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**I-69 SECTION 3 REEVALUATION STATEMENT
EARLY BRIDGE CONTRACTS**

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 grade separation areas, drive construction, and building removal. This reevaluation examined the potential impacts on the natural, human, and cultural environments of the revised design for the Section 3 early bridge contracts. This reevaluation found that the revised design will not result in any new adverse impacts that will require new mitigation or the preparation of additional environmental documentation. Therefore, the Tier 2 FEIS and Record of Decision remain valid.

Federal Highway Administration

Date

2-18-10

Indiana Department of Transportation

Date

2-12-10

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 at three grade separation locations 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.

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 grade separations (bridges) within Section 3 (See Attachment 1 for Graphics). No new road closures beyond those discussed in Table 5.3-4 in the Tier 2 FEIS will result from the grade separations, drive construction, and building removal 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: Daviess County Road 1200 N; Daviess County Road 700 E; and Greene County Road 100 W. These areas are being reexamined because additional right-of-way is needed to complete the final design of Section 3. This additional right-of-way was not discussed in the Tier 2 FEIS. A complete description of why the additional right-of-way is needed 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 ROD.

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 while the remaining 4 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 (2.22 open water; 2.4 emergent; 1.18 scrub/shrub; and 1.45 forested), and streams totaling 34,620 linear feet 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 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.

3. DESCRIPTION OF PROJECT CHANGES

This revised design of Section 3 requires three additional right-of-way acquisition areas within the I-69 corridor totaling approximately 3.01 acres of right-of-way (See Maps in Attachment 1 for locations). These acquisition areas will occur at grade separation areas in Section 3.

The first additional right-of-way acquisition area is located at Daviess County Road 1200 N, approximately 1 mile south of State Road 58. An overpass over I-69 will be constructed at Daviess County Road 1200 N. Approximately 1.76 acres of additional permanent right-of-way will be required to accommodate a modified vertical profile at this grade separation area (See Attachment 1).

The second acquisition area is located at Daviess County Road 700 E, approximately 3.75 miles north of State Road 58. An overpass over I-69 will be constructed at Daviess County Road 700 E. Approximately 0.06 acre of permanent right-of-way is needed to accommodate a modified vertical profile and the elimination of AR-15 and 0.09 acre of temporary right-of-way is needed to accommodate driveway construction and building removal. This building is partially located within the Section 3 FEIS right-of-way (See Attachment 1). The driveway construction addresses the elimination of AR-15, which has been coordinated with the affected property owner.

The third acquisition area is located at Greene County Road 100 W, approximately 2.2 miles west of the US 231 intersection with State Road 45/58. An overpass over I-69 will be constructed at Greene County Road 100 W. Approximately 0.7 acre of permanent right-of-way is needed to accommodate a modified vertical profile and 0.4 acre of temporary right-of-way is needed to accommodate driveway construction and building removal (See Attachment 1).

4. ENVIRONMENTAL CONSEQUENCES

The approximately 3.01 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 and roadside ditches. 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 3.01 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 and developed land. Adjacent land uses to the additional right-of-way areas are residential, wooded, 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 2.89 acres of agricultural land (all acres classified as prime farmland) will be impacted as a part of the additional right-of-way. This impact on farmland is the only notable environmental impact of this reevaluation. 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. The remaining approximately 0.12 acres of additional impacted right-of-way is either used as residential or transportation. This falls under the FEIS category of developed land. This minor difference in the total developed land impacts, and all locations are associated with relocations and local access considerations identified in the FEIS.

No additional water resources (streams/wetlands) are located within these additional right-of-way areas. Therefore, no water resource impacts are anticipated to occur as a result of activities in these additional right-of-way areas.

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 Attachment 1 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 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 grade separation additional right-of-way area to the specified NRHP listed and eligible properties within Section 3.

Additional R/W Area	Scotland Hotel	McCall Family Farmstead	Blackmore Store	Daviess County Home Historic District	SR 257 Bridge over Veale Creek
C.R. 1200 N	10.6 miles	4.0 miles	10.6 miles	10.0 miles	14.2 miles
C.R. 700 E	7.2 miles	9.0 miles	7.2 miles	15.0 miles	19.2 miles
C.R. 100 W	3.0 miles	12.0 miles	3.0 miles	18.0 miles	22.2 miles

As disclosed in Table 1 above, none of the NRHP listed and eligible properties are located within 3.0 miles 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.

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. Some of the areas shown in Attachment 1 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 January 21, 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 Attachment 2 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.

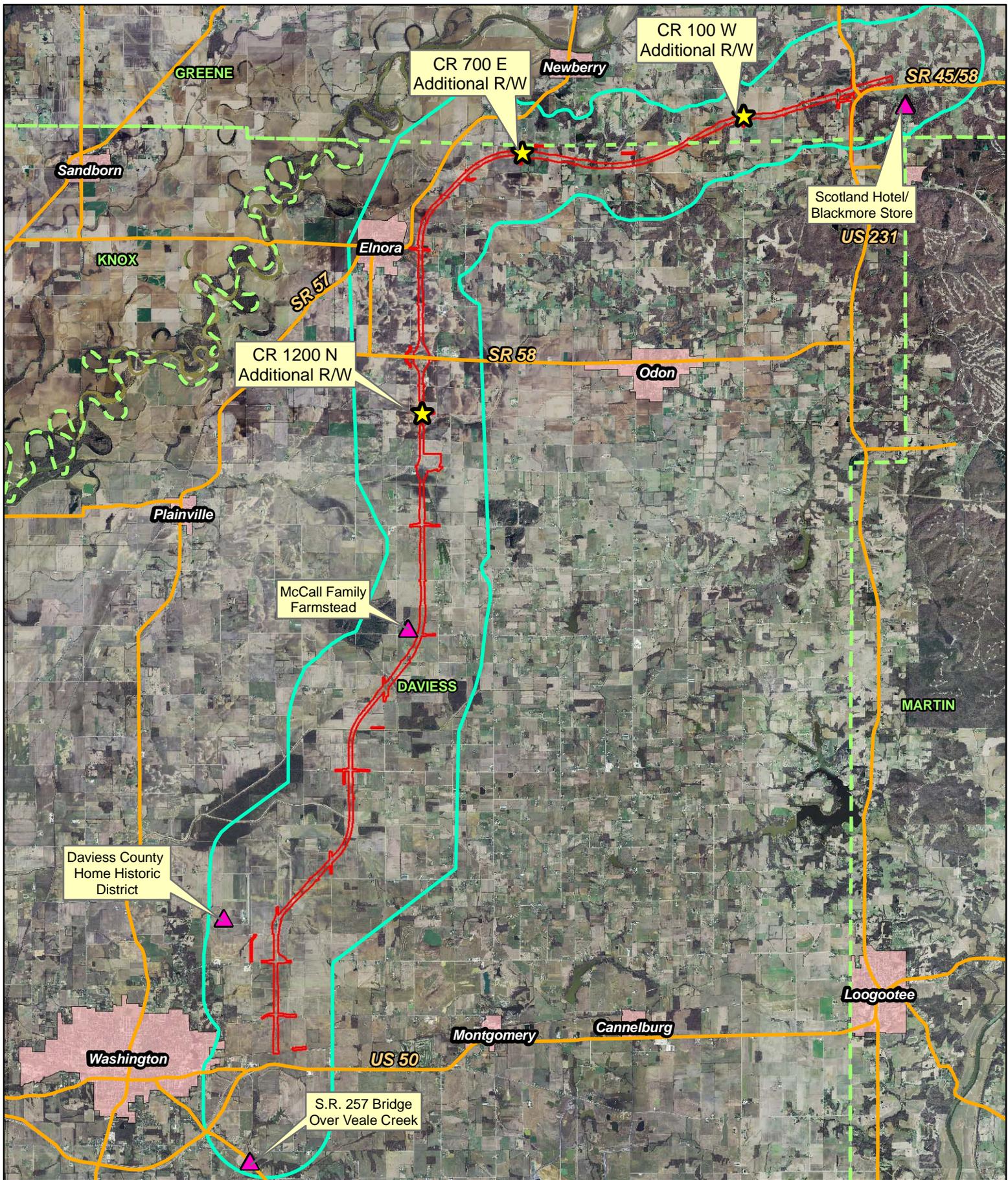
Based on the above information, there is no intention to re-open the Section 106 process due to the following factors: visually, there will essentially be no change with the minor additional right-of-way areas; the determination that no above ground resources listed in or eligible for the NRHP will have any change to its effect finding due to the additional right-of-way areas; and the conclusion that the proposed action of adding approximately 3.01 acres of additional right-of-way resulting from the proposed grade separation improvements will have no change to the potential effect on archaeological resources. This determination has been provided to the Indiana SHPO office via an informational letter.

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 that will not require additional mitigation measures beyond those committed in the Tier 2 FEIS. 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.

Attachment 1

Graphics



- ▲ Section 3 NRHP Property
- Highway
- - - County Line
- Incorporated Areas
- Section 3 APE
- Section 3 FEIS R/W

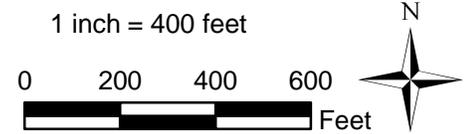
Figure 1
 I-69 Section 3
 Early Bridge Contract
 Additional Right-of-Way Areas Located
 At CR 1200 N, CR 700 E & CR 100 W





- Section 3 Final R/W
- Section 3 FEIS R/W
- ▨ Section 3 Additional R/W Area
- Section 3 Perennial Stream

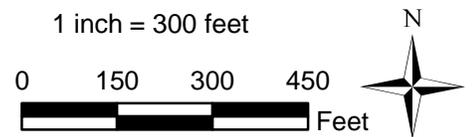
Figure 2
 I-69 Section 3
 Additional R/W Area Located
 At Daviess County Road 1200 N

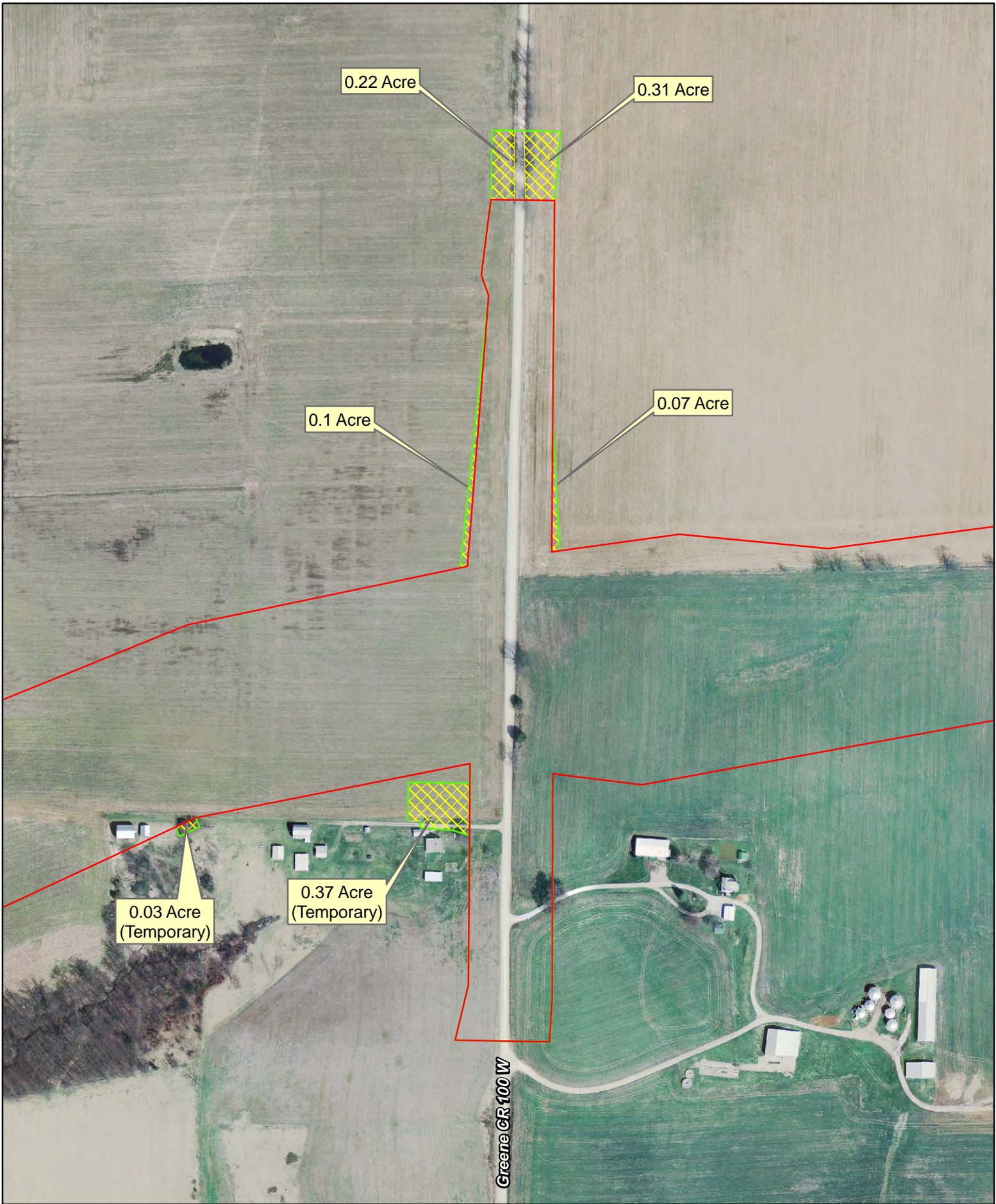




- Section 3 Final R/W
- Section 3 FEIS R/W
- Section 3 Additional R/W Area
- County Line

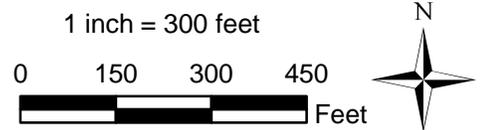
Figure 3
 I-69 Section 3
 Additional R/W Area Located
 At Daviess County Road 700 E





- Section 3 Final R/W
- Section 3 FEIS R/W
- Section 3 Additional R/W Area

Figure 4
 I-69 Section 3
 Additional R/W Area Located
 At Greene County Road 100 W



Attachment 2

Archaeological Survey Summary

Archaeological Report Summary

I-69 Section 3 Additional Right-of-Way Areas

Early Bridge Contract

ABSTRACT

Gray & Pape, Inc., under contract with Bernardin Lochmueller & Associates, Inc., conducted a Phase Ia archaeological survey for Section 3 Reevaluation Group # I (Early Bridge Contracts), within Section 3 of the Indiana Department of Transportation's (INDOT) I-69 Corridor Tier 2 Studies, Evansville to Indianapolis. The Section 3 Reevaluation Group #1 (Early Bridge Contracts), is located at Daviess CR 1200 North over I-69, Daviess CR 700 East/Greene CR 500 West over I-69, and Greene CR 100 West over I-69. 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 was recently published (Hambacher and Robertson 2009). This addendum to that report documents the results of the Phase Ia investigation of the aforementioned Reevaluation Group #1.

Phase Ia survey of the Section 3 Reevaluation Group # 1 was conducted on December 10 and 16, 2009 for Daviess CR 1200 N; on January 15, 2010 for Greene CR 100 W; and on January 20, 2010 for Daviess CR 700 E/Greene CR 500 W. Ground surface visibility throughout the APE was 50-90%, with the exception of a small wooded patch on the western end of the Daviess CR 700 E/Greene CR 500 W project area. The Phase Ia survey employed surface reconnaissance throughout the Area of Potential Effects, except for the wooded area, which was examined by shovel testing. No new sites were identified, but 2 previously recorded sites (12Da451 and 12Da464) were partially examined. Both of these sites lie outside of the Section 3 Build Alternative 1 corridor; however Site 12Da451 was resurveyed during the initial field reconnaissance for Section 3 of the I-69 project in 1996 (Hilton-Plunkett and Bamann 1996). The portion of each of these sites located within the new right-of-way is limited, and although both were recorded as prehistoric sites, the majority of artifacts recovered during these investigations at both sites were twentieth-century historic materials. Both sites have historic structures shown on the 1957 USGS 7.5' Epsom quadrangle, indicating their recent historic nature. Prehistoric materials recovered from each site were minimal. The portions of these 2 sites located within the new right-of-way are not recommended for additional investigations as they are not considered eligible for inclusion in the National Register of Historic Places.

PROJECT RESULTS/RECOMMENDATIONS

Phase Ia survey of the Section 3 Reevaluation Group #1 (Early Bridge Contracts) was conducted in December 2009 and January 2010. Ground surface visibility throughout the APE was 40-90%. The Phase Ia survey employed surface reconnaissance and/or shovel testing throughout the APE. The survey relocated the 2 previously recorded sites (12Da451 and 12Da464). Both of these are prehistoric sites with twentieth century historic components. The portion of the sites within the APE is predominantly historic in nature, and neither is recommended for additional investigations.