATE	
DESIGNED: G.R.A.	DRAWN: B.E.W.		
CHECKED: J.A.D.	CHECKED: G.R.A.		

INDIANA DEPARTMENT OF TRANSPORTATION

OVERALL SITE LAYOUT
LINE "DC"

HORIZONTAL SCALE 1"=50'	BRIDGE FILE
VERTICAL SCALE	DESIGNATION 1005662
SURVEY BOOK	SHEETS 3 of 15
CONTRACT IR-33051	PROJECT 0500445

Appendix B

Archaeological Survey Summary

Archaeological Report Summary
I-69 Section 3 Additional Right-of-Way Areas
Design Build Segment 10-13

ABSTRACT

Gray & Pape, Inc., under contract with Bernardin Lochmueller & Associates, Inc., conducted a Phase Ia archaeological survey for Section 3 Reevaluation Group #3 (Segment 10 & 11 Design Build) and Group #4 (Segment 12 & 13 Design Build), within Section 3 of the Indiana Department of Transportation's I-69 Corridor Tier 2 Studies, Evansville to Indianapolis. The Section 3 Reevaluation Groups #3 and #4 extend from the North Fork of Prairie Creek, in Daviess County, to the US 231 intersection, in Greene County. The Section 3 Build Alternative 1 Area of Potential Effects extends from US 50 near Washington to US 231 near Scotland, crossing central Daviess County and the southwest corner of Greene County for a distance of 40 kilometers (25 miles). A report documenting the results of the Phase Ia investigation of the Section 3 Build Alternative 1 recently was published (*I69 Corridor Tier 2 Studies, Evansville to Indianapolis, Phase Ia Archaeological Investigations, Section 3, US 50 to US 231.* Prepared by Michael J. Hambacher and James A. Robertson, Commonwealth Cultural Resources Group, Inc., Jackson, Michigan, 2009). This addendum to that report documents the results of the Phase Ia investigation of the aforementioned Reevaluation Groups #3 and #4.

Phase Ia survey of Section 3 Reevaluation Groups #3 and #4 was conducted in January-April 2010. The Phase Ia survey employed surface reconnaissance throughout the Area of Potential Effects, as all of the areas exhibited surface visibility between 40 and 95%. Two previously recorded archaeological sites, 12Da1487 and 12Da1452, were crossed by the additional ROW. Site 12Da1487 was found to extend to the east of Daviess CR 450 East, expanding the bounds of this site. This site was subjected to Phase II investigations recently (Draft Phase II Archaeological Investigations for Site 12Da1487, Section 3, I-69 Evansville to Indianapolis, Daviess County, Indiana. Prepared by John W. Picklesimer II and Christopher J. Baltz, Gray & Pape, Inc., Bloomington, Indiana. Prepared for Indiana Department of Transportation, 2010). The site was recommended as not eligible for inclusion in the National Register of Historic Places. There was nothing recovered during the investigations presented in this report that changes that interpretation. Site 12Da1452 is a historic site identified during the initial Phase Ia survey; it was recommended as not eligible in the National Register of Historic Places. This investigation found a small prehistoric component on the site as well as the historic component. As with the other site, there was nothing recovered during the investigations presented in this report that changes the recommendation of ineligibility to the National Register of Historic Places. One previously undocumented prehistoric isolated find (Site 12Da1586) also was encountered. Because it is an isolated find, it does not meet the criteria for inclusion in the National Register of Historic Places.

PROJECT RESULTS/RECOMMENDATIONS

Phase Ia survey of the Section 3 Reevaluation Group 3 (Segments 10 and 11 Design Build) and 4 (Segments 12 and 13 Design Build) was conducted in January-April 2010. Ground surface visibility throughout the APE was 40-95%within fields that were subjected to surface inspection. When surface visibility fell below 40%, the areas were subjected to shovel testing. Two previously documented archaeological sites (12Da1487 and 12Da1452) and one previously undocumented site (12Da1586) were encountered. Portions of Site 12Da1487 previously were subjected to Phase II archaeological evaluation (Picklesimer and Baltz 2010); the site was recommended as not eligible for inclusion in the NRHP. The results of the Phase Ia investigation on the additional portion of the site examined for this report do not change that recommendation. Previously recorded Site 12Da1452 was found to contain a small prehistoric component as well as the historic component. However, the results of the Phase Ia investigation on the additional portion of the site examined for this report do not alter the recommendation of Hambacher and Robertson (2009:131) that the site is not eligible for inclusion in the NRHP. This historic site dates to the late nineteenth to mid twentieth century. Site 12Da1586 is a previously undocumented prehistoric isolated find site. It is recommended as not eligible for inclusion in the NRHP based on it being an isolated find.

Appendix C

Informational Letter to SHPO

BERNARDIN · LOCHMUELLER & ASSOCIATES, INC.
3502 Woodview Trace · Suite150 · Indianapolis, IN 46268
PHONE 317.222.3880 · TOLL FREE 888.830.6977 · FAX 317.222.3881

May 17, 2010

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 3 additional right-of-way reevaluation areas – Segment 10-13 located in Daviess & Greene Counties, Indiana.
DES #: 0300379 Project #: IN10 (006)
DHPA #: 1352 BLA Project #: 103-0001-1PL

Dear Mr. Glass,

On behalf of the Indiana Department of Transportation (INDOT), the attached information is being provided for informational purposes only, showing that the adjustment in the original I-69 Section 3 preferred alternative right-of-way described herein does not modify the effect on historic properties.

This revised design of Section 3 requires seven (7) additional right-of-way acquisition areas not previously discussed in the Section 3 Final Environmental Impact Statement (FEIS) within the I-69 corridor totaling approximately 6.8 acres of permanent right-of-way and 4.1 acres of temporary right-of-way for a total of 10.9 acres of total right-of-way (See Maps in Appendix A for locations). These acquisition areas will occur within the design build Segment 10-13 in Section 3. Segment 10 begins at the North Fork Prairie Creek and Segment 13 ends at the US 231/SR 58 Interchange. Furthermore, change in design areas not requiring additional right-of-way will also be discussed for informational purposes. The following project changes discussed are listed from south to north: North Fork Prairie Creek, elimination of AR-13, expansion of right-of-way east of Daviess County Road 450 E and along Daviess County Road 750 N, Daviess County Road 1000 N, Deferred Rest Area at Daviess County Road 1100 N, Daviess County Road 1250 N, S.R. 58 Interchange, Daviess County Road 1500 N, Daviess County Road 800 E, and the US 231 Interchange.

The first additional right-of-way acquisition area is located at the North Fork Prairie Creek, at the beginning of Segment 10. The landowner at this location had constructed berms/levees along North Fork Prairie Creek. These berms need to be reconstructed. The proposed temporary right-of-way is to allow for the reconstruction of the berms and to tie them back into existing. Approximately 1.56 acres will be required on the west side of the highway and approximately 2.12 acres on the east for a total of 3.68 acres of additional temporary right-of-way (See Appendix A).

A change in design area not requiring right-of-way outside of that defined in the FEIS is located at Access Road 13 (AR-13). AR-13 is located on the west side of County Road 450 E. The proposed right-of-way has been removed and is no longer needed (See Appendix A).

The second additional right-of-way area is located at Daviess County Road 750 N in Segment 10. This permanent right-of-way is needed to accommodate access road construction. Approximately 0.18 acre will be needed on the north side of County Road 750 N and approximately 0.19 acre will be needed on

the south for a total of approximately 0.37 acre of permanent right-of-way at this location (See Appendix A).

The third additional right-of-way area is located at Daviess County Road 1000 N in Segment 11. This temporary right-of-way is needed to accommodate driveway and field access construction. Approximately 0.05 acre of temporary right-of-way is needed at this location (See Appendix A).

A change in design area not requiring right-of-way outside of that defined in the FEIS is located at the Deferred Rest Area in Segment 11. The right-of-way at this location has been reduced due to construction of the rest area being deferred to another date which is not included in this construction phase (See Appendix A).

The fourth additional right-of-way area is located at Daviess County Road 1250 N in Segment 11. The right-of-way at this location has been revised to avoid relocation of a commercial building and to reduce right-of-way impacts and costs. The mainline highway has been tightened at this location and the cul-de-sac located on County Road 1250 N on the east side of the mainline has been shifted to the north. Approximately 0.17 acre of permanent right-of-way is needed on the north side of the county road and approximately 0.02 is needed on the south for a total of 0.19 acre of permanent right-of-way at this location (See Appendix A).

A change in design area not requiring right-of-way outside of that defined in the FEIS is located at the State Road 58 Interchange in Segment 11. The relocation of Daviess County Road 500 E and right-of-way associated with this will be eliminated. The right-of-way associated with the interchange has also been reduced.

The fifth additional right-of-way area is located at Daviess County Road 1500 N in Segment 12. The right-of-way at this location has been revised to accommodate building removal affected by the mainline highway. Approximately 0.18 acre of temporary right-of-way is needed on the north side of County Road 1500 N at this location (See Appendix A).

The sixth additional right-of-way area is located at Daviess County Road 800 E in Segment 13. The right-of-way at this location has been revised to accommodate building removal as a structure is located within the proposed right-of-way limits. Approximately 0.19 acre of temporary right-of-way is needed on the north side of the mainline highway at this location (See Appendix A).

The seventh additional right-of-way area is located at the US 231 interchange. The right-of-way at this location has been revised to meet INDOT requirements and to accommodate a channel relocation of Doan's Creek. Approximately 6.12 acres of permanent right-of-way is needed at this location to accommodate the changes.

A change in design area not requiring additional right-of-way outside of that defined in the FEIS is also located along US 231. The right-of-way will be reduced in this area due to the revised design limits of the truck climbing lane. The length of the truck climbing lane will be reduced and the right-of-way limits now begin at Greene County Road 800 S and extend north.

The Federal Highway Administration (FHWA) and Indiana 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 December 1, 2009. Therefore, based on this determination, FHWA does not intend to reopen the Section 106 process on the I-69 Section 3 project for the above mentioned Segment 10-13 areas for the following reasons: visually, there will essentially be no change with these minor additional right-of-way areas; none of the above ground resources listed as eligible for the National Register of Historic Places (NRHP) in Section 3 are located within one (0.5) mile of the reevaluation areas; no previously identified archaeological sites eligible for the NRHP are located within the proposed additional right-of-way areas; and the conclusion that no archaeological resources eligible for the NRHP were identified within the proposed additional right-of-way areas as determined by an additional survey completed by Gray & Pape, Inc. (see below).

The Section 3 Tier 2 Historic Property Report, dated October 19, 2005 concluded that four above-ground resources eligible for or listed in the NRHP are located within the Section 3 APE (See Attached Map). At a later date, another property located within the Section 3 APE was determined eligible for the NRHP (SR 257 Bridge over Veale Creek). On November 7, 2008 the FHWA in consultation with the Indiana SHPO determined that Section 3 of the I-69 project will have an adverse effect (See Appendix B). The previously defined 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 seven 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 3 of the I-69 project (See Appendix A). The approved APE for Section 3 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 3 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 3. No listed or eligible NRHP structures documented in the Section 3 Historic Property Report are located within 0.5 mile of the additional right-of-way areas. The McCall Family Farmstead is the closest listed resource to the reevaluation areas (See Attached Table 1).

These seven (7) additional right-of-way areas of the I-69 Section 3 project are within the previously documented Phase Ia Archaeological literature review. The APE for the Phase Ia literature review is the 2,000-foot corridor as stated in the *Phase Ia Archaeological Investigations* report dated August 14, 2009. No previously recorded sites eligible for the NRHP are located within or directly adjacent to the additional right-of-way areas. The Section 3 Phase Ia reconnaissance described in the August 14, 2009 report was only conducted for the preferred alternative right-of-way. During this reconnaissance, no sites eligible for the NRHP were identified within the additional right-of-way areas mentioned in this document.

Additionally, a Phase Ia field reconnaissance was conducted by Gray & Pape, Inc. for all areas located outside of the original surveyed preferred alternative for this reevaluation. Some of the areas shown in Appendix A were not surveyed by Gray & Pape as they were covered during the original survey. The areas surveyed as part of this reevaluation can be viewed in the report dated April 27, 2010 that was transmitted to your office on April 28, 2010. In this report, Gray & Pape determined that no resources meeting the criteria for inclusion in the National Register of Historic Places were discovered during the reevaluation survey (See Archaeological Report dated April 27, 2010). Additional right-of-way areas located in Segment 10-13 not surveyed during this reevaluation will be surveyed in the near future and a report will be forwarded to your office for review and comment after completion.

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.

Sincerely,

Shannon Hill

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

Appendix A: Graphics
Appendix B: Section 3 Effect Finding
Appendix C: Table 1

Appendix D

General Photo Page

I-69 Section 3 Segment 10-13 Reevaluation Photos

Photo 1: Looking west towards reevaluation area at North Fork Prairie Creek

Photo 2: Standing on C.R. 750 N looking northeast at reevaluation area

Photo 3: Standing on C.R. 750 N looking southeast at reevaluation area

Photo 4: Standing on C.R. 1000 N looking northeast at reevaluation area

Photo 5: Standing on C.R. 1250 N looking northwest at reevaluation area

Photo 6: Standing on C.R. 1500 N looking northeast at reevaluation area

I-69 Section 3 Segment 10-13 Reevaluation Photos Continued

Photo 7: Standing on C.R. 800 E looking northeast at reevaluation area

Photo 8: Standing on S.R. 58 looking north at reevaluation area

Photo 9: Standing on U.S. 231 looking east towards reevaluation area (no impact).