



Volume III – Comments and Responses

Table of Contents

Introduction.....	2
Part A Comments and Responses.....	4
Federal Agencies (AF).....	15
Tribal Agencies (AT).....	42
State Agencies (AS).....	44
Local Government (LG)	52
Public Comments—Organizations (PC).....	69
Public Comments—Individuals (PC)	116
Postcard Comments (PCD).....	218
Addendum: Additional Comments	258
Part B Written Comments and Public Hearing Transcription.....	Separate PDF File



INTRODUCTION

The I-69 Section 2 DEIS was issued on January 26, 2009. A revised DEIS was issued on April 27, 2009 due to the discovery made in preparation of the Biological Assessment that stream impacts (especially ephemeral streams) had been understated and that some streams were not properly identified during field surveys conducted in 2005. The comment period from January 26, 2009 to June 29, 2009 followed the publication of the DEIS allowing the public, local officials, and government agencies to submit comments, concerns, and questions for review.

Two federal and two state agencies and one state elected official submitted comments on the DEIS: federal—USEPA and the U.S. Department of the Interior (USDOI, on behalf of U.S. Fish and Wildlife Service (USFWS)); state—Indiana Department of Natural Resources (IDNR) - Division of Historic Preservation and Archaeology and IDNR Division of Fish and Wildlife. Comments were also received from 12 representatives of local governments and 117 private individuals/organizations (one of which represented a consortium of organizations). Two hundred ninety-two postcards were received from individuals as part of an organized postcard campaign, for a total of 430 comments on the Section 2 DEIS.

Part A, Comments and Responses

Part A, Comments and Responses (C/R), addresses all substantive comments made on the DEIS. The comments/responses are provided in the form of a verbatim transcription of each comment followed by a response to that comment. Comments which are not substantive¹ are acknowledged.

Each commenter's written or oral² submittal is assigned an identification code, and each comment contained in the submittal is further identified by that code plus a numerical ID. For example, AF01 is the code identifying the U.S. Department of the Interior (AF refers to Agency – Federal). AF01-1 refers to the first comment appearing in the agency's comment letter. Each comment is presented verbatim and is followed by INDOT's response. When all of a commenter's comments have been addressed, the next commenter's submittal is presented (in this case AF02, the U.S. Environmental Protection Agency). Tribal agency commenters are identified as "AT," state agency commenters are identified as "AS," and local government commenters by "LG." Public commenters are divided into two categories. General public (including organizations) commenters are identified by "P" and postcard submittals by "PCD."

Table 1 lists all who submitted substantive comments on the DEIS, and provides the comment/response identification code for ease of locating the comment/response in the document.

¹Comments generally not considered "substantive" include those that only noted preference for or opposition to the project, without elaboration; and comments that did not relate specifically to the Tier 2 Section 2 study. Due to the small number of commenters on the DEIS, all comments were included in the Comments and Responses Documentation.

²Comments made and transcribed at the Public Hearing on the DEIS, held March 19, 2009, in Petersburg, Indiana.



Section 2—Final Environmental Impact Statement

On November 20, 2009, a draft of the C/R document was submitted for review and consideration to the following federal and state agencies: USEPA, USFWS, USACE, IDNR, and IDEM. Of these, only IDNR and IDEM provided comments on the C/R document. The submittal is provided in the Addendum A, *Additional Comments Regarding Agency Review of Comments and Response Document*.

Part B, Written Comments and Responses

Part B, Written Comments and Public Hearing Transcription, includes a copy of each written submittal/transcribed statement submitted on the DEIS.



PART A

COMMENTS AND RESPONSES

ON

I-69 EVANSVILLE TO INDIANAPOLIS TIER 2 STUDIES

SECTION 2

DRAFT ENVIRONMENTAL IMPACT STATEMENT



Section 2—Final Environmental Impact Statement

Table 1: Commenters on Section 2 DEIS				
Comment ID Code	Name, Last	Name, First	Agency/Organization	Date Submitted/Received*
FEDERAL AGENCY				
AF01	Taylor	Willie R.	United States Department of Interior, Office of Environmental Policy and Compliance	06-15-09
AF02	Westlake	Kenneth A.	United States Environmental Protection Agency	06-29-09
TRIBAL AGENCY				
AT01	Froman, Chief	John P.	Peoria Tribe of Indians of Oklahoma	02-12-09
AT02	Sutterfield	Joshua	Miami Tribe of Oklahoma	02-18-09
AT03	Froman, Chief	John P.	Peoria Tribe of Indians of Oklahoma	05-06-09
AT04	Long	Jake	Miami Tribe of Oklahoma	05-07-09
STATE AGENCY				
AS01	Buffington	J. Matthew	Indiana Department of Natural Resources – Environmental Unit	06-23-09
AS02	Glass	James A.	Indiana Department of Natural Resources – Division of Historic Preservation and Archaeology	06-26-09
AS03	Messmer	Mark	State of Indiana State Representative	06-15-09
LOCAL GOVERNMENT				
LG01	Lake	Paul A.	Pike County Economic Growth and Development Council, Inc.	03-19-09
LG02	Taylor	C. Michael	Daviess County Commissioner – District 3	03-26-09
LG03	Craig, Mayor	Jon W.	City of Petersburg	05-14-09
LG04	Rhoads	David	Fire Chief, City of Washington	05-20-09
LG05	McLin	Larry F.	Daviess County Highway	06-04-09
LG06	Members		Board of Daviess County Commissioners	06-04-09
LG07	Members		Daviess County Council and Daviess County Board of Commissioners Resolution	06-10-09
LG08	Dillon, Councilman	Norman	Pike County Commission	03-19-09
LG09	Craig, Mayor	Jon W.	City of Petersburg	03-19-09
LG10	Haag, Mayor	Larry	City of Washington	03-19-09
LG11	Lake	Paul A.	Pike County Economic Growth and Development Council, Inc.	03-19-09
LG12	Present and Past Members		Pike County Commission	June of 2009
PUBLIC—ORGANIZATIONS				
PC001	Hairston	Tina L.	American Electric Power (AEP)	06-09-09
PC002	Murtlow	Ann D.	Indianapolis Power & Light (IPL)	06-15-09
PC003	None provided	None provided	Citizens for Appropriate Rural Roads (CARR)	June of 2009
PC003a	Maloney	Tim	Hoosier Environmental Council (HEC)	06-29-09



Section 2—Final Environmental Impact Statement

Table 1: Commenters on Section 2 DEIS

Comment ID Code	Name, Last	Name, First	Agency/Organization	Date Submitted/Received*
PUBLIC—INDIVIDUALS				
PC004	Moody	Gary	None provided	02-10-09
PC005	Arnold	Nichole	None provided	02-13-09
PC006	Arnold	Nichole	None provided	02-22-09
PC007	Arnold	Nichole	None provided	02-22-09
PC008	Arnold	Dennis and Brenda	None provided	02-22-09
PC009	Gainey	Brian	None provided	03-04-09
PC010	Killian	Forrest	None provided	03-19-09
PC011	Lamar	Larry and Theresa	None provided	03-19-09
PC012	McConnell	Bill	None provided	03-19-09
PC013	Skinner	Pamela	None provided	03-19-09
PC014	Young	William	None provided	03-19-09
PC015	Cockerham	Guy	None provided	03-25-09
PC016	Cravens	Mark	None provided	03-25-09
PC017	Johnson	Jerry	None provided	03-26-09
PC018	Cornelius	Phil	None provided	03-19-09
PC019	Satkamp	C. Wayne	None provided	03-28-09
PC020	Toler	Boyd	None provided	04-07-09
PC021	Toler	Tonja	None provided	04-08-09
PC022	Brewster	Stanley	None provided	04-08-09
PC023	Bahr	Wilfred & Margaret	None provided	04-13-09
PC024	Billings	Jesse	None provided	04-13-09
PC025	Katter	Randall	None provided	04-16-09
PC026	Katter	Randall	None provided	04-16-09
PC027	Arnold	Carrie	None provided	04-23-09
PC028	Craig	Joe W.	None provided	05-08-09
PC029	Willis	Scott	None provided	05-09-09
PC030	Flint	Paul	None provided	03-19-09
PC031	Hull	Kathleen Warfel	None provided	05-15-09
PC032	Fettinger	Larry & Angie	None Provided	03-19-09
PC033	Melchior	Jeanne	None Provided	05-21-09
PC034	Sorensen	Clark C.	None provided	05-24-09
PC035	Pate, Jr.	James	None provided	05-25-09
PC036	Sorensen	Clark C.	None provided	05-27-09
PC037	Werne	Wayne	None provided	06-01-09
PC038	Leavitt	Gary	None provided	06-03-09
PC039	Richardson	Don	None provided	06-03-09
PC040	Desai	Ashok	None provided	06-04-09
PC041	Franklin	Rob	None provided	06-04-09
PC042	Arnold	Dennis & Brenda	None provided	03-19-09
PC043	Merriman	Jerry	None provided	06-05-09
PC044	Guffy	Kathi	None provided	06-06-09
PC045	Wilson	Tim	None provided	06-06-09
PC046	Coyte	David	None provided	06-06-09
PC047	Buck	Greg	None provided	06-08-09



Section 2—Final Environmental Impact Statement

Table 1: Commenters on Section 2 DEIS

Comment ID Code	Name, Last	Name, First	Agency/Organization	Date Submitted/Received*
PUBLIC—INDIVIDUALS (continued)				
PC048	Brown	Carla	None provided	06-08-09
PC049	Flenner	Sam	None provided	06-08-09
PC050	Forrest	Maureen	None provided	06-08-09
PC051	Knott	Andy	None provided	06-08-09
PC052	Pratt	Susan	None provided	06-08-09
PC053	Smith	John	None provided	06-08-09
PC054	Walter	Michael	None provided	06-08-09
PC055	Smith	John	None provided	06-08-09
PC056	Loflin	John	None provided	06-09-09
PC057	Ford	Jon	None provided	06-11-09
PC058	Giangrossi	Diane	None provided	06-11-09
PC059	Hine	Dr. Will	None provided	06-11-09
PC060	Johnson	Scott	None provided	06-11-09
PC061	Kelly	Wendy	None provided	06-11-09
PC062	Morris	Jim	None provided	06-11-09
PC063	Oleson	Pamela	None provided	06-11-09
PC064	Roman	Ramon Turk	None provided	06-11-09
PC065	Simmons	James	None provided	06-11-09
PC066	Ward	Margaret	None provided	06-11-09
PC067	Stein	Devonia	None provided	06-11-09
PC068	Beckman	Mark	None provided	06-12-09
PC069	Gadski	Mary Ellen	None provided	06-12-09
PC070	Gibson	John	None provided	06-12-09
PC071	Hougham	Tom	None provided	06-12-09
PC072	McDonald	Mary	None provided	06-12-09
PC073	McCarty	Donna	None provided	06-12-09
PC074	Lloyd	Debra	None provided	06-13-09
PC075	Vega	Teresa	None provided	06-13-09
PC076	Reed	Penny	None provided	06-13-09
PC077	Moynihan	Michael	None provided	06-14-09
PC078	Ryan	Kevin	None provided	06-14-09
PC079	Witwer	Steve	None provided	06-14-09
PC080	Slaughter	Kathy	None provided	06-14-09
PC081	Richardson	Linda	None provided	06-15-09
PC082	Lodato	Mike	None provided	06-01-09
PC083	Downer	Linda	None provided	06-16-09
PC084	Snyder	Catherine	None provided	06-16-09
PC085	Ridao	Cindy	None provided	06-17-09
PC086	Barr	Charles	None provided	06-18-09
PC087	Risely	John	None provided	06-19-09
PC088	Horton	Mary	None provided	06-21-09
PC089	Richardson	Loren & Virginia	None provided	06-24-09
PC090	Flanigan	Leslie	None provided	06-26-09
PC091	Gwinn	Jess	None provided	06-26-09
PC092	Howes	Melanie	None provided	06-29-09
PC093	Heuring	Andy	None provided	06-26-09
PC094	Ritchison	Ric	None provided	06-29-09
PC095	Boyd	William	None provided	06-29-09



Section 2—Final Environmental Impact Statement

Table 1: Commenters on Section 2 DEIS

Comment ID Code	Name, Last	Name, First	Agency/Organization	Date Submitted/Received*
PUBLIC—INDIVIDUALS (continued)				
PC096	Boyd	William	None provided	06-29-09
PC097	Dedman	Joe	None provided	03-19-09
PC098	Boyd	William	None provided	03-19-09
PC099	Melchior	Jeanne	None provided	03-19-09
PC100	Garvey	Brian	None provided	03-19-09
PC101	Combellick-Bidney	Sarah	None provided	03-19-09
PC102	Tokarski	Sandra	None provided	03-19-09
PC103	Smith	Alex	None provided	03-19-09
PC104	Tokarski	Thomas	None provided	03-19-09
PC105	Mittenthal	Suzanne	None provided	03-19-09
PC106	Dillon	Carrie	None provided	03-19-09
PC107	Mitchell	Dan	None provided	03-19-09
PC108	Kendall	Thomas	None provided	03-19-09
PC109	Schell	Judy	None provided	03-19-09
PC110	Clymer	Chris	None provided	03-19-09
PC111	Dickerson	James	None provided	03-19-09
PC112	Miley	Verdayne	None provided	03-19-09
PC113	Riesenbeck	Robert	None provided	03-19-09
PC114	Cook	Tess	None provided	02-06-09
PC115	Cook	Tess	None provided	02-06-09
PC116	Cook	Tess	None provided	01-30-09
POSTCARD COMMENTS				
PCD001	Abel	Robert	None provided	04-25-09
PCD002	Allen	Johna	None provided	04-25-09
PCD003	Alonso	Julio	None provided	05-05-09
PCD004	Anderson	Kelly R.	None provided	05-06-09
PCD005	Anderson	Merry	None provided	04-25-09
PCD006	Andrews	Kevin	None provided	04-25-09
PCD007	Bailey	Bill	None provided	05-07-09
PCD008	Bailey	Moraima A.	None provided	04-25-09
PCD009	Baumgart	Cheryl	None provided	05-18-09
PCD010	Beaver	Deborah	None provided	04-25-09
PCD011	Beaver	Elizabeth	None provided	04-25-09
PCD012	Blackneer	Wayne	None provided	04-25-09
PCD013	Boruff	Bob & Lois	None provided	05-21-09
PCD014	Bracken	Robert	None provided	05-04-09
PCD015	Clark	Dan	None provided	05-18-09
PCD016	Clark	Virginia B.	None provided	05-06-09
PCD017	Crinnigan	Sean	None provided	04-25-09
PCD018	Davis	Dana	None provided	04-25-09
PCD019	Day	Michelle	None provided	04-26-09
PCD020	Deal	Travis	None provided	-
PCD021	Dean, Jr	Albert B.	None provided	05-26-09
PCD022	Deitchley	Amy	None provided	04-25-09
PCD023	Dieterlen	Janet	None provided	04-25-09
PCD024	Dieterlen	Paul	None provided	04-25-09
PCD025	Dobie	Kathleen	None provided	04-25-09



Section 2—Final Environmental Impact Statement

Table 1: Commenters on Section 2 DEIS

Comment ID Code	Name, Last	Name, First	Agency/Organization	Date Submitted/Received*
POSTCARD COMMENTS (continued)				
PCD026	Draper	Levi	None provided	04-25-09
PCD027	Edelstein	Arthur R.	None provided	05-10-09
PCD028	Ellshoff	Denise	None provided	05-08-09
PCD029	Englum	Rita	None provided	04-25-09
PCD030	Englum	Robert	None provided	04-25-09
PCD031	Fite	Kathy	None provided	04-25-09
PCD032	Fitzgerald	Tom	None provided	05-29-09
PCD033	Fortune	Dan	None provided	04-27-09
PCD034	Fulford	Stephanie	None provided	04-25-09
PCD035	Gaston	Angela	None provided	04-25-09
PCD036	Gaston	Paul	None provided	04-24-09
PCD037	Gladden	Vivian	None provided	04-24-09
PCD038	Goddard	Dick & Donna	None provided	06-06-09
PCD039	Goens	Vickie	None provided	04-25-09
PCD040	Greenwood	Marilyn	None provided	05-06-09
PCD041	Grill	Dan	None provided	04-25-09
PCD042	Haley	Charles	None provided	05-06-09
PCD043	Hall	Weir	None provided	05-06-09
PCD044	Harris	Denice	None provided	04-25-09
PCD045	Harris	Mary	None provided	04-25-09
PCD046	Hartenfeld	J.A.	None provided	05-06-09
PCD047	Hayn	Beth	None provided	04-25-09
PCD048	Heitman	Kristen	None provided	04-25-09
PCD049	Henry	Susan	None provided	05-09-09
PCD050	Hoerter	Cheryl	None provided	05-11-09
PCD051	Hopkins	Kelsey	None provided	04-25-09
PCD052	Meredith Hull	Meredith	None provided	05-15-09
PCD053	Jameson	Celeste	None provided	04-25-09
PCD054	Jenkins	Jeri	None provided	04-26-09
PCD055	Johnston	John	None provided	04-25-09
PCD056	Jones	B.	None provided	04-25-09
PCD057	Kadlec	Richard & Marguerite	None provided	05-19-09
PCD058	Kaplan	Brian	None provided	04-25-09
PCD059	Kasey	Not provided	None provided	04-26-09
PCD060	Kautz	Brian	None provided	05-05-09
PCD061	Ketter	Nicole	None provided	04-25-09
PCD062	Killeen	Natalie	None provided	04-25-09
PCD063	Kingsworthy	David	None provided	04-25-09
PCD064	Klumpp	Chelsea	None provided	04-25-09
PCD065	Kraner	Dan	None provided	04-25-09
PCD066	Kheiss	Mary Kay	None provided	04-25-09
PCD067	Lipe	LeAnn	None provided	05-15-09
PCD068	Lipman	Leslie	None provided	04-25-09
PCD069	Lomelin	Federico	None provided	04-25-09
PCD070	Lomelin	Susan	None provided	04-25-09
PCD071	Mack	Dorothy	None provided	05-25-09
PCD072	Mankiewicz	Bill	None provided	04-25-09
PCD073	Marlow	Ashley	None provided	04-25-09



Section 2—Final Environmental Impact Statement

Table 1: Commenters on Section 2 DEIS

Comment ID Code	Name, Last	Name, First	Agency/Organization	Date Submitted/Received*
POSTCARD COMMENTS (continued)				
PCD074	Matthew	Antonia	None provided	05-16-09
PCD075	McCarthy	Andrea	None provided	04-25-09
PCD076	Meils	Melissa	None provided	04-25-09
PCD077	Middendorf	Sally	None provided	04-25-09
PCD078	Miller	William	None provided	05-06-09
PCD079	Moore	Jason	None provided	04-25-09
PCD080	Moore	William	None provided	04-25-09
PCD081	Morgan	Kelsey	None provided	04-25-09
PCD082	Mullens	Misty	None provided	04-25-09
PCD083	Pizzo	Patricia Murphy	None provided	05-05-09
PCD084	Murray	Tim	None provided	04-25-09
PCD085	Najar	David	None provided	04-25-09
PCD086	Naugle	June	None provided	05-13-09
PCD087	Perry	Cassandra	None provided	04-25-09
PCD088	Pfendler	E.D.	None provided	04-25-09
PCD089	Pfendler	Steph	None provided	04-25-09
PCD090	Piens	Greg	None provided	04-26-09
PCD091	Quinn	Carlene and James	None provided	05-07-09
PCD092	Reed	Brenda and John	None provided	05-08-09
PCD093	Rogers	Janel	None provided	05-09-09
PCD094	Rust	Raymond	None provided	05-08-09
PCD095	Ryan	Michael	None provided	04-25-09
PCD096	Sadler	Walter	None provided	05-06-09
PCD097	Sarra	Dr. Edith	None provided	06-08-09
PCD098	Sauer	Ken	None provided	05-11-09
PCD099	Scott	William	None provided	04-25-09
PCD100	Segraves	Ann	None provided	05-05-09
PCD101	Schloss	Alice	None provided	06-01-09
PCD102	Schmitt	Mark	None provided	05-07-09
PCD103	Shroeder	Donald	None provided	05-19-09
PCD104	Shanks	Misty	None provided	04-26-09
PCD105	Smith	Kelly	None provided	05-12-09
PCD106	Smoot	Ryan	None provided	04-25-09
PCD107	Sowers	Brenda	None provided	05-07-09
PCD108	Sprague	Lois	None provided	04-25-09
PCD109	Stanley	Dan	None provided	04-25-09
PCD110	Stout	Tyler	None provided	04-25-09
PCD111	Thompson	Bruce	None provided	04-25-09
PCD112	Thompson	Heather	None provided	04-25-09
PCD113	Tinsley	Lauren	None provided	04-25-09
PCD114	Tyler	Vonda	None provided	04-25-09
PCD115	Unrue	Michelle	None provided	04-25-09
PCD116	Wacker	Julia	None provided	04-25-09
PCD117	Walden	Jane	None provided	04-25-09
PCD118	Weeks	Michael	None provided	04-25-09

**Table 1: Commenters on Section 2 DEIS**

Comment ID Code	Name, Last	Name, First	Agency/Organization	Date Submitted/Received*
POSTCARD COMMENTS (continued)				
PCD119	Whelan	Tracy	None provided	05-05-09
PCD120	Wilmore	Phil	None provided	05-19-09
PCD121	Witwer	Steve	None provided	06-06-09
PCD122	Wyekoff	Heather	None provided	04-25-09
PCD123	Young	Merri	None provided	04-25-09
PCD124	Abram	Dave	None provided	05-06-09
PCD125	Alpert	Annette	None provided	05-15-09
PCD126	Ancelet	Brittany	None provided	05-05-09
PCD127	Anthony	John R.	None provided	05-05-09
PCD128	Armstrong	Marian	None provided	05-06-09
PCD129	Atwood	Christopher and Okcha	None provided	05-09-09
PCD130	Bassett	Susan Hollis	None provided	05-09-09
PCD131	Baumhauer, Jr.	John C.	None provided	05-10-09
PCD132	Behrman	Tammy	None provided	05-07-09
PCD133	Bieder	Maryellen & Robert	None provided	05-05-09
PCD134	Bishop	David and Mariann	None provided	05-06-09
PCD135	Bonchek	Barbara	None provided	05-07-09
PCD136	Brambtell	E-K-	None provided	04-25-09
PCD137	Breeden-Ost	Denise	None provided	05-06-09
PCD138	Brennan	John	None provided	04-25-09
PCD139	Broderick	Jon	None provided	05-06-09
PCD140	Brooks	Nancy Diane	None provided	05-21-09
PCD141	Browning	Janice	None provided	05-08-09
PCD142	Buchner	Clark	None provided	05-06-09
PCD143	Buck	Greg	None provided	04-25-09
PCD144	Burns	Roy and Jackie	None provided	05-05-09
PCD145	Burtch	Patrick	None provided	04-25-09
PCD146	Caldie	Cathy	None provided	05-08-09
PCD147	Carrigan	Missie	None provided	05-13-09
PCD148	Chattin	David	None provided	04-24-09
PCD149	Clevenger	Sarah	None provided	-
PCD150	Collins	Amber	None provided	04-25-09
PCD151	Coulter	Susan	None provided	05-06-09
PCD152	Cox	David	None provided	05-15-09
PCD153	Crouch	Martha	None provided	05-14-09
PCD154	Cummings and Frushour	Patricia and Sam	None provided	05-07-09
PCD155	Curry	Summer	None provided	04-25-09
PCD156	Daniel	Roger	None provided	05-23-09
PCD157	Davis	Doug and Susan	None provided	05-06-09
PCD158	de Hebreard	Mary Faye	None provided	04-25-09
PCD159	Desai	Ashok	None provided	05-09-09
PCD160	Dickinson	Nancy	None provided	04-29-09
PCD161	Dodrill	David	None provided	05-05-09

**Table 1: Commenters on Section 2 DEIS**

Comment ID Code	Name, Last	Name, First	Agency/Organization	Date Submitted/Received*
POSTCARD COMMENTS (continued)				
PCD162	Dornick	Gordon	None provided	05-28-09
PCD163	Dunfee	Mary Ann	None provided	05-05-09
PCD164	Durkin	Andrew	None provided	05-06-09
PCD165	Earley	Eve	None provided	06-03-09
PCD166	Farris	Julie	None provided	05-05-09
PCD167	Feitler	M-A-	None provided	05-08-09
PCD168	Flickinger	James and Peggy	None provided	05-08-09
PCD169	Flynn	Tom	None provided	05-18-09
PCD170	Foote	Gregory	None provided	05-07-09
PCD171	Hughes	Ann M- Foster	None provided	05-07-09
PCD172	Fraker	Nancy	None provided	04-25-09
PCD173	Fraker	Anne	None provided	05-06-09
PCD174	Frank	Indra	None provided	05-05-09
PCD175	Frey	Sarah Elizabeth	None provided	05-06-09
PCD176	Fulk	Robert	None provided	05-05-09
PCD177	Furst	Laura	None provided	04-25-09
PCD178	Gaene	Katherine	None provided	04-25-09
PCD179	Gardner	Kathy	None provided	05-05-09
PCD180	Gianikos	Constantine	None provided	05-09-09
PCD181	Girard	Mary G.	None provided	05-05-09
PCD182	Glass	Sarah	None provided	04-27-09
PCD183	Glass	Thomas	None provided	04-27-09
PCD184	Glastras	Tom	None provided	05-11-09
PCD185	Greene	Linda	None provided	05-06-09
PCD186	Greven	Nick	None provided	04-27-09
PCD187	Griffin	Jacqueline	None provided	05-14-09
PCD188	Gros	Jeri	None provided	04-25-09
PCD189	Gross	Rick	None provided	04-25-09
PCD190	Gruber	Sherri	None provided	04-25-09
PCD191	Quinn	Joe	None provided	-
PCD192	Hagglund	Leif	None provided	05-14-09
PCD193	Hamilton	Joanne	None provided	04-27-09
PCD194	Hartsman	Jeffrey	None provided	05-06-09
PCD195	Hedlund	Ronald	None provided	05-05-09
PCD196	Henderson	Jane	None provided	05-11-09
PCD197	Hendrickson	Brian	None provided	05-06-09
PCD198	Henline	Dan & Shawn	None provided	05-05-09
PCD199	Hollifield	Betty	None provided	05-11-09
PCD200	Hollis	Janet	None provided	06-02-09
PCD201			Hoosier Hikers Council	05-07-09
PCD202	Horning	Judson	None provided	05-05-09
PCD203	Howard	Mary	None provided	05-08-09
PCD204	Hubbard	Debbie	None provided	06-15-09
PCD205	Hughes	M- Joan	None provided	05-06-09
PCD206	Jackson	Jennifer	None provided	04-25-09
PCD207	Jochim	Tom	None provided	05-11-09
PCD208	Jones	Beatrice	None provided	05-06-09

**Table 1: Commenters on Section 2 DEIS**

Comment ID Code	Name, Last	Name, First	Agency/Organization	Date Submitted/Received*
POSTCARD COMMENTS (continued)				
PCD209	Joy	Oliver & Holly	None provided	05-07-09
PCD210	Kahlo	Clarke	None provided	05-20-09
PCD211	Kane	Stephanie	None provided	05-09-09
PCD212	Keith	Steven	None provided	05-22-09
PCD213	Kienitz	Pam & Bryan	None provided	05-16-09
PCD214	Kline	Phillip	None provided	05-22-09
PCD215	Knapczyk	Dennis & Susan	None provided	05-08-09
PCD216	Kramer	David & Elizabeth	None provided	05-07-09
PCD217	Kuhn	Lisa	None provided	04-25-09
PCD218	Lakey	Joyce	None provided	05-07-09
PCD219	Larner	James	None provided	04-25-09
PCD220	Leimkuhler	Jeanne	None provided	05-28-09
PCD221	Leisz	Jeff & Heidi	None provided	05-05-09
PCD222	Lichtenberg	Don	None provided	05-06-09
PCD223	Maag	John Anthony	None provided	04-27-09
PCD224	MacDougall	Eric	None provided	04-25-09
PCD225	MacDougall	Jonna	None provided	04-25-09
PCD226	Matheu	Christine	None provided	05-11-09
PCD227	May	Leah Helen	None provided	05-08-09
PCD228	McKenney	Cookie	None provided	04-25-09
PCD229	McMurray	Carol Pander	None provided	04-25-09
PCD230	Melchior	Julie	None provided	06-08-09
PCD231	Miller	Ashley	None provided	04-25-09
PCD232	Miller	Jeffrey	None provided	05-18-09
PCD233	Mittenthal	Suzanne	None provided	05-09-09
PCD234	Moeller	Cheryl & David	None provided	05-05-09
PCD235	Moore	Beverly	None provided	05-06-09
PCD236	Montgomery	Janet & Homer	None provided	05-06-09
PCD237	Mudge	Suzanne	None provided	05-08-09
PCD238	Munson	Patrick	None provided	06-01-09
PCD239	Najar	Elizabeth	None provided	04-25-09
PCD240	Newby	Thomas	None provided	05-11-09
PCD241	Neyhouse	Otto	None provided	05-11-09
PCD242	Noe	Nicholas	None provided	05-21-09
PCD243	Ormes	Wayne	None provided	05-06-09
PCD244	Parry	Jane	None provided	05-05-09
PCD245	Pelton	Mr- & Mrs- John	None provided	05-08-09
PCD246	Pengilly	Parker	None provided	05-12-09
PCD247	Pennell	James	None provided	04-25-09
PCD248	Pennington	James	None provided	05-06-09
PCD249	Petty	Frank	None provided	05-09-09
PCD250	Plant	Jim	None provided	04-25-09



Section 2—Final Environmental Impact Statement

Table 1: Commenters on Section 2 DEIS

Comment ID Code	Name, Last	Name, First	Agency/Organization	Date Submitted/Received*
POSTCARD COMMENTS (continued)				
PCD251	Polsgroue	Carol	None provided	05-21-09
PCD252	Powell	Patricia	None provided	05-08-09
PCD253	Raddatz	Debra	None provided	05-06-09
PCD254	Rees	Anna	None provided	04-25-09
PCD255	Reichel	Sylvia	None provided	04-25-09
PCD256	Reinhold	Marietta	None provided	05-07-09
PCD257	Rice	Jim & Carol	None provided	05-08-09
PCD258	Richmond	Lu	None provided	05-20-09
PCD259	Ries	Veronica	None provided	06-02-09
PCD260	Ruff	Jerard	None provided	05-05-09
PCD261	Rushworth	Jill	None provided	04-25-09
PCD262	Ryterband	Sarah	None provided	06-03-09
PCD263	Sammis	Susan	None provided	06-06-09
PCD264	Sanders	Michael	None provided	04-25-09
PCD265	Saylor	Jack	None provided	-
PCD266	Schmitt	Paul	None provided	05-06-09
PCD267	Silberstein	Jim	None provided	05-05-09
PCD268	Sirucek	Lorraine	None provided	05-20-09
PCD269	Smith	Carole	None provided	05-14-09
PCD270	Stambaugh	John	None provided	-
PCD271	Stephan	Ric	None provided	05-11-09
PCD272	Stilley	David	None provided	04-25-09
PCD273	Storms	Sharon	None provided	04-25-09
PCD274	Suthard	Stephen	None provided	05-05-09
PCD275	Tala	Sura Gail	None provided	05-06-09
PCD276	Thom	James	None provided	05-06-09
PCD277	Thompson	Jinny	None provided	05-08-09
PCD278	Tirmenstein	Berniece	None provided	05-04-09
PCD279	Tungate	Rickey	None provided	05-05-09
PCD280	Usrey	Terry	None provided	05-12-09
PCD281	Vermillion	Mark	None provided	05-08-09
PCD282	Vertrees	Shawna	None provided	04-23-09
PCD283	Vondersaar	Janet	None provided	04-25-09
PCD284	Weatherwax	Nell	None provided	05-06-09
PCD285	Whaley	Jacquiline	None provided	05-11-09
PCD286	Wickliff Jr	David Lee	None provided	-
PCD287	Wilson	Lisa	None provided	04-25-09
PCD288	Wisniewski	Phil and Karen	None provided	05-06-09
PCD289	Wrubel	Natalie	None provided	-
PCD290	Yeager	Charles	None provided	05-07-09
PCD291	Zimmerman	Phyllis	None provided	04-25-09
PCD292	Anonymous		None provided	-

* In cases where comments were not dated, the date the comment was received is used as the date reference-



FEDERAL AGENCIES (AF)

AF01 **Willie R. Taylor** **U.S. Department of Interior** **06/15/09**
Office of Environmental
Policy and Compliance

AF01-1

Comment: As requested, the Department of the Interior (Department) reviewed the Revised Tier 2 Draft Environmental Impact Statement (EIS) for Interstate Highway 69 (I-69) Evansville to Indianapolis Project, Section 2, from Oakland City to Washington (State Route 64 to U.S. Highway 50), Gibson, Pike, and Daviess Counties, Indiana. The Department offers the following comments and recommendations for your consideration.

The proposed action impacts properties eligible to be considered under Section 4(f) of the Department of Transportation Act of 1966 (48 U.S.C. 1653(f)). The properties include a wildlife refuge (the Patoka River National Wildlife Refuge), four historic properties (including a historic district) eligible for inclusion in the National Register of Historic Places, and several archeological sites in the project area. The Federal Highway Administration (FHWA) and the Indiana Department of Transportation (InDOT) determined that when refuge lands were acquired at the time the refuge was created, the acquisition process took into account eventual development of the I-69 Corridor. The current project does not constitute a use of these lands.

The Department agrees with both determinations of no Section 4(f) use.

Response: Comment noted.

AF01-2

Comment: In addition, it appears that none of the archeological sites will be eligible as Section 4(f) lands. However, a final determination on all archeological sites is pending until intensive inventories are complete.

Response: Comment noted.

AF01-3

Comment: The FHWA and the InDOT determined that there will be no effect to two of the historic properties (Thomas C. Singleton Round Barn and Chapman-Allison Farmstead), and a no adverse effect to a third (State Route 257 bridge over Veale Creek). Therefore, there will be no use of these properties and the Department agrees with this determination.

Response: Comment noted.

AF01-4

Comment: The FHWA and the InDOT determined that there will be an adverse effect to the remaining historic property (Patoka River Bridges Historic District), but that the visual and auditory impacts to the property do not constitute a substantial impairment and do not

**Section 2—Final Environmental Impact Statement**

constitute a constructive use of the property by the project. Those impacts are caused by encroachment of the I-69 Corridor close to, but not on or within the historic district. Considerable sound modeling was done to establish the level of impact from highway noise, and there are screening methods that can be used to lessen the visual impacts. The Department finds that the FWA has documented analysis of the proximity impacts and included a statement concerning no substantial impairment. While the Department would tend to agree with the determination of no substantial impairment, it also notes that this should be done in consultation with the State Historic Preservation Office (SHPO), and at this time, we are unaware if the SHPO has agreed with that determination. While we believe that concurrence is likely, until the SHPO concurs, the Department will not concur with the determination of no Section 4(f) use. We expect to see concurrence from the SHPO in the final EIS.

Response: In a letter dated June 26, 2009, the State Historic Preservation Officer (SHPO) wrote that —weagree with the conclusions in the DEIS regarding the identification of historic resources (aboveground properties) within the Section 2 study area that are eligible for inclusion in the National Register of Historic places and with the conclusions regarding the impacts that this project will have on those historic resources.” The referenced letter is included in Appendix F in Volume II of the FEIS, and in Volume III, Part B.

AF01-5

Comment: The Preferred Alternative for the I-69 alignment in section 2 demonstrates a reasonable effort to avoid impacts to natural resources, including habitat fragmentation. The U.S. Fish and Wildlife Service (FWS) is in favor of INDOT's commitment to bridge the entire floodplain of the Patoka River near the Patoka River National Wildlife Refuge, as well as the floodplain at Flat Creek. The FWS also strongly supports the proposed development of wildlife crossings at the Patoka River, Flat Creek, east Fork White River, the tributary to Jackson Pond, Prides Creek, Mud Creek, Veale Creek, and elsewhere.

Response: INDOT maintains its commitment to bridge the entire floodplains of the Patoka River and Flat Creek, and will continue efforts to incorporate suitable wildlife crossings at the other locations.

AF01-6

Comment: As the FWS has previously requested, the alternative alignments should be provided on U.S. Geological Survey topographical maps so the topography and slope of the terrain being crossed can be clearly ascertained. Being able to visualize existing topography would greatly help reviewers understand how much cut and fill might occur and identify areas more susceptible to erosion.

Response: As requested, exhibits showing the alternative alignments on USGS topographic mapping have been included in the FEIS as a series of Figures at the conclusion of Chapter 3.

AF01-7

Comment: While the draft EIS does mention in a few places that bridge runoff will be collected and channeled towards the end of the bridge (e.g., at the Patoka River crossing), the overall strategy of how deck runoff would be managed and incorporated into bridge designs for

**Section 2—Final Environmental Impact Statement**

section 2, particularly for those bridges within the four Indiana bat maternity colony areas, should be compiled into one discussion. In addition, a discussion of any bridge features being considered for spill containment/filtration once the road is in use (such as those developed for the crossing of Pigeon Creek in section 1) should be included. Section 7.3.14 may be an appropriate location for this discussion, as well as the section related to drainage control.

Response: Based on consultation with USFWS, it is anticipated that all perennial stream crossings within the Indiana bat maternity colony areas will include special highway stormwater management measures similar to those incorporated at the Pigeon Creek crossing in Section 1. This will be incorporated into the Tier 2 Biological Assessment as well as Chapter 7 of the FEIS.

AF01-8

Comment: The FWS does not agree with the statement that no indirect impacts to streams will occur due to the implementation of this project (page 5-423). Secondary development along and near streams will alter the surrounding physical landscape by increasing impervious surfaces, reducing vegetation, and reducing water infiltration. While Best Management Practices are useful in reducing the impacts from development on surrounding habitat, they will not eliminate them. In particular, increased use of herbicides, pesticides, fertilizers, and other materials associated with residential and commercial developments is likely to occur (Morse and Kahl 2003, Schmitt and Peckenham 2002) and could negatively impact stream water quality. On page 5-435, the draft EIS states that "There is a possibility that future development in the vicinity of the road could cause runoff problems that could affect streams in the area."

Response: The FWS comments that it does "not agree" with the statement in the DEIS that "no indirect impact to streams will occur due the implementation of I-69 (page 5-423)." Upon reviewing FWS' comment we have determined that the assertion of "no indirect impacts to streams" was not technically correct. The statement has been modified in the FEIS to reflect the more correct statement that, while there will inevitably be some indirect impact to streams, any such indirect impact will be insignificant. That such indirect impacts will be insignificant is supported by the document cited by FWS in its comment. The FWS referenced a publication entitled Measuring the Impact of Development on Maine Surface Waters (Morse, Chandler and S. Kahl. 2003). This publication discusses the threshold of land disturbance above which ecological damage to surface waters occurs. In particular, the publication states (pages 2-4):

[t]he percentage of the total impervious area (PTIA), or the amount of the watershed covered by surfaces preventing water infiltration, has been found to be predictive of the amount of stress and degradation to the stream (p.4). Studies from many places in the US have identified a threshold for development at about 10% (PTIA) of the watershed area, above which surface waters become degraded (p.2). Watershed imperviousness (caused by pavement, gravel, roads, sidewalks, driveways and roofs which prevent water from soaking into the soil) was found to be a good predictor of the level of degradation of the overall stream condition (p. 2).



Section 2—Final Environmental Impact Statement

While this publication studied the PTIA thresholds in Maine and the impervious threshold of degradation can be somewhat variable across the nation, our analysis of the PTIA (using the methodology used in the publication) within the Section 2 project area establishes that direct and/or indirect impacts from the Section 2 project will not result in a high level (over 10%) of impervious surfaces within any of the watersheds impacted.

We conducted an analysis of the 18 watersheds crossed by Section 2 and calculated both high and low range estimates of PTIA for them based on the USGS National Land Cover Database (NLCD), this data is a subset of the Multi-Resolution Land Characteristics (MRLC) Consortium NLCD. The high and low estimates were based on the ranges that separated the development into different classes. These classes were defined by the NLCD 2001 Land Cover Class Definitions as follows: high development 80-100% impervious surfaces, medium development 50-79% impervious surfaces, low development 20-49% impervious surfaces, and open-development less than 20% impervious surfaces. These are the ranges used in our analysis for percent impervious, however for open-development 20% impervious was used for the high calculation and 10% (rather than 0.1%) was used for the low. The analysis was done by calculating the PTIA for each watershed using the above data. We included both induced growth as well as no build growth into our analysis by using 25-50% impervious surfaces as our range. The direct impact, being the estimated I-69 pavement in each watershed, was also factored in each total. Our analysis indicates that the high estimates range from 0.7% to 7.8% while the low estimates range from 0.4% to 4.2%. The White River – Hawkins Creek watershed, which includes the city of Washington, has a high range of approximately 7.8% PTIA. This is still below the generally accepted PTIA threshold of 10%.

We agree with the referenced publication: Source Water Protection: Linking Surface Water Quality to the Watershed (Schmitt and Peckenham 2002), that residential, commercial and highway development does indeed “impact” associated surface waters. However, it is our conclusion that the direct and/or indirect impacts to streams resulting from the Section 2 project will not result in a significant degradation to surface waters based on our analysis of the PTIA threshold.

AF01-9

Comment: In addition, indirect and chronic affects may occur over time with respect to pollutants from highway runoff. Although the draft EIS indicates "...the pollutant concentrations due to runoff from the highway are below the applicable EPA criteria," only three of the ten highway runoff constituents in Table 5.19-2 (Table 5.24-3 from the Tier 1 final EIS) have U.S. Environmental Protection Agency (EPA) criteria (copper, lead, and zinc). While the EPA may not have specific criteria established for other roadway constituents, these pollutants (such as suspended solids, total organic carbon, nitrates/nitrites, and others not mentioned) will likely find their way into the surrounding water bodies and may adversely impact a variety of fish and wildlife species. The detailed discussion on page 5-334 pertaining to deicing chemicals and their impact on the aquatic environment further underscores the potential for impact from roadway runoff, particularly once the highway is in operation.

Response: The use of best management practices will help prevent contaminated runoff from entering watershed in the project area. Please see discussion under Drainage Control in Sections 5.19.2.4, *Mitigation (Surface Waters)* and 5.19.3.4, *Mitigation (Groundwater)*.

**Section 2—Final Environmental Impact Statement**

See also discussion of INDOT Standard Operating Procedures for use of deicing chemicals in Appendix R.

AF01-10

Comment: The draft EIS indicates on page 5-42 that the Expert Land Use panel does not foresee any induced growth near the South Daviess County interchange because of a lack of plans to extend public utilities to that "more-remote" area. Please expand the discussion, if possible, on why future development near that interchange is not anticipated. It seems plausible that, once an interchange is situated in that location, requests to extend public services will be made. There are quite a few homes in that area already and, according to the draft EIS (page 4-20), a Super Wal-Mart store is less than 3 miles away. The draft EIS (page 3-26) also mentions a potential new residential development in that area, although it is unclear which side of the proposed interstate that development may be located.

Response: Beyond the two-mile fringe of the City of Washington where land use controls are exercised, the proposed South Daviess interchange is 2.5 miles from the intersection of SR 57 at US 50, which is the extent of urbanized development and the limit of sanitary sewer service from the City of Washington. In contrast, the proposed SR 61 interchange at Petersburg and the proposed US 50 interchange east of Washington are within one mile of urbanized development and sanitary sewer service, and both jurisdictions are examining the feasibility of extending sanitary sewers and waterlines to their respective I-69 interchanges. The proposed South Daviess interchange is located in the Veale Creek drainage basin; whereas, the Washington wastewater treatment plant is located in the Hawkins Creek drainage basin. Thus, the provision of sanitary sewer service to the proposed South Daviess interchange area will require the construction of a force main of over 2.5 miles or a new sewage treatment plant. For the year 2030, the forecast daily traffic volumes are 2,948 vehicles per day for all ramps at the South Daviess interchange with through traffic of 24 vehicles per day on relocated Daviess County Road 375 South, 4,795 vehicles per day for all ramps at the SR 61 interchange with through traffic of 2,647 vehicles per day on SR 61, and 8,373 vehicles per day for all ramps at the US 50 interchange with through traffic of 10,312 vehicles per day on US 50. The proposed South Daviess interchange is also 1.2 miles southeast of the intersection of SR 57 with Daviess County Road 300 South. In addition to the lack of utilities, the proposed South Daviess interchange area has a number of environmental constraints to urban development including steep slopes of 10% to 20%, forested areas, wetlands along Veale Creek, and soils with very limited ratings for on-site septic tank absorption fields. The proposed South Daviess interchange lies in Veale Creek Township which experienced a growth of only 107 housing units in the last decade and is forecasted to gain another 116 housing units between the years 2000 and 2030. Because adjacent interchanges on I-69 at SR 61 and US 50 are much closer to urban places with existing commercial uses and have far higher interchange ramp volumes and crossroad through traffic volumes, the proposed South Daviess interchange is not competitive with adjacent interchanges in attracting highway-oriented retail development. Further, the interchange area is undesirable for residential, other commercial and industrial uses due to the distance to sanitary sewer service in another drainage basin and due to environmental constraints to urban development. Finally, the draft Daviess County Land Use Plan of April 2009 shows no future development within one mile of the proposed South Daviess interchange, and envisions the possibility in the distant future of only limited highway-oriented retail

**Section 2—Final Environmental Impact Statement**

development outside the I-69 Corridor at the intersection of SR 57 with Daviess County Road 300 South and the interchange Connector (relocated Daviess County Road 375 South) when the interchange is built.

AF01-11

Comment: The FWS concerns regarding project impacts to the federally endangered Indiana bat (*Myotis sodalis*) and the formerly listed bald eagle (*Haliaeetus leucocephalus*) have been addressed in a Revised Tier 1 Biological Opinion (BO) for this project, dated August 26, 2006. Section 2-specific impacts to these two species will be detailed in a Tier 2 Biological Assessment (BA) being prepared by the FHWA and the InDOT, which the FWS's Bloomington Field Office in Indiana will review before the section 2 final EIS is completed. If impacts detailed in the Tier 2 BA are consistent with those analyzed in the Revised Tier 1 BO, the FWS will issue a separate Tier 2 BO and Incidental Take Statement for section 2 of the I-69 project and thereby complete consultation requirements required by Section 7 of the Endangered Species Act (as amended). The FWS is aware of four Indiana bat maternity colonies in the section 2 project area. The FWS is also aware of one eagle nest in the vicinity of the project corridor. The nest is over 1-1/2 miles from the corridor, and no impacts are expected.

Response: Consultation with FWS regarding the Section 1 Tier 2 BA resulted in the agency's decision not to append the BA to the revised Tier 1 BO. Instead, FWS has stated that it anticipates providing —a individual Tier 2 BO for each of the six Tier 2 Sections for which we conclude will be likely to adversely affect the Indiana bat...and/or bald eagle....The Tier 2 BO for a Section will be a stand-alone document that —tiers” back to the 2006 Revised Programmatic BO, rather than being physically appended to it.” (See letter dated May 18, 2007, in FEIS Appendix B). INDOT submitted a Tier 2 Section 2 BA to FWS on November 25, 2009. Following its review of the document, FWS issued its Tier 2 BO for Section 2 on February 17, 2010 (see Appendix Y in Volume II of the FEIS).

Please note regarding the commenter's reference to August 26, 2006, the date of the revised Tier 1 BO was August 24, 2006.

AF01-12

Comment: Although the bald eagle was removed from the list of threatened and endangered species in July 2007, it is still protected under the Bald and Golden Eagle Protection Act (Eagle Act). On May 20, 2008, the FWS issued regulations that created a new permit category to provide Eagle Act permits to entities previously authorized to take bald eagles through section 7 Incidental Take Statements. The FHWA and the InDOT have indicated they will comply with all permit requirements previously established for the bald eagle for this project through Section 7 consultation.

Response: See the response to Comment AF01-11, above. INDOT will comply with all terms of the bald eagle permit issued by FWS on June 25, 2009. It addresses bald eagle takes accordance with the provisions of this Revised Tier 1 BO and section 7 incidental take statement.



AF01-13

Comment: Finally, the FWS recommends that a vehicle for funding the long-term management (i.e., invasive species control, levee/berm repair, etc.) of mitigation sites be established. This will help ensure the continued viability of these sites beyond the initial 5- to 10-year monitoring period.

Response: There is a commitment in the I-69 Sections 2 and 3 Umbrella Mitigation Bank Final Instrument that addresses the Long-Term Management funding for the mitigation sites which will be reviewed for approval by the US Army Corps of Engineers. This will address all long term maintenance of mitigation land in Section 3.

AF01-14

Comment: Page S-22: The sentence ending" ... refinements are being made in each of the Tier 1 EISs" should say "Tier 2 EISs."

Response: This has been corrected in the FEIS.

AF01-15

Comment: Page 3-26, last paragraph: Please expand on the discussion on the reason the South Daviess County interchange location was modified and moved north, closer to Veale Creek. If possible, please indicate where the new residential development is to be located and state the differences in environmental impacts between the two locations.

Response: The new residential development was located at approximately the intersection of proposed I-69 and CR 50W. Originally, the interchange was located on CR 50W, but after comments regarding the location of the residential development was received during the Public Information Meeting on August 9, 2005, the project team decided to move the interchange further north. The environmental impact differences among interchange configurations at this location are show in Table 6-7.

AF01-16

Comment: Page 3-28, second paragraph: The figure regarding impacts to Antioch Christian Church is mislabeled. It should be Figure 5.2-3 on page 5-34.

Response: This has been corrected in the FEIS.

AF01-17

Comment: Page 4-59: Figure 4.3-1 is on page 4-66, not 4-67.

Response: This has been corrected in the FEIS.



AF01-18

Comment: Page 4-63: Figure 4.3-3 is on page 4-68, not 4-69.

Response: This has been corrected in the FEIS.

AF01-19

Comment: Page 4-87, first paragraph, last sentence: Please include the word “recovery.”

Response: This has been added in the FEIS.

AF01-20

Comment: Page 5-65: Figures 5.3-1 e and 5.3-8e do not show the preferred folded diamond interchange configuration for the interchange in subsection 7.

Response: The figure is correct as shown. The folded diamond is shown on Alternative B, with a full diamond shown for Alternative A. The analysis in Chapter 6 evaluates both interchange configurations for both alternatives. The exhibits only one interchange type per alternative for clarity. Section 3.2.2.3, Preliminary Alternatives explains the interchange configurations that were carried forward for impact analysis in Chapter 5 under the subheading *Interchanges Carried Forward for Detailed Study*.

AF01-21

Comment: Page 5-186: The draft EIS mentions the potential for impacts to the copperbelly watersnake. If any specific mitigation or avoidance measures are being considered for this species, please include them.

Response: The overall practice of minimizing impacts to natural habitat, as well as the significant mitigation to add significant amounts of aquatic habitat, will benefit the copperbelly watersnake. Because of this species’ large forage areas and wide-ranging habits, there is no specific mitigation measures proposed targeting this species.

AF01-22

Comment: Page 5-239: At the end of the first paragraph, please include the name of the specific Indiana bat colony being referred to (Veale Creek Colony).

Response: This was added in the FEIS.

AF01-23

Comment: Page 5-248: The fourth paragraph states that five of the bat species caught during the mist-netting survey are listed as State Special Concern; however, only four are actually listed.

Response: The comment is correct. The sentence should read —None of these bats is listed as federally threatened or endangered; however one is listed as State Endangered and four



are listed as State Special Concern.” The four State Special Concern species that were captured during the mist netting were the eastern pipistrelle, the eastern red bat, the little brown bat, and the northern myotis. The text has been revised in the FEIS.

AF01-24

Comment: Page 5-249, third paragraph: Other tree species used for Indiana bat roosts include the shell bark hickory (*Carya laciniosa*), white ash (*Fraxinus americana*), and black locust (*Robinia pseudoacacia*).

Response: Text has been revised to list additional roosting trees used by Indiana bats.

AF01-25

Comment: Page 5-273: Please amend the Water Quality Section (7) of the Context Sensitive Solutions for the Indiana bat to include a Herbicide Use Plan for areas within the four Indiana bat maternity colony areas.

Response: A herbicide use plan will be developed in these areas in coordination with the FWS

AF01-26

Comment: Page 5-274: The third paragraph states that tree plantings will be monitored for 5 years. This should be changed to 10 years for this section and elsewhere as appropriate.

Response: As stated in the I-69 Sections 2 and 3 Umbrella Mitigation Bank agreement, the mitigation sites, including the tree plantings, will be monitored for a minimum of 10 years and may require future monitoring if determined necessary by the US Army Corps of Engineers. This text has been modified accordingly.

AF01-27

Comment: Page 5-312, fourth paragraph: Figure 5.19-1 is on page 5-344, not 5-345.

Response: This comment refers to the original DEIS, dated January 2009. Pagination is corrected in the FEIS.

AF01-28

Comment: Page 5-334 and Table 5.19-12: It is not overly obvious which EPA criteria are being referred to; please specify the specific criteria being used either in the table or text (or both). The criteria are also referenced on page 5-419.

Response: The EPA criteria referenced are acute threshold values developed for the protection of freshwater aquatic life. The text will be revised to clarify the criteria referenced.

AF01-29

Comment: Page 5-349, fourth paragraph, third sentence: "Table 5.20-2" should be "Table 5.20-3."

Response: This has been corrected in the FEIS.



AF01-30

Comment: Page 5-352, Table 5.20-3: It is not readily apparent what is meant by "Edge," "Fragment," and "Total" in the "Type Impact" column.

Response: Text has been added to the footer of this table to explain these terms.

AF01-31

Comment: Page 5-355, second paragraph: The text indicates that five forest tracts with core forest will be impacted by the preferred alternative; however, six tracts are actually listed in the text and Table 5.20-4. Please clarify.

Response: Six core forest tracts was correct in the DEIS. Core forest impacts have been revised in the FEIS. See Section 5.20.3 of the FEIS.

AF01-32

Comment: Page 5-355: It would be helpful if the subsection number was mentioned in the text or in Table 5.20-4, as well as added to Figures 5.20-4 through 5.20-9 so these core forest areas could be more easily found.

Response: The appropriate subsection numbers have been added to each core forest tract in revised table 5.20-4 in the FEIS.

AF01-33

Comment: Page 5-359: There is a typographical error - the reference to page "5.24-8" is not a correct page number format.

Response: This has been corrected in the FEIS.

AF01-34

Comment: Page 5-359, Mitigation Section: While the INDOT did initially volunteer to do the upland mitigation, that commitment is now a requirement of their Section 7 (Endangered Species Act) Incidental Take Permit.

Response: The level of upland forest mitigation committed to by INDOT in Tier 1 was beyond that required under law or regulation. INDOT and FHWA offered this level of mitigation as environmental stewardship to assure adequate habitat for the Indiana bat as well as many other species. The implementation of this mitigation effort is now required under the Terms and Conditions of the I-69 Revised Tier 1 Biological Opinion issued by FWS under the authority of Section 7 of the ESA. The text has been clarified on this point.

AF01-35

Comment: Page 5-419, last paragraph: —~~able~~ 5.19-13” should be —~~Tabl~~ 5.19-12”.

Response: This has been corrected in the FEIS.



AF01-36

Comment: Page 5-419: Please clarify why highway surface water runoff is considered a direct affect for wetlands but discussed under indirect affects for streams.

Response: Discussion of surface water runoff for wetlands has been moved to the indirect section to match what was written for streams. Surface water runoff during construction includes impacts from erosion during construction, which is controlled by INDOT *Standard Specifications and Special Provisions*, while runoff from highway traffic includes impacts from de-icing chemicals and automobile traffic. Best Management Practices will be used to prevent non-point source pollution, to control surface water runoff, and to minimize sediment damage to water quality and aquatic habitats.

AF01-37

Comment: Page 5-423: There is a typographical error - "South Fork of the White River" should be either the "East Fork of the White River" or the "South Fork of the Patoka River."

Response: The statement should have referred to the —~~Est~~ Fork of the White River". This has been corrected in the FEIS. See Section 7.3.12.

AF01-38

Comment: Page 5-424, third paragraph: Please indicate what benchmark was used to determine "significant impacts" and further cumulative analysis with respect to streams. Any additional degradation and alteration of this already adversely impacted resource is undesirable.

Response: The statement should have read —~~Be~~cause there are no significant indirect impacts associated with the other resources addressed in this analysis (wetlands, forests, and streams)...” The rationale for this statement is presented in pp 5-417 to 5-423. The statement has been revised in the FEIS.

AF01-39

Comment: Page 6-20, paragraphs three and four: The page references for Figure 6-11 are incorrect.

Response: This has been corrected in the FEIS.

AF01-40

Comment: Page 7-18, item number 13: Bridges should be checked to determine their use as roosts (not just night roosts).

Response: The conservation measure regarding Indiana bat surveys at bridges in the Tier 1 Revised Biological Opinion includes the following requirements: —~~The~~ undersides of existing bridges that must be removed for construction of I-69 will be visually surveyed and/or netted to determine their use as night roosts by Indiana bats during the summer.” However, surveys were actually completed on 259 bridges in the Summer Action Area, including bridges that would not be removed or impacted by the project. Of the surveyed



bridges, one bridge was identified to be both a day and night roost for multiple bat species, including the Indiana bat. There will be no impact to this bridge as a part of this project. However, additional evaluation of the use of this bridge as a roost has been documented in consultation with FWS, and no additional bridge surveys are expected as a part of the Section 2 project.

AF01-41

Comment: Page 7-18, item number 14: The context of using the Wetland Memorandum of Understanding during construction activities should be broader in this section. It is used not only to minimize impacts to the Indiana bat, but to minimize impacts to overall wetland habitat.

Response: This text has been expanded to document broader benefits from minimizing wetland impacts.

AF01-42

Comment: Page 7-28: Any stream relocation within a previously identified Indiana bat maternity colony area should also be coordinated with the FWS.

Response: Reasonable efforts will be made to avoid stream relocations. Any stream relocations required within an Indiana bat maternity colony area in Section 2 will be completed with a natural stream channel design. FWS will be included in the coordination regarding the relocation during the permitting process to assure that any concerns relative to the Indiana bat are addressed as part of the stream relocation..

AF01-43

Comment: Page 7-34: The FWS recommends developing a Herbicide Use Plan for areas with streams within the four maternity colony areas. Also consider a low spray zone within these same areas.

Response: A herbicide use plan will be developed in these areas in coordination with the FWS. The establishment of any low-spray zones will occur as part of establishing a herbicide use plan.

AF01-44

Comment: Permits under Section 404 of the Clean Water Act will be needed for the proposed project. Our recommendations to the U.S. Army Corps of Engineers for permit conditions would be consistent with our comments here.

Response: The need for permits under Section 404 of the Clean Water Act is recognized, and is discussed in Section 5.23, *Permits*, in the FEIS.



AF01-45

Comment: The Department has a continuing interest in working with the FHWA and the InDOT to ensure impacts to resources of concern to the Department are adequately addressed. For consultation and coordination with the issues concerning Section 4(f) resources, please contact Regional Environmental Coordinator Nick Chevance, Midwest Regional Office, National Park Service, 601 Riverfront Drive, Omaha, Nebraska 68102-4226; telephone 402-661-1844. For matters related to fish and wildlife resources and federally listed threatened and endangered species, please continue to coordinate with field supervisor Scott Pruitt or project biologist Robin McWilliams Munson, U.S. Fish and Wildlife Service, 620 South Walker Street, Bloomington, Indiana 47403-2121; telephone 812-334-4261.

Response: Coordination with identified Department personnel will continue through the permitting stage in Section 2, and through remaining stages of the project in other Tier 2 sections.

AF02 **Kenneth A. Westlake** **U. S. Environmental Protection Agency – Region 5** **06/29/09**

AF02-1

Comment: The U.S. Environmental Protection Agency Region 5 (EPA) reviewed the Federal Highway Administration's (FHWA) 1-69 Tier 2 Section 2 Draft Environmental Impact Statement (DEIS), pursuant to Section 1 02(2)(C) of the National Environmental Policy Act (NEPA), and Section 309 of the Clean Air Act. The purpose of this letter and enclosure is to provide you with the results of our EPA review.

EPA rates the DEIS preferred alternative as LO, Lack of Objections. An explanation of our rating system can be found in the enclosure entitled. "Summary of Rating Definitions and Follow-Up Actions:" The DEIS is informative and reflects FHWA and the Indiana Department of Transportation (INDOT) efforts to avoid and minimize impacts to resources of concern in developing the Section 2 DEIS alternatives and identifying the DEIS preferred alternative.

Response: USEPA submitted additional comments regarding impacts/mitigation and related issues. Please see the following Responses to Comments.

AF02-2

Comment: We are pleased to see the continuation of the commitment to bridge the Patoka River and Flat Creek, along with their 100-year floodplains, and to mitigate voluntarily at a 3: 1 ratio for the loss of upland forest.

Response: Comment noted.



AF02-3

Comment: We have not identified any potential impacts requiring substantive changes to the proposal for Section 2. However, EPA requests that the Tier 2 Section 2 Final EIS (FEIS) identify the upland forest mitigation sites that will be used to mitigate for Section 2 upland forest impacts.

Response: As of October 16, 2009, a total of 10 properties have been secured to provide the upland forest mitigation requirements for Section 2, including both reforestation sites and preservation sites. Three of these sites are currently being developed under the Umbrella Mitigation Bank for I-69 Sections 2 and 3, incorporating both wetland and non-wetland mitigation. The sites which have been secured are documented in the FEIS.

AF02-4

Comment: We also request that the FEIS identify and discuss the current status of the Umbrella Mitigation Bank instrument currently being developed for Section 2 and Section 3, and provide an update on INDOT's efforts to identify the additional wetland and stream mitigation sites that the DEIS discloses will be necessary to compensate for these Section 2 impacts.

Response: The I-69 Sections 2 and 3 Umbrella Mitigation Bank received final approval from USACE with the final signature on January 29, 2010. Three sites are currently under construction and additional sites are still being reviewed to complete the entire mitigation plan for Section 2. The final mitigation plan to address all water resources impacts will be provided along with the permit applications.

AF02-5

Comment: Our enclosed detailed comments focus on clarification, corrections and suggestions for additional information to include in the FEIS. We also make recommendations for additional mitigation measures for INDOT to consider incorporating into this proposal to further protect and enhance the environment. Our detailed comments focus on air quality, wetlands and streams, floodplains, and forests.

Response: Comment noted.

AF02-6

Comment: We appreciate that the Section 2 DEIS identifies that the FEIS will include a running tally of the impacts to date of the overall I-69 Indianapolis to Evansville project. We request the Section 2 FEIS and the other Tier 2 EISs include a detailed explanation of the tracking system that INDOT is using to insure that the overall I-69 project's impacts are identified and all Tier I and Tier 2 NEPA mitigation measures as well as regulatory mitigation requirements are successfully implemented.

Response: The INDOT project commitments tracking system includes an overall database tracking sheet that is completed based on commitments in each FEIS. It is provided to designers



so that commitments are included in both the project design and contract documents for each I-69 construction contract. The database tracking sheet will also be provided to construction personnel to assure that all commitments related to construction are addressed.

In addition, an I-69 specific GIS linked database identifies mitigation acreage by type for land based mitigation sites. The acreage requirements and success criteria are incorporated into the database and summary reports. These reports are provided with the annual monitoring reports which will be prepared and submitted to address permit conditions. A detailed explanation of the mitigation tracking process will be provided in the Chapter 7 of this FEIS.

AF02-7

Comment: Thank you for the opportunity to review and comment on the DEIS. If you have any questions about U.S. EPA's comments, please contact Virginia Laszewski at 312-886-7501 or email her at laszewski.virginia@epa.gov. We look forward to reviewing the I-69 Tier 2 FEIS for Section 2.

Response: Comment noted.

AIR QUALITY

AF02-8

Comment: **Ambient Air Quality Standards:** Section 4.6 -Air Quality, Table 4.6-1 (Page 4-115) lists both the old and new standards for ozone and PM_{2.5}. Please note that the lead (Pb) standard has recently been changed to 0.15 $\mu\text{g}/\text{m}^3$.

Recommendation: Please include both the old (1.5 $\mu\text{g}/\text{m}^3$) and new (0.15 $\mu\text{g}/\text{m}^3$) standards for lead (Pb) in Table 4.6-1 in the Tier 2 Section 2 Final EIS (FEIS).

Response: Both the old and new standards are listed in the table in the FEIS.

AF02-9

Comment: Recommendation: We recommend Section 5.9.2 Regulatory Setting Conformity Requirements (page 5-151) include a discussion of the new tighter 24-hour PM standard of 35 $\mu\text{g}/\text{m}^3$ in the main body of the text.

Response: Additional discussion of the new PM standard has been added to Section 5.9.2 of the FEIS.



AF02-10

Comment: **PM2.5 Hot Spot Analysis:** Section 5.9 Air Quality, 5.9.1 Introduction (page 5-150) states, "Section 2 occupies a portion of Washington Township in Pike County, which is nonattainment for the annual PM 2.5 NAAQS: it will be necessary to conduct a qualitative project level PM2.5 hot-spot analysis:"

Recommendation: This statement should be changed for the Tier 2 Section 2 FEIS to reflect the March 1, 2007 interagency consultation meeting where EPA, IDEM, FHWA, and INDOT determined that the level of traffic expected from the project did not meet the criteria for a project of air quality concern and thus no hot-spot qualitative analysis is required. Include language similar or the same as that found at the bottom of DEIS page 5-155.

Response: The statement in Section 5.9.1 of the FEIS has been revised as recommended.

AF02-11

Comment: **Clean Air Act Compliance:** The DEIS correctly identifies that the Tier 2 Section 2 EIS preferred alternative must be included in the Evansville MPO and the INDOT transportation plans and demonstrate conformity with the State Implementation Plans for air quality before FHWA will approve the Tier 2 Section 2 FEIS and issue its Record of Decision (ROD).

Response: Washington Township in Pike County was designated as nonattainment for annual PM 2.5 in April, 2005. The Evansville MPO most recently updated its TIP and Long-Range Transportation Plan in 2009, extending the plan's horizon year to 2035 and updating planning assumptions in general and in particular for consistency with the assumptions of the I-69 Section 2 FEIS regarding interchange locations and opening dates. Air quality analyses conducted in 2009 to evaluate the air quality impacts in the Evansville metropolitan area and surrounding —don't PM 2.5 non-attainment areas including Washington Township in Pike County indicate that the updated TIP and Long-Range Transportation Plan, including the I-69 project, conform to the applicable NAAQS.

Regarding daily PM 2.5 conformity, within Section 2, US EPA designated Washington Township in Pike County as nonattainment on December 22, 2008, based on monitoring data from 2005-2007, noting that designations would become effective 90 days from the publication of the designation in the federal register. The notice, however, was not published and never became effective. IDEM officially requested that US EPA consider reclassifying Washington Township (and other areas) as attainment of the daily PM 2.5 standard in its letter dated March 11, 2009, based on monitoring data from 2006-2008. When the EPA reviewed the more recent data and issued new designations on October 8, 2009, no part of Indiana was found to be nonattainment of the daily PM 2.5 standard.

Hence, EMPO's conformity finding for its latest plan update demonstrates I-69's annual PM 2.5 conformity and daily PM 2.5 conformity is no longer an issue.



AF02-12

Comment: **Air Quality Mitigation During Construction:** Exposure to diesel exhaust by construction workers and those nearby a construction site can have serious health implications. In order to protect air quality in the project area during construction, we recommend INDOT consider strategies to reduce diesel emissions, such as project construction contracts that require the use of equipment with clean diesel engines and the use of clean diesel fuels, and limits on the length of time equipment is allowed to idle when not in active use (EPA recommends idling not exceed 5 minutes).

Recommendation: The Section 2 FEIS should identify and discuss the impacts to construction workers and nearby residents, schools, etc. from diesel exhaust during project construction. The Section 2 FEIS should discuss the feasibility of utilizing the type of mitigation discussed above for Section 2 and disclose whether or not INDOT will consider or commit to implementing the above referenced and/or additional strategies, including but not limited to, formalizing INDOT actions for the entire I-69 project by developing and implementing a construction emissions reduction plan as recommended in our June 3, 2009, letter regarding the I-69 Tier 2 Section 3 DEIS.

Response: INDOT's Standard Specifications (General Conditions) require contractors to follow all local state and federal laws and regulations applicable to a project. This would include any that pertain to emission controls. At present, INDOT's construction policies do not provide for specific emissions criteria for diesel-fueled construction equipment beyond those that are already federally mandated. Such policies may be considered in the future. Such specifications will need to consider the availability of contractor-owned equipment meeting these specifications.

Although Section 2 of the I-69 project does not have the same emission exposure as high population areas such as the O'Hare Airport and Dan Ryan Expressway (two projects cited in the Section 3 EPA comment letter referenced in this comment), INDOT recognizes that I-69 will be a sizeable project with potential for air quality concerns. While INDOT's primary air quality mitigations will be those which are required by law or regulation, other suggestions also will be considered.

STREAMS AND WETLANDS

AF02-13

Comment: **Wetland and Stream Impacts Trade-offs:** The Section 2 preferred alternative has comparable or fewer impacts to wetlands and streams than do the other alternatives. The preferred alternative in sub-section 9 has made the trade-off of taking more stream area and less wetlands. Overall, the preferred alternative has much lower estimated impacts to wetlands, 27.46 acres versus 49.58 acres for the other alternative, which is desirable. We are pleased that wetland impacts in Tier 2 are less than the 35 acres of wetlands impacts predicted in the Tier I EIS process for Section 2. The wetland impact matrix on p. 5-315 is helpful.

Response: Comment noted.



AF02-14

Comment: **Stream resources:** We are pleased to see the continuation of the commitment to bridge the Patoka River and Flat Creek, along with their 100-year floodplains. Stream resources impacts were updated during the DEIS review period using a more suitable methodology. The 2009 survey had better detection and resulted in considerably higher impacts to streams than first estimated, especially for the smallest water bodies. The relative ranking of the alternative, though, remains the same, with the preferred alternative having about 2,360 linear feet less stream impact than the next closest alternative. However, impacts for the preferred alternative still total 69,471 linear feet, or about 13 miles of stream, up a substantial 32,076 linear feet from the earlier estimate. Although some legal ditches/regulated legal drains have been substantially modified by drainage activities and degraded as natural systems, stream quality should not be inferred from this designation alone, (page 7-28) since some native water bodies have this legal status in Indiana. Recommendation: EPA recommends the folded diamond interchange (the DEIS preferred alternative interchange option subsection B-7) for the South Daviess Interchange to slightly reduce stream impacts to Veale Creek.

Response: The folded diamond interchange option is the preferred interchange configuration for the South Daviess interchange.

AF02-15

Comment: **Stream restoration:** Page 5-333 relates a conceptual approach to stream restoration that includes important principles.

Recommendation: We strongly recommend that stream mitigation be calculated on a linear foot basis rather than an acreage basis, as consistent with the current practice of the Louisville District of the Corps of Engineers and the Indiana Department of Environmental Management.

Response: The final stream mitigation package will be coordinated with USACE and IDEM to assure that it fully addresses their mitigation requirements, through multiple mitigation components including both on-site and off-site mitigation, including multiple water resources benefits. Given the manner in which the mitigation requirements are likely to be finalized, they probably will include commitments quantified both on a linear basis, as well as using acreage-based ratios. Linear impacts are identified many times in discussion of aquatic resources; however, mitigation costs are calculated on an acreage basis, because INDOT can provide costs on an acreage basis, but not on a linear foot basis.

AF02-16

Comment: Recommendation: Due to the substantial increase in the amount of streams impacts, we continue to recommend that INDOT consider and commit to bridging more streams and their 100-year floodplains, where feasible, and commit to restoring/enhancing the length of each stream and riparian habitat within the right of way.

**Section 2—Final Environmental Impact Statement**

Response: See response AF02-15. Bridging of the 100-year floodplain of the Patoka River and Flat Creek has been committed to by INDOT/FHWA as a part of the Tier 1 ROD. Although complete bridging of other floodplains is not proposed, the Tier 2 alternatives would cross FEMA mapped floodplains at East Fork of Keg Creek, Mud Creek, East Fork of the White River, Veale Creek and Hurricane Branch, and it is anticipated that portions of the floodplains will be bridged. INDOT will work closely with IDNR to adequately study the impacts to floodplains during further development of the I-69 project. A final hydraulic design study that addresses various structure size alternatives will be completed during a future final design phase of I-69, and a summary of this will be included with the Field Check Plans and Design Summary.

AF02-17

Comment: **Wetland Delineation:** The formal wetland delineation will be conducted after the DEIS, on the preferred alternative, as part of the U.S. Army Corps of Engineers (USACE). Clean Water Act (CWA), Section 404 application. This will likely refine the exact amount of wetland area impacted, up or down from the estimated 27.46 acres, based on the detailed information derived from on-the-ground wetland delineation. This information will be carried into the Section 404 permit / 401 water quality certification processes. The approach taken here is acceptable to EPA for DEIS purposes, recognizing that the numbers will likely change for the FEIS as a result of the delineation.

Recommendation: The crossing of the East Fork of the White River has no identified wetland impacts so far, but should be checked during the delineation work, since the crossing includes considerable floodplain areas.

Response: Wetlands biologists examined the vicinity of the preferred alignment at the crossing of the East Fork of the White River while performing wetland delineations in August 2009. There are no wetlands within the preferred alignment in this vicinity. The banks of the river are steep in this location, with no bordering wetland vegetation. The broad floodplain is comprised generally of agricultural fields, farm access roads and a narrow strip of upland vegetation at the river bank. Several wetland areas within the floodplain but away from the bank were identified and delineated.

AF02-18

Comment: **Wetland W -17:** Wetland W -17 is a "red flag" area of 3.13 acres: from the assessment material in the appendix, this is highlighted because of rare species issues. We defer to the expertise of the Indiana Department of Natural Resources on addressing this specific impact. However, this wetland location is included in the area that would be bridged for the Patoka River crossing, which should help to reduce adverse impacts.

Response: For purposes of a conservative estimate of wetland impacts, the analysis assumes impacts to the entire area under the bridge structures. During final design, special contract provisions will be developed to minimize impacts to those wetlands during bridge construction.



AF02-19

Comment: Recommendations: We recommend the following clarifications for the Section 2 FEIS: - In Section 5.23.2, please indicate which water bodies are Section 10 permit waters, such as the White River.

Response: Within Section 2, none of the streams are considered navigable, and thus none are included within the U.S. Coast Guard's Bridge Program jurisdiction, and no Section 10 permits will be required. Section 5.23.2 of the FEIS has been modified to include this information.

AF02-20

Comment: At the end of Section 5.23.2, and in Section 5.23.4, an additional step that should be added is that EPA reviews the jurisdictional determinations made by the USACE under our Clean Water Act authority.

Response: This information has been added to Sections 5.23.2 and 5.23.4 in the FEIS.

AF02-21

Comment: In Section 5.23.3, please clarify that EPA has no oversight of Section 401 water quality certifications for states: the certifications are undertaken by a state to ensure that the Federal permit does not adversely impact state water quality.

Response: This clarification has been added to Section 5.23.3 in the FEIS.

AF02-22

Comment: In Section 5.24 on page 5-02, which discusses the National Pollutant Discharge Elimination System (NPDES), please explain that the permit program has been delegated to Indiana.

Response: We believe this comment was actually addressed to Section 5.23.6 on p. 5-386, dealing with the National Pollutant Discharge Elimination System. This information has been added to the FEIS.

MITIGATION

AF02-23

Comment: **Combined Mitigation Sites for Wetlands, Streams, Forest and Endangered Species:** Combined mitigation sites for wetlands, stream, forest and endangered species purposes have been identified in separate planning documents and are suitable at the conceptual level for the DEIS. This analysis was based on the earlier under-estimation of stream resources in the project area. The combined mitigation sites appear to be able to produce much of the quantity and quality of mitigation to onset the wetland and a limited amount of the stream losses (about 1600 linear feet of stream channel with small catchment areas)

**Section 2—Final Environmental Impact Statement**

for Section 404 permitting purposes. FHWA/INDOT have proposed that this be set up as a mitigation bank, so that work can begin in advance of the project. The Section 404 mitigation bank Interagency Review Team for Indiana is considering the technical proposal for this work, and the sites appear promising. Additional acres of wetland restoration will likely need to be provided for the 404 permit, depending on the projected and achieved yield of the mitigation sites and the final number of acres of wetland loss permitted. Likewise, additional stream mitigation will be needed, through on-site riparian treatment of the stream system (see item below), and by restoring ditched or relocated stream channels. Progress toward providing compensatory mitigation is appropriate for the DEIS stage of the process, but work should be ongoing to provide additional mitigation for the permitting stage of the project.

Response: Additional mitigation is still being developed to complete the final mitigation plan for Section 2 for permit applications. See AF02-3 and AF02-15 responses above.

AF02-24

Comment: Effective approaches to the future design of stream channels, bank stabilization and the riparian buffer zone within the project right-of-way will be extremely important for the stream resource's structure, water quality and aquatic habitat. This is discussed in the DEIS. Consideration should be given to the use of lower maintenance (e.g., less mowing) species native to southwestern Indiana for planting the riparian buffer zone and contributing to its ecological quality.

Response: Where stream mitigation is incorporated within the right-of-way, low maintenance species will be a priority for the revegetation plan. The details of these final plantings will be completed during final design.

AF02-25

Comment: Culvert design should be planned to promote the maintenance of aquatic communities and wildlife movement.

Response: Wildlife crossings have been evaluated for Section 2. Four locations have been identified for wildlife crossings – the Patoka River crossing, the Flat Creek crossing, the crossing of the East Fork of the White River, and the crossing of the tributary to Jackson Pond. At these locations, the structures will provide openings well in excess of the minimum height and width (minimum 8' X 24') to permit the passage of large mammals beneath the structures. In addition to the identified wildlife crossing locations, other crossings may incorporate natural substrates to further promote maintenance of aquatic communities and wildlife movement. See Section 5.18.4 of the FEIS for additional information.



Section 2—Final Environmental Impact Statement

AF02-26

Comment: The impaired waters identified in the project study area reflect problems incurred from mining and agricultural land uses. The activities proposed should not worsen these specific impairments.

Response: Comment noted.

AF02-27

Comment: Recommendation: The Section 2 FEIS should discuss the status of the Section 2 and Section 3 Umbrella Mitigation Bank instrument and the outcome or status of INDOT's efforts to locate additional mitigation sites to compensate for wetlands, streams and upland forest impacts that were not covered by the draft bank instrument at the time of the release of the Section 2 DEIS.

Response: Additional mitigation is still being developed to complete the final mitigation plan for Section 2 for permit applications. See AF02-3, AF02-4 and AF02-15 responses above. Response AF02-04 addresses the status of the Section 2 and 3 Umbrella Mitigation Bank Instrument.

AF02-28

Comment: Recommendation: We request that the Section 2 FEIS identify the upland forest mitigation sites that will be used to mitigate for Section 2 upland forest impacts.

Response: The upland forest mitigation sites are documented in the mitigation tracking database to which environmental resource agencies have access. See AF02-6. For confidentiality reasons, the exact location of mitigation sites is not disclosed in this FEIS.

AF02-29

Comment: **Section 7, Threatened and Endangered Species Act:** The DEIS identifies that the U.S. Fish and Wildlife Service (USFWS) will issue a Biological Opinion (BO) for Section 2 prior to issuance of the Tier 2 Section 2 FEIS.

Recommendation: We recommend the USFWS Section 2 BO be included in the FEIS and the FEIS identify and discuss any changes that need to be made to the current proposal based on USFWS requirements identified in the Section 2 BO.

Response: The Tier 2 BO is incorporated into this Section 2 FEIS, along with any updates to the conservation measures which have been incorporated. All necessary conditions of the BO will be incorporated into the Tier 2 ROD.



AF02-30

Comment: **Tracking Project-wide Impacts and Mitigation:** DEIS Section 7.3 -Section 2 Mitigation Measures and Commitments (page 7-12) briefly mentions that INDOT will track mitigation commitments and mitigation activities associated with each resource category within a GIS database and spreadsheets. Details of INDOT's tracking system are not provided. The DEIS identifies that INDOT will provide to permitting agencies and EPA a tracking summary on an annual basis.

Recommendation: We request that the FEIS for Section 2 explain the method that INDOT proposes to use to keep track of the direct impacts to the resources of concern and impacts mitigation for each I -69 Tier 2 Section. The FEIS should explain how NEPA-identified mitigation commitments for resources impacts that are not part of regulatory mitigation requirements, such as upland forest, will be tracked to insure that adequate mitigation occurs for all losses incurred to these resources in each Tier 2 section and throughout the entire I-69 (Indianapolis to Evansville) project.

Response: A mitigation tracking system has been developed, and access has been provided to resource agencies. See AF02-6 response above.

AF02-31

Comment: Recommendation: EPA recommends the FEIS identifies how local communities, watershed groups and others, beside the resource agencies, may obtain updates regarding the I-69 impacts/mitigation tracking information.

Response: Updates regarding the I-69 mitigation sites and tracking information will be available through the regulatory agencies (USACE, IDEM) via the annual monitoring reports. Other coordination with local groups may be completed as a part of the UMB to identify and coordinate long term management concerns.

AF02-32

Comment: Recommendation: We also recommend the Section 2 FEIS and all future I-69 Tier 2 EISs include the pertinent resources mitigation information to-date from the tracking system. This information could be included in the cumulative impacts analysis section of the EIS and/or in the FEIS Appendices that contains the running tally of the overall I-69 Indianapolis to Evansville project impacts.

Response: The status of mitigation properties secured to date for I-69 has been incorporated in this FEIS in Appendix AA, *Tier 1 – Tier 2 Impact Comparison*.

AF02-33

Comment: **I-69 Community Planning Process:** We appreciate that Appendix Q of the DEIS provides an update regarding the measures that the local communities and counties that participate in the I-69 Community Planning Process (CPP) have and/or propose to



undertake, if any, in order to protect and enhance these resources of concern in their local community and/or county. We commend FHWA and INDOT for undertaking this endeavor to help mitigate for secondary development impacts associated with the overall I-69 project. The CCP has the potential to result in local communities providing additional protection to resources of concern in the study area.

Recommendation: We request the Section 2 FEIS provide an update on the status of the I-69 CCP and identify any additional community actions that have taken place since the DEIS report.

Response: The status of the Community Planning Program (CPP) in each of the Section 2 communities participating in the program has been updated in Appendix Q of the FEIS.

AF02-34

Comment: **Wildlife Crossings, Streams, Floodplain/Riparian Habitat:** We concur with INDOT's commitment to include four wildlife crossings in Section 2: (1) Patoka River, (2) Flat Creek, (3) East Fork of the White River, and (4) a tributary to Jackson Pond. We note that wildlife crossings will automatically be created at the Patoka River and Flat Creek crossings because INDOT has committed to bridging across these water bodies and their 100-year floodplain.

Recommendation: We encourage INDOT to bridge across all streams and their associated floodplains/riparian habitat, when feasible. Bridging these areas would allow for stream and riparian habitat restoration and/or enhancement within the right of way, and automatically provide a wildlife crossing. This would allow for future restoration and/or enhancement of the stream and riparian habitat located outside the immediate right of way by private property owners, watershed groups, local communities, county, state and/or federal agencies.

Response: The preferred alternative presented in the FEIS proposes to provide bridges to carry I-69 over streams in a total of 16 different locations. The streams to be bridged are: East Fork Keg Creek, Buck Creek, Hurricane Creek, South Fork Patoka River, Unnamed Tributary to Patoka River (two locations), Flat Creek, Mud Creek, South Overflow White River, East Fork White River, North Overflow White River, Veale Creek (two locations), Hurricane Branch Creek (three locations). During final design, provision will be made for wildlife crossings and riparian habitat restoration or enhancement wherever practicable and cost-effective.

AF02-35

Comment: Page 3-5 (footnote). Please be advised there is no Table 3-16 as stated in the footnote.

Response: The reference should have indicated Table 3-14. This has been corrected in the FEIS.



AF02-36

Comment: In addition, Table 3-15 Preliminary Alternatives -Estimates of Annual Maintenance Costs (page 3-104) does not include all the cost information that the footnote claims it does.

Response: The footnote should have referenced Table 3-14, which does include the categories of cost listed in the footnote. This has been corrected in the FEIS.

AF02-37

Comment: Page 3-13. Please change "USEPA District 5" to "USEPA Region 5."

Response: This has been corrected in the FEIS.

AF02-38

Comment: Chapter 4 -Affected Environment Table 4.2-14 (page 4-21) does not show future population projections for the three counties as stated on page 4-18. It shows a Summary of Existing Land Uses. Table 4.2-13 (page 4-18) shows population projections.

Response: The reference on page 4-18 should have been to Table 4.2-13. This has been corrected in the FEIS.

AF02-39

Comment: On Page 4-59 the reader is incorrectly referred to Page 4-67 to find Figure 4.3-1. The correct page is 4-66. Also, Figure 4.3-2 is on page 4-67 and not on page 4-68.

Response: This has been corrected in the FEIS.

AF02-40

Comment: Page 4-63 incorrectly refers the reader to page 4-69 for Figure 4.3-3. Figure 4.3-3 is on page 4-68.

Response: This has been corrected in the FEIS.

AF02-41

Comment: Chapter 5 -Environmental Consequences

Page 5-134 - Figure 8-1 is not an aerial photo as stated here. Did you mean Figure 8-2?

Response: Yes. The aerial photo view of the Patoka Bridges Historic District is shown in Figure 8.2. The reference has been corrected in the FEIS.



AF02-42

Comment: Table 5.19-2 Wetland Impacts Matrix for Section 2 Alternatives (pages 5-315 through 5-321). This Table includes an Indiana [wetland] community type abbreviated as "SF." If this is not a typo, please identify the wetland community "SF" stands for at the end of Table 5.19-2.

Response: The table entries of "SF" should have been —SW for Swamp Forest. This has been corrected in the FEIS.

AF02-43

Comment: Table 5.19-9 Floodplain Impacts by Alternative (page 5-329). The floodplain acreage impacts for Alternatives A and B (113.59 acres and 112.10 acres, respectively) identified in this table do not coincide with the impacts acreage identified for Alternatives A and B (109.8 acres and 105.4 acres, respectively) in the text on page 5-329.

Response: This has been corrected in the FEIS.

AF02-44

Comment: Page 5-330 incorrectly refers the reader to Table 5.24-2 (page 5-395) and Figure 5.24-1 (page 5-428) for information regarding Section 2 impaired streams. Table 5.24-2 presents information regarding Land Cover Types in Induced Growth TAZs and Figure 5.24-1 shows locations of projected Induced Growth areas.

Response: The references should have been to Table 4.3-2 and Figure 4.3-5. This has been corrected in the FEIS.

AF02-45

Comment: We recommend the FEIS includes the Figure that depicts and labels all impaired stream segments within the Section 2 study area and Section 2 corridor.

Response: Figure 4.3-5 in the DEIS depicts the impaired stream segments. Labels have been added to that Figure in the FEIS.

AF02-46

Comment: On Page 5-417 (first full sentence) there appears to be a math or typo error here regarding the amount of total acres of agricultural land contained within the three-county area, and consequently an error in the percentage of land reported here that would be converted from agricultural land due to the project. See page 5-426 (first full paragraph) for contradictory acreage/percentage figures.

Response: The total acres of agricultural land within the three-county area and the percentage impacted given on page 5-417 of the DEIS were incorrect. The comparable figures given on page 5-426 of the DEIS were correct. This has been corrected in the FEIS.



AF02-47

Comment: Chapter 13 Glossary, Acronyms and Index We recommend that **Community Planning Program (CPP)** be added to the FEIS index, and the FEIS list of acronyms include **CCP**.

Response: Community Planning Program has been added to the FEIS index, and CPP has been added to the FEIS list of acronyms.

AF02-48

Comment: We recommend that both **Direct Impacts** and **Induced Growth** be included in the FEIS index.

Response: Both terms have been added to the FEIS index.

AF02-49

Comment: **Tier 2 Section 2 DEIS -VOLUME II -Appendices** (on Compact Disk only)

We recommend that all Community Advisory Committee (CAC) meeting minutes, phone calls and other documentation the FHWA/INDOT/consultants used to help inform their EIS decision making process be included as part of the NEPA record in an FEIS Appendix.

Response: Appendix W, *Community Advisory Committee Meeting Minutes*, has been added to the FEIS, and includes minutes of all the CAC meetings.



AT03 John P. Froman Chief, Peoria Tribe of Indians of Oklahoma 05/06/09

AT03-1

Comment: Thank you for notice of the referenced project. The Peoria Tribe of Indians of Oklahoma is currently unaware of any documentation directly linking Indian Religious Sites to the proposed construction. In the event any items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) are discovered during construction, the Peoria Tribe request notification and further consultation.

The Peoria Tribe has no objection to the proposed construction. However, if any human skeletal remains and/or any objects falling under NAGPRA are uncovered during construction, the construction should stop immediately, and the appropriate persons, including state and tribal NAGPRA representatives contacted.

Response: See AT01-1 comment above.

AT04 Jake Long Miami Tribe of Oklahoma 05/07/09

AT04-1

Comment: Aya, kikwesitoole. My name is Jake Long and I am the Acting Cultural Resources Director for the Federally Recognized Miami Tribe of Oklahoma. In this capacity I am the Miami Nation's point of contact for all NAGPRA and Section 106 issues. In reference to the above mentioned construction/project's, the Miami Nation is not currently aware of existing documentation directly linking specific Miami religious, cultural, or historic sites to the above referenced construction/project site(s). However, as this site(s) is/are within the aboriginal homelands of the Miami Nation, should any Native American cultural items falling under the Native American Graves Protection and Repatriation Act (NAGPRA) be discovered during this or any construction project the Miami Nation requests immediate consultation with the appropriate State Historical Society or related entity. The Miami Nation offers no objection to the proposed construction/project at this time. Again, should human remains and/or objects be uncovered please contact me at 918-542-1445, or by mail at the address listed above, to initiate consultation.

Response: See AT01-1 comment above.

**STATE AGENCIES (AS)**

AS01 **J. Matthew Buffington** **Indiana Department of
Natural Resources
Environmental Unit** **06/23/09**

AS01-1

Comment: The Indiana Department of Natural Resources has reviewed the above referenced project per your request. Our agency offers the following comments for your information and in accordance with the National Environmental Policy Act of 1969.

We recommend that due diligence be paid to construction activities in the White River, and that all erosion control measures be implemented. Recent records of endangered mussel species have been submitted for *Pleurobema cordatum* and *Cyprogenia stegaria*, which were noted in the East Fork of the White River.

Response: INDOT and FHWA have committed to the use of Best Management Practices for all construction within the vicinity of streams. Specific measures are discussed in Section 7.3.12. Please note that the “recent records” cited here are records dating to within the last 15 years; they are not “new” records associated with Tier 2 studies for I-69. These have no impacts on INDOT consultation with the U.S. Fish and Wildlife Service under Section 7 of the Endangered Species Act.

AS01-2

Comment: The Department agrees with the preferred alternative of Alternative A in subsections 1, 2, 4, 5, 6, and 9. We also agree with use of Alternative B in subsection 7.

Response: Comment noted.

AS01-3

Comment: In subsection 3, the Department suggested using a hybrid of Alternative A and B. We recommended using Alternative A from the northern terminus of subsection 2 to the 56/61 interchange then switching to Alternative B in order to reduce environmental impacts. Alternative A runs between two wetland areas thus reducing connectivity between them. If Alternative A is used, the Department would suggest the installation of a wildlife crossing in this area.

Response: At the time of the initial suggestion by IDNR of a “hybrid” solution in July 2006, we conducted an analysis of the option of using Alternative A in the southern half of Subsection 3 and Alternative B in the northern half of the subsection (with the approximate dividing line at the location of the crossing of SR 56/61). It was found that this hybrid option would in fact reduce impacts to the natural environment. The B alternative in the north half would affect approximately 1,200 additional linear feet of stream, would take 0.2 additional acres of forested land, and would impact an additional 1.4 acres of wetland. This hybrid would also, however, cut across the southeast corner of the Pride’s Creek Lake subdivision and require the taking of nine homes in that area and

**Section 2—Final Environmental Impact Statement**

place the interstate highway immediately adjacent to a number of additional homes that would not be taken. The configuration of the interchange with SR 56/61 would also be better with Alternative A. In order to provide the required control of access in the vicinity of the interchange ramp terminal intersections, an additional six residential relocations would be required with Alternative B. In total, Alternative B would require the taking of 15 residential units in the northern half of Subsection 3, while Alternative A would take only one residential unit in this same area. For this reason, Alternative A was selected in this area. These analyses are discussed in further detail in Section 6.2.1.3.

A 7' x 4' concrete box culvert is proposed for the unnamed tributary to Pride's Creek that connects the two wetland areas that would be separated by Alternative A.

AS01-4

Comment: In subsection 8, the Department has suggested the use of Alternative B rather than the preferred alternative A in order to avoid bisecting continuous tracks of forest.

Response: In prior coordination, IDNR has suggested the use of Alternative B within Subsection 8. INDOT and FHWA have revisited their analysis of impacts within that subsection, and still believe that Alternative A is the environmentally preferable alternative. While Alternative B would avoid bisecting a continuous forest tract and would have 0.9 acres less overall forest impact, it would impact 0.63 acres more wetland than Alternative A, 1.1 more acres of floodplain, and approximately 460 more feet of stream. Alternative B would also require one additional residential relocation. Impacts of the two alternatives within Subsection 8 are presented in Table 6-8.

AS01-5

Comment: The Department agrees with all of the preferred alternatives for the locations and types of interchanges.

Response: Comment noted.

AS01-6

Comment: In previous discussions, it was suggested that the use of bat friendly bridges may cause a conflict when the bridges are repaired in the future. Are bat friendly bridges still being considered in this section as mentioned in Section 3?

Response: No bat friendly bridges are being considered as part of the Section 2 project. The Section 2 Tier 2 Biological Assessment includes the following: —**Bb - Bat Friendly Bridges**— This will be evaluated in consultation with USFWS for the Patoka and the East Fork of the White River crossings. It is currently being discussed whether it may be more appropriate to have bat-friendly bridges away from the I-69 corridor. No bat friendly bridges are planned for the I-69 mainline in Section 2.”

AS01-7

Comment: The tree cutting date restriction needs to be modified to be from April 1 through September 30.



Section 2—Final Environmental Impact Statement

Response: The dates for tree cutting restrictions have been changed in the FEIS document.

AS01-8

Comment: The eastern box turtle (*Terrapene c. carolina*), which is a species of special concern, and the state endangered ornate box turtle (*Terrapene o. ornata*) both occur within the project vicinity. The eastern box turtle is more likely to be encountered due to its widely scattered population. Box turtles are relatively sedentary but move within a small home range that typically includes forested and open areas as well as a water source. They are subject to mortality due to various life history traits—long lived yet delayed sexual maturity, small broods, and low annual reproductive rates; site fidelity; hibernation under shallow cover; slow moving and a defense mechanism that involves retreat into their shells. Due to these various characteristics, box turtles could be subject to mortality during construction and post construction. We request that in consultation with the State Herpetologist, preconstruction surveys be conducted to locate and remove any individuals of either species from within the project boundaries. Relocation should occur within close proximity to their original location and barriers installed to hinder migration back into the project area.

Response: Plans are ongoing regarding the identification of appropriate measures that can reasonably be incorporated into the development/preconstruction process for portions of Section 2 with suitable habitat conditions to have a high probability of containing box turtles. The areas targeted for special surveys and relocation efforts will be coordinated with the IDNR as the details of construction contracts are more clearly defined. Measures that may be incorporated include collection and transfer to IDNR staff for additional handling and subsequent release. The specific protocol for these efforts may vary based on the specific timing of various contracts, but these will be coordinated with IDNR prior to the surveys.

AS01-9

Comment: A number of issues must be addressed as this project moves forward.

As previously mentioned, the Patoka River National Wildlife Refuge (NWR) crossing must be designed to not drain stormwater runoff directly into the wetlands, but to contain and channel it towards the end of the bridges where it should then be adequately treated to remove sediment and salts before being allowed to enter the Patoka River NWR.

Response: INDOT and FHWA have committed to preventing any direct drainage of stormwater from the bridge over the Patoka River floodplain into the Patoka River National Wildlife Refuge. Storm drainage from the bridge will be collected, channeled to the ends of the bridge, and then adequately treated. This commitment is discussed in Section 5.19.2.4 and Section 7.2 of the Tier 2 Final EIS.

AS01-10

Comment: Road traffic noise and artificial light have a documented negative effect on a variety of wildlife. Appropriate mitigation measures should be implemented where the highway crosses significant areas of wildlife habitat. Any lights along the highway where it is crossing a significant habitat area should be put on the shortest poles possible to limit the

**Section 2—Final Environmental Impact Statement**

spread of light and should be shielded so the light shines only on the highway and not up or out from the road.

Response: Regarding increased noise levels and low habitat quality, as noted in FEIS Chapter 7 *Mitigation and Commitments*, subsection 7.3.3 —“Noise,” the final design of the preferred alternative may include shifting the alternative both vertically and horizontally, wherever feasible, to minimize noise impacts where other factors are not prohibitive. During preliminary design and through the selection of the preferred alternative, every effort was made to avoid impacting sensitive resources including wooded areas. However, some impacts were determined to be unavoidable for reasons that include avoiding/minimizing residential relocations and impacts to other sensitive resources.

Consideration will be given to providing reasonable and feasible noise abatement (i.e., noise barrier walls) early in construction for the added benefit of mitigating construction noise. Construction vehicles will be required to follow INDOT Standard Specifications on controlling noise.

Lighting is discussed in Section 7.3.6 —“Visual Impacts” of the FEIS. Details of lighting will be identified during final design.

AS01-11

Comment: For any culverts that are to be used, we recommend using three-sided box culverts to allow a stream's natural stream bed to remain. Wetlands should be avoided as much as possible; however, when it is unavoidable, crossing wetlands with an appropriate number of adequately-sized bridges or three-sided box culverts will minimize the impacts to the wetland's hydrology and minimize the effects of the fragmentation of the habitat. All culverts should extend beyond the top of the bank (wider than the channel being crossed) or contain an above water ledge for terrestrial wildlife use.

Response: Culverts which provide for a natural substrate will be considered where wildlife usage is determined to be significant. The existing unaltered stream bed may only remain where the modeled flow velocity would not scour unarmored streambeds. Where flow velocity may be an issue, buried concrete bottom or buried rip-rap bottom culverts will be considered. These designs will allow natural stream bedload to fill in, creating a continuation of the existing substrate, while still providing scour protection during flood events.

AS01-12

Comment: Any new or redesigned bridges in areas of high wildlife use will require design specifications that provide for wildlife habitat connectivity. This includes an adequate space under bridges with unsubmerged dry land unarmored with riprap with minimum dimensions of 8' tall by 24' wide to allow wildlife passage; this does not include the size of the opening over the channel. Riprap poses a barrier to movement and the threat of injury or death to wildlife trying to cross over it; therefore, if riprap is planned under the bridge, only dry land not armored with riprap should be considered in the opening dimensions. Considerations can be made if alternative armoring materials are used. Wildlife passages should be created in areas where significant habitat occurs on both sides of the highway to allow wildlife movement from one area to another and to reduce

**Section 2—Final Environmental Impact Statement**

the risk of wildlife crossing the road to access these areas. We recommend that deer exclusion fences along any such areas be included in the highway design.

Response: In 2007, Bernardin-Lochmueller & Associates completed a detailed analysis of landscape connectivity in Section 2 which resulted in the recommendation of wildlife crossings locations. In lieu of detailed information about local wildlife population movements, habitat connectivity was used to determine the most likely areas of high wildlife activity. Species considered in this analysis were large and medium mammals likely to use wooded corridors for travel within the expansive farmland; specifically deer and bobcats. Reptile and amphibian movements were considered in all the section waterway crossings, but concentration of such movements are believed to be limited by the lack of riparian and streambed habitat and potential for lower water quality from runoff of agricultural fields.

All committed wildlife crossings designed for deer will have minimum dimensions of 8-foot high and 24-foot wide to provide an adequate openness ratio to reduce tunnel effects causing avoidance behavior (if the tunnel is too narrow, some species will avoid using it). Use of armor along the stream banks will vary by the specific location, but an adequate amount of unarmored overbank area will be incorporated (as determined in consultation with IDNR) for the targeted species. Plans for armoring the stream bed and banks and fencing are still under consideration and will be coordinated with IDNR during final design.

Preliminary hydraulic sizing for bridges and culverts throughout the alignment, dictated by hydrologic modeling, are most often adequate to provide wildlife crossing opportunities. Based on preliminary engineering to date, proposed structures at the Patoka River, Flat Creek, the East Fork of the White River, the unnamed tributary to Jackson Pond, Prides Creek, Mud Creek, and Veale Creek, are all anticipated to provide sufficient opening beneath them for deer and all smaller mammals. See Section 7.3.13 of the FEIS for additional details on mitigation measures for wildlife crossings.

Most culverts are placed over intermittent or ephemeral streams that are dry at least part of the year and will provide for wildlife crossing opportunities. Culverts and bridges crossing larger intermittent and perennial streams may have an adequate amount of dry land for crossing in normal conditions due to their design for extreme high flow events. Most (if not all) bridges and many culverts have adequate dimensions to produce an openness ratio that reduces a tunnel effect, which can result in an avoidance of the crossing by some species. Therefore, many wildlife crossing opportunities will exist within the structures currently planned for hydrologic design, in addition to those focused for wildlife crossing specifically.

Detailed wildlife crossing designs will continue to be developed as the final designs of the highway are completed. Specifics such as culvert types, fencing, habitat creation, movement funneling, amount of overbank, armoring, required maintenance, and other details will be finalized with the road design. Fencing will be considered to funnel wildlife into each crossing location and exclude crossing the road at nearby fragmented habitat. Fencing will be determined by the habitat present, the existing factors of movement concentration, and the ability for adequate maintenance. Current recommendations indicate fencing designs for deer at 8- to 10-foot high with a deeply buried bottom.



AS01-13

Comment: Mitigation for impacts to floodplain habitat must include wildlife mitigation, not just providing for flood capacity.

Response: See response to Comment AS01-12, immediately above.

AS01-14

Comment: Incorporate soil bioengineering techniques for bank stabilization where conditions permit.

Response: See response to Comment AS01-12, above.

AS01-15

Comment: In-stream construction date restrictions will be likely.

Response: Final construction timing will not be determined until final design is complete. INDOT will continue to work with IDNR regarding construction timing restrictions as associated with permit conditions.

AS02 **James A. Glass** **Indiana Department of** **06/26/09**
Natural Resources
Division of Historic Preservation
and Archaeology

AS02-1

Comment: Pursuant to the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321, *et seq.*) and Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470f) and implementing regulations at 36 C.F.R Part 800, the staff of the Indiana State Historic Preservation Officer has reviewed the draft environmental impact statement ("DEIS") submitted under the Indiana Department of Transportation's cover letter, copy and revisions received February 9,2009 and May 1,2009, for the above project in Gibson, Pike, and Daviess counties in Indiana.

We agree with the conclusions in the DEIS regarding the identification of historic resources (aboveground properties) within the Section 2 study area that are eligible for inclusion in the National Register of Historic Places and with the conclusions regarding the impacts that this project will have on those historic resources.

Response: Concurrence is noted.

AS02-2

Comment: In regards to archaeology, we concur with the archaeological information presented in the DEIS for the "Cultural Overview," "Archaeology," and "Archaeological Sites Analysis".



Section 2—Final Environmental Impact Statement

Response: Concurrence is noted.

AS02-3

Comment: 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.

Response: If human remains are uncovered, proper procedure will be followed in accordance with state and federal law. Both the Section 106 MOA for Section 2 and state law address archaeological artifacts identified during construction. These both require that any activity in the vicinity of the artifact be halted, and that the Department of Historic Preservation and Archaeology be notified.

AS02-4

Comment: If you have questions about archaeological issues, please contact Dr. Rick Jones at (317) 233-0953 or rjones@dnr.IN.gov. Questions about buildings or structures should be directed to John Carr at (317) 233-1949 or jcarr@dnr.IN.gov.

Response: Comment noted.

AS03 **Mark Messmer** **State Representative, District 63** **06/15/09**

AS03-1

Comment: Dear Commissioner Reed, I am writing to urge that the Indiana Department of Transportation fund the Pike North interchange during the initial phase of construction for the Interstate 69 project in Southwestern Indiana. The Pike North interchange will be of great benefit to both individuals and companies in my southern Indiana district. I understand the difficult economic climate that we are in, and the subsequent lack of funding for many important projects. However, the Pike North interchange is essential to the economic success of the region. The area in question serves the North Pike Industrial Area that has over 350 employees. Included in the Industrial Area are the Indianapolis Power & Light coal-fired generating station and the Hoosier Energy Generating Station. Both stations require a high volume of tractor trailer traffic to deliver coal, limestone, and gypsum. These deliveries currently produce 650 tractor trailer trucks per day. Aside from that traffic, coal from nearby Solar Sources mine estimates that 30,000 trucks per month would utilize the Pike North Interchange to deliver resources to the rail yard on State Road 61. The lack of an interchange at Pike North would cause increased transportation costs for the industry that is so vital to the economic success of Pike County and the City of Petersburg. The lack of an interchange at Pike North would create a bypass around Petersburg's downtown area. With a current revitalization project in effect to make the city more attractive to Interstate travelers, Petersburg has invested money contingent on the construction of the Pike North Interchange. Any delay in the construction of the Pike North interchange along I-69 will have a detrimental impact on the economic stability of local businesses, the City of Petersburg, and the energy industry



that calls Pike County home. I urge you to reconsider your decision to defer the construction of the Pike North Interchange to another stage of the Interstate 69 construction.

Response: The FEIS indicates that construction of the North Pike and South Daviess interchanges will be deferred. Additional details regarding the deferral are presented in the response to Comment LG01-2.

With respect to coal truck traffic potentially utilizing the North Pike interchange, it is recognized that there is currently substantial truck traffic on most state highways in the vicinity of the Section 2 corridor. As the response to Comment LG01-2 indicates, extensive contacts with area coal companies indicated that even once both the North Pike and South Daviess interchanges are in operation, the significant majority of coal truck traffic would continue to use existing routes, and not be diverted to I-69.

The new interstate will allow regional through traffic to bypass the Petersburg downtown area in any situation, whether an interchange is built at the North Pike location or not. It is correct that the recent comprehensive planning efforts undertaken by Petersburg and Pike County have been based on the assumption that the North Pike interchange would be constructed. Deferred construction of the North Pike interchange could delay of some economic development, until the interchange is constructed. However, the SR 61 interchange will be the primary access point to Petersburg, even once the North Pike interchange is built.



LOCAL GOVERNMENT (LG)

LG01 **Paul A. Lake** **Pike County Economic Growth and Development Council, Inc.** **03/19/09**

LG01-1

Comment: The Pike County Economic Growth & Development Council strongly supports the construction of interstate 69. More specifically, we encourage you to begin construction of Segment 2 from Oakland City, Indiana to Washington, Indiana.

I-69 is something which is crucial to economy and future of the communities along the proposed route. As one who is engaged in the economic development field I can tell you that many of the businesses seeking to expand or relocate require that they be located within 10, 15 or 20 miles of a limited access interstate. Without construction of I-69 (Segment 2), our county immediately misses the opportunity to attract these businesses.

Response: Comment noted.

LG01-2

Comment: Furthermore, I-69 will provide a modern transportation system which is both safer and more environmentally friendly than the existing 1950s era surface highways it is because of the safety factor that I also **strongly encourage you not to defer construction** of the proposed Pike County North interchange. By limiting Pike County to a single interchange at the edge of the City of Petersburg you insure that a high volume of coal trucks must daily compete with our main street, school zones and school buses. The north interchange is something which is intended to provide a safe and direct access point to the two coal fired power plants, plus removing a large number of the through town truck traffic from Petersburg city streets.

Response: INDOT is proposing at this time to defer construction of the North Pike interchange until a future time. This decision will be finalized in the Section 2 Record of Decision, expected to be published in early 2010. The interchange remains part of the recommended Preferred Alternative, and the impacts associated with the deferred interchange are included within the impact totals presented in the Final EIS.

The North Pike interchange will be designed at the same time as the rest of I-69 in Section 2, and right of way will be purchased for the interchange, the access road (relocated Blackburn Road) from the interchange westward to SR 57, and the access road from the interchange eastward to CR 275E.

The South Daviess interchange will not be designed as part of the initial final design effort for Section 2, and no right-of-way for the interchange or its associated access roads to SR 57 and Horrall Road will be purchased during the initial acquisition program for Section 2. (The Daviess CR 50W overpass over I-69 and its associated local service roads will be built at the same time as the rest of the project in Section 2.) The lack of anticipated development pressures near the South Daviess interchange make purchase of



Section 2—Final Environmental Impact Statement

right of way unnecessary at this time. See response to comment AF01-10 for the rationale for the anticipated lack of development pressures near this interchange.

By deferring the construction of the two interchanges and a portion of the right-of-way acquisition, INDOT anticipates a savings at the time of initial construction of approximately \$18.6 million for the North Pike interchange and \$13.5 million for the South Daviess interchange, using the latest cost estimates for the low-cost construction criteria (see FEIS Section 6.2.1.10 under subsection *Phased Construction of Interchanges*).

Deferral of construction of these two interchanges means that Section 2 of I-69 will initially operate with two interchanges, at SR 56/61 in Petersburg and at US 50 in Washington, rather than the total of four interchanges recommended in the DEIS. This change in the initial configuration of the I-69 project will have two primary effects on the Section 2 study area. First, there will be changes to traffic flows within the area, and secondly, there will be a change to the attractiveness of the area for new development. These effects will continue until funding becomes available, and the deferred interchanges are constructed and opened to service.

Section 3.3 of the FEIS addresses the differences in transportation performance between the scenario of two interchanges within Section 2 (identified in the FEIS text as “Scenario 2” and the scenario of four interchanges, as included in the preferred alternative (identified in the FEIS as “Scenario 5”). Tables 3-5 through 3-12 show the differences between these two scenarios for a variety of accessibility and transportation measures.

Table 3-12 in the FEIS shows forecasted truck volumes within Section 2 for the No-Build Alternative and for I-69 both with and without the two deferred interchanges. It shows that building both the North Pike and South Daviess interchanges will result in a diversion of only about one-third of truck traffic from SR 57 in Petersburg, as compared to the scenario in which only the SR 61 and US 50 interchanges are provided.

In a meeting on this subject with Petersburg Mayor Jon W. Craig on September 25, 2009, INDOT discussed the results of an additional study regarding patterns of coal truck operation in the Section 2 project area. This study confirmed the results of the traffic forecasts mentioned above. It showed that most coal truck traffic (which is a significant portion of truck traffic in the project area) likewise will not be diverted from travel through Petersburg even once all four interchanges in the project area are provided. Appendix CC provides this study and its findings.

Section 5.5.3.2 of the FEIS identifies the indirect economic impacts of the preferred alternative (including all four interchanges). Table 5.5-2 shows the transportation analysis zones where indirect economic impacts are anticipated, including four such zones in the vicinity of the North Pike interchange, and none in the vicinity of the South Daviess interchange. Table 5.5-4 presents the numbers of housing units and jobs anticipated to be induced by the project. Within the vicinity of the North Pike interchange, a total of 31 housing units and 41 jobs are predicted. This induced development would likely not occur until after such time as the interchange is constructed.



Section 2—Final Environmental Impact Statement

Pike County Commissioner Flint describing the main issues discussed at this meeting is included in Appendix E, *Government Correspondence and Meetings (Other Than Resource Agencies)*.

LG03-3

Comment: Whereas the Indiana Department of Transportation has released its Tier 2 Draft Environmental Impact Statement for Section 2 of the Interstate 69 project in Southwestern Indiana which includes the entire portion of the project within Pike County Indiana. And whereas the Indiana Department of Transportation is seeking public comment on the Section 2 proposed alternatives.

And whereas the Department of Transportation in their Public Hearing presentation on March 19, 2009 indicated the following verbatim priorities associated with the construction of the Interstate:

1. Increase personal accessibility for area residents
2. Reduce existing and forecasted traffic congestion
3. Improve traffic safety
4. Support local economic development initiatives

Prior to the public hearing, an official press release by the Indiana Department of Transportation noted that the Pike North interchange serving the Indianapolis Power & Light (IPL) and Hoosier Energy Generating Stations would not be funded in the initial construction process. This was confirmed at the public hearing where it was noted that the Pike North interchange would be a deferred interchange, postponing construction until a future date when funding might be available.

Therefore the Common Council of the City of Petersburg finds that the following facts reflect both the priorities listed by the Indiana Department of Transportation and the best interest of the City of Petersburg.

1. That the Pike North Exchange is necessary to increase personal accessibility for residents traveling to and from the Northern Pike County Industrial Area. Over 350 employees work in the North Pike Industrial Area.

Response: See LG01-2 comment above. See also Tables 3-5 through 3-8 for a comparison of regional accessibility offered under various interchange scenarios.

LG03-4

Comment: 2. The Pike North Exchange will reduce traffic congestion at multiple locations. Currently the IPL generating station receives over 650 tractor trailer trucks per day hauling coal, limestone, and gypsum. IPL has 300 employees and during construction projects and outages the number of contract employees on site can also approach 300 additional workers. The traffic congestion at the intersection of State Road 61 and State Road 57 in Petersburg is also of the utmost importance.

The commercial tractor-trailer traffic at this intersection backs up traffic for hundreds of yards in each direction during peak times of the day. This coal related traffic includes more than just power plant related traffic. Solar Sources coal mine estimates that 30,000

**Section 2—Final Environmental Impact Statement**

trucks per month are currently hauling coal from northern Daviess County to the rail load out yard near Pike Central High School on State Road 61. Permitting is also in place to open the Charger Underground Mine on State Road 61 south of Petersburg which will employ 200 new coal miners and again change the trucking patterns in Pike County.

Response: See LG01-2 comment above. See FEIS Table 3-10, which compares forecasted levels of congestion under each interchange scenario. Predicted truck volumes within Section 2 for the No-Build Alternative and for I-69 both with and without the two deferred interchanges are shown in Table 3-12 in the FEIS. It shows that building both the North Pike and South Daviess interchanges will result in a diversion of only about one-third of truck traffic from SR 57 in Petersburg, as compared to the scenario in which only the SR 61 and US 50 interchanges are provided. See also Appendix CC for additional analysis of coal truck traffic patterns in the Section 2 project area. It shows that the traffic patterns for the majority of coal truck deliveries will be unaffected by the provision of a North Pike interchange.

LG03-5

Comment: 3. If the Pike North Interchange is not constructed commercial truck traffic including the traffic for the power plants will be forced to utilize the State Road 61, I-69 exit. Under current conditions state road 61 is a narrow, basically residential section of state highway that contains no turn lanes or other improvements to facilitate the increase in either the overall traffic quantity or the commercial traffic from the interstate. INDOT has released no plans in the Tier 2 study to make any lane improvements to SR 61.

The danger associated with SR 61 has already been recognized as an area of concern by INDOT. In the last 5 years they have reduced the speed limit on this stretch of road and established a school zone and cross walk. In addition INDOT funded a \$240,000 Safe Routes to Schools grant to the city of Petersburg due to the limited number of sidewalks in the area and the great risk to school children walking to and from school crossing SR61 in this same area.

Response: Table 3-12 in the FEIS presents the predicted truck volumes on key highways within Section 2 for the scenario where only two interchanges (US 50 and SR 61) are constructed, identified as Scenario 2 in the table. See Table 5.6-1, which provides forecasted traffic volumes on SR 61 south of SR 57 in Petersburg. It shows that forecasted daily traffic on SR 61 is 1,700 vehicles per day more than the “no build” case for a two-interchange scenario, and 600 vehicles per day less than the “no build” case for a four-interchange scenario. However, in all cases (no build, two-interchange and four-interchange scenarios) SR 61 operates at Level of Service (LOS) A, indicating that more than adequate capacity will exist on SR 61 under any scenario. See also response to comment LG01-2 above. As discussed in the September 25 meeting with Mayor Craig, INDOT also intends to partner with city and county officials to identify and evaluate important missing elements in the local transportation network, including funding mechanisms for those elements. This evaluation of transportation improvements (not directly related to I-69) should help to address some of these additional issues.



LG03-6

Comment: 4. The deferral of the Pike North interchange increases the costs of transporting coal, ash, limestone, and gypsum to and from the Pike North industrial area. These fossil fuels and byproducts consumed and generated by the production of power in this location remain one of Pike County's best opportunities for enhanced economic development in the area surrounding the power plants.

Response: Deferring the construction of the two interchanges may delay some of the anticipated transportation benefits that will be provided once they are constructed. However, the deferral will not increase the costs for transportation in the interim period, since the trucks will continue to use existing routes. See also the response to comment LG01-2 above.

LG03-7

Comment: It is also noted that transportation plays a pivotal role in the economic development process. The billions of dollars invested in the Pike County power plants would have state and local economic development professionals pushing for the construction if this was a new development.

Response: Comment noted.

LG03-8

Comment: 5. Pertaining to both health concerns and economic development is the issue that the Pike North interchange and the City of Petersburg fall inside Washington Township, a federally designated non-attainment area for air quality under the PM 2.5 standard. The harmful diesel emissions from the coal related traffic will be left to harm our citizens by their non-efficient access to the interstate. It is also noted that health and respiratory concerns are prevalent in our aging community. Improving the flow of commercial vehicle traffic from the power plant area will reduce these harmful emissions. By promoting this ongoing problem, we also continue to limit our ability to issue new air permits for new business and industry seeking to locate in our area.

Response: When USEPA issued its most recent air quality monitoring data and non-attainment designations (on October 8, 2009), Washington Township was shown to be in attainment for PM 2.5. See response to comment AF 02-11. Even without the deferred interchanges, I-69 will still provide a substantial reduction in truck volumes on SR 57 in Section 2. See Table 3-12 in the FEIS.

LG03-9

Comment: 6. Deferring the Pike North interchange is an indefinite situation with no projected build date. Funding for the interstate has been hard fought and will continue to be difficult to secure. The unsure funding for sections North of NSWC Crane can potentially tie up funding for the southern deferred projects for decades more.

Response: INDOT is committed to the eventual funding and construction of the North Pike Interchange (as well as the South Daviess Interchange). It is a part of the Section 2



project. INDOT is demonstrating its commitment in particular to the North Pike Interchange by designing it and purchasing the right-of-way for the interchange as well as associated access roads.

LG03-10

Comment: 7. The deferral of the Pike North interchange will have the opposite effect on the economic vitality of the Petersburg community if it is not constructed with the initial construction project. The interstate will create a bypass of Petersburg's Main Street business district. Leaving our main street with only local traffic and the heavy commercial traffic associated with the coal industry. Steps are currently being taken to enhance the downtown streetscape and revitalize our business district in an effort to increase the destination traffic for our local retailers. It will be detrimental to our downtown environment to plan for both destination retail and attractive professional offices while accommodating the heavy truck traffic at the same time.

INDOT recognizes the potential impacts both positive and negative associated with I-69, as they funded a \$100,000 planning grant for our community to prepare for the impacts of the project. This money in Pike County was used to develop new comprehensive plans for both the city and the county which has helped to develop the very strategy on removing the commercial traffic from downtown.

Response: See LG01-2 comment above. See also comment LG03-5, regarding other measures to alleviate levels of truck traffic in Petersburg.

LG03-11

Comment: In essence the deferment of the Pike North Interchange insures that the four express goals of Interstate 69 will not be benefits that Petersburg and Pike County can realize as a result of the project.

Be it therefore resolved by the Common Council of the City of Petersburg, Indiana that the immediate construction of the Pike North interchange meets all of the goals established by the Indiana Department of Transportation as set forth for the Interstate 69 project; and that the construction of the Pike North Interchange should not be deferred and should be included in the primary construction phase. Be it further resolved that a copy of this resolution be supplied as part of the I-69 Tier 2 DEIS public comment, and that copies of this resolution be forwarded to the Commissioners of Pike County; the Project Manager of the Interstate 69 project; The Deputy Commissioner of the Indiana Department of Transportation, Vincennes District; The Commissioner of the Indiana Department of Transportation; The Governor of Indiana; and all the State Senators and Representatives and United States Senators and Representatives serving the City of Petersburg.

Response: See LG01-2 comment above.



Section 2—Final Environmental Impact Statement

LG07 Members **Daviess County Council and
Daviess County Commission** **06/10/09**

LG07-1

Comment: WHEREAS, the Indiana Department of Transportation has released its Tier 2 Draft Environmental Impact Statement for Section 2 of the Interstate 69 project in Southwestern Indiana which includes the entire portion of the project within Daviess County and Pike County, Indiana; and WHEREAS, the Indiana Department of Transportation is seeking public comment on the Section 2 proposed alternatives; and WHEREAS, the Department of Transportation in their public hearing presentation on March 19,2009, indicated the following verbatim priorities associated with the construction of the interstate:

1. Increase personal accessibility for area residents.
2. Reduce existing and forecasted traffic congestion.
3. Improve traffic safety.
4. Support local economic development initiatives.

Prior to the public hearing, an official press release by the Indiana Department of Transportation noted that the Pike North interchange serving the Indianapolis Power & Light (IPL) and Hoosier Energy Generating Stations would not be funded in the initial construction process. This was confirmed at the public hearing where it was noted that the Pike North interchange would be a deferred interchange, postponing construction until a future date when funding might be available.

THEREFORE, the Daviess County Council and the Daviess County Board of Commissioners find that the following facts reflect both the priorities listed by the Indiana Department of Transportation and the best interests of Daviess County.

1. That the Pike County North Exchange is necessary to increase personal accessibility for residents traveling to and from the Northern Pike County Industrial Area and the Southern Daviess County Area. Over three hundred fifty (350) employees work in the North Pike Industrial Area.

Response: See LG01-2 comment above. See also Tables 3-5 through 3-8 for a comparison of regional accessibility offered under various interchange scenarios.

LG07-2

Comment: 2. The Pike North Exchange will reduce traffic congestion at multiple locations. Currently the IPL generating station receives over six hundred fifty (650) tractor-trailer trucks per day hauling coal, limestone and gypsum. IPL has three hundred (300) employees and during construction projects and outages the number of contract employees on site can also approach three hundred (300) additional workers. The traffic congestion at the intersection of

The commercial tractor-trailer traffic at this intersection backs up traffic for hundreds of yards in each direction during peak time of the day. This coal related traffic includes more than just power plant related traffic. Solar Sources coal mine estimates that thirty thousand (30,000) trucks per month are currently hauling coal from Daviess County to the rail load out yard near Pike Central High School on State Road 61. Permitting is also



Section 2—Final Environmental Impact Statement

in place to open the Charger Underground Mine on State Road 61 south of Petersburg which will employ two hundred (200) new coal miners and again change the trucking patterns in Pike County.

Response: See LG03-4 comment above.

LG07-3

Comment: 3. If the Pike North interchange is not constructed commercial truck traffic including the traffic for the power plants will be forced to utilize the State Road 61, I-69 exit. Under current conditions, State Road 61 is a narrow, basically residential section of state highway that contains no turn lanes or other improvements to facilitate the increase in either the overall traffic quantity or the commercial traffic from the interstate. INDOT has released no plans in the Tier 2 study to make any lane improvements to State Road 61.

The danger associated with State Road 61 has already been recognized as an area of concern by INDOT. In the past five (5) years, they have reduced the speed limit on this stretch of road and established a school zone and crosswalk. In addition, INDOT funded a Two Hundred Forty Thousand Dollar (\$240,000) Safe Routes to Schools grant to the City of Petersburg due to the limited number of sidewalks in the area and the great risk to school children walking to and from school crossing State Road 61 in this same area.

Response: See LG03-5 comment above.

LG07-4

Comment: 4. The deferral of the Pike North interchange increases the costs of transporting coal, ash, limestone and gypsum to and from the Pike North Industrial area. These fossil fuels and byproducts consumed and generated by the production of power in this location remain one of Pike County's best opportunities for enhanced economic development in the area surrounding the power plants.

Response: See LG03-6 comment above. While deferral of the interchange will not provide any anticipated benefits to coal truck traffic, the deferral should not increase trucking costs over their current levels.

LG07-5

Comment: It is also noted that transportation plays a pivotal role in the economic development process. The billions of dollars invested in the Pike County power plants would have state and local economic development professionals pushing for the construction if this was a new development.

Response: Comment noted.



LG07-6

Comment: 5. Pertaining to both health concerns and economic development is the issue that the Pike North interchange and the City of Petersburg fall inside Washington Township, a federally designated nonattainment area for air quality under the PM 2 standard. The harmful diesel emissions from the coal related traffic will be left to harm citizens by their non-efficient access to the interstate. It is also noted that health and respiratory concerns are prevalent in our ageing community. Improving the flow of commercial vehicle traffic from the power plant area will reduce these harmful emissions.

Response: See LG03-8 comment above. Even without the deferred interchanges, I-69 will still provide a substantial reduction in truck volumes all along SR 57 in Section 2. See Table 3-12 in the FEIS.

LG07-7

Comment: 6. Deferring the Pike North interchange is an indefinite situation with no projected build date. Funding for the interstate has been hard fought and will continue to be difficult to secure. The unsure funding for sections North of NSWC Crane can potentially tie up funding for the southern deferred projects for decades more.

Response: See LG01-2 comment above.

LG07-8

Comment: 7. The deferral of the Pike North interchange will have an opposite effect on the economic vitality of Daviess County and Pike County if it is not constructed with the initial construction project.

Response: See LG01-2 comment above.

LG07-9

Comment: In essence the deferment of the Pike North interchange insures that the four (4) express goals of Interstate 69 will not be benefits that Daviess County or Pike County can realize as a result of the project.

BE IT RESOLVED, by the Daviess County Council and the Daviess County Board of Commissioners that the immediate construction of the Pike North interchange meets all of the goals established by the Indiana Department of Transportation as set forth for the Interstate 69 project; and that the construction of the Pike North interchange should not be deferred and should be included in the primary construction phase.

BE IT FURTHER RESOLVED, that a copy of this Resolution be supplied as part of the I-69 Tier 2 DEIS public comment, and that copies of this Resolution be forwarded to the Pike County Council and the Pike County Board of Commissioners, the Project Manager of the Interstate 69 project, the Deputy Commissioner of the Indiana Department of Transportation, Vincennes District, the Commissioner of the Indiana Department of Transportation, the Governor of Indiana, and all the State Senators and Representatives and United States Senators and Representatives serving Daviess County.



Section 2—Final Environmental Impact Statement

This Resolution duly passed and adopted by the Daviess County Council on June 10, 2009, and duly passed and adopted by the Daviess County Board of Commissioners on June 8, 2009.

Response: See LG01-2 comment above.

LG08 **Norman Dillon** **Councilman, Pike County** **03/19/09**

LG08-1

Comment: I've never supported I-69. I feel building a new terrain highway is wrong for environmental reasons.

Response: Comment noted.

LG08-2

Comment: But being a councilman, I feel whenever this initially started, Pike County was going to have three interchanges. We had a south, a middle and a north. You done away with our north interchange. And in between that time we've had several grants and monies that we've had to do studies on industrial parks, how it's going to help our community, how the urban sprawl was going to come out, how our sewer and water system was going to work. And you're taking away our economic development and our growth when you take away the north exit.

Response: See LG01-2 comment above.

LG08-3

Comment: And also, on the 61 exit, we need a full, or a double four-leaf clover to make it safe for trucks to come on and off. This sliding down and going to a stoplight and having to sit there and wait with semis with coal and stuff is unsafe. We need a double four-leaf clover at 61 to make traffic flow in and out of our county.

Response: There are no substantial safety advantages of a cloverleaf interchange over a full-diamond interchange. It is preferable to bring all vehicles to a stop rather than have vehicles, particularly high volumes of heavy trucks, merge into traffic onto a roadway, as would be the case with a full-cloverleaf interchange. Tables 5.6-2 and 5.6-3 show that this interchange has adequate capacity in the forecast year under either a two-interchange or four-interchange scenario. A full-cloverleaf interchange is indicated only if it otherwise would have inadequate ramp capacity.

LG08-4

Comment: And you do away with the north exit. You're killing our economic development because economic development, just not at our industrial park when we finally get one built, it's in between those two exits where you have mom-and-pop shops being built in between those two corridors because somebody comes off that interstate can pull off of one exit, drive through and come out the other end and get on an exit. You're doing away with that. You're hurting my county. You're limiting the access to that road where we can get from



LG11-2

Comment: We look at Interstate 69 in terms of public safety. And we have talked about one interchange on State Road 61 just outside of Petersburg, and we've talked about the northern interchange as well and the fact that it may be deferred. I would argue that in terms of public safety, that north interchange is critical to Pike County and those people that are going to be passing through it because the mayor of Petersburg referenced a number of coal trucks that pass through on a daily basis feeding the two coal-fired power plants we have. If you do not have that Pike County north interchange, you are going to force the majority of those trucks to get off the interstate and come through the City of Petersburg competing with our school busses, our grade schools, and our citizens and visitors as they pass through. So I would ask you to go back, look at that again, sharpen your pencil and decide, yes, the Pike County north interchange is crucial to this area. Thank you very much.

Response: See LG01-2 comment above. Predicted truck volumes within Section 2 for the No-Build Alternative and for I-69 both with and without the two deferred interchanges are shown in Table 3-12 in the FEIS.

LG12 Present and Past Pike County Commissioners June of 2009 Members

LG12-1

Comment: There are areas in Section 2 of the I-69 project that need to be looked at again. These areas are in Pike Co. in Logan Township. The I69 team is proposing to close Co. Roads and installing turn around circles and building new access roads to private property. We do not agree with two areas in our County.

The first area is on Co. Rd. 325W. If this road is closed off it will cause the mail carrier to turn around and back track. It will cause the school bus to do the same thing. It will also cause confusion with the ambulance service and the sheriff dept who are dispatched. This road should be reconnected to Co Rd 200S going West. This would be a short connection to the west allowing the public to access Co Rd 200S and go East or West.

Response: CR 325W will not be affected by the construction of I-69. The closure of CR 300W was discussed with officials from the Pike County Highway Department, who agreed with the proposed closure. Necessary accommodations will be made for buses and other vehicles to safely turn around.

LG12-2

Comment: Also in the same area the I-69 team is proposing to build a new access road from 200 S north approx. ¼ mile to give access on east side of I-69 property owners who's property is being cut into. This road will take up more farmland and does not need to be built.

Our proposal is to go East on 200S to Star Dr. This is a Co. Rd. (250W). The property owner changed the Co. sign and put up his own sign calling Co. Rd. Star Dr. This Co. Rd. goes north to Sue Dr. Again, the property owner put up Sue Dr. sign. Sue Dr. is a private road going west. The property owner had intention of bring this road up to



County specs and turning it over to the County. The property owner suddenly passed away before this was done. If this road was completed it would give access to the property owners on the East side of I-69 therefore this new road north from Co. Rd. 200S would not be needed.

Response: This is a public project, therefore, all access to properties must be via a publicly-accessible road, and private roads cannot be used. Currently, access to these properties is via CR 300W. It is proposed that access to these properties be provided via a local service road (LSR 4) shown in the FEIS, Section 5.3.4.2.

LG12-3

Comment: Also back on Co. Rd. 325W, if this road is closed off the Water Co. will have no way of keeping the water line going west on Co. Rd. 200S.

Response: The existing water line along CR 200S will be relocated as necessary to maintain service to the west side of I-69. Most likely the relocation will be within the existing CR 200S right-of-way, but this decision will be made during final design. The Preferred Alternative will not affect County Road 325.

LG12-4

Comment: Another area of big concern is Co. Rd. 250W being closed off just south of 50S. This does not make any sense. This Co. Rd. 250W needs to be connected to Co. Rd. 75S on west side of I-69. This is the route all the farmers use and give access to all the property owners. Again this would be a short connection. Therefore there would be no need for a new Co. Rd. coming down from Division road south to Co. Rd. 50S. No need to take up more farm land. No need to waste more money on a road that is not needed.

Response: A local service road (LSR 5) is now proposed to connect CR 250W, on the west side of the proposed I-69, to CR 75S. See Figure 5.3-8b in the FEIS. This will allow farmers to access landlocked properties from CR 75S. LSR 6, shown in the DEIS, is not included in the FEIS.

LG12-5

Comment: We would be glad to meet with your field people and point out how to save a lot of money. Also we support a second interchange in Pike Co. north of Petersburg near power plants.

We pray you will take these concerns seriously and check them out. If we can be of further help, do not hesitate to contact us at the address below. Thanks for considering.

Response: See LG01-2 comment above. A member of the Section 2 project team met with the Pike County Street Superintendent on July 29, 2009, to discuss these and other local access issues.

**PUBLIC COMMENTS (PC)****PUBLIC—ORGANIZATIONS**

PC01 **Tina L. Hairston** **American Electric Power (AEP)** **06/09/09**

PC01-1

Comment: Effective February 1, 2001, the responsibility for coordination with public agencies and private developers for the relocation of electric facilities and evaluations of proposed developments were split according to whether the voltage of the affected facility was transmission or distribution. There is no longer a single point of contact for all of our electric facilities and substations.

Transmission: After reviewing your information this section of the proposed I-69 between Oakland City and Washington, IN directly affects AEP's Rockport-Sullivan 765,000 volt transmission line. AEP's ability to relocate or modify a 765kV transmission line is extremely time consuming and costly. Construction requires scheduled outages with PJM. Outage approvals may take as long as a year to receive, and can only be requested once the project design is complete. In order for AEP to fully identify the impact of the proposed alignment, more information is required. Please continue to keep in contact with AEP as the project progresses. See attached Figure S-10 for AEP's transmission line location. We **urge extreme caution** when operating a crane, vehicle or mechanical equipment capable of having part of its structure elevated, near any equipment or energized lines. Please adhere to all OSHA standards when working near any energized line.

Response: The preliminary design of the preferred alternative was coordinated with AEP during preparation of the DEIS. It is anticipated at this time that no towers of this transmission line will have to be relocated. Vertical clearance beneath the power lines was also checked, and sufficient clearance is provided at all locations. INDOT will continue to coordinate future development of the project with AEP during final design.

PC02 **Ann D. Murtlow** **Indianapolis Power & Light Co. (IPL)** **06/15/09**

PC02-1

Comment: Indianapolis Power & Light Company (IPL) strongly supports economic development in Petersburg, Pike County, southern Indiana and the construction of Interstate I-69, including the Northern Pike County interchange. The opportunities and the value that the interchange brings to southern Indiana are immeasurable and the positive benefits not only affect IPL, but community as a whole. Your reconsideration and support the Northern Pike County interchange would be appreciated.

Response: At the present time, INDOT intends to defer construction of the North Pike interchange until additional funding is available. For additional details on deferral of this interchange, see the response to Comment LG01-2.



Various Groups Comments On The Tier 1, **FEIS**, Submitted 2 February, 2004.

Consulting Archaeologists Study, October, 2002.

Smart Mobility Study, November, 2002.

CARR'S Comments On The DEIS For I-69 Submitted On November 7th, 2002.

Various Groups Report And Analysis Of Purpose And Need Statement For I-69, "The Untold Story", September, 2001.

CARR'S Comments On The DEIS For The SW Indiana Highway Corridor, July 1996.

Response: Responses have been provided to the cited documents, as follows:

- ***CARR's Letter Requesting An Extension Of the Comment Period For This DEIS, with responses. 16 May 2009.*** As commenter notes, FHWA provided a response to this request on May 26, 2009. Both the request and response are included in Appendix B of this FEIS.
- ***Letter to the Inspector General, USDOT. 29 May 2009.*** Letters to the USDOT Inspector General are confidential. Since a copy of this letter was not supplied with the comments, INDOT and FHWA are unable to offer any responses.
- ***CARR's Comments On The Tier 2 DEIS, Section 2. June 2009.*** See responses to comments beginning at PC03-2 below through PC03-87. Responses to Mr. Boyd's comments can be found by referring to PC095, PC096 and PC098.
- ***Press Release on I-69 Cost Increases. March, 2009.*** Please refer to the response provided to PC033-1 and section 6.2.2 of the FEIS which discusses INDOT'S efforts to minimize costs.
- ***Comments by Jess A. Gwinn, June 2009.*** See responses to comment PC091.
- ***Hoosier Environmental Council Report: "The Case for the Common Sense Alternative to the New-Terrain I-69 Highway from Indianapolis to Evansville", May 2008.*** See responses PC03-77 through – 87. Most of these are issues that were raised in comments on the Tier 1 DEIS and addressed in responses to Tier 1 comments and/or the lawsuit regarding the Tier 1 Record of Decision and the Tier 1 Biological Opinion. To the extent that this document raises issues not addressed in prior Tier 1 documents or proceedings, responses are offered in this document. A copy of this document was not provided with these comments. It was downloaded from the Hoosier Environmental Council website at http://www.hecweb.org/File/Policy_Analysis_of_the_Proposed_New_Terrain_I-69_Highway.pdf. Downloaded 10-29-09.
- ***Various Groups Comments On The Tier 1, FEIS, Submitted 2 February, 2004.*** These comments were addressed in the Tier 1 Record of Decision (ROD). See Tier 1 ROD, Appendices A and B.
- ***Consulting Archaeologists Study, October, 2002.*** The only document which INDOT and FHWA have which satisfied this description is a comment on the Tier 1 DEIS, dated October 22, 2002. It was provided by Patrick J and Cheryl Ann Munson, who identified themselves as —Consulting Archaeologists.” These comments were addressed in the Responses to Comment of the Tier 1 DEIS. See Tier 1 FEIS, Volume IV, part A, pp. 187 – 213.
- ***Smart Mobility Study, November, 2002.*** An appendix in the Tier 1 FEIS was provided to respond to this study. See Tier 1 FEIS, Appendix FF, *Technical Critique of Smart Mobility Report*.



Section 2—Final Environmental Impact Statement

- ***CARR's Comments On The DEIS For I-69 Submitted On November 7th, 2002.*** These comments were addressed in the responses to comments on the Tier 1 DEIS. See Tier 1 FEIS, Volume IV, Part A.
- ***Various Groups Report And Analysis Of Purpose And Need Statement For I-69, "The Untold Story", September, 2001; CARR'S Comments On The DEIS For The SW Indiana Highway Corridor, July 1996.*** Both of these documents were included as part of CARR's comments on the Tier 1 DEIS – see Tier 1 FEIS, Volume IV, Part B, pp., 88 – 157. These documents were addressed as appropriate in the Responses to Comment of the Tier 1 DEIS. See Tier 1 FEIS, Volume IV, Part A.

PC03-2

Comment: The Comments of Bill Boyd and Comments by The Hoosier Environmental Council on this DEIS, Section 2, will be sent under separate cover but are to be included as part of CARR's comments.

Response: Comments from William Boyd have been received and are presented at PC095, PC096 and PC098 in this document. Responses to the document provided from Hoosier Environmental Council can be found below in comments PC03-77 through PC03-87.

PC03-3 (Note: There are no comments PC03-4 through PC03-9. The next comment is numbered PC03-10)

Comment: GENERAL COMMENTS:
The Tier 2 DEIS, Section 2, fails to fulfill many major requirements of NEPA:

- 1) The entire project is illegally segmented.
- 2) It does not consider all reasonable alternatives to an environmentally destructive and extravagantly expensive new terrain route.
- 3) The Purpose and Needs section does not supply sufficient justification for the preferred alternative, or the project as a whole.
- 4) This DEIS is based on biased analyses that attempt to justify a pre-determined outcome.
- 5) This DEIS contains incomplete, inadequate and out-of-date information; as a result, cost estimates, environmental and social impacts cannot be realistically and completely assessed.
- 6) This DEIS does not adequately address indirect and cumulative impacts of the project.
- 7) This DEIS does not adequately address the impacts, costs and implementation of mitigation procedures.

Response: General comments 1 and 2 and part of comment 3 above address Tier 1 issues and require no further response in this Tier 2 document. Responses to these comments can be found in the Tier 1 FEIS, Volume IV, *Responses to Comments*. Some of these issues also were addressed in the Tier 1 lawsuit against the Tier 1 ROD and Tier 1 Biological Opinion. This lawsuit was adjudicated in INDOT's and FHWA's favor, and all of plaintiff's claims were set aside. The remaining "general comments" are addressed to the extent that they are raised in the more specific comments below.



Section 2—Final Environmental Impact Statement

PC03-10

Comment: The I-69 project does not have realistic projections of a probable completion date.

Response: Sections 1, 2 and 3 are funded through Major Moves, with construction anticipated to be completed by 2012. Sections 4, 5 and 6 are included in the INDOT Long-Range Transportation Plan. At this time, a specific funding source has not been identified. The actual timing of construction will be established once funding is identified.

PC03-11

Comment: There is no known source of funding to complete the entire project from Evansville to Indianapolis. "Innovative financing" is not a credible funding source. Large portions of the project are listed as "illustrative" which means they have no known funding source. Based on current cost estimates for sections 1-3, there is no money available to complete Section 2 of this project. The legality of going forward with Section 2 must be addressed because it is not fiscally constrained, i.e., there is no credible funding source for it.

Response: Please refer to the response provided in PC095-17.

PC03-12

Comment: The comment period for this DEIS is too short. To make the situation more difficult, two DEISs were released at the same time making it even more unlikely that citizens would have the time to offer meaningful comments. Complicating the issue even further is the recent release of a revised DEIS for this section. Due to the revisions, both documents will have to be compared to find all the changes. These are long, complicated documents that requires many hours of study and research. In general, citizen input is requested in order to fulfill the NEPA requirement and to feign interest. In fact, the only input sought is from those who can offer help in building this highway, or information that helps the agencies figure out how to get around the opposition. Serious citizen comment showing opposition is routinely ignored or dismissed as irrelevant. Despite unprecedented opposition for nearly twenty years to this proposed highway, that opposition is not mentioned in this document.

Response: SAFETEA_LU provides that the maximum comment period for a Draft EIS generally should be no more than 60 days. Due to the number of issues addressed by both the Section 2 and 3 DEISs, the comment period for both was doubled, to 120 days. As the commenter noted, a Revised DEIS was issued for the Section 2 project. For this reason, the comment period for the Section 2 document was extended an additional 14 days. All substantive comments received on this DEIS will receive full consideration, and are being addressed in this document.

PC03-13

Comment: The purpose and need evaluation for this project is out-of-date and ignores likely increases in construction costs, the high cost of fuel and the changing needs of transportation.



Section 2—Final Environmental Impact Statement

Response: Please refer to the responses provided to PC033-1 regarding project costs. The traffic forecasts were made using the most current version of the Indiana Statewide Travel Demand Model, with a forecast year of 2030. No details are provided to explain the “changing needs of transportation.”

PC03-14

Comment: The models used for this Study project out 20-25 years and are based on past performance. The past is now a poor predictor of the future of transportation. The transportation needs for the U.S. as well as Indiana has changed dramatically since the FEIS was released in 2004. This DEIS is completely out-of-date in terms of the economics of highway building. High fuel prices will continue to rise over the life of the project. This will have major impacts on transportation needs and the ability to pay for transportation projects. Funding sources for highway construction have significantly declined. Also, there is also a much greater understanding of the value of farmland and forests. The world has changed and analysis of transportation projects needs to reflect these changes. The models used for this DEIS need to be updated.

Response: This statement states that the transportation needs in America have “changed dramatically” since 2003. Nothing more specific is stated. While there have been noteworthy changes in the economy, no evidence is offered that the basic transportation needs identified in Tier 1 have significantly changed.

The traffic forecasts for this study were made using the current version of the Indiana Statewide Travel Demand Model. See FEIS, Section 3.1.2. Its forecast year is 2030.

Please refer to the response to comments PC033-1 regarding project costs, and PC095-17 regarding funding.

PC03-15

Comment: Indiana ranks 10th in the Nation in interstate highway density, 6th in overall road density, yet its economy has been faltering for years. It now has an unemployment rate of over 10%, one of the highest in the Nation. Clearly, Indiana has enough interstate highways. Another highway is not going to significantly improve Indiana's economic standing. The billions of dollars that would be spent on I-69 can be better spent on alternatives to building more highways.

Response: Information about the existing transportation network in Indiana was considered during Tier 1 study, and requires no further response in this Tier 2 study.

PC03-16

Comment: The alternatives analysis for this project must include the alternatives of public transit and rail freight options. Transportation by rail is increasing dramatically as truck transportation continues to increase in cost. This trend will continue into the foreseeable future.

Response: Please refer to the response provided to PC031-2 regarding rail.



Section 2—Final Environmental Impact Statement

PC03-17

Comment: Section 2 is one small part of the proposed **NAFTA** highway from Canada to Mexico. What is the role of this highway segment within the larger project? **The modeling for this project assumes the entire project is completed.** How likely is this entire project to be completed, when will it be completed and what will it cost? All of these questions need to be answered to determine the feasibility of building Section 2. Texas has already dropped plans for a new terrain I-69 in Texas because of citizen opposition and spiraling construction and fuel costs.

Response: It is not the purpose of the traffic modeling to establish that Section 2 is a segment of independent utility. That was established in the Tier 1 FEIS and ROD. As is appropriate for a NEPA study, the Tier 2 traffic modeling assumes that the other sections of I-69 are built, including other sections between Evansville and Indianapolis, as well as the national I-69 project. This is necessary so that the engineering assessment will provide a facility with sufficient capacity. This also ensures that all traffic-related impacts (including noise, air quality, energy, visual, construction, and indirect/cumulative) are fully disclosed.

PC03-18

Comment: The costs of this project have skyrocketed and will continue to rise. This is clearly shown by the updated cost estimates for Sections 1, 2 and 3. Extrapolating from these estimates indicates the cost will reach, conservatively, \$4-5 billion. Attempts to cut this cost by cheapening the project and delaying or cutting out some structures will change the project in ways that affect the economic outcomes. This all argues for redoing the entire EIS. The models and assumption used for this EIS are invalid.

Response: Please refer to responses provided to PC033-1 regarding project costs and PC033-3 regarding construction material costs.

PC03-19

Comment: The cost increase for Section 2 given in the DEIS is misleading. The median cost estimate for this section in the FEIS is \$222 million, not the \$342 million adjusted figure given in the DEIS. This creates the impression that the increase was less than it actually is. The decision to continue with this project was based on the figures in the FEIS not some adjusted figures released after the FEIS was published.

Response: As noted in the footnote to Table S.8-2 in the Tier 2 DEIS, the costs from the Tier 1 FEIS were given in Year 2000 dollars. Because of inflation, the same amount of goods will cost more dollars to purchase in each successive year. To provide an equal comparison of the true cost of two different items, it is therefore necessary to express their costs in constant dollars. In the Tier 2 DEIS document, the Year 2010 was used as the basis for those comparisons. The Tier 1 Year 2000 dollars were escalated to Year 2010 dollars to reflect inflation during those 10 years, following the procedures discussed in Appendix C. Comparing costs from different years without taking account the inflation rate between those years is an invalid comparison.

**Section 2—Final Environmental Impact Statement****PC03-20**

Comment: A disturbing new development in this project is the public statement by Governor Daniels that INDOT should "throw out the rule book" for construction guidelines in an attempt to cut costs for the project. This has national as well as statewide ramifications if it were to be attempted. At what point are the studies done for this project simply no longer applicable? Is INDOT going to throw out the federal rules for building I-69? If so what parts are going to be tossed out? This turns out to be a substantially different project than was addressed in the FEIS and would violate all established guidelines. The Tier 2, FEIS for Section 1 was based on a highway with concrete pavement. Is that section now going to be asphalt? If so, the project is being significantly changed after release of the ROD. This is simply unacceptable and possibly illegal.

Response: Please refer to the response provided for PC095-33.

PC03-21

Comment: Global Climate Change must be addressed in this DEIS. Highways are a major contributor of greenhouse gases. The higher speeds and increases in traffic volume and miles traveled (VMT) caused by this highway will significantly increase carbon emissions. If the study claims there will be little or no increase in traffic, **and** therefore no increase in emissions, then there will be no increase in economic development. An increase in economic development is a major goal of this project. It is very likely that some form of carbon emission caps will become law in the near future. Since auto emissions are a major source of carbon emissions, building I-69 will add to Indiana's already overabundance of highway emissions and will put it at a competitive disadvantage in attracting new businesses. This scenario must be addressed in this and all other EISs for this project.

Response: From a policy standpoint, FHWA's current approach on the issue of global warming is as follows: To date, no national standards have been established regarding greenhouse gases, nor has EPA established criteria or thresholds for greenhouse gas emissions. On April 2, 2007, the Supreme Court issued a decision in *Massachusetts et al v. Environmental Protection Agency et al* that the USEPA does have authority under the Clean Air Act to establish motor vehicle emissions standards for CO₂ emissions. The USEPA is currently determining the implications to national policies and programs as a result of the Supreme Court decision. However, the Court's decision did not have any direct implications on requirements for developing transportation projects.

FHWA does not believe it is informative at this point to consider greenhouse gas emissions in an Environmental Impact Statement (EIS). The climate impacts of CO₂ emissions are global in nature. Analyzing how alternatives evaluated in an EIS might vary in their relatively small contribution to global emissions will not better inform decisions. Further, due to the interactions between elements of the transportation system as a whole, emissions analyses would be less informative than ones conducted at regional, state, or national levels. Because of these concerns, FHWA concludes that we cannot usefully evaluate CO₂ emissions in this EIS.

FHWA is actively engaged in many other activities with the DOT Center for Climate Change to develop strategies to reduce transportation's contribution to GHGs—



Section 2—Final Environmental Impact Statement

particularly CO₂ emissions—and to assess the risks to transportation systems and services from climate change. FHWA will continue to pursue these efforts as productive steps to address this important issue. FHWA will review and update its approach to climate change at both the project and policy level as more information emerges and as policies and legal requirements evolve.

PC03-22

Comment: The National Environmental Policy Act (NEPA) has been compromised and corrupted in all the studies for the I-69 extension. Tiering the studies and segmenting the entire route by creating 6 segments for separate study make it impossible to evaluate the impacts of the project as a whole. Tier 1 locked-in the route before all the impacts and costs were known. This study does not follow the letter or the spirit of the law. NEPA was intended as legislation to insure public participation and full consideration of alternatives but it has been twisted and corrupted into a pork barrel feeding frenzy by highway consultants and engineering firms. **The EIS from the beginning, through Tier 1, and now into Tier 2 has been a clear example of how to get around the intent of NEPA and to lock in the more destructive alternative over the will of the people and over good transportation planning and fiscal responsibility.**

Response: Tier 2 NEPA studies are conducted on sections of independent utility that were established in the Tier 1 Record of Decision. .

FHWA has issued guidance explaining how to apply these criteria to establish termini for project sections for evaluation in Tier 2 NEPA studies. See Tier 1 FEIS, Appendix X, *FHWA Tiering Memorandum*. This guidance was provided for a tiered study of I-70 in Missouri, which was undertaken by FHWA. Following that guidance, FHWA and INDOT applied these three criteria in both the DEIS and FEIS to determine Tier 2 sections for the I-69 Evansville-to-Indianapolis project. ***In the Tier 1 FEIS and ROD, FHWA made the determination that the Tier 2 sections have independent utility.***

In October 2006, several plaintiffs (including some DEIS commenters) filed suit against the US Department of Transportation, alleging that the Tier 1 Record of Decision violated several federal laws. The complaint cited numerous issues. This issue (that the Tier 2 sections do not have independent utility), was not one of those. The US District Court for the Southern District of Indiana issued its opinion in December, 2007, rejecting all of the plaintiffs' claims. This decision was not appealed, and the statutory limit for further litigation on the Tier 1 decision has passed. Because this issue was determined in the Tier 1 Record of Decision, no further response is needed in this Tier 2 document.

PC03-23

Comment: A major problem with tiering is revealed in the Tier 2, Section 2 DEIS. After being approved by the Tier 1, FEIS, this route was found to have many more riparian and stream impacts in Section 2 than was stated in the FEIS and in the Tier 2, DEIS. This increase in impacts will result in increased costs. As a result, the DEIS had to be revised.

Response: The Tier 1 FEIS did not present an estimate of length of streams impacted or riparian area impacts. Nearly all of the additional stream impacts identified in the Revised DEIS are to ephemeral streams (which carry water only following rains, and which generally do not



support aquatic life). Construction costs for crossing or otherwise affecting ephemeral streams have been included in the general construction cost allowance for minor drainage along the route.

PC03-24

Comment: While the revisions are quite extensive, citizens were given only 2 weeks to review them. Then, because someone neglected to publish a Notice of Availability in the Federal Register, the comment period was extended by another week. This is still not sufficient time to review these changes.

Response: The Notice of Availability of the Revised DEIS was published in the Federal Register on May 15, 2009, providing a comment period which ended 38 days later (on June 22, 2009). The following chapters, sections, or appendices were revised: Summary, Section 5.19, Section 5.24, and Chapter 6, and Appendix K. The remainder of the DEIS document was unchanged, and had been available for review for 97 days prior to the availability of the Revision, from February 6 through May 14.

PC03-25

Comment: One has to ask what else was missed or underreported in the FEIS that is now incorrect in this and other DEISs? An obvious example is the cost. We have argued for years that INDOT/FHWA are underestimating the costs of I-69. We have released at least 2 press releases to explain this position. At the time INDOT/FHWA denied our claims. Now it is clear that we were correct all along. The cost of Section 2 alone has increased nearly 150%. The Tier 1, FEIS estimate was \$222 million, this DEIS puts it at \$553 million. The tiering approach simply has not worked with the I-69 project. Impacts and costs are seriously underreported in Tier 1 only to be revised upwards in Tier 2. We anticipated this problem and commented on it in the past but were ignored. The remedy now is clear—there needs to be a supplemental FEIS for this entire project.

Response: The cited cost of \$222 million from the Tier 1 FEIS is in Year 2000 dollars. For a meaningful comparison, the Tier 1 and Tier 2 costs need to be expressed in same year dollars. Expressed in Year 2010 dollars, the Tier 1 cost estimate would be \$330 - 353 million, and can be compared to the Tier 2 FEIS cost of \$426 - 473, for an increase of approximately 29 – 34 %. See Table S.8-1 of the FEIS. As this table also indicates, Tier 2 cost estimates include construction administration, utility relocation, and mitigation. None of the Tier 1 estimates for any alternative included these costs.

PC03-26

Comment: The Federal Highway Administration (FHWA) has shown itself to be only a rubber stamp for the Indiana Department of Transportation (INDOT). FHWA is a wet noodle when it comes to its oversight role. It enables INDOT to indulge in its indiscriminate lust for more highways. An example of this is the FHWA's signing off on the funding for this highway. This project is supposed to be fiscally constrained, but it is clear that there is no confirmed source of funding to complete it. Yet FHWA goes along with INDOT in its vague statement that the money will come from its usual sources when it is apparent that the usual sources have all changed or have withered. Representative Brad Ellsworth has a budget request for I-69 in the upcoming reauthorization of the Federal Transportation



Section 2—Final Environmental Impact Statement

Bill. He is asking for \$1.2 billion. This clearly shows the money to build is not now there. Where is the money to complete I-69 going to come from? Without this information, I-69 is not fiscally constrained.

Response: The Federal Highway Administration (FHWA) is deeply involved in all aspects of the I-69 project. FHWA personnel participate in monthly meetings and teleconferences with INDOT and Tier 2 consultants. FHWA staff reviews in detail every chapter and appendix of Tier 2 Draft and Final Environmental Impact Statements (EISs). This review includes a multi-day in-person meeting with INDOT and project staff reviewing each EIS. Literally every word of each DEIS and FEIS is reviewed and approved by FHWA before the documents are published. Please refer to the response provided to PC095-17 regarding funding.

PC03-27

Comment: This DEIS makes vague commitments to do things that will never materialize. Deferring interchanges and access roads until the need arises and the money becomes available is a meaningless commitment. Promised mitigation measures may also not occur if the money is not available. Making changes that impact the goals of the project without changing the expected impacts is deceptive and destroys any credibility the studies might have. If major changes in design and engineering are made then the studies must be redone to reflect the impacts of those changes. Bait-and-switch is not an acceptable means of justifying a project.

Response: Multiple mitigation sites for all wetland, stream, and upland forest impacts associated with Section 2 have been purchased and are currently scheduled for construction starting in 2009 with completion in 2010. Some of the mitigation sites are included in the Umbrella Mitigation Bank that is currently in the final stage of development for Sections 2 and 3 of the I-69 project. These mitigation sites will replace forested and scrub/shrub wetlands and upland forests at a 3 to 1 ratio, emergent wetlands at a 2 to 1 ratio, and open water and streams at a 1 to 1 ratio or greater.

PC03-28

Comment: This individual section (Section 2) of the I-69 project does not have "independent utility" as required by the FEIS. The proposed I-69 project is an international truck corridor stretching from Canada to Mexico. Without all of the other sections in place this small part of the project in SW Indiana serves little purpose and does not justify its cost of \$553 million for 28.6 miles. This DEIS states: "... **all traffic modeling conducted for the I-69 Evansville-to-Indianapolis project takes into account that all these projects will be constructed.**" Each section does not have independent utility and all sections must be built to conform to the economic models. Without them all, none work as planned.

Response: Please refer to the response provided in PC03-22 relative to independent utility.

PC03-29

Comment: The purposes, needs and goals of I-69 are in conflict. There are three separate purpose and need statements (PN) for the entire I-69 project: The PN for the entire I-69 corridor from Mexico to Canada, the PN for the subsections of the international route and the PN

**Section 2—Final Environmental Impact Statement**

for each of the six sections within Indiana. The PN for these individual sections are not in complete agreement. The alternatives analysis, the heart of NEPA, is not the same for all of the studies. For example, the alternatives for connecting Canada, the U.S. and Mexico are different than the alternatives for connecting Washington, Indiana to Greene County, Indiana. The goal of being a major international truck corridor will be harmful to each of the individual sections within Indiana. This creates conflicts and confusion among the purposes and goals of the project. The needs of an international NAFTA truck corridor are not what small towns in Indiana need. Safety, accessibility and local businesses will suffer due to the large volume of truck traffic passing through. Design changes may eliminate interchanges, overpasses, access roads and rest stops. This may have little impact for transcontinental travel but will create negative impacts for local communities.

Response: Please refer to Chapter 2 of the FEIS and the response to comment PC095-30 regarding how the Tier 1 project's purpose and need is restated to serve as the basis of local goals for Tier 2 projects.

PC03-30

Comment: I-69 may cause NSWC Crane to close. Crane's remoteness is a reason it has survived past base closings. Increased traffic to and by NSWC Crane will threaten the continued operation of that base. Easy access to the large stores of munitions on the base will create security problems. In fact, it is well known that some businessmen want Crane to close so it can be developed privately. Already private development is occurring on the periphery of the base. These possible negative impacts on Crane due to the presence of I-69 need to be addressed in this DEIS.

Response: The Crane NSWC lies entirely within Section 3 of I-69, and will not be affected by construction of the Section 2 portion of I-69. With respect to Section 3, I-69 will encourage development of new support industries in the vicinity of Crane NSWC by improving accessibility to the facility. The WestGate Technology Park at Crane (which is near the future US 231 interchange on I-69) is attracting many businesses which are locating there in anticipation of the opening of I-69. Private development near to Crane (such as at the WestGate facility) serves up a unique competitive advantage for commercial companies and university faculty providing federal contract work for the Crane NSWC. Thus, this development supports the mission at Crane. See <http://www.westgatecrane.com>. In addition, on March 29, 2004, in an e-mail to Michael Grovak, Captain Dan Wise, Commanding Office of the Crane facility, stated, "Crane is a controlled military installation. Access is controlled by armed Navy Security Forces. I-69 will not enhance any threat from terrorists to our base."

PC03-31

Comment: Another quite different scenario for Crane is that it could become a nuclear waste repository. Rumors of such a possibility have been reported in the media on occasion. In this scenario I-69 would be needed to transport nuclear waste from around the country to this remote site. This possibility should be addressed in this DEIS.

Response: To our knowledge, there has been no consideration of the use of the Crane NSWC as a nuclear waste repository. NEPA requires consideration of "reasonably foreseeable"



environmental impacts. The concept of reasonably foreseeable impacts does not include "rumors."

PC03-32

Comment: I-69 will be a hazardous cargo route. Local emergency agencies will need to be prepared for major spills and accidents. Who will provide the personnel and training for those agencies? This will be a burden on local economies. This must be addressed and the costs included in the indirect and cumulative impacts.

Response: Emergency responders, local highway departments, and county commissioners were involved in the access decision process to ensure proper emergency access. The results of their input are detailed in Section 11.2.1 of the DEIS. Hazardous materials currently are shipped using SR 57 and other major highways in the project area, although the kind and number of these shipments is not known. To the extent that these shipments are diverted to I-69, they will be transported on a safer highway where there is less chance of accidents and resulting hazardous spills.

PC03-33

Comment: The breaking up of I-69 in Indiana into 6 sections is simply segmentation of the project. This used to be illegal and may still be, but INDOT acts as it has the right to overrule this restriction. This segmentation allows INDOT to avoid addressing the entire cost of the project in Tier 2 and it allows them to avoid addressing all of the impacts. Since the Tier 1 analysis was flawed and underestimated the costs and impacts, the public has no way of knowing all of the costs or impacts until after the project is completed. This is not what was intended by NEPA. Further comments on this issue appear in our other submissions for this DEIS.

Response: Please refer to the response provided to PC03-22

PC03-34

Comment: In 2008 Forbes Magazine listed Indiana 49th among the states in environmental quality. Constructing the new terrain I-69 alternative will push Indiana closer to the bottom. How low can we go? This will have serious negative impacts on our economy now and in the future. Environmental quality is an important factor for some companies when determining where to locate.

Response: Environmental impacts are discussed in Section 5 of the DEIS. In accordance with the National Environmental Policy Act (NEPA), environmental impacts have been avoided and minimized through the alternative selection process. Section 6.3.1 of the DEIS summarizes the selection of the Preferred Alternative. The sections of the Preferred Alternative were selected because they have fewer farmland, stream, floodplain, wetland, residential impacts.



PC03-35

Comment: Employees of the U.S. Fish and Wildlife Service and the Corp of Engineers are being paid by INDOT or Bernardin Lochmueller & Associates (proponents of the new terrain I-69) in order to expedite their review of this EIS. This creates a conflict of interest on the part of those federal agencies and opens up areas of bias to enter the study process. Federal oversight agencies need to be independently funded and controlled so that there is not even the appearance of possible bias. We ask that INDOT and/or their consultants immediately withdraw all financial support of these federal agencies. Federal oversight agencies should not have to farm out their employees to do their job. Federal funding necessary to carry out all of their tasks must be must be awarded these agencies.

Response: This funding arrangement was provided in cooperation with the U.S. Fish and Wildlife Service (FWS) in order to accommodate the significant increase in workload which the I-69 Tier 2 studies will entail. FWS has maintained its strict independence in its responsibilities under the Endangered Species Act, as well as other laws and regulations. In addition, 23 U.S.C. 139(j) allows FHWA to provide funding "to support activities that directly and meaningfully contribute to expediting and improving transportation project planning and delivery for projects in that State."

PC03-36

Comment: Approximately 145,000 citizens have signed petitions opposing INDOT's preferred route for I-69. Of 21,873 comments submitted to INDOT for the Tier 1, DEIS, 94%, (20,467) were in favor or the US 41/1-70 alternative or opposed to INDOT's new terrain preferred alternative. If citizen input matters than these signatures and comments should matter. The overwhelming citizen opposition to this project must be stated clearly in this and all EISs for this highway.

Response: Input in favor of or opposed to the project was considered during Tier 1 studies, and requires no further response in this Tier 2 study.

PC03-37

Comment: The section on Major Controversies and Unresolved Issues Raised by Agencies and the Public misses many major issues, most of which are included in these comments and were included as comments on past EISs. Serious problems that might negatively impact the feasibility of this project are simply ignored. Not only does this EIS cherry pick the data used to justify this project but also it cherry picks which comments from the public it responds to. This is a serious flaw in this EIS--it is essentially covering up serious problems with the project. Ignoring these issues shows clearly that INDOT/FHWA are not listening to, or responding to, the public's concerns but are involved in a cover-up of problems.

Response: Comments on the Tier 2 DEIS have raised several additional issues that are now addressed in the Summary section of this Tier 2 FEIS. These issues include the need for the project, the cost of the project in relation to the benefits, and the possible deferral of construction of the North Pike interchange. Comments which raise issues which were

**Section 2—Final Environmental Impact Statement**

addressed in Tier 1 studies are acknowledged, but they require no further analysis in Tier 2 studies.

PC03-38

Comment: Several significant changes from the Tier 1, FEIS and ROD are proposed for Section 2 including the delaying of two interchanges and delaying some access roads and overpasses. The design of interchanges may also change. Delay means they will probably never be built. The clear zone and width of the median may also change. Instead of concrete, asphalt will be used for the pavement. The environmental, social and economic impacts for the project are based on the Tier 1, FEIS and ROD. If these changes are made then this DEIS must use new economic models that reflect these changes. A supplemental FEIS is needed.

Response: There has been no discussion, either in the DEIS or elsewhere, of delaying construction of any access roads or overpasses. INDOT is considering the deferral of the North Pike and South Daviess interchanges at this time, but those are still included as part of the Preferred Alternative, and impacts for those interchanges are included in the analysis in the FEIS. As noted in the response to comment LG01-2, design and right-of-way purchases will continue for at least one of the deferred interchanges will continue, demonstrating INDOT's intention to provide them at a future date.

During final design, it is entirely possible that some features of the design of the interchanges, or other features of the project, may change. If these changes result in greater impacts to resources of concern, the changes will be coordinated with the appropriate resource agencies and included in the permit applications. Final decisions with regard to median and clear-zone widths, and all other design parameters, will be within published interstate highway and INDOT standards and approved by the FHWA. All environmental, social and economic impacts discussed in the EIS are based on the maximum impact footprint, and include any deferred project features, to ensure a conservative estimate of possible impacts.

PC03-39

Comment: The Study states, on page 5-42, that a select panel of experts identified interchanges as places for economic development, yet the same panel says there would be little induced development at the South Daviess County interchange due to a lack of utilities. Why was this interchange planned if it would not support development? One study (TIER 1, FEIS) claims there will be development at interchanges another study says there will be little development. Which is it? Clearly, there won't be any development if there is no interchange. This is one in a list of bait-and-switch scams around this highway proposal.

Response: An interchange's primary purpose is to provide access between the local road network and the interstate highway. Sometimes, in combination with other factors, the volume of traffic in the vicinity of the interchange, or the transportation efficiencies that such access allows, will induce other development at or very close to the interchange. See response to comment AF01-10, which describes the rationale for not anticipating induced development in the immediate vicinity of the South Daviess interchange. This interchange can support economic development without that development occurring immediately adjacent to the interchange.



Section 2—Final Environmental Impact Statement

PC03-40

Comment: Section 2 does not have independent utility. In addition, the FEIS states that traffic and economic models assume that all sections are completed. Therefore, Section 2, as now planned, does not have independent utility as required by the FEIS.

Response: See response to comment PC03-22.

PC03-41

Comment: The two interchanges to be deferred are an integral part of the plan for I-69. Without them in place the plans for economic development will not materialize.

Response: At this time, INDOT intends to defer construction of the North Pike and South Daviess interchanges until additional funding is available. The economic model used to predict induced employment and land use changes indicated that there would be no induced employment at the South Daviess interchange, see Figure 5.5-2. The model did predict employment and land use changes associated with the North Pike interchange, and that development will likely be delayed until such time as the schedule for construction of the interchange is clearer. The greatest part of the development expected to be induced by I-69 in Section 2 is in the vicinity of the Petersburg and Washington interchanges, and these will both be built in the initial construction phase. For additional discussion of the deferred interchanges, see the response to Comment LG01-2.

PC03-42

Comment: The tiering process has many problems. An example of how Tier 1 studies are flawed is the following: Impacts on streams, wetlands, floodplains and forests are significantly different in Tier 2 than estimated in Tier 1 (table 6-10). A reevaluation of riparian impacts was undertaken for Section 2 resulting in much greater impacts than estimated in the Tier 1, FEIS. The justification for proceeding with the project was based on the findings in Tier 1.

Response: It is assumed that this comment refers to Table 6-15, *Comparison of Tier 1 FEIS Costs and Impacts to Those of Tier 2 Preferred Alternative*, as Table 6-10 deals exclusively with factors considered in locating interchanges. The Tier 1 and Tier 2 impacts presented are different due to of the different scales used to assess impacts between Tier 1 and Tier 2. Because Tier 2 studies are based on a much greater level of detail than used in Tier 1, differences in the impacts were expected. None of the resource agencies with jurisdiction over the affected resources voiced concerns about the tiering process. With respect to the riparian impacts identified in the Revised Draft Environmental Impact Statement, the increase involved impacts to ephemeral streams, which were not identified in the Tier 1 study because all ephemeral streams are not indicated on the USGS quadrangle maps used in the Tier 1 study to determine streams in the study area.

PC03-43

Comment: As we pointed out in earlier comments, the data used in Tier 1 was out of date. For example, the forest cover data was from 1992. Now many other of those findings are found to be incorrect. This points out one of the many problems with the tiering process. Much of the data used in the Tier 1 studies were out-of-date and inaccurate.



Section 2—Final Environmental Impact Statement

The problem continues. Tier 2 aerial mapping was done in 2003-2004, 5-6 years before the release of this DEIS. Many changes have occurred during this time. These maps are out-of-date and incorrect in their details. More up-to-date information is available.

Response: Please refer to the response provided to PC03-48.

PC03-44

Comment: Traffic forecasts were predicted on land use forecasts for 2030 based on year 2000 data. This could be wildly wrong since traffic data has changed greatly in recent years due to increasing fuel costs and concerns for Global Climate change.

Response: The traffic forecasts provided in this study use the Indiana Statewide Travel Demand Model (ISTDM). See FEIS Section 3.1.2. For additional details about ISTDM, see FEIS Appendix D, *Traffic Modeling Technical Report*.

PC03-45

Comment: These new forces must be included in an updated forecast of traffic and land use. There is a much greater interest throughout the country on improving public transit. This option must be addressed in this DEIS.

Response: Please refer to the response provided to PC040-5 regarding public transit.

PC03-46

Comment: If this section has independent utility and is being studied in its own right, as claimed, then other options besides completing the Canada to Mexico link can be addressed. If completion of the Canada to Mexico link is required then this section does not have independent utility and the project is illegally segmented.

Response: Please refer to the response provided PC03-22 regarding independent utility.

PC03-47

Comment: Table 2-4 is difficult to read. However, based on the list on page 2-9, local projects could solve any existing congestion problems that this area has. The need for I-69 to solve traffic congestion is not demonstrated. Rural SW Indiana as a whole does not have serious congestion problems that can't be solved by local projects. The really serious traffic congestion occurs in and around larger cities and those cities with existing interstates.

Response: There is no Table 2-4 in the Tier 2 Section 2 DEIS. With regard to local congestion problems, it is agreed that many of the local congestion problems could be addressed, at least in part, by local projects. These local projects would do nothing, however, to address several of the other goals for the Section 2 study area. Since I-69, in addition, has the ability to alleviate existing or forecasted congestion, the ability of the project to provide this congestion relief is analyzed.



PC03-48

Comment: Forest impacts were based on aerial photos from **2003**. In the intervening 6 years many changes may have occurred and these projected impacts may now be incorrect. Current aerial photos must be used to determine expected forest impacts.

Response: The aerial maps used in the DEIS are the most current available for the entire project corridor. Field surveys by the project staff have continued through 2009 to keep data updated, and land use changes have been incorporated into the project data base as necessary. While there may be some limited areas where forested land has been cleared, we are confident that no new forest areas have developed since the aerial photography was obtained. Forest impacts shown in the EIS documents are thus conservative, upper-end estimates of forest impacts.

PC03-49

Comment: There is a strong urban bias in this DEIS. When assessing impacts on communities, only densely developed communities are considered. While rural, agricultural communities may consist of widely spaced homes they are still coherent communities. The impact on rural communities will be severe. When roads are cut off it means travel within rural areas is greatly and negatively impacted. Delaying or eliminating interchanges and access roads, as proposed in this DEIS, will have major impacts on these rural communities.

Response: Analyses of social impacts considered the very rural nature of much of the project area. Tables 3-5 through 3-8 document how accessibility improvements to small- and medium-sized communities in the project area were evaluated.

In addition, within each subsection of Section 2 (most of which are in exclusively rural areas) potential impacts to residential properties were one of the principal considerations in recommendation of a preferred alternative. Likewise, considerable effort was invested in minimizing the adverse effects associated with changes to the local road system. These changes were discussed in depth with the Citizen Advisory Committee and the local County Engineers. Please refer to the responses to comment PC095-38 regarding impacts to rural areas due to changes in local access, and how these were considered in the FEIS. This response details how this Tier 2 project provides significant *increases* in local accessibility, compared to assumptions in the Tier 1 study.

PC03-50

Comment: The emerald ash borer has now been found in several Indiana counties, including Monroe County and the Hoosier National Forest. It is very likely that this insect will soon be found more widely in SW Indiana, including the counties crossed by I-69. This EIS must address the preventive measures that will be taken to stop the spread of this very destructive insect. E.g., what will happen to the trees that will be cut to clear the ROW? How will the wood be handled to prevent spreading the insect? An action plan should be prepared now and included in the supplemental EIS for this section as well as all other sections.



Section 2—Final Environmental Impact Statement

Response: INDOT will consult the Indiana Department of Natural Resources (IDNR) to determine appropriate measures during tree clearing to address concerns about the emerald ash borer.

PC03-51

Comment: White Nose Syndrome (WNS) is spreading rapidly in the eastern states and may soon be found in Indiana. This disease could have devastating impacts on the bats in Indiana including the federally endangered Indiana Bat. An action plan for dealing with this disease must be prepared now, as this highway would cross bat habitat, including habitat for the Indiana Bat. This plan must be included in the supplemental EIS for this Section and all other sections. This threat calls for an updated Biological Opinion by the U.S. fish and Wildlife Service.

Response: The assessment of impacts to Threatened and Endangered Species has been coordinated with U.S. Fish and Wildlife Service (FWS) and the preparation of a Tier 2 Biological Assessment and subsequent Biological Opinion from FWS have been completed as required under Section 7 of the Endangered Species Act. The FWS is the proper agency to make recommendations regarding White Nose Syndrome in Indiana Bats, if any recommendations are appropriate.

PC03-52

Comment: SW Indiana is in an active earthquake zone. All structures for I-69 must be built to earthquake standards. This is especially important for the bridge over the Patoka National Wetlands Project and Flat Creek. This DEIS does not commit to those standards. The FEIS must affirm and state clearly and definitively that all bridges and grade separations will be constructed to withstand a major earthquake. These increased costs must be included in any updated cost estimates.

Response: The DEIS discussed earthquakes/seismic risks in **Section 4.3.1.6 Seismic Risks**. In this section the DEIS stated the design of bridges for I-69 will be in accordance with the latest edition of the AASHTO LRFD Bridge Design Specifications which address the requirements for seismic design.

PC03-53

Comment: On page 5-22 the Study states that Gibson, Pike and Daviess "...have a higher percentage of households with individuals aged 22-64". This is a very wide range and is essentially meaningless because it does not give the percentage of those households in the population.

Response: It is assumed that this comment relates to p. 5-22. The age range of 22-64 is used because demographers consider it to represent adults of working age. Further breakdowns of population cohorts in the study area are presented in Table 4.2-4.

PC03-54

Comment: This proposed highway will take thousands of acres of good farmland. This was a major concern of many people during public hearings yet it is given little mention here. This

**Section 2—Final Environmental Impact Statement**

DEIS makes known that replacement land for farming is unavailable in this area and the loss of valuable farmland is permanent. In a time of worldwide food shortages it is immoral and wasteful to be taking valuable, irreplaceable farmland for another highway. Given the world and statewide loss of farmland the value of this agricultural land is seriously underestimated. The true and total cost of lost farmland must be included in the DEIS or supplemental EIS. This DEIS ignores impacts on agricultural travel. Simply stating that I-69 would facilitate the transport of agricultural products is not sufficient. Costs of extended agricultural travel due to roads being cut off, and a lack of access roads must be included in the long term, indirect and cumulative impacts to farming communities.

Response: Please refer to the response to comment PC033-4 regarding impacts to farmland and farming operations. Section 5.3.2.2 of the FEIS discusses efforts made to address community impacts, including access issues. A variety of means were used to assess which local roads were to remain open. These include various public outreach efforts, a staffed project office, small-group meetings, Public Information Meetings, business surveys, a project website, field inventory, and comments from concerned farmers. This input was used to identify the importance of individual roads and to determine whether they would remain open (via an overpass) or would be terminated. Issues considered included public safety (police and fire service), school bus operations, non-motorized travel, and farming operations. It should also be noted that the Farm Bureaus representing Daviess, Pike and Gibson counties had representation on the Section 2 CAC and participated in discussions relative to access roads. Section 5.5.3.1 of the FEIS discloses the economic impacts of farmland being taken out of production due to the direct impacts of I-69.

PC03-55

Comment: Proposed mitigation measures are often stated in the vague, general terms: "Efforts have been made.. .", "Efforts will be made.. .", "Where reasonable and cost effective.. .". These types of statements are weak and subjective. They do not assure that anything will be done to mitigate various impacts. All mitigation measures must be stated clearly and positively to insure that they will be carried out. All mitigation costs must be included in cost estimates. Specific information about the implementation of mitigation and timelines for implementation of mitigation should be mandated by the DEIS.

Response: The full range of mitigation commitments are listed in Chapter 7 of the FEIS, and Table 7-2 quantifies all mitigation costs. The total cost estimates for each alternative, which include mitigation costs, are provided in Table 6-13. INDOT already has purchased property to satisfy a significant portion of forest, wetland and stream mitigation commitments in Section 2. Historical and archaeological mitigation will be provided as part of the Section 106 Memorandum of Agreement (See Appendix F).

PC03-56

Comment: Loss of agricultural land due to indirect and cumulative impacts is not adequately estimated. What is the estimated loss of forest land and wetlands due to indirect and cumulative impacts? These losses should be clearly stated. Table 5.3- 1 shows no indirect



Section 2—Final Environmental Impact Statement

impacts to wetlands and forests. This is incorrect and indicates an attempt to ignore those impacts.

Response: Indirect and cumulative impacts to forests and wetlands are discussed in Section 5.24, *Indirect and Cumulative Impacts*. As this section discusses, any induced growth in residences and businesses are anticipated to impact agricultural land, and those impacts are clearly stated.

PC03-57

Comment: Loss of jobs due to indirect impacts must be calculated. Jobs are lost when traffic is diverted from existing roadways. This loss occurs over time and is due to the construction of alternative routes of travel. Transfer effects are well known impacts of highway construction. How many jobs with businesses on existing roadways will be lost due to the diversion of traffic to the proposed interstate? If there are going to be few indirect impacts, as this Study anticipates, then there will be little development due to the highway. Once again this DEIS tries to have it both ways-little traffic increases and few indirect impacts but lots of economic development. This is a major contradiction. The bull will be in the china shop but nothing will be broken!

Response: Forecasted changes in employment due to changes in traffic flows are accounted for in the overall forecasts of population and employment changes. The economic models used to predict changes in population and employment provide forecasts which account for population and employment shifts within regions and industries. See Tier 1 FEIS, Section 3.4.1, for a discussion of the economic model used to forecast employment and population changes in both Tier 1 and Tier 2.

PC03-58

Comment: The Study admits that changes in travel patterns due to the construction of I-69 could cause longer trips and slower response times for emergency vehicles. There will also be longer commutes within the area due to road closures. This would result in more hardship for local businesses and residents and more energy use with more carbon emissions.

Response: Please refer to the response provided to PC098-5 regarding emergency responders and PC03-54 above for more information on road closures.

PC03-59

Comment: I-69 will be a barrier to travel within the area. The level of service on several roads will decline if I-69 is built and many roads will be closed. This will impact school functions by causing longer travel times between many homes and the schools. This can impact meeting schedules and sports practice and sporting events. Longer travel times means more time on local roads which the Study says are not always safe. School buses traveling on interstates is also a safety issue.

Response: Table 5.6-5 shows the proposed treatment for each local road at its crossing of I-69. A total of only 12 will be closed with the Preferred Alternative. Please refer to the response provided to PC098-5 regarding emergency responders and PC03-54 above for more information on road closures.



PC03-60

Comment: The Study claims (p. 5-41) that if the highway is not needed the land can be converted to other uses. When has that ever happened? This is a ridiculous statement.

Response: This type of conversion of former roadway to other than transportation uses can occur. For example, portions of existing SR 57 in the vicinity of the proposed Blackburn Road realignment would no longer be a roadway under the Preferred Alternative. In such instances, the land is often made available for purchase by the public. The cited portion of the EIS states, —~~A~~present, there is no reason to believe such a conversion ever will be necessary or desirable.” In the case of I-69, such a conversion is exceedingly unlikely.

PC03-61

Comment: The option of upgrading existing roads **as an** alternative to the proposed interstate 69 highway in this area of the state has not been adequately or honestly studied in this DEIS or any earlier study on I-69. Since each section is required to have "independent utility" this alternative must be seriously addressed, not treated like a skunk in the room. Upgrading existing roads would be a cost effective means of improving transportation in this section. For example: Widen the road bed, put in 10 foot p a d shoulders, put in passing lanes where needed and put in left and right turn lanes where appropriate. These upgrades to existing highways in SW Indiana would do more to improve safety and the flow of traffic at much less cost than the proposed I-69.

Response: See response to comment PC095-34 regarding upgrades of existing roads as an alternative for I-69; see response to comment PC03-3 regarding the independent utility of Tier 2 sections.

PC03-62

Comment: The impact of interstate highways on criminal activity must be addressed. SW Indiana is a relatively safe place to live now. How will that change if I-69 IS built from Canada to Mexico? It is commonly understood by law enforcement agencies that interstate highways are major routes for drug runners. How will local police agencies deal with increased crime? How will local governments pay for more officers? The DEIS must address these concerns and costs to local communities.

Response: There is no evidence offered that drug-related crime (or other forms of crime) will be impacted either positively or negatively by the presence of a new highway between Evansville and Indianapolis.

PC03-63

Comment: The Study fails to prove that traffic safety would improve if I-69 is built. As in other studies for this project, the crash data used to compare accident rates on rural highways with rates on interstates is way out-of-date. (See table 2-1, this data was collected 18 years ago!) Certainly more current data is available and must be used. Current traffic volume projections are different than they were just a few years ago. Because several local roads will be closed due to I-69 there will be more local traffic on some roads resulting (according to the Study) in more accidents on those roads. There will also be more induced traffic to more distant cities. More traffic on interstates also means more

**Section 2—Final Environmental Impact Statement**

accidents. The total volume of traffic, build vs. no build, is not given so a complete analysis cannot be done. Only selected roads are compared.

Response: I-69 results in significant diversion of traffic from lower-classification roads to a safer, higher level of facility (I-69). See FEIS, Table 2-3. As the commenter notes, even though levels of VMT increase, this increase in traffic is accompanied by a decrease in all categories of crashes.

Crash rates which were applied to forecasted traffic volumes are published as part of a reference manual published by the National Cooperative Highway Research Program (NCHRP) to support the analysis of the benefits and costs of highway projects. This report, *Microcomputer Evaluation of Highway User Benefits* (NCHRP 7-12) remains widely used within the transportation planning and engineering fields. While it dates to the 1990's, many of its findings, including the crash rate data used in this project, have not been updated. As described in the following paragraph, it provides crash rate information at a very detailed level.

The crash rates provided in this report were published by FHWA as part of the *Highway Economic Requirements System*. They provide crash rates by accident type (fatal, injury, or property damage only), area type (rural vs. urban), number of lanes, access control (none, partial or full), median type, and volume range. Contrary to the assertion in the comment, INDOT does not compile data in a similar way. INDOT compiles its crash data at a much less detailed level. As a result, the INDOT data are not applicable to the detailed results of the traffic model. For example, the INDOT data report only a single crash rate by accident type for rural principal arterials. Thus, because both US 41 (a divided four-lane highway with partial access control) and SR 57 (a two-lane highway with no access control) are classified as rural principal arterials, these very different highway facilities would be expected to produce the same number of crashes per vehicle mile.

PC03-64

Comment: The section on safety is confusing. Table 3-1 1 is confusing. The Study tries to make the case that there will be decreases in accidents as a result of building I-69. However, there will be large increases in traffic volumes in the three counties traversed by I-69 and overall significant increases in accidents in two of those counties. Three other counties not traversed by I-69 are averaged in and make it appear that there will be fewer accidents overall. This is suspicious. Why are three non-traversed counties included? Without these counties included there would be a very large increase in overall accidents. Two of the non-traversed counties show virtually no impact from I-69, so averaging them in lowers the numbers for overall accidents. We have to question how these numbers were derived, why certain counties were included and whether they are valid. Also, safety data are projections based on 2030 traffic volumes. Do those projections take in to account the reductions in expected traffic due to fuel costs and global warming initiatives? This Study is lying with statistics.

Response: The crash forecasts take into account road closures as well as traffic diverted to I-69 from other roads. The reduction in the number of crashes is due to the fact that travel on an interstate highway is much safer than travel on other roads, and crash rates on interstate highways are much lower than on other roads. There is an overall increase in VMT in the



Section 2—Final Environmental Impact Statement

Section 2 project area because traffic is diverted to I-69 from other highways outside the six-county study area. In spite of this increase in overall traffic volumes, the total number of crashes in these counties *decreases* because I-69 is a safer facility. Table 3-11 provides a conservative estimate of the safety benefit of this project, since it does not quantify the crashes avoided outside of the six-county study area. This further illustrates that I-69 makes travel much safer.

The study area for analyses of purpose-and-need was specified in order to include both those counties through which I-69 passes, as well as adjacent counties with major highways whose traffic patterns would be significantly affected by Section 2 of I-69. These include Gibson, Daviess and Pike counties (through which Section 2 of I-69 passes), as well as Knox, Martin and Dubois counties. It is necessary to include nearby counties because I-69 will attract significant amounts of traffic from other counties to the counties in the Study Area. As an example, Knox County is included because significant traffic which now uses US 41 will be attracted to Section 2 of I-69. A safety analysis which does not account for such diversions would be incomplete. See Section 2.3 for further explanation.

Purpose-and-need measures for which this six-county study is used include analysis of personal accessibility, highway congestion, highway safety, and local economic development; see Sections 2.3 and 3.3 of this FEIS for the details of these analyses.

Tier 2 traffic modeling procedures were reviewed by FHWA and were found to be adequate for purposes of the Tier 2 study. See Section 3.1.2. In addition, INDOT has made available a technical memo describing the Year 2030 Forecasts of population, demographic information and employment on which future year traffic forecasts in this model are based. See [http://www.in.gov/indot/files/memorandum\(1\).pdf](http://www.in.gov/indot/files/memorandum(1).pdf), pp. 55 to 65. These forecasts of future population characteristics are the key predictors of future traffic levels. Any prediction of the effects of fuel cost changes and carbon emission reductions upon future year population and employment decisions would be speculative.

Regarding climate change, please see response to comment PC03-21.

PC03-65

Comment: Accurate, up-to-date data must be used. Also, the Study does not compare safety improvements due to interstates versus other improvements to local roads. I suspect that many local road improvements would result in greater traffic safety for this region. The Tier 1, FEIS as well as this DEIS attempt to show that traffic improvements throughout SW Indiana with the construction of I-69. This is wishful thinking with no credible basis, especially now, with traffic patterns changing due to fuel costs and concerns with Global Climate Change. The no-build alternative assumes virtually nothing is done to the transportation system in this area of the state. This is an unfair assumption. With the money saved by not building I-69 a great deal could be done to improve the transportation system in SW Indiana. The no-build alternative should assume some reasonable improvements will be made in the region.

Response: The traffic forecasts used in this project assume that many significant improvements are made in Southwest Indiana. See FEIS, Section 3.2.2.3, under the heading of the —No Build Alternative.” This describes other major projects which also are assumed to be

**Section 2—Final Environmental Impact Statement**

built. Section 5.6.2.2 of the DEIS clearly states that “The Future No-Build Condition is represented by the existing roadway network plus programmed ‘capacity expansion’ projects (i.e. new roadways, added through travel lanes, and new interchanges) as set forth in the adopted statewide Long-Range Transportation Plan, amended November 12, 2003 and metropolitan Long-Range Transportation Plans. Please refer to the response to PC03-21 regarding climate change.

Since the Tier 1 ROD provided that Tier 2 projects will be fully access-controlled freeways, local road improvements are not a reasonable alternative for Tier 2 studies.

PC03-66

Comment: Operations and maintenance costs are underestimated in this DEIS. The 2003 FEIS for this project estimated the annual O&M costs at about \$18,000 per mile for the 3C route. This figure was based on 2001 dollars. This DEIS estimated the maintenance costs alone at about \$12,000 per mile (\$3000 pre lane mile). No operations costs are listed. The annual Operations costs in the FEIS are given as about \$8,200 per mile for the 3C route. If this figure is added to the maintenance cost for Section 2 the total for O&M is over \$20,000 per mile. This is probably a low estimate as inflation has increased the costs of all materials. Also, in Section 2, maintenance data from New Mexico was used. Did this DEIS use data from the state of New Mexico? If so, why wasn't Indiana data used? A northern state like Indiana will have greater O&M costs. O&M data in this DEIS is not documented as to source and is incomplete. O&M information must be made complete using up-to-date cost estimates.

Response: The “operations” cost cited from the Tier 1 FEIS is for law enforcement and other public safety costs. Current INDOT data for such costs were not available for the Tier 2 studies; this missing information is not “essential to a reasoned choice among alternatives,” as described in CEQ regulations 40 C.F.R. 1502.22.

These “maintenance” costs from New Mexico were used, since they were official costs published by a State Department of Transportation. INDOT does not report its interstate maintenance costs separately from maintenance costs for other state highways. The New Mexico costs were used to illustrate that since the length of each alternative is virtually identical, maintenance costs would be virtually identical for each alternative. This is in contrast to the circumstances in Tier 1, where the lengths of some alternatives (and their associated maintenance costs) differed significantly.

PC03-67

Comment: To lower the costs of this highway the Study proposes using asphalt instead of concrete for the pavement. Asphalt has a shorter usable life span than concrete. The Governor has also proposed making the asphalt pavement thinner. While these measures may lower the initial cost they will increase the long-term costs significantly. Indeed, the long-term cost increases will end up being more than was saved by cheapening the initial costs. These increases must be added into the operations and maintenance costs.

Response: Pavement design is finalized during the design stage. Choices such as pavement thickness and types are made in consideration of forecasted traffic levels, current material costs, as well as life-cycle maintenance costs for different pavement types. INDOT has

**Section 2—Final Environmental Impact Statement**

begun to offer bid packages for major projects in which contractors are invited to offer bids using alternative pavement design methodologies (e.g., concrete vs. asphalt). In such cases, INDOT evaluates the life-cycle costs for alternative pavement designs. The US 31 bypass project around Kokomo recently was offered for bid using alternative pavement design methodologies. INDOT plans to solicit bids for other projects using alternative pavement design methodologies. By considering a range of pavement materials in preparing cost estimates for this project, INDOT is reflecting its current practices, which seek to provide a safe facility at the lowest overall cost to Indiana's taxpayers.

PC03-68

Comment: The projected job increases due to the construction of I-69 is purely and highly speculative. These jobs cannot be guaranteed and the promise of jobs is used simply to draw attention to the project - like hot air balloons at a used car dealership.

Response: The methodology for the economic impact study is given in Section 5.5.2 in the FEIS; the population and employment forecasts are provided in Section 5.5.3.

PC03-69

Comment: This Study claims there will be no actionable noise impacts due to the presence of this international truck corridor. No noise barriers are being proposed. This completely ignores the reality of highway noise impacts on humans and wildlife. Of course there will be severe noise impacts but this Study discounts them. But for people living in these rural areas this I-69 highway will have significant noise impacts that will lower their quality of life. That has to be acknowledged. The impacts on wildlife must also be addressed. Highway noise is a polluting influence that destroys the quality of life in both urban and rural areas. Mitigation of these noise impacts and the costs of this mitigation must be included in the DEIS.

Response: The DEIS document discusses noise impacts in Section 5.10. Table 5.10-6 identifies that a total of 11 receptors (10 residences and one church) will be subject to noise levels that qualify for consideration of noise abatement measures. According to the Indiana Department of Transportation *Highway Traffic Noise Policy*, noise abatement must meet criteria to be considered both "reasonable" and "feasible." This ensures that sound engineering judgment is used, and that mitigation makes wise use of public funds. While it would be possible in most cases to construct noise barriers that would reduce these noise impacts below the noise abatement criteria level, the cost would not be reasonable. The DEIS acknowledges these noise impacts. There is no requirement to mitigate the noise impacts, only to consider them. It should also be noted that the proposed project will reduce noise levels for the many more people that currently live along or within close proximity of SR 57 by diverting a substantial amount of traffic from that highway to I-69 in much less densely populated areas. See Figures 5.6-1 through 5.6-3 in this FEIS, which show forecasted traffic levels on SR 57 both in the "no-build" case, and under the two-interchange and four-interchange scenarios. It shows that under the two-interchange scenario, average daily traffic on SR 57 south of Petersburg decreases by 58% (from 8,120 to 3,380), while traffic north of Petersburg decreases by 32% (from 10,530 to 7,180). The four-interchange scenario shows even larger decreases in traffic on SR 57. With regard to noise impacts on wildlife, see response to comment AS01-10.



PC03-70

Comment: **Historic Preservation and Lack Thereof: Section 106**

Because the Section 106 review for the I-69 project has been segmented into 6 sections, it has been extremely difficult for **CARR** to participate in a meaningful way in the review process. While INDOT and FHWA appear to solicit citizen participation, the segmentation of the project in fact discourages meaningful participation by stakeholders and citizens. Overall, the Section 106 review indicates that the careful consideration of historic and cultural resources takes the back seat to the political pressure to build another highway through southwest Indiana. The SHPO and the consultants doing the Section 106 review will not present information that would jeopardize a project that is supported by the political powers in the State.

Response: These comments were also provided as part of the Section 106 consultation project for Section 2. Responses to them are provided in Appendix F, *Section 106 Documentation*.

PC03-71

Comment: Please include as part of CARR's Comments, the comments submitted by Dr. Edith Sarra.

Response: Dr. Sarra commented on the Section 106 Documentation, and responses to those comments can be found in Appendix F of the Final EIS. She also provided a postcard with furnished no written comments. See PCD-097.

PC03-72

Comment: **Patoka Bridges Historic District**

The technical report "Measures to Minimize Harm, Patoka Bridges Historic District" prepared by Jacobs Engineering from St. Louis, Missouri attempts to obscure the obvious: The construction and operation of an international truck route 242 feet from the Patoka Bridges Historic District will destroy the historic integrity of this site. There is no remediation that will compensate this loss.

Response: The State Historic Preservation Officer reviewed the cited report (see comment AS02-1), along with other documentation of potential effects of the project on the Historic District, and agreed with the findings in the DEIS. These findings noted that there would be no direct effect by the project upon the District. There will be an adverse visual effect upon the District, and the SHPO has agreed to measures provided in the Section 106 Memorandum of Agreement (MOA) to mitigate for these effects. This MOA is included in Appendix F, *Section 106 Documentation*.

PC03-73

Comment: The "preferred route" through the Patoka river area was predetermined years ago for political reasons. US41A-70 alternative, which would have had very little impact on wetlands, farmland and forests, as well as cultural and historic resources, was rejected. The sensible solution is to abandon the new terrain route and upgrade the existing US41 and 1-70 alternative.

Response: Please refer to the response provided to PC004-1 regarding the I-70/US41 route.



PC03-74

Comment: We concur with the SHPO to make funding available for the Pike County Commissioners for repairs to the bridges, to prohibit construction traffic on the bridges.

Response: Comment noted. The Memorandum of Agreement (MOA) between FHWA and the SHPO specifies that INDOT will provide funding for the local match (not to exceed \$100,000.00 per bridge), if Pike County chooses to apply for, and is awarded, federal funding through a grant program to rehabilitate Pike County Bridge No. 246 and/or Pike County Bridge No. 81. All rehabilitation efforts will comply with the guidelines set forth in FHWA's Historic Bridge Programmatic Agreement. The MOA also requires the construction contract documents to contain language prohibiting construction traffic from using those two historic Pike County bridges.

PC03-75

Comment: *"Perhaps our age will be known to the future historian as the age of the bulldozer and the exterminator; and in many parts of the country the building of a highway has about the same result upon vegetation and human structures as the passage of a tornado or the blast of an atom bomb."* --Lewis Mumford

THE PROCESS IS BROKEN

I-69 is driven by politics not by transportation needs. The lack of objective oversight and regulatory control over INDOT has allowed this misguided project to continue long after it should have been shelved as unnecessary and unaffordable. This project mirrors the lack of oversight and regulatory control that led to the recent housing and banking crisis and the economic breakdown.

Any objective observer who looks at the process which has allowed I-69 to advance would see that it is seriously flawed. Unfortunately, no one overseeing the project was willing to say 'the emperor has no clothes'.

The studies done to assess the purpose and need of the I-69 extension are a disgrace-the manipulation of data, cherry picking and use of out-of-date data, ignoring important facts, pie-in-the-sky economic projections, and flawed models would never be allowed in any successful business. Any graduate student in any credible university in the country who turned in a thesis like the EISs for I-69 would be thrown out of graduate school. But rewarded by multi-million dollar contracts the consultants delivered the results they know INDOT wants. In so doing they assured themselves of the next contract, and the next. The official state highway map for 2003 shows that the route for I-69 was pre-determined. The route for the future I-69 is shown on that 2003 map and has been on every official state map since then despite the fact that the Tier 1, FEIS was not released until March of 2004. State highway officials had determined what the route was going to be long before the NEPA process was completed.

The studies were done so as to support a previously determined conclusion. All of this was approved and passed by FHWA, EPA, COE, and DNR. They were bolstered by a judge who deferred to INDOT's "experts" over all other authorities-a deference given without even considering the possibility of bias or errors.

**Section 2—Final Environmental Impact Statement**

The politicians who back I-69, driven by campaign contributions and the need for votes, perpetuate the myth of highways as economic saviors in spite of all evidence to the contrary. It's a fairy tale they repeat over and over—"I-69 will make one quarter of the entire state of Indiana and large parts of Texas, Louisiana, Mississippi, Arkansas, Tennessee, Kentucky, and Michigan prosperous and happy forever after"—all because of one more highway. Meanwhile, these politicians are keeping their hands out for political contributions from the highway construction lobby. It is clear that the needs of transportation have changed and are continuing to evolve in a rapidly changing world. The I-69 extension is truly a dinosaur highway—it may have made sense 50 years ago but it does not make sense now. Those few state and federal employees who were brave enough to speak out against I-69 were told to shut up. They were led to believe, or were told outright, that if they continued to speak out they would be fired.

The NEPA process has been co-opted by high paid consultants, such as Bemardin-Lochmueller Associates, who are milking the consultant cow dry—expert fabricators for hire. They are highly paid to justify a predetermined outcome of the studies. They begin with a contrived purpose and need statement for the project, then they present us with false choices: "It's the highway or economic stagnation, it's this highway or no highway." Their models rely on a past that cannot be repeated. They belittle negative impacts and exaggerate all benefits. "Oh, don't worry, this highway will only take a tiny fraction of 1 percent of the farmland and forest in the state " They ignore the reality that Indiana was once 90 % forested and is now about 20 % forested—all those forests lost by individual projects like this and all the indirect losses that follow. They ignore the fact that Indiana is losing tens of thousands of acres of farmland every year to many other projects that have only a "tiny" impact. They refuse to see the massive hole that small shovels have dug. A recent study by Purdue scientists found that between 1992 and 2002 Indiana lost nearly 322,000 acres of farmland to development of various types (Purdue Extension, Dec. 9, 2008).

This pattern of deception is repeated over and over in all areas of the studies with the complete approval on INDOT and FHWA. No follow-up is ever done to assess the results of projects, comparing the promises given in the studies to the actual outcomes. If highways bring economic prosperity there should be a lot less poverty and much less unemployment in Indiana, instead, Indiana's unemployment rate now stands at 10.6%, one of the highest in the Nation.

There has never been a credible source of funding to complete I-69. It was never "fiscally constrained". Yet FHWA shrugged and let the fantasy persist—"the money will be found somewhere". Any business acting in this way cavalier way would quickly go bankrupt. But don't worry, INDOT and FHWA say, the taxpayers will come up with the money.

In light of this flawed process and past actions, it is time for a thorough and independent audit of INDOT. INDOT has become a cash cow for whatever politicians are in control. It feeds a multitude of consultants who suck our tax dollars from INDOT contracts. It is a well understood that the Commissioner of INDOT is the most popular person at parties of transportation contractors and politicians—he has lots of goodies to pass out.

The result of this very flawed and biased process is that citizens lose faith in the system. This leads to disillusionment and cynicism in the entire process. This, in turn, leads to a



Section 2—Final Environmental Impact Statement

failure of the democratic process. Citizens are taught to believe they cannot win against the government so they shouldn't even try. INDOT officials become arrogant, incompetent, and wasteful of tax dollars. What we are left with is a bloated, bullying, rogue agency that does not serve the citizens but caters to special interests.

A further cause for disillusionment occurred when Gohmann Asphalt and Construction Inc. won a state contract to pave the first 1.77 miles of I-69. Less than a year before, this company paid \$8.2 million to settle fraud claims that it switched road core samples to hide inadequate work. After the settlement the company was awarded the \$25.23 million contract. That's how it works in Indiana, for corrupt practices against the state, companies are rewarded with multimillion dollar contracts. This is just another reason that citizens are cynical about state and federal government.

INDOT and FHWA need a complete overhaul. They have failed their mandates to serve in the public interest. They have created a very bad process for establishing public policy. In the process they have co-opted and destroyed the best promises of NEPA. NEPA is now beyond repair, it needs to be replaced by new legislation. That legislation should demand honest, credible studies and fiscal responsibility. It must also take public input seriously. As it stands, public input is a cruel joke and a sham. There has never been public opposition to a highway in Indiana like there is to I-69, yet the project has remained virtually unchanged since it was proposed 20 years ago. The agency review process is corrupt, wasteful, deceitful and out of touch with true transportation needs. No one wins when public works become a cash cow for politicians and special interests. I-69 is a poster child for bad public policy.

Response: Comments noted. Several of these comments have the theme that the Tier 1 studies were biased, and/or had a predetermined conclusion. Such arguments were provided by plaintiffs in a lawsuit (which included the organization providing these comments) challenging the Tier 1 ROD. The Federal District court rejected all the plaintiffs' claims. See response to comments PC03-22 and PC03-82 for more information about this lawsuit and the court's decision.

PC03-76

Comment: CONCLUSION: This EIS is out-of-date and contains numerous errors. To update the many areas where information is out-of-date, to consider the current thinking on highway feasibility and transportation needs and to correct the many errors in this EIS we ask that this DEIS be redrafted and that a Supplemental Environmental Impact Statement be prepared for the Tier 1, FEIS.

Response: The issues stated by the commenter are addressed in the preceding text. No Supplemental EIS (SEIS) are required for this document, or for the Tier 1 FEIS.



PC03-77

Comment: Hoosier Environmental Council Policy Brief

The Case for the Common Sense Alternative to the New-terrain I-69 Highway from Indianapolis to Evansville

Why the U.S. 41/I-70 Route can be completed sooner, at less cost, and with minimal environmental impacts

Introduction

HEC supports the selection of the least damaging and least costly route for the I-69 highway extension, which is unquestionably the U.S. 41/I-70 route that uses existing roadways. If I-69 is built, this route can be completed more quickly, at only half the cost (or less) in construction expenses. This route would also be much cheaper to maintain, result in minimal environmental impacts, and would not require speculative funding schemes such as paying for one new road by building and tolling another one (e.g., the Interstate Commerce Connector proposal).

Response: This attachment to comment PC03 on the Section 2 DEIS by CARR is a document that predates the Section 2 DEIS by about eight months. None of the content of the attachment addresses any part of the Section 2 DEIS. The Section 2 project is nowhere mentioned in the document. The entire thrust of this document is to challenge the Tier 1 decision to build a highway in the chosen Tier 1 corridor – the Alternative 3C corridor. Because the issues raised in the attachment do not address issues analyzed in the Section 2 DEIS, there is no obligation to respond to the issues in this Final EIS for Section 2. See 40 CFR 1503.4(a)(5). However, to the extent that the document raises issues not previously addressed in prior I-69 project documents, a response is offered in this document.

With respect to Tier 1, the Tier 1 I-69 studies determined the selected route offers the best tradeoffs among cost, benefits, and impacts. In Tier 2 studies, we are considering all possible steps to decrease the cost of the project while providing a road which offers substantial benefits and improved highway safety.

The Tier 1 FEIS (<http://deis.i69indyevn.org/FEIS/index.html>) found Alternative 1 (I-70 to US 41) not to be a reasonable, prudent, or practicable alternative because it had a much lower performance than any other alternative in terms of satisfying the goals of the project. This comment addresses a Tier 1 issue and requires no further response in this Tier 2 document.

PC03-78

Comment The new-terrain I-69 highway will have substantial environmental impact.

Over 7,000 acres of land will be paved over by construction of the new-terrain I-69 and related development (table 1). At least 400 acres of land containing karst features (caves, sinkholes, underground streams) will be damaged or disturbed.



Section 2—Final Environmental Impact Statement

The new-terrain route will bisect the Patoka River National Wildlife Refuge, disturbing one of the most diverse river bottom wildlife areas in the United States.

Table 1. Environmental Impacts of New-terrain I-69

Impacts (acres)	Direct	Indirect	Totals
Farmland lost	3741	805	4,546
Forest lost	1815	363	2,178
Wetlands	83	20	103
Floodplains	426		426
Karst impacts	400		400
Totals	6,465	1,188	7,653

Sources: Tier 1 FEIS; Tier 2 Section 1 FEIS

New Information Reveals More Environmental Damage from I-69.

Field studies and additional analysis underway as part of the second stage of I-69 study have revealed that the environmental impacts of the new-terrain I-69 highway are greater than originally projected by the state’s final environmental impact statement released in 2003. These new studies show that the road’s construction will destroy over 2,000 acres of forest land, nearly double the original estimate of 1,150 acres of forest loss. Moreover, biologists have found 13 maternity colonies of the endangered Indiana bat located in forested habitats along the route. The Indiana bat, a prolific insect eater, spends its summers in mature forests along waterways and in nearby woods. The bat is an important indicator of the health of Indiana’s forests.

Response: Please see the responses to comment AF01-11 regarding coordination with the U.S. Fish and Wildlife Service regarding safeguards for the Indiana bat. Section 2 of the I-69 project does not encounter karst areas and does not directly impact the Patoka River National Wildlife Refuge. See Section 2 FEIS, Appendix AA, *Tier 1 – Tier 2 Impact Comparison*, for the most recent data on the Total Tier 2 direct impacts for all sections of I-69. Please see FEIS Section 5.20.2, which explains the different methodology for identifying forest and calculating forest impacts in Tier 1 and Tier 2.

The maternity colonies noted in this comment were identified as a result of studies required by the original Tier 1 Biological Opinion (BO); see Tier 1 FEIS, Appendix LL. The identification of maternity colonies (in addition to those already identified during Tier 1 studies) led to issuance of a Revised Tier 1 BO – see Appendix L of this FEIS. See also Section 5.17.1 of this FEIS for additional discussion. This issue was raised as part of the Tier 1 litigation by Citizens for Appropriate Rural Roads – CARR (author of this comment letter) and the Hoosier Environmental Council (which wrote this report appended to CARR’s comment letter). See response to comments PC03-22 and PC03-82 for further discussion of this litigation.

The planning for the Patoka River National Wildlife Refuge has included approximately two decades of formal joint development activities between FWS and the Indiana Department of Transportation (originally, the Indiana Department of Highways). Planning for the Refuge from its very earliest stages accounted for the presence of a

**Section 2—Final Environmental Impact Statement**

major highway corridor. This is discussed in the I-69 Section 2 DEIS Appendix U, *I-69 and Patoka River National Wildlife Refuge – History of Joint Development*.

PC03-79

Comment: **Tiering process limits ability to avoid environmental damage because a final route is chosen before detailed environmental studies are completed.**

The Indiana Department of Transportation (INDOT) is studying the I-69 project in two stages, using a concept known as “tiering”. The Tier 1 study selected a 2,000-foot wide route corridor for the highway. In Tier 2, six separate sections of I-69 are being evaluated to determine the exact location of the roadway within this 2,000 foot route corridor.

As the more detailed Tier 2 environmental studies identify specific impacts of the highway’s construction, the ability to avoid these impacts is limited by the 2,000 foot highway corridor that was selected in Tier 1 prior to completion of these detailed site-specific studies. As a result, an alternative that fully avoids the impacts, which is the U.S. 41/I-70 route, is left out of the Tier 2 studies. Two notable subjects of study, the Indiana bat and the karst systems southwest of Bloomington, will suffer from this approach.

In the Tier 1 study, the extent of the Indiana bat’s presence in the new-terrain corridor was largely unknown. In Tier 2, its extent is better known but impacts can only be mitigated, not avoided. In the Tier 1 EIS, only one maternity colony of bats was identified, compared to the 13 colonies found in the more detailed later studies. In Tier 1, ten Indiana bat hibernacula were identified in the “winter action area” for the highway corridor – the area subject to impact by the highway’s construction and presence, compared to 15 Indiana bat hibernacula identified in Tier 2. Total affected forest acreage identified in Tier 2 was about double the original estimate in Tier 1, indicating a much greater effect on the bat’s summer habitat.

In its Tier 1 study, INDOT used a large scale regional map prepared by the Indiana Geological Survey to assess karst impacts. Yet a more detailed study, prepared by INDOT’s contractor, Bernardin, Lochmueller and Associates, was available, but not used. Nor were any field studies conducted to verify information on the map INDOT used in Tier 1. In fact, the map was explicitly qualified with the legend: “This map is not a substitute for an actual survey.”

More detailed karst information will be identified in the Tier 2 study of this area, which is not complete yet, and will not be completed prior to the start of construction at the highway’s southern terminus.

Response: Please refer to the responses to comments PC03-22 regarding the tiering process, and PC03-78 regarding the Indiana bat. Section 2 of the I-69 project does not encounter karst. Regarding the adequacy of karst analysis in the Tier 1 FEIS, see the Tier 1 ROD, Appendix B, *General Responses to Issues Raised in FEIS Comments*, pp. 18- 23. This issue was raised as part of the Tier 1 litigation by Citizens for Appropriate Rural Roads – CARR (author of this comment letter) and the Hoosier Environmental Council (which wrote this report appended to CARR’s comment letter). See comments PC03-22 and PC03-82 for further discussion of this litigation.



Section 2—Final Environmental Impact Statement
PC03-80

Comment: **The environmentally preferred route for I-69 is the U.S. 41/I-70 alternative.**

The U.S. Department of Interior (U.S. Fish and Wildlife Service), the U.S. Environmental Protection Agency, and the Indiana Department of Natural Resources have agreed that if I-69 is built, the 41/70 route is the environmentally preferred route:

—Alternative 1 would by far have the least impacts to fish and wildlife resources. Relatively little undisturbed land would be affected. From the standpoint of fish and wildlife values, Alternative 1 has the fewest impacts.” *Indiana Department of Natural Resources, July 16, 2002*

—Because Alternative 1 would have the least impacts on forests, wetlands, floodplains, rivers listed to the NRI, karst features, water quality, and section 4(f) resources, the Department supports this route as the most environmentally preferable of the build alternatives.” *U.S. Department of Interior, November 14, 2002*

—Given the multiplicity and magnitude of environmental impacts, including but not limited to, wetlands, karst, forest and farmland associated with the preferred alternatives, EPA believes Alternative 1 (i.e., utilize existing U.S. 41/I-70 corridor) is a viable alternative. Alternative 1 has, at least, 2 to 3 times less impact on multiple resources when compared to the preferred alternatives, with the lowest construction costs and very low operation and maintenance costs.” *U.S. Environmental Protection Agency, November 7, 2002*

Response: These agency comments were submitted to and included within the Tier 1 FEIS. The Tier 1 FEIS contains responses to these comments. The Tier 1 FEIS also describes how Alternative 1 was re-evaluated in response to these and similar comments. Alternative 1 was found to be imprudent and unfeasible.

The agencies listed above offer no objections to alternatives identified in this Tier 2 document. Please see refer to AF001 for U.S. Department of Interior comments, AF002 for U.S. Environmental Protection Agency comments, and AS001 and AS002 for Indiana Department of Natural Resources comments.

PC03-81

Comment: **Every community along the SR 37 section of the new-terrain I-69 route is opposed to or questions use of SR 37 for I-69.**

Local opposition to I-69 extends all along the State Road 37 corridor which I-69 would follow from Bloomington to Indianapolis. Communities expressing formal opposition or questioning the project include the City of Bloomington, the Perry Township Board (Marion County), the Indianapolis Marion County City-County Council, and the City of Martinsville.

Other communities southwest of Bloomington objected to the toll road plan for I-69, including Greene County government and the Indian Creek Township Board (Monroe County).



In early 2007, concerned citizens in Morgan, Johnson, Shelby and Hancock Counties attended community meetings in huge numbers to express their displeasure with Governor Daniel's proposed "outer beltway". This proposed Indiana Commerce Connector was intended to generate funds to help pay for I-69. Public concerns included the loss of farms and homes by eminent domain, disruption of community plans and existing development, and privatization of public roadways. In response, the Governor withdrew this proposal.

Here are the formal actions by communities along the SR 37 corridor:

City of Bloomington

The Bloomington Common Council passed a resolution opposing routing of I-69 through Bloomington (Opposing the Routing of Interstate 69 through the City of Bloomington, No. 04-19, Sept. 22, 2004). This resolution was also signed by Mayor Mark Kruzan.

The Bloomington/Monroe County Metropolitan Planning Organization Policy Committee voted against INDOT's request to include an I-69-related property in the MPO's Transportation Improvement Plan, by a vote of 9-3. (March 13, 2009)

Perry Township Board

The Perry Township Board (Marion County) passed a resolution opposing I-69 through Perry Township (Special Resolution of the Township Board of Perry Township, Marion County, Indiana, No. 2004-010, Sept. 28, 2004)

Indianapolis Marion County City-County Council

Indianapolis Marion County City-County Council passed a resolution opposing I-69 extension through Perry Township (Feb. 7, 2005)

City of Martinsville

The City Council of Martinsville rescinded its 2001 ordinance supporting I-69 (March 6, 2006)

Greene County

The Greene County Council and Greene County Commission opposed construction of I-69 as a toll road (Jan. 30, 2006)

Monroe County

The Indian Creek Township Board (Monroe County) passed a resolution opposing the I-69 toll road proposal. (Aug. 23, 2006)

Indiana State Senate Pro Tempore David Long (R-Ft. Wayne) has acknowledged the political opposition, telling the Indianapolis *Star* in March 2007, "It does look to me like they'll have to find, ultimately, another route between Bloomington and (Indianapolis)."

Response: Section 2 of the I-69 project does not encounter or pass these communities. In addition, the Metropolitan Planning Organizations for Indianapolis, Bloomington and Evansville have approved I-69 (along SR 37) as part of their long-range transportation plans. Also, I-69 no longer is being considered for construction as a toll road.



PC03-82

Comment: The Indiana General Assembly has restricted the route of I-69, but the Daniels' Administration disputes the effect of the restriction.

The Indiana General Assembly has acknowledged the community opposition to use of SR 37 for I-69 by including a prohibition against construction of I-69 in Perry Township, Marion County. This prohibition was contained in the "Major Moves" (HEA 1008) legislation passed in 2006. The legislation also contained a prohibition on tolling I-69 between Indianapolis and Martinsville. The legislature's summary of the proposal said, "Unless the general assembly approves it, I 69 cannot go through Perry Township in Indianapolis, and it cannot be a toll road from Indianapolis to Martinsville." (HB 1008 Conference Committee Summary, Legislative Services Agency)

But INDOT and the Daniels' Administration dispute the effect of the legislation, stating it can build I-69 through Perry Township without needing additional legislative approval. The Governor told the *Evansville Courier*, "We're not planning to build it [I-69] as a toll road, so [the Perry Township restriction] would be a moot point."

Legislators who supported the Perry Township language disagreed with INDOT's interpretation.

"I don't believe it [I-69] can (be built there) until that language was repealed."
State Senator Pat Miller from "Interstate Feud", Franklin Daily Journal

"I'm disappointed by INDOT's refusal to abide by the legislative intent of the law."
State Senator Brent Waltz from "Interstate Feud", Franklin Daily Journal

"I disagree with that (Department of Transportation) interpretation totally; that's just inaccurate. I don't think the legislation would have passed without the assurances they received. This is an important issue to maintain credibility between the executive branch and the legislative branch." *State Senator Luke Kenley from "I-69 Trouble Brewing", Evansville Courier and Press*

Response: This issue was raised as a claim by plaintiffs in a lawsuit in the US District Court for the Southern District of Indiana (*Hoosier Environmental Council, et al. v. U.S. Department of Transportation, et al.*, S.D. Ind., Civ. No. 1:06-cv-1442, December 10, 2006.). The Hoosier Environmental Council, which is the author of these statements, and CARR, which submitted the document as an attachment to its comments on the Section 2 DEIS, were parties to that lawsuit. On December 19, 2007 the district court issued an opinion rejecting all of plaintiffs' claims. One of these claims which the district court rejected was the assertion that the approved route through Perry Township was at variance with Indiana law. The court states (Opinion at p. 30): "If I-69 were going to proceed as a tollway, however, these provisions would certainly interfere with its current planned route through southern Marion County. But the provisions are no longer an obstacle. I-69 is not going to be built as a tollway, and the state of Indiana has conceded in this case that the provisions apply only if the road is built as a tollway." Neither HEC nor CARR appealed the district court's decision.

No part of Section 2 of the I-69 project passes through Perry Township.



Section 2—Final Environmental Impact Statement

PC03-83

Comment: New-terrain I-69 will take a substantial number of homes and businesses.

Current INDOT information reveals that nearly 400 homes and over 125 businesses will be “relocated” or taken by the construction of I-69.

Table 2. Homes and Businesses taken by I-69

	Tier 1 estimate	Tier 2 estimates
Homes	390	390
Businesses	76	128

Sources: Tier 1 FEIS; Tier 2 Section 1 FEIS

Response: Comment noted. See Appendix AA of this FEIS for the most current estimate of relocation impacts in all Tier 2 sections. It also should be noted that Tier 1 Alternative 1, which continues to be favored by the commenter, had higher levels of business relocations than any other Tier 1 alternative. See Tier 1 FEIS, Table 6-1.

PC03-84

Comment: Costs for building I-69 are increasing greatly.

The cost to build I-69 is increasing. In its Tier 2 Section 1 Final Environmental Impact Statement, the Indiana Department of Transportation projects the cost of Section 1 (I-64 to Oakland City) to be \$210 to \$219 million (average of \$215 million). For this 13 mile section, the average cost equates to \$16.5 million a mile. Section 1 covers relatively flat terrain with the least challenging terrain and few environmental obstacles.

INDOT has earmarked \$700 million from the Indiana Toll Road lease for the construction of I-69 from Evansville to Crane Naval Surface Warfare Center. This is a distance of 67 miles, encompassing Sections 1, 2, and 3 of the proposed I-69 route. Applying the \$16.5 million per mile cost figure for Section 1, the allotted \$700 million would build 42.4 miles of I-69, only reaching U.S. 50. Section 2 is likely to cost more than Section 1, given the state’s commitment to bridge 1 mile of the Patoka River floodplain. To build I-69 for the full distance to Crane would require at least \$1.1 billion dollars.

The cost to buy or condemn farm land for the highway is increasing. Purdue University has reported that the average value of farmland increased from July 2006 to June 2007 as follows:

- 19.2% increase – poor quality land
- 16.6 % increase – average quality land
- 16.9 % increase – top quality land

Note: The winning bid to construct the first 1.77 miles of I-69 north of I-64 was \$25.23 million, equal to \$14.25 million per mile. This stretch of roadway covers flat terrain with minimal environmental obstacles.

**Section 2—Final Environmental Impact Statement**

Response: Please refer to the response to comment PC095-32 regarding the project costs and the value of farmland. Also Section 6.3.2 of the FEIS provides a full explanation of the current cost estimates. It also should be noted that the initial construction segment referenced in this comment included reconstruction of a major interstate-to-interstate interchange among I-69, I-164, and I-64. It is not appropriate to regard this section of I-69 as typical of the entire project.

PC03-85

Comment: **I-69 is not feasible as a Toll Road.**

For years HEC and other I-69 critics said that the state of Indiana did not have the funding necessary to build the costly new-terrain I-69 route. In 2005 Governor Daniels conceded this by announcing that a new funding mechanism was needed to pay for I-69. Eventually the Governor proposed making I-69 a privately operated toll road, and also sought and obtained authority to lease the northern Indiana Toll Road with lease proceeds to be used to pay for part of I-69 as well as other road projects. The proposal to make the I-69 extension a toll road conflicted with recommendations against tolling I-69 found in every earlier study of the project.

INDOT's 2003 Tier 1 Final Environmental Impact Statement reported on the earlier studies that looked at tolling I-69: —Some previous proposals were studied as toll roads. These proposals were not recommended because the road would not be financially feasible as a toll road.” (Chapter 1, page 1.1)

In 2006, INDOT released a new evaluation proposing I-69 be built as a toll road. In its —I-69 Evansville to Indianapolis Tier 1 Re-evaluation Report” dated June 2006, INDOT found that for several sections of I-69, projected traffic levels would be less than those for the —no-build” alternative, meaning that drivers would avoid using I-69 if it were tolled. Built as a toll road, new-terrain I-69 would increase traffic volume and congestion on 25 local street and state highway segments, as a result of traffic diverting from a tolled I-69. (Tier 1 Re-evaluation, pages 72-74)

In late 2006, Governor Daniels withdrew his I-69 toll road proposal. —Tolling is no longer being considered as a financing option in these [I-69 Tier 2] studies,” wrote Thomas Sharp, INDOT Commissioner, in a November 2006 letter to the Federal Highway Administration.

With the withdrawal of the tolling plan for funding I-69, in late 2006 the Governor instead proposed a new —outer beltway” or bypass toll road through the suburban counties east, south and west of Indianapolis. Proceeds from leasing this privately operated toll road would be used to help fund I-69. The Governor proposed this outer beltway despite a 2005 INDOT study that did not recommend a —beltway”, concluding it would have limited traffic and economic benefits. As noted above, in early 2007 the Governor withdrew this proposal in response to substantial public opposition, stating that tolling would remain an option for funding I-69.

Response: As noted in Section 1.2.3 of this FEIS, INDOT is considering only non-tolled alternatives for completion of I-69.



Section 2—Final Environmental Impact Statement

PC03-86

Comment: Without tolling, INDOT’s ability to fund the remaining 100 miles of new-terrain I-69 is in question.

If INDOT uses conventional funding from gasoline tax revenues, other highway projects around Indiana will be deprived of funding. When INDOT and Governor Daniels first announced their plan to build I-69 as a toll road in 2005, they acknowledged that use of gas tax funds for I-69 would not allow I-69 to be constructed for many years unless other projects were postponed.

—“With traditional pay-as-you-go financing, construction could not begin until 2017 and be completed in 2035, with costs to the state of approximately \$2 billion.” *INDOT Creative Financing Approaches Fact Sheet, 2005*

—“Our department does not have funding mechanisms in place today to pay for this project using conventional funding sources.” *INDOT News Release, June 27, 2005*

The *2030 Indiana Long Range Transportation Plan* provides that I-69 Sections 4, 5, and 6, from Crane Naval Surface Warfare Center to Indianapolis, will be paid for with “innovative finance”. The plan defines this as: —“not traditional funding sources such as toll financing (for roadways other than I-69 Indianapolis to Evansville), public private partnership arrangements, application of new technologies to capture new user benefit revenues and innovative financial mechanisms.” (page 154) With tolling apparently ruled out for I-69, there is no alternative to pay for the new highway other than to divert gas tax proceeds or more Major Moves funds to I-69 at the expense of other road projects.

In March 2007, upon dropping his Indiana Commerce Connector plan to pay for I-69, Governor Daniels told the Indianapolis *Star*, —“don’t think we rule out anything, but we’ve got six or seven years to figure it out. We’ll solve this problem.”

Federal stimulus dollars do not appear to be a source for I-69 funding. Indiana is receiving a total of \$658 million for transportation projects from the American Recovery and Reinvestment Act (ARRA). These funds are to be used for —“shovel-ready” projects, and only a few miles of I-69 qualify as shovel-ready. As of May 2009, INDOT has allocated \$123 million from ARRA funds, and none have been directed to I-69 construction.

Response: All six sections of I-69 are included in INDOT’s adopted Long Range Plan (June, 2007). Funding for Tier 2 Sections 1 through 3 is provided by the proceeds from the Indiana Toll Road Lease (the —“Major Moves” program). Tier 2 Sections 4 through 6 are identified as being built with innovative funding. Innovative funding is described in Chapter 11 of the Plan (see http://www.in.gov/indot/files/11_planning.pdf).

PC03-87

Comment: The U.S. 41/I-70 Route can be completed sooner, at much less cost, and with minimal environmental impacts.



Section 2—Final Environmental Impact Statement

Since it would use existing roadways for virtually the entire route from Indianapolis to Evansville, the U.S. 41/I-70 route would have minimal new environmental impacts, affecting about 2,670 acres of land, compared to the 7,653 total acres affected by the new-terrain route. This route would follow existing U.S. 41 from the project's southern terminus at I-64, to the SR 641 bypass south of Terre Haute. This bypass, already under construction, would connect U.S. 41 to I-70 east of Terre Haute. From there the alternative I-69 route would follow existing I-70 to Indianapolis. According to INDOT's own estimate, travel time between Indianapolis and Evansville would average only an extra 13 minutes on the 41/70 route compared to the new-terrain route (page S-34, Tier 1 FEIS).

The U.S. 41/I-70 route would be much cheaper to build and to maintain than the new-terrain route, according to INDOT's studies. In the Tier 1 EIS, the estimated cost of the U.S. 41/I-70 route was about \$1 billion, just over half the \$1.8 billion cost originally projected for the new-terrain route (now \$2.8 billion). Of course, with construction costs and land costs increasing, the 41/70 route like the new-terrain route will cost more than these original estimates, but the comparative costs will remain the same. Moreover, the 41/70 route would cost just a fraction of the new-terrain route for operation and maintenance, since the roadway for this route already exists. The Tier 1 EIS estimated that the annual operation and maintenance costs of the new-terrain route are 9 times higher than the operation and maintenance costs of the 41/70 route (page 3-59).

Unlike the new-terrain route, which ends at I-465 on the south side of Indianapolis, the U.S. 41/I-70 route would provide a direct interstate route all the way to downtown Indianapolis, its entertainment and shopping attractions, and state government offices. By contrast, travel to downtown Indianapolis on the new-terrain route would require travelers to use I-465 for several miles before connecting to I-65 or I-70 to reach the downtown area; or alternatively, use city streets from the SR 37/I-465 interchange to reach downtown.

The 41/70 route meets the basic purposes of the I-69 extension, providing an interstate connection between Indianapolis and Evansville, improved accessibility for regional residents, and connecting to existing freight corridors. It also is within 30 miles of Crane Naval Surface Warfare Center, providing access while not directly encroaching on the facility's military mission.

Finally, as noted earlier, many communities along the SR 37 section of the new-terrain route are opposed to its use for I-69. In contrast, communities along the 41/70 route welcome I-69, such as Terre Haute and Vincennes.

Note: HEC's support for the U.S. 41/I-70 route does not imply support for an international —MFTA" highway from Canada to Mexico. Existing interstate highways already link Canada to Mexico.

Response: Please refer to the response to PC004-1 regarding Tier 1 Alternative 1. This comment provides no additional information which was not considered in the Tier 1 FEIS and ROD.



PC03a **Tim Maloney** **Hoosier Environmental Council** **June 29, 2009**

PC03a-01

Comment: The Hoosier Environmental Council submits the following comments on the DEIS for Section 2 of the I-69 Project. Incorporation of comments on Tier 1 EIS HEC incorporates by reference its comments on the Tier 1 EIS and selection of the new-terrain (3C) route for I-69. In summary, the FEIS: a) contained a flawed purpose and need statement, which was biased toward a new-terrain route; b) failed to rigorously explore and evaluate alternatives, including the U.S. 41/I-70 upgrade alternative; c) failed to accurately measure environmental and other relevant impacts; and, d) failed to comply with other binding laws, including the Clean Water Act.

Response: This and many other comments submitted by this commenter refer to Tier 1 issues and require no further response in this Tier 2 document. Responses to these comments can be found in the Tier 1 FEIS, Volume IV, Responses to Comments.

The commenting organization was the lead plaintiff in a lawsuit on the Tier 1 Record of Decision, which raised the issues outlined here. The lawsuit was adjudicated in INDOT and FHWA's favor, and all of plaintiff's claims were set aside. See responses to comments PC03-22 and PC03-82 for more information.

PC03a-02

Comment: Comments specific to Tier 2, Section 2 DEIS
1. Purpose and Need

INDOT has improperly segmented the Tier 2 EIS by separately evaluating sections of the highway that do not have independent utility. There is no evidence provided that Section 2 would meet a demonstrated transportation need if the other sections of I-69 were not completed.

Response: Please see response to comment PC03-22.

PC03a-03

Comment: Personal Accessibility
The discussion of the personal accessibility factor focuses on access to an interstate highway, and to arbitrarily selected regional destinations, yet overlooks local accessibility which is a more important component of personal travel. Nor does it consider how accessibility would be affected if an interstate corridor was located elsewhere in southwest Indiana, such as along the U.S. 41/I-70 corridor. (Pg 2-7,2-8)

Response: Please refer to the response to comment PC037-4 relative to accessibility. Please refer to response to comment PC04-01 regarding Tier 1 Alternative 1.

PC03a-04

Comment: The claims made for travel time savings due to proximity to an interstate are meaningless, given that similar time savings could be experienced by selected



Section 2—Final Environmental Impact Statement

communities in the region if an interstate were constructed along another corridor in the region, such as U.S. 41, or SR 231. Because of the flawed nature of the tiering process used in studying I-69, the travel time comparisons consider only variations on the Tier 1 alternative 3C route vs. a no-build alternative, which results in a misleading comparison as noted above. (Pg 3-92, 3-93)

Response: Please see response to comment PC03-22 regarding tiering. Please refer to the response to comment PC037-4 about accessibility. Please refer to response to comment PC04-1 regarding Tier 1 Alternative 1.

PC03a-05

Comment: The DEIS assessment of travel time differences only considers time to a few regional destinations, and to an interstate. It does not assess local travel times, or travel to regional destinations other than Evansville, Bloomington, or Indianapolis. Nor does it assess limitations to local travel times caused by a limited access highway which results in local road closings. (Pg 3-92).

Response: Please refer to the responses provided to PC037-4 and PC095-36 that address accessibility and local road closings.

PC03a-06

Comment: In the accessibility discussion, Knox County/Vincennes are mentioned as part of the study area, and a beneficiary of improved access from new-terrain I-69. However, the new-terrain I-69 does not enter Knox County, nor serve Vincennes. If communities in adjoining counties are beneficiaries of an interstate in another county, then this same argument can be made for the benefits of using U.S. 41 for the I-69 route to communities such as Washington, Petersburg, and the Crane facility. (Pg 2-10)

Response: Please refer to the response given to PC03-64 regarding the purpose and need study area for this project, and PC04-1 regarding Tier 1 Alternative 1.

PC03a-07

Comment: The accessibility needs alleged to be met by new-terrain I-69 appear to disregard the commuting patterns described in Chapter 4. Based on these patterns, there is significant east-west travel in the study region which would be unserved by the new-terrain I-69 route. Moreover, a major portion of the north-south commuting pattern is along the U.S. 41 corridor rather than the chosen route for I-69. (Pg 4-51 to 4-54)

Response: Commenter appears to refer to Tables 4.2-28 through 4.2-30 (with accompanying maps) which show work locations for residents of Gibson, Pike and Daviess counties. Please see response to comment PC04-01 regarding Tier 1 Alternative 1. Note also that Tier 1 Alternative 1 performed especially poorly on improving personal accessibility, which was a core goal of the Tier 1 project. The U.S. Environmental Protection Agency acknowledged this in its comment letter on the Tier 1 FEIS, which stated in part, "In our Tier 1 DEIS comment letter, we recommended that the Federal Highway Administration (FHWA) and the Indiana Department of Transportation (INDOT) re-evaluate Alternative 1. The Tier 1 FEIS provides additional comparative analysis of Alternative 1 and



Alternative 3C. We acknowledge that Alternative 3C performs better than Alternative 1 in fulfilling the project's core goals, notably the goal of improving personal accessibility for southwestern Indiana." (Letter from Kenneth Westlake, USEPA to Robert Tally, FHWA, February 11, 2004)

PC03a-08

Comment: Highway safety

The DEIS relies on outdated and incomplete safety information used in the Tier 1 EIS to claim that 3 counties in the study area have high crash rates. INDOT should revise their safety analysis based on current data, and more specifically identify any safety issues that may be present on existing roadways.

Moreover, the DEIS traffic analysis indicates that traffic levels on some local roads will increase significantly as a result of construction of I-69, which will affect local traffic safety. The DEIS claims that the new I-69 will reduce overall congestion on the region roads, but the traffic statistics provided do not appear to support this. Level of service ratings for roads in both Knox and Dubois Counties will decline if the highway is built. Moreover, truck volume increases are projected as well on a number of roads, such as SR 61/56. (Pg 3-98)

Response: —Improved safety levels in southwestern Indiana" is a project goal established in Tier 1. It is on this basis that Tier 2 studies analyze safety improvements in their purpose and need study areas. The information to which the commenter seems to refer (giving some results of a safety analysis undertaken in Tier 1 in Section 2.3.4 of the DEIS) is provided as background. It is not intended to establish the need to consider safety improvements in Tier 2 studies; that was determined in Tier 1. In order to avoid any confusion, the references to specifics about the Tier 1 analysis have been removed from this FEIS.

The comment about congestion levels appears to refer to information provided in Table 3-10, which provides forecast year comparisons of congestion levels. The data in this a table show that congestion levels in the study area decrease by 18 – 21% for the various Section 2 interchange scenarios, compared with the no-build case. Substantial decreases in congestion occur in Gibson (45 – 49%), Pike (43 – 63%) and Daviess (27 – 38%). As the comment points out, there are two counties which experience very small increases in congestion. These are Knox County (0 – 5% increase) and Martin County (1 – 4% increase). These increases seem to be in part due to increased traffic on east-west roads between these counties and I-69. However, the overall effect in the study area is to provide significant congestion relief. These congestion calculations account for all traffic flows, including the truck volumes cited in this comment.

Traffic safety in Knox and Martin counties increases significantly. Table 3-12 shows that there will be between 7 and 18 fewer accidents each year in Martin County and between **236 and 240 fewer accidents** each year in Knox County, once I-69 is built.



PC03a-09

Comment: 2. Affected Environment
Air Quality

The DEIS states that a new transportation conformity determination is required (based on Gibson and Pike Counties status as a maintenance area). This conformity determination should be completed prior to the completion of the FEIS, so that the public has an opportunity to review and comment on the document. (Pg 4-114)

Response: See response to comment AF02-11.

PC03a-10

Comment: Social impacts
Interchanges

The DEIS mentions the possibility of phased construction, to reduce costs, and that some interchanges may be deferred. (pg 5-11)

Response: Please refer to the response provided to LG01-2 that discusses the interchange deferrals.

PC03a-11

Comment: Energy impacts

The DEIS reflects that building of the preferred alternative will increase energy consumption in the study area by 193% in Daviess County, and by 146% in Pike County, by the year 2030, compared to not building the highway. (Pg 5-431)

Response: Fuel consumption in those counties increases because substantial amounts of traffic are attracted to I-69 (which traverses Daviess and Pike counties) from other existing highways in other counties in the region and beyond.

PC03a-12

Comment: 3. Comparison of Alternatives
Cost Comparisons

The DEIS discloses that the cost of building Section 2 has increased substantially over the cost projections provided in Tier 1, an 53% increase. (Table S.8-2, DEIS; Tier 1 FEIS). Because of the higher costs, INDOT is proposing in the DEIS to use lower cost materials (asphalt vs. concrete) and to defer construction of road features such as full interchanges, rest stops, overpasses, and access roads. However, the DEIS states a decision to use the initial guidelines, low cost guidelines, or a combination (any of which meet IDM standards) will be made in the FEIS and/or subsequent design (pg 6-3). As a result, the final features, costs, benefits, and impacts of Section 2 remain uncertain and the analysis therefore is incomplete. Moreover, INDOT's cost calculations do not contain the most up to date information on highway construction costs (Construction Cost



Section 2—Final Environmental Impact Statement

Indices, Washington DOT, 4/9/2009), which have increased since 2007, when INDOT's 2004 unit costs were updated, according to Appendix D of the DEIS.

Response: Please refer to PC033-3 for response to the comment about construction materials and design criteria, and PC033-1 for information about construction costs.

Please note regarding the commenter's reference to Appendix D, the Cost Estimation Methodology is Appendix C.

PC03a-13

Comment: The DEIS also used outdated figures for farmland costs, using Purdue's 2005 study of farmland values. (pg 16, Appendix D). This study is updated regularly, and the most recent version reveals significant increases in farmland value since 2004. For southwest Indiana, from June 2007 to June 2008, farmland value increases ranged from 12% to 16.5% depending on the land quality.

Response: As part of the overall review of costing methodology (see response to comment PC033-1) the data used to calculate farmland costs have been updated. Appendix C has been revised to document that we have used the most recent data available from Purdue University regarding farmland prices.

Please note regarding the commenter's reference to Appendix D, the Cost Estimation Methodology is Appendix C.

PC03a-14

Comment: The DEIS contains no discussion of the likelihood of all 6 sections of I-69 being funded. A specific funding source for Sections 4, 5, and 6 is not identified in INDOT's Long Range Transportation Plan. Moreover, at the current cost estimates, Indiana's identified source of funding for I-69, the \$700 million from the Indiana Toll Road lease, will not be sufficient to complete Sections 1 and 2, leaving Section 3 unfunded as well.

Given the higher costs and likely reduction in features that will affect the projects performance, INDOT should re-evaluate the entire I-69 project to determine if it is cost effective and justified.

Response: Please refer to the response provided to PC095-17 about project funding.

PC03a-15

Comment: Comparison of Tier 1 FEIS Costs and Impacts to those of Tier 2 Preferred Alternative Table 6-15 of the DEIS reveals that the environmental impacts of Section 2 are greater than those projected in the Tier 1 FEIS. Total right-of-way required increased to 1,824 acres, farmland destroyed increased to 1,195 acres, and forestland destroyed more than doubled to 213 acres. The Tier 2 FEIS for Section 1 also reflected increased right-of-way impacts, as does the Tier 2 DEIS for Section 3.

The differences in the impacts shown in Table S.8-2 are primarily due to the level of detail in the Tier 1 and Tier 2 analyses (pg S-25). This statement illustrates a main flaw

**Section 2—Final Environmental Impact Statement**

in the tiering process used for studying I-69, and highlights the fact that the route corridor for I-69 was selected without knowing the full impacts of the highway. Moreover, the full impacts are still unknown since the Tier 2 DEIS for Sections 4, 5, and 6 have yet to be completed or published.

Response: Table 6-15 shows Tier 2 impacts to key resources both increasing and decreasing from Tier 1 estimates. Right-of-way impacts have increased due to the addition of many local access roads which were not assumed (for *any* alternative) in Tier 1. Forest impacts increased, since field surveys have identified many smaller forests were could not be identified using Tier 1 data sources. Similar increases in right-of-way and forest impacts would be expected for any Tier 2 alternative.

Impacts to other key resources in Section 2 have decreased from Tier 1 estimates. Wetland impacts have *decreased* by about 31% from Tier 1 estimates, and floodplain impacts have decreased by *more than 60%*. Significant efforts were made in this and other Tier 2 studies to avoid impacts to aquatic resources.

Appendix AA provides a comparison of Tier 1 and Tier 2 impacts in all Tier 2 sections, using the most current data in a published NEPA document. It shows a similar pattern of changes between impacts determined in Tier 1 and Tier 2. Right-of-way and forest impacts have increased. Floodplain, wetland and farmland impacts have decreased.

PC03a-16

Comment: INDOT has disregarded the request of U.S. EPA (Kenneth Westlake, 8/31/06) that each Tier 2 EIS provide a tally of impacts for all Tier 2 sections, including both direct and indirect impacts. EPAs request assumed that a Tier 2 DEIS would be completed for all sections before any final Tier 2 EIS was completed. A tally of impacts was provided in the Section 1 FEIS, but the DEIS for Sections 2 and 3 demonstrate that this tally was inaccurate and underestimated impacts, as did the Tier 1 EIS. Not only has EPAs request not been honored, construction on the highway has started before all Tier 2 DEIS are available. As a result, INDOT has avoided a complete quantification of the direct, indirect and cumulative impacts of the I-69 highway.

Response: Please refer to the comment on this issue provided by USEPA (comment AF02-6). The tally of impacts requested by USEPA is included as Appendix AA of this FEIS, in response to USEPA's request. As the introduction to Appendix AA explains, for those sections for which a Tier 2 DEIS has not yet been released, data from the most recently-released NEPA document is used to provide a tally of impacts in all Tier 2 sections.

PC03a-17

Comment: 4. Quality of Information and Surveys

INDOT surveys for fish and mussel species in the Section 2 corridor were extremely limited, and the discussion of potential impacts to listed species is cursory. Actual field surveys for birds, mammals, amphibians, and reptiles were limited to a 1.4 mile section of the Patoka River bottoms. (Pg 5-240, 5-241). Other areas of the Section 2 corridor should have been surveyed as well, including the White River corridor. The discussion of listed bird species misidentified the cerulean warbler as a species of special concern; it

**Section 2—Final Environmental Impact Statement**

is now a state endangered species. (Pg 5-246) The fish surveys were limited to very short stretches of the affected waterways, and thus may have missed species that migrate along these waterways. (Pg 5-244) The assumption, repeated for many of the listed species, that since no evidence of breeding grounds was discovered for species noted as present, then there would be no impact to the species, is not sound reasoning. The surveys were very limited and nests or other evidence of breeding sites could easily be overlooked. (Pg 5-260, red-shouldered hawk for example) More thorough studies are needed to fully document the impacts of the proposed highway on sensitive, rare and endangered fish and wildlife species.

Response: In addition to a generalized pedestrian survey of the entire Section 2 corridor, six additional location-specific and species specific surveys were conducted. See responses to comments PC091-3 and PC091-4. These surveys were devised in consultation with state and federal agencies, in particular the U.S. Fish and Wildlife Service and the Indiana Department of Natural Resources. We have received no comments from either agency which characterize these field surveys as inadequate.

The cerulean warbler is now listed as a state-endangered species by the Indiana Department of Natural Resources. Chapter 5.17 will be updated accordingly.

PC03a-18

Comment: 5. Forest and Wildlife Impacts and Mitigation

The preferred alternative will destroy 213 acres of forest and 27.5 acres of wetlands. The proposed mitigation is inadequate to replace the lost habitats. Forest habitats will be replaced at only a 1:1 ratio, with another 2:1 ratio for preserving existing forest through purchase. This does not represent a true 3:1 replacement ratio, which should require that 3 acres of forest be re-created through plantings for every 1 acre destroyed. Even at a 3 to 1 ratio, the function of a mature forest takes many years to replace. (pg 7-7)

Response: The commitment to mitigate forest at a 3 to 1 ratio (with replacement at 1 to 1 and preservation at 2 to 1) goes beyond the requirements of any law or regulation. To replace wetlands impacted by I-69, INDOT and FHWA will follow the mitigation ratios listed in their Wetland MOU (1-28-1991).

PC03a-19

Comment: Conclusion

Because of the I-69 highways significant environmental impact, high cost, and questionable benefits, Section 2 as well as the entire Alternative 3C route for the new-terrain I-69 should be reevaluated, and instead INDOT should pursue the U.S. 41/I-70 route alternative.

Response: See response to comment PC04-1 regarding Tier 1 Alternative 1.



PUBLIC—INDIVIDUALS

PC004 Gary Moody

02/10/09

PC004-1

Comment: Obviously, the most prudent course, with the absolutely smallest environmental impact, would be to route any new-terrain corridor to align and/or merge with US 41 via the shortest possible route. As thousands of Indiana citizens (versus various skills, lobbyists, and economic pressure groups) have told you people from the get-go, your current plan, or anything remotely resembling it, is one of the biggest boondoggles in Indiana history. I have personally spoken out, in official forums among others, against boondoggles, such as the "Indiana Commerce Connector" and the current I-69 plan. I spoke to an Indiana Senate committee in 2006 against this plan.

Response: The Tier 1 FEIS (<http://FEIS.i69indyevn.org/FEIS/index.html>) found Alternative 1 (I-70 to US 41) not to be a reasonable, prudent, or practicable alternative because it had a much lower performance than any other alternative in terms of satisfying the goals of the project.

PC004-2

Comment: As I recall, there were officials from Oakland City and Petersburg there, speaking in favor of the boondoggle. The mayor of one of those towns (I don't recall which) actually claimed that I-69 was needed to transport coal! After he spoke, I told him, in a very loud "stage whisper", that his town is badly in need of a railroad! Because, obviously, nobody in the coal business who wants to make a profit, since people stopped heating their homes with it, transports coal in trucks! My point being, if officials in Oakland City and Petersburg are hellbent on having I-69 IN their communities, please route it THROUGH those towns, as you are planning to do to Martinsville, or as close as possible, and thence to Vincennes, where INDOT has already built bypass infrastructure which is sitting unfinished and unused. Further improvements to the route to Terre Haute, and perhaps beyond, can then be planned. And SR 37 is fine as it is now, thank you very much.

Response: The corridor established in Tier 1 for I-69 provides access to communities while minimizing impacts, such as residential relocations. See Appendix CC, which provides additional information about the high levels of coal truck traffic in the project area.

PC005 Nichole Arnold

02/13/09

PC005-1

Comment: My house is located at the above address in subsection 4. The property was bought from Dennis and Brenda Arnold (mother and father in law). We built our house 3 years ago. Our property will be effected by the path you have chosen, however we do not think that you have our house on the maps and realize that we are there. I will also be contacting our local I-69 office. Please e-mail and let me know if you realize our house is being affected.



Response: After receiving this comment during the DEIS comment period, it was determined that the house was constructed after the aerial photography used in the DEIS was taken. New aerial photography was obtained showing the location of this residence. The maps displayed at the public hearing on March 19, 2009 included this residence. The FEIS shows access, via LSR 13.5, to the Arnold residence’s driveway.

PC006 Nichole Arnold 02/22/09

PC006-1

Comment: As I stated in a previous e-mail, I live at the above address. In reference to your email, I should have made more reference to how I-69 will affect our house. I am aware that it does not hit our house, however, it does land lock us. I-69 goes directly across our drive way at an angle, leaving us no access to get out of our house. We have studied the maps very well, and do not see a solution to this matter, as the road behind us is not a public road. It is a private access road for Texas Gas Company. This path also affects our house because the road will cut off our water and electric (our lines are buried.) I am just wanting to make sure that the I-69 planning committee is aware that this path does land lock us and cuts off our utilities which are buried across 650 N. Please reply to this email to let me know.

Response: Please refer to the response provided to comment PC005-1. Access will be provided via a local service road and utilities will not be affected.

PC007 Nichole Arnold 02/22/09

PC007-1

Comment: In reference to your email, I should have made more reference to how I-69 will affect our house. I am aware that it does not hit our house, however, it does land lock us. I-69 goes directly across our drive way at an angle, leaving us no access to get out of our house. We have studied the maps very well, and do not see a solution to this matter, as the road behind us is not a public road. It is a private access road for Texas Gas Company. Our house is also affected due to this path because it will cut off our water and electric source (our lines are buried). I am just wanting to make sure that the I-69 planning committee is aware that this path does land lock us and cuts off our utilities. Please reply to this e-mail to let me know.

Response: Please refer to the response to comment PC005-1.

PC008 Dennis & Brenda Arnold 02/22/09

PC008-1

Comment: This may be a repeat email, I’m not for sure if the first one got sent or not. We own 92 acres in the path of I 69. We have 67 acres on County Rd 650E known as the Twin Oaks road. It is in subsection 4, we understand that the preferred alignment is A. All of our ground will be landlocked in this area.



Section 2—Final Environmental Impact Statement

Do you realize that? The road on the south side of our ground is a gas road, owned by Texas gas, not a county road. We cannot get equipment in that way. Our son Todd Arnold has built a house on part of this ground and it will take his driveway and utilities. I don't know if his house is on your list.

The other 27 acres that we own will be destroyed no matter which alignment is chosen. It will cut it across the diagonally. We assume that you will purchase all of that acreage.

Response: The Preferred alternative proposes to provide a local service road (LSR 13.5) to provide access to the referenced 67 acres. During final design, all local service roads will be evaluated to determine if it would be more cost-effective for INDOT to acquire the otherwise-landlocked parcel rather than constructing the local service road to provide access to it.

At this time, only property that is directly affected by the construction of I-69 is anticipated to be purchased. During final design, the property acquisition will begin. If during that time, INDOT determines that the remaining property will have little or no value or use to the owner, INDOT will consider this remainder to be an uneconomic remnant and will offer to purchase it. The owner will have the option of accepting the offer for purchase of the uneconomic remnant or keeping the property. Please refer to the response to comment PC005-1 regarding the Todd Arnold residence.

PC008-2

Comment: We are against I-69 being built. You will be taking retirement income away from us. This ground was to be part of our retirement in the way of cash rent. They are not making anymore ground. We hope to receive a reply or that someone will be able to answer our question on March 19 at the meeting.

Response: Owners of all property purchased for I-69 will be compensated at their property's fair market value. If they wish, owners will have the option of reinvesting the proceeds in other property of comparable value, or in other income-producing opportunities.

PC009 **Brian Gainey** **03/04/09**

PC009-1

Comment: Has on/off ramp locations been determined and how can we find out where they will be at?

Response: Interchange locations are presented in the FEIS document (Figure 6-11). Maps showing the proposed interchange ramp locations as shown in the DEIS were also provided at the Section 2 public hearing, and were available at the Section 2 project office and the I-69 Tier 2 project web site.



Section 2—Final Environmental Impact Statement

purpose of the study that would look at drainage and sanitation conditions within our county.

Preliminary findings have been made available and the final report is expected in the very near future. I am sure copies of the study will be made available by county officials shortly thereafter. These early reports certainly show justifications for the study and why an overview of drainage systems can help provide approaches to resolve some of the hazardous conditions that exist.

There is probably not a drainage ditch in the county that does not carry some black water seepage (septic runoff) at one time or another over a period of a few weeks or months and in many cases black water is a constant factor and coming in larger quantities at an increasing rate. I am advised that Ecoli becomes a major threat under these conditions; other areas are experiencing similar problems and are finding the costs to correct them are staggering. It is not difficult to understand the reasons why so many health hazards continue to exist.

Growth in our county is continuing at a fast pace and along with it the demand and need to expand all public utilities not the least of which is sanitary sewage treatment. If the proposed I-69 becomes a reality there can be no commercial development without proper sewage treatment. A number of other possible enlargements and developments could be hampered or stopped for the same reason. The preliminary report seems to indicate that our present problems are largely a result of residential run-off.

To relieve present problems and to help insure future needs for residential, business, and industry, it would appear all these areas must be considered and their help requested. Businesses and industry are always looking for healthy, happy, and productive employees, and we are all interested in healthy living conditions. Again, the final report of the study should be available soon, so when this happens get a copy, share it with your neighbors and offer some constructive thoughts.

I am looking forward to seeing the final report of the study, but frankly I am going to be pleasantly surprised if the final report shows some improvement over preliminary findings. I really do not think we need to see the final report to know what will happen if we do not show IDEM some real progress towards correcting some of our nasty conditions with a plan that can start in the near future. If we leave the planning totally up to IDEM, we will likely find ourselves in an even more undesirable position. I am sure the quad counties organization (Warrick, Posey, Vanderburgh, and Gibson Counties) would like to be helpful in this matter because the other three receives almost 100% of our drainage whatever it might be. I am sure the State of Indiana needs to be involved, since Gibson County carries about 60-65% of the entire state drainage. Business and industry must play a part in finding answers to this challenge. Again, look forward to the final report and play a part in the solution to this major problem. Yours in the best interest and future of our county,

Response: This comment regarding the IDEM study of drainage in Gibson County is noted. The Section 2 design team will contact IDEM to obtain a copy of the report, and will consider incorporating the findings of the report into the final design of I-69 where applicable.



Section 2—Final Environmental Impact Statement

traffic coming through town. People who do not live here or in a similar "coal country" town don't realize how many trucks there are in town and the impact it has. With the northern interchange, even truck traffic coming from the east on Highway 356 would likely use county road 200E from 356 to the new Blackburn Road then to the powerplants rather than make the sharp turn (in the center of Petersburg) at the intersection of Highways 356 and 57. (You should see them try to turn there--they have to swing out into the other lane of traffic to make the turn and so must wait for both northbound and southbound lanes to be clear.) Maybe the county could improve county road 200E and specifically encourage traffic on it to get to the new Blackburn Road or I-69. This would essentially have the impact of having three interchanges--the northern interchange would accommodate people wanting to access Highway 356 or Highway 57. Two-for-one seems like a good deal to me; you should build the northern Petersburg interchange.

Response: See response to comment LG01-2.

PC021 **Tonja Toler** **04/08/09**

PC021-1

Comment: Please build the Highway 57 exit at Petersburg so we don't have all the coal truck traffic going through and "dirtying up" our small town.

Response: See response to comment LG01-2.

PC022 **Stanley E. Brewster** **04/08/09**

PC022-1

Comment: In regards to the proposed construction of I-69 in tier 2, specifically in regards to CR 750 N in Pike County. Specifically in regards to the current plan to build up the land to reconstruct and re-route CR 750 N from a point about 118th of a mile east of SR 57 to current intersection of CR 750 N and CR 350 E. If the land is raised to a level that would prevent it from being submerged when the river floods would cause a great hardship on me. Currently my lower property floods when the river is up, and in 2005 flood, the flood waters breached my dam and went in to my pond. Should the proposed construction and re-routing of CR 750 N be completed it would put my property at risk of flooding as much as 80 percent. This would eventually cause my dam to erode to the point of collapse. In the 2005 flood CR 750 N was closed for over 3 weeks due to flooding and has been closed on average of 2 times each year due to flooding. There are posted high water signs on both approaches to the bridge. One when you enter onto CR 750 N from State Highway 57 and one when you turn onto 750N from CR 350 E. County roads 750 N, 350 E and 425 E, which are all located to the north and east of my property provide access and regress for all the remaining property owners to the east of the proposed interstate. Considering the above information it would be more feasible to purchase this property, and the Robinson Farms house and property that sits just north of the CR 350 E and CR 750 N intersection on the west side of CR 350 E it would be more feasible to close CR 750 N on the west side of the bridge. Property owners and drivers who would normally use CR 750 N from SR 57 to the intersection of CR 350 E would still have access to their property using SR 57 to CR 650 N to CR 350 E, CR 425 E or CR 475 E Both of these roads to CR 750 N. Access can also be gained from SR 356 on to 475 E to



Section 2—Final Environmental Impact Statement

the above roads. Emergency vehicles and utilities can all gain homes and property from the above routes as well. Closing CR 750 N as purposed above would not put any homes or property at risk. Assess can be gain in about the same time as currently is when the road is closed due to flooding. It would be in the best interest of my family if the proposed plans were changed as mentioned. It would also save a lot of money in construction. It would cost less to purchase both properties and close the road. Below are pictures of the property and the bridge in question.

Response: Please refer to the response to comment PC014-1.

PC023 Wilfred B. Bahr & Margaret J. Bahr 04/13/09

PC023-1

Comment: Please see attached Map 6 showing our land, which includes a parcel that appears will be land-locked. Access per your Map 6 is provided by extending a private road thru a residential area. We prefer the access t our blocked land be as shown from base line road. (300N/Gum Tree Rd.)

Reasons: It is closer for us. Less disruption to residents. You will be condemning this new location land anyway. It should require little or no maintenance. You should reduce your construction/acquisition costs.

Response: The FEIS includes Local Service Road #8.5, as requested, to provide access to the landlocked parcels immediately east of the preferred alignment. Adding this new local service road would eliminate the need to access these properties through the residential area on Shady Lane.

PC024 Jesse Billings 04/13/09

PC024-1

Comment: Please do not defer the Petersburg north interchange. This interchange is critical for coal truck traffic to bypass the town. If the I-69 project acquires the land and does nothing with it, it will cause a loss of tax revenue the community can't afford.

Response: See response to comment LG01-2.

PC025 Randall Katter 04/16/09

PC025-1

Comment: Due to schedule conflict, I couldn't attend public hearing. I am in favor of constructing I69. The southern part of Indiana needs it very much for commerce and business.

Response: Comment noted.



PC025-2

Comment: One objection is the elimination of the interchange north of Petersburg for connection to SR 57. That interchange is needed for the many coal trucks which feed the two power plants along SR57. Otherwise all of these trucks must go through Petersburg and Washington. Many people have been killed in accidents with coals trucks in recent years on US50 and SR57.

Response: See response to comment LG01-2.

PC025-3

Comment: One other objection is the elimination of the interchange at SR58. This interchange will be only access point to I69 between Washington and Crane. Otherwise traffic must go back through Washington (very much of a bottleneck) to get access to I69.

Response: The interchange at SR 58 is located within Section 3 of I-69. That interchange is part of the Preferred Alternative in Section 3, as show in its FEIS.

PC026 **Randall Katter** **04/16/09**

PC026-1

Comment: Due to schedule conflicts, I was unable to attend either the Section 2 or Section 3 Public Hearings. I would like to comment to endorse the construction of a new terrain 169 road from Evansville to Indianapolis. Southern Indina needs the highway for better commerce and business. Too many business avoid southern Indiana because we have very poor highways.

Response: Comment noted.

PC026-2

Comment: One objection I have with the proposed highway is that the interchange between Petersburg and Washington is needed very much because of the many coal trucks (semis) that travel to the two power plants along SR 57. With no interchange, the trucks must travel through Petersburg and Washington. In recent years many people have been killed in accidents with coal trucks on US 50 and SR 57. These are two very dangerous roads to travel.

Response: See response to comment LG01-2.

PC026-3

Comment: One other objection is elimination of the interchange between Washington and Crane. Without that interchange all traffic in Daviess County must travel through Washington (a severe bottleneck) to access 169. For your information, I have included a photo copy of the newspaper article about the Section 2 public hearing which appeared in The Press-Dispatch on March 25, 2009.



Section 2—Final Environmental Impact Statement

Response: The portion of I-69 between Washington and Crane is located in Section 3 of the I-69 project, not Section 2. The preferred alternative in Section 3 does include an interchange between Washington and Crane, at SR 58.

PC027 Carrie Arnold 04/23/09

PC027-1

Comment: Good Day. I am doing some research regarding Section 2 and was wondering if a list of parcels to be acquired by right of way acquisition was available. I understand that it still may be preliminary, which is fine. I also understand this is public information. Anything you can offer would be much appreciated!

Response: Although the number of parcels to be acquired was tabulated, there was never a list prepared of the parcel identification numbers or the names of the owners. (This information was communicated to Ms. Arnold at the time the comment was received via email.)

PC028 Joe W. Craig 05/08/09

PC028-1

Comment: Please accept the following comments for the record concerning the Tier 2 Draft EIS for I-69.

First, I want to affirm my support for I-69. The connection of Southwest Indiana to the state capital is long overdue. Likewise, the regional economic growth has been curtailed because of a lack of transportation routes. Therefore I urge continuous but prudent progress upon this project. I say prudent progress because I believe we must examine the effect that I-69 may have upon communities and individuals carefully.

Response: One of the purposes of this environmental impact statement process and the Community Planning Programs that have been undertaken by the communities within Section 2 is to ensure that those effects are identified and appropriately addressed.

PC028-2

Comment: Comments in support of an interchange north of Petersburg, IN:
We in Pike County, Indiana have waited a long time for I-69. We need the access to economic markets, hoping that local economic development will follow. Our economy over the past 50 years has been based mostly upon surface coal mining. The high-paying jobs and spin-off industries have disappeared as the mineable reserves were depleted. We need industry in this environ, good solid industry, to support our tax structure as well as our public and private services. At the same time, we do not want our county seat of government and center of commerce to suffer the same consequences as other communities did when roads passed them by. It is my current understanding that in order to save money, an interchange north of Petersburg is planned to be dropped from the proposed route. This is a most unwise and unfortunate circumstance. First, this blunder would eliminate any "flow-through" traffic from Petersburg's downtown area. Northbound or southbound traffic will not want to exit I-69 then travel 2 miles to find the



Section 2—Final Environmental Impact Statement

town, and then have to backtrack again to re-enter I-69. The result upon existing business or any new business in Petersburg would be severe. No doubt, Petersburg businesses in the downtown area will suffer somewhat from travelers taking I-69 rather than taking existing SR 57, but to leave Petersburg as a "dead end town" will be devastating. This is the "IMP ACT" that a draft EIS is designed to study and therefore prevent. I urge you to consider the consequences of not placing an interchange north of Petersburg.

Response: See response to comment LG01-2. The economic development likely to occur in and around Petersburg generally will be related to improved access to customers and markets for businesses in and near Petersburg. Increases in "pass through" traffic (by tourists or travelers through the region) would be a very small portion of the economic development due to I-69.

PC028-3

Comment: Secondly, our biggest employer, IP&L, on the north end of Petersburg, receives a portion of its coal fuel by truck. Hoosier Energy, also an electric power producer adjacent to IP&L, likewise receives daily truck delivery. When local community leaders first proposed the north connector interchange, they surely had these two industries in mind as well as the concerns I have expressed above. Coal truck traffic from regional mines would be able to use the interstate to access these facilities rather than go there via existing SR 57. Access by interstate and a connector road will lower IP&L's and Hoosier's truck delivery costs. But more importantly, the interaction of coal trucks and passenger vehicles at intersections will be minimized. This is a big concern in our county. A north end interchange and connector road will allow smooth and efficient delivery to these important industries, maximizing safety, and minimizing accidents upon the crowded, congested, and narrow SR 57. Again I stress that improved safety and economic considerations should be second only to national defense as considerations in this EIS.

Response: See response to comment LG01-2.

PC028-4

Comment: **Comments regarding my home and business:** My wife and I live at 2156 East State Road 356, just east of Alford, in Pike County. Your latest map of I-69's interaction with my property leaves me a bit puzzled. I understand ramping SR 356 up and over I-69. You show the toe of the ramp about 20 feet from my front door, yet you do not show my residence as being taken. Similarly, the map indicates that the county road behind my house (Jasper Street) will be severed, and my garage building will be taken, but again, not my house? Further, this garage building contains my office. I am a consultant. This is not just my office, it is a business ... my means of earning an income for my family. Clients, customers, and other visitors come to this office. However, in the draft EIS this office is not indicated as a business to be relocated.

The draft IES recognizes only one business, a wrecker service on SR 61, as being relocated. I do understand how this error could have occurred because my office is not recognizable as a commercial building by someone on a drive-by. My wife and I are 61 years old. The last thing we want to do at this stage of our life is relocate. However, I understand the public need and will acquiesce to any taking as long as the compensation is reasonable.



PC029-3

Comment: By only having the one interchange in Pike county located on the Southeast side of Petersburg will cause an increase in coal truck traffic that is already causing considerable damage to 9th Street SR 61) as well as to Main Street (SR 57) in Petersburg. Both streets are already suffering heavy damage to the storm and sanitary sewer systems that are buried under the pavement due to the heavy coal truck traffic.

Response: See response to comment LG01-2.

PC029-4

Comment: An even more important issue will be the safety of our school students, both driving as well as bussed, due to the increase in heavy truck traffic on the existing SR-61/56 route. This route sees heavy traffic for school attendance as well as for extra curricular activities.

Response: See response to comment LG01-2.

PC029-5

Comment: While I'm not altogether happy about having my home taken, I'd rather that than be left living next to the I-69 highway. Thank you for the opportunity to comment on the issues that I am concerned with on the construction of I-69.

Response: Current plans indicate that the Preferred Alternative will require the acquisition of this property. Please refer to PC011 for information on the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

PC030 Paul Flint 05/15/09

PC030-1

Comment: We farm Bill Bahr's farm at Petersburg. The access road to this east side will not work. The road it hooks to is too small for every piece of machinery we have except pick-up truck. The access road needs to come from the county road to the south.

Response: Please refer to the response provided for comment PC023-1.

PC030-2

Comment: We were told at the meeting at Pike Central in March that the South Daviess co. and North Pike Co. interchange were not going to be built now. The North Pike Co. interchange needs to be built now or at the same time the road is built, or they will be very little traffic taken off State Rd. 57. We need the North Pike Interchange.

Response: Please refer to the response to comment LG01-2. See also response to comment PC03-69, which describes that even without the North Pike interchange being in service, traffic on SR 57 south and north of Petersburg will be reduced by 58% and 32%, respectively.



Section 2—Final Environmental Impact Statement

PC030-3

Comment: We do not need the South Daviess Co. interchange where it at. Where it at it will cost too much to put it in. Other than fire truck, it won't effect the traffic very little. Medical & police will come from Washington.

If you have to have an interchange like public officials wants, come on down to road 450S and put it there. Intersect it to St. Road 57 on top of hill just north of the present interchange. This would only be 1/2 to 3/4 mile farther south than the present plan. Thank you for your consideration.

Response: This location was not evaluated as a possible interchange location due to the close proximity of electrical transmission lines. Interchange ramps could not be located at CR 450S without impacts to the IP&L transmission towers, which would add considerable expense.

PC031 Kathleen Warfel Hull, MD

05/15/09

PC031-1

Comment: I am writing to tell you that I feel very strongly about how wrong it is for the proposed 1-69 route to go through new terrain. The only thing worse than the high financial costs of construction will be the high cost in damage to our environment. Plus the disruption to the lives of local citizens as travel is cut off by the highway should not be overlooked.

Response: Environmental impacts are discussed in Section 5 of this FEIS. Environmental impacts have been reduced or eliminated wherever possible through the alternative selection and refinement process.

See response to comment PC095-36 regarding decisions about local road closures.

PC031-2

Comment: If a better route for transportation of goods and materials is needed, let's spend our resources on a modern train route that will serve well into the future. Trains can move hundreds of times more goods per gallon of diesel fuel the trucks can.

Did you know:

In terms of fuel efficiency, railroads are three times more fuel-efficient than trucks. If just 10 percent of the freight moved by highway were diverted to rail, the nation could save as much as 200 million gallons of fuel each year. And, railroad fuel efficiency has increased by 72 percent since 1980. Prior to 1980, a gallon of diesel fuel moved one ton of freight an average of 235 miles. In 2001, the same amount of fuel moved one ton of freight an average of 406 miles. Overall, railroads and rail suppliers have reduced the weight and increased the capacity of rail cars to improve fuel efficiency and reduce emissions.

Studies also indicate the diversion of freight traffic from truck to rail can reduce highway congestion. For example:

**Section 2—Final Environmental Impact Statement**

- One intermodal train can take 280 trucks (equal to 1,100 cars) off our already congested highways
- Trains carrying other types of freight can take up to 500 trucks off the highway. A study of 50 major U.S. metro areas by transportation consultant Wendell Cox found that the diversion of 25 percent of truck freight to rail would lead, by 2025, to:
- 2.8 billion fewer traveler-hours wasted in congested traffic
- A savings of 16 billion gallons of fuel
- Nearly 800,000 fewer tons of air pollution.

Response: The Tier 1 ROD determined that this project is a fully access-controlled highway between Evansville and Indianapolis. The Tier 2 studies must consider only alternatives which are freeways. However, the I-69 project does not exclude other mass transit options and projects. Two of the core goals of the Tier 1 analysis were to consider alternatives which maximize the movement of freight, and to consider alternatives which maximize accessibility to intermodal freight centers, including important rail intermodal centers in Evansville and Indianapolis.

PC032 Larry and Angie Fettinger

03/19/09

PC032-1

Comment: This comment concerns a portion of Map#7 North Pike county, Blackburn road. We have a serious rainwater drainage problem. Water runs along both sides of Blackburn Road and empties into the Fettinger Lane area. Rainwater runs along the southern sides of Blackburn Road, crosses under the road through a culvert (picture #1). From there it crosses a portion of property owner by IP&L (pictures #2, 3, 4), then into our backyard which is partially woods (pictures # 5, 6, 7, 8). Also, rainwater runs off the Northern side of Blackburn Road (picture #9) and joins water running down a hill owned by IP&L (pictures #10, 11). At this point water crosses under Fettinger Lane through a culvert (picture #12) and joins water that is already crossing IP&L property, and draining into our backyard (picture #13). When the flow is so great the culvert cannot carry all of the water, it will flow over Fettinger Lane (picture #14). The new Blackburn Road is to be built over this section on the lane (picture #14). Water is also known to run off of Blackburn Road directly onto Fettinger lane (picture #15) where it joins water flowing across the lane (picture #14). All of this water runs the entire length of our backyard until it reaches a small pond located between our property and our neighbors (pictures #16, 17, 18, 19, 20). A large portion of our backyard brings a dry season. There is another drainage problem when rainwater crosses another portion of IP&L property. Water drains under Fettinger Lane through a culvert and into the yard beside our house (picture #21). It then drains into the same pond mentioned earlier (picture #22). Please note that all of the IP&L property and the Fettinger Lane mentioned in this comment/letter will be affected in some way by the construction of the new Blackburn Road. It is our desire that this drainage problem will not be increased by but be corrected by the construction of the new Blackburn Road across Fettinger lane. Please find enclosed a series of pictures showing the problem.

Response: The information provided regarding the flooding problems on this property will be forwarded to the final design team to ensure that this problem is not exacerbated by construction of I-69, and that steps are taken to improve the drainage situation if practicable. At the present time, INDOT intends to defer construction of the North Pike



interchange, included related improvements in the Blackburn Road area discussed in the comment.

PC033 **Jeanne Melchior**

05/21/09

PC033-1

Comment: I would like to submit the following comments as part of the official record for the I-69 FEIS.

The cost of I-69 has gone sharply up and will likely continue to rise as time passes. It is essential that INDOT do a new cost/benefit analysis that includes all costs. This study should incorporate the entire highway, not just segments. Clearly, this is not a local project.

Response: Tier 1 I-69 studies determined that the selected route offers the best tradeoffs among cost, benefits, and impacts. A benefit-cost analysis was not used to evaluate or select alternatives in Tier 1. In the Tier 2 studies, we considered all possible steps to decrease the cost of the project while providing a road which offers substantial benefits and improved highway safety.

Construction costs have changed since the Tier 1 cost estimates (in year 2000 dollars) were provided. Highway construction costs remained relatively steady until about 2003. Between about 2003 and 2007, events such as increased demand for construction materials in developing nations (e.g. China), war in Afghanistan and Iraq, and natural events such as Hurricane Katrina led to much volatility in prices and upward pressure on prices. This resulted in a significant increase in highway construction costs. However, in more recent years the market for highway construction services has become very competitive, and INDOT has received favorable bids for recent construction projects. See Appendix C, *Cost Estimation Methodology*, for specifics. With the funding provided through the Major Moves program, INDOT is in the position to quickly take advantage of this favorable climate for construction costs.

PC033-2

Comment: In addition, INDOT is planning another new north/south highway construction just east of the proposed I-69. The US 231 expansion would be expected to siphon off some of the north/south traffic. This needs to be delineated. Traffic counts need to consider both of these planned highways.

Response: The traffic forecasts for this project take into account other committed projects, including planned upgrades to US 231. FEIS Section 3.1.2 has been updated to list these major committed projects, which include the US 231 expansion.

PC033-3

Comment: Long term maintenance costs must be identified using projections for future price increases and possible shortages of materials. The use of cheaper materials in highway construction could compromise the integrity of the structure. This needs to be explored in a new EIS.

**Section 2—Final Environmental Impact Statement**

Response: Maintenance cost estimates are discussed in Section 3.4.4.2 of the FEIS. The Preferred Alternative has the lowest maintenance cost of any alternative. Pavement design is finalized during the design stage. Choices such as pavement thickness and types are made in consideration of forecasted traffic levels, current material costs, as well as life-cycle maintenance costs for different pavement types. INDOT has begun to offer bid packages for major projects in which contractors are invited to offer bids using alternative pavement design methodologies (e.g., concrete vs. asphalt). In such cases, INDOT evaluates the life-cycle costs for alternative pavement designs. The US 31 bypass project around Kokomo recently was offered for bid using alternative pavement design methodologies. INDOT plans to solicit bids for other projects using alternative pavement design methodologies. By considering a range of pavement materials in preparing cost estimates for this project, INDOT is reflecting its current practices, which seek to provide a safe facility at the lowest overall cost to Indiana's taxpayers. A range of other design features, such as the median width and clear zone width, are being considered in this study. All design options satisfy the requirements of the Indiana Design Manual.

PC033-4

Comment: Long term costs due to loss of farmland, wetlands, forests, must be factored in.

Response: Farmland impacts are detailed in section 5.4 of the FEIS. Although some farmland impacts will occur, general practices were adopted during the design of Tier 2 alternatives to reduce economic and productivity impacts as much as possible. These practices include the following: When reasonable, alignments were developed to follow existing property lines and minimize dividing or splitting of large tracts of farmland. Agricultural property lines were followed as much as possible or fields were crossed at perpendicular angles to reduce point rows and the creation of uneconomic remnants. Where reasonable and cost-effective, access will be provided to parcels that otherwise would be landlocked as a result of the project. Section 5.5.3.1 estimates the loss of farm income due to farmland being used for I-69. Table 5.5-1 estimates the annual crop income loss due to this use of farmland for I-69.

In addition, I-69 will provide improved access to markets for agricultural goods. Farmers would be expected to have lower shipping costs, which would improve the profitability of their farming businesses.

There will be no net loss of wetlands and forests due to I-69; mitigation requirements are such that the amount of wetlands and forest in the project area will increase after the project is completed. See Section 7.3.11 and 7.3.14 in this FEIS for a discussion of forest and wetland mitigation, respectively. See Section 7.4 in this FEIS where the cost of this mitigation is provided.

PC033-5

Comment: In addition, Patoka Lake, a primary water supply for the area (including Gibson, Pike, and Dubois counties), is now 40+ years into its projected 100-150 year lifespan. There are already problems with shoreline erosion and eutrophication, and a task force is currently studying the lake. Future water shortages will have ramifications for limiting growth in the entire area.



Section 2—Final Environmental Impact Statement

Response: There is no evidence that the relatively modest increases in population forecast for the region cannot be supplied with adequate fresh water. In addition, the project will implement measures to address highway runoff. As documented in Section 5.19.2.4, implementation of best management practices will keep pollutant concentrations due to highway runoff below applicable USEPA criteria. This will minimize the contribution of the highway to eutrophication in Patoka Lake and elsewhere.

PC033-6

Comment: Many climate change projections show the region as being drier and hotter in the decades to come. Any new construction needs to take climate change and the necessity for reduction of CO₂ into consideration.

Response: See response to comment PC03-21.

PC033-7

Comment: Rail must be considered as a cheaper, more sensible alternative to building more highways.

Response: Please refer to the response provided to PC031-2 regarding mass transit.

PC033-8

Comment: All impacts on communities in the region need to consider the negative aspects of any population growth as well as loss of farmland, forest, and wetlands.

Response: The impacts associated with population growth expected to be induced by the project are disclosed in Section 5.24, Cumulative Impacts. Environmental impacts such as noise, pollution, water quality, and air quality are discussed in Section 5 of the FEIS. In accordance with the National Environmental Policy Act (NEPA), every reasonable effort was made to eliminate or reduce impacts during the alternative selection process.

PC033-9

Comment: Indiana does not need more highways. Rather, we need to focus on fixing what we have and planning for a transportation system of the future—more rail, less road. And no new I-69!

Response: Please see response to comment PC095-34 regarding maintenance of existing roads. Please refer to the response provided for PC031-2 relative to rail.

PC034 Clark Sorensen 05/24/09

PC034-1

Comment: I have no objection to reserving land in natural state whether for useless highway mitigation or otherwise.

What bothers me is this:



USA tax dollars and state funds wasted on useless out of date highways like I - 69.

Hear me out.

If Americans had a notion, we could do the right things with these tax dollars. For instance, why not use billions in highway money to fund engineering, construction and realization of something really needed? A vast network of fresh water reserves! Inter-connected by pipe lines or canals use for barge traffic. It would require large investments of same limited resources as highways –engineers, construction equipment, manpower. But we would end up with something really needed. Fresh water. And lots of it. Water will be the cause of wars in the near future. We’d have plenty to share with friends and enemies using recycled plastic bottles and/or cleaned out oil super tankers to ship back for good will and/or oil dollars.

Why not talk —fresh water proposal” at BLA who have only to start losing consultation income dollars when I - 69 meets it eventual certain fate – —no g...”

While you are at it, discuss single payer national health care. I’d be very interested in your thoughts. And I understand how uncomfortable these ideas might be a BLA. Feel free to quote me.

Response: I-69 is a transportation project. While the need for supplies of fresh water is very important, such issues are not within the scope of this project.

PC035 James Pate, Jr. 05/25/09

PC035-1

Comment: In view of the most recent cost estimates that indicate the cost of the new terrain I-69 project has more that doubled to over \$4 billion dollars, it is extremely important that InDOT conduct a new cost/benefit analysis.

Response: Please refer to PC033-1 response regarding cost/benefit analysis.

PC035-2

Comment: Any degradation of design or construction materials - as is suggested – to reduce the cost of this project would be extremely dangerous and should be avoided at all costs. The long term costs in lives and maintenance must be given upmost consideration.

Response: Please refer to the response to PC033-3 for information on maintenance and materials.

PC035-3

Comment: If, after all is said and done, InDOT continues to push for an extension of I-69 through southern Indiana the new terrain project be scrapped and an alternate route utilizing existing roads be adopted. This will greatly reduce the cost for taxpayers and save many acres of farmland and forests.

Response: Please refer to the response to PC033-1 regarding Tier 1 route selection.



Section 2—Final Environmental Impact Statement

PC036 Clark Sorensen

05/27/09

PC036-1

Comment: Thanks for your inadequate —anned” InDot reply. I would be interested to know the precise next step for my suggestion to develop Indiana fresh water reserves instead of wasting money on the environmentally unfriendly (at best) pork barrel I - 69 in Southwest Indiana. In other words, where does the buck stop? Will I expect a serious detailed reply from someone with authority to take action?

Response: See the response to comment PC034-1, above.

PC037 Wayne Werne

03/19/09

PC037-1

Comment: In regards to the proposed extension of I-69, I would like to enter comments into the record. First of all, I (and many others) continue to dispute that there is a purpose and need for this segment of this highway, or indeed the highway as a whole. You will undoubtedly state that those considerations were considered in the first go-round of public input for the building of this road. I will point out to you the fact that the VAST majority of public comment received at that time favored NO NEW TERRAIN HIGHWAY! To the tune of 94% of the comments received. You will have a hard time convincing me - or a court of law - that the public comment was indeed considered in any form whatsoever. The only reasonable alternative to improving the connectivity between Evansville and Indianapolis would be to upgrade US 41- I-70, and this was clearly suggested by the majority of the public commenting on this project. Additionally, there already is a shorter route from Canada to Mexico than what this segment of I-69 would create if creating connectivity between all three countries is a goal. Not only is there no clear purpose and need for this highway, the majority of the public does not favor it. But politics is clearly corrupt - politicians being bought and paid for by construction companies, lobbyists, and engineering firms like yours.

Response: Please refer to the response to comment PC033-1 regarding Tier 1 route selection.

PC037-2

Comment: So, I will move on to other points. It has been suggested recently that the true cost of building this highway as planned will be significantly more than the original study states. It is not much of a debate that it will be more expensive, just a matter of how much more expensive. With that fact in mind, this continues to jeopardize the argument that a completed I-69 will return more in benefit than it costs. So it would behoove any public servant or company tasked by them to offer a true and current accounting of the real costs - costs like construction materials and labor, and any engineering or re-engineering that is a part of the project. It is simply unacceptable to come up with a set of numbers that "justifies" the building of a new terrain road, and continue on the course to build it even when the costs escalate. What happens if the benefit / cost ratio falls below!? What happens if it drops to .8 or .5?



Section 2—Final Environmental Impact Statement

Response: Please see Section 6.2.2 of the FEIS and the response to comment PC033-1 which describes INDOT'S efforts to minimize costs, as well as the issue of benefit-cost analysis.

PC037-3

Comment: Undoubtedly someone will make an argument that it has already been started and should be completed at any cost. It is my opinion that this constitutes fraud on the part of those arguing for this highway. I would think it would also be illegal- perhaps lying to guarantee access to federal funds that would then be improperly and fraudulently spent. You can be sure that if this happens, all parties responsible for covering up the actual costs in order to get the final product will be held accountable - at the federal level in a court of law if necessary. With the new administration in place in Washington DC, this will no doubt be looked into a lot more closely than under the last administration.

Response: Please see Section 6.2.2 of the FEIS and the response to comment PC033-1 which describes INDOT'S efforts to minimize costs.

PC037-4

Comment: Additionally, if secondary roads are closed and terminated due to bisection of the landscape by an interstate, this project defeats its own purpose of increasing accessibility. There already are existing roads to get from Evansville to Indianapolis, but by closing local roads, you are removing accessibility. You would be speeding up one travel route by completely eliminating others at the local level.

Response: Improvement in regional accessibility was a Tier 1 *core* goal. Improvement in regional accessibility in Tier 1 was measured by improvements in access to Indianapolis, increase in access to other major urban centers, and increase in access to major institutions of higher learning. These destinations are those to which people wish to travel for important business, recreational, medical, or educational purposes.

In Tier 2 studies, accessibility was measured by determining the changes in accessibility from the specific communities in each Tier 2 section to major regional destinations. In Section 2, this consisted of analyzing accessibility from Washington, Plainville, Elnora, Bloomfield, Linton, Lyons, Wheatland, Loogootee and Vincennes to Bloomington, Evansville, Indianapolis, and Crane NSWC. Local road closures would not materially affect this accessibility analysis.

The project in Section 2 actually provides a *higher* level of local accessibility than was assumed in the Tier 1 study. See response to comment PC095-38.

PC037-5

Comment: I believe there is a requirement somewhere for projects like this to assess the impact to farmland and forest land. From what I have seen, the study simply states that yes - it will permanently eliminate much of both of them. This highway should be designed to MINIMALLY impact farm and forest land. That means reducing the right-of-way width because wide right-of-ways do nothing but waste land - at no benefit. Medians should be reduced as well. There should be some mechanism to mitigate and replace as much of what is slated for destruction as possible. That means buying up other land to plant to



Section 2—Final Environmental Impact Statement

trees, or maybe planting trees in the medians. There is simply no reason to deforest the land in this day and age. Any deforestation should be completely mitigated by reforesting unforested acres - not buying existing forest land. There should be no net loss of forestland.

Response: Please refer to the response provided to comment PC033-4 regarding impacts to farmland and forest land. Detailed information regarding impacts to these two resources is provided in Section 5.4 of this FEIS for farmland, and in Section 5.20 for forest.

PC037-6

Comment: On the topic of impacts to wildlife - has there been sufficient consideration given to the impact that this bisecting highway will have on wildlife travel patterns? I think we all know that animals many time wander onto the highways and get run over. In the case of a species like deer that are plentiful, this is not a concern. But how about herptiles like the eastern box turtle, or any of the snake species? I am not sure if there would be any copper bellied water snakes in this segment, but they are endangered, and likely to suffer high mortality by building another road for them to suffer mortality on.

Response: Accommodations for wildlife crossings have been incorporated into the planning for I-69 and coordinated with IDNR. Further coordination regarding details specific to the eastern box turtle will be addressed in subsequent design. See section 5.18.4 of the FEIS for a discussion of wildlife mitigation measures including wildlife crossings. In addition, coordination with IDNR regarding potential impacts to the eastern box turtle during construction is ongoing and development of additional protocols is under development.

PC037-7

Comment: And what about the federally endangered Indiana bat? There is likely to be some mortality incurred when bats fly across the highway at night and get hit by cars - especially in riparian areas where they are used to feeding on insects in their normal feeding corridors along the water. Additionally, there is a new disease - White Nose Syndrome (WNS) that is heavily impacting bats in the northeast and has spread to West Virginia. The USFWS have themselves said that the disease is likely to be in Indiana within the next few years. With a federally endangered species suffering in the range of 90% mortality due to this fungal disease, how would you justify any additional mortality incurred from this ridiculous and unnecessary highway? That point should be clearly addressed.

Response: The assessment of impacts to Indiana bats has been coordinated with U.S. Fish and Wildlife Service (FWS) through the preparation of a Tier 2 Biological Assessment and subsequent Biological Opinion from FWS have been completed as required under Section 7 of the Endangered Species Act. The FWS has taken into account potential impacts and stresses to the Indiana bat population.

PC037-8

Comment: Finally, this highway has been segmented into multiple segments, and each of these has been labeled as a corridor of independent utility. This is a complete lie, and a way to get around federal regulations. This highway was clearly conceived and designed to be ONE



Section 2—Final Environmental Impact Statement

highway – not a multitude of segments that just happen to connect. I was under the impression that it was illegal to segment projects like that just to make it easier to build them. Again, you people (promoters of the highway) are just begging for a federal lawsuit to be filed against you. If you want continued public dissent over this new terrain highway to continue to drag out the process through the court system, this is a good way to do it.

Response: See response to comment PC03-3.

PC037-9

Comment: I am opposed to the building of a new terrain highway, and I believe that each segment of that ONE highway cannot stand on its own. There needs to be more consideration given to what the public wants and doesn't want, and how much it really will cost in a true cost benefit analysis. The impact that this highway will have on the environment and the people is very negative and too high. I would hope that some conscientious individuals will give this project the honest analysis that it needs in order to determine that it is too costly.

Response: Please refer to the response to comment PC033-1 regarding costs and benefits, and benefit-cost analysis.

PC038 Gary Leavitt 06/03/09

PC038-1

Comment: My wife and I own a business on Main St. in Petersburg In. and we want to see all the interchanges built to take all the truck traffic out of town. Please do it right the first time not like The Loyld Expressway.

Response: See response to comment LG01-2.

PC039 Don Richardson 06/03/09

PC039-1

Comment: I am supporting keeping the petersburg exits. Most importantly keeping both, the one on hwy 61 and the one on hwy 57 north of petersburg. There is so much coal truck traffic that goes thru petersburg and past my house that it makes the area unsafe and undesirable. I live on hwy 57 and cannot keep my windows open due to the truck noise. My kids are not allowed to play in the front yard. I feel that if the exits are not built Petersburg businesses will slowly die out and property values will go down. Reducing tax revenue, increasing poverty will be the result of bypassing Petersburg.

Response: See response to comment LG01-2.



PC040 **Ashok Desai**

06/04/09

PC040-1

Comment: *The cost of I-69 has more than doubled to at least \$4 billion. InDOT must do a new benefit cost analysis, including all current and complete costs.

Response: Please refer to PC033-1 response regarding benefit-cost analysis.

PC040-2

Comment: *Design and construction materials have been cheapened. InDOT must give true reports of the long term cost of operation and maintenance

Response: Please refer to the response provided to PC033-3 regarding construction material and maintenance costs.

PC040-3

Comment: *Relatively few jobs will be created, which will not offset the damages and job loss to our communities.

Response: Approximately 600 permanent jobs (not construction-related) will be added to the Section 2 project area as a result of I-69. See this FEIS, Section 5.5.3.2, and Table 5.5-4. This growth will have minimal impacts on land use in the Section 2 project area. Forecasts show that approximately 139 acres of existing farmland will be developed for additional housing and employment which occurs due to I-69 (See Table 5-24.6). This is only 0.017% of the 803,596 acres in these three counties, as well as only 0.028% of the farmland in these three counties (See Table 4.2-17).

The Tier 1 FEIS showed that approximately 4,600 new permanent jobs will be added in Southwest Indiana as a result of I-69. See Tier 1 FEIS, Table 3-25, p. 3-50.

PC040-4

Comment: *Many local roads will be closed and some interchanges may be dropped. This contradicts the key goal of the project to increase accessibility.

Response: Please refer to PC037-4 response regarding local road access.

PC040-5

Comment: *Public transit must be considered as an alternative to more highways.

Response: The Tier 1 ROD determined that Tier 2 projects would be freeways, serving both passengers and freight. Two of the Tier 1 goals (including one core goal) addressed freight transportation. While public transit is an important part of our overall transportation system, it would not serve this project's goals relative to the movement of freight.



PC040-6

Comment: *Hoosiers do not need or want I-69! It's time for the state to listen!

Response: Comment noted.

PC041 Rob Franklin

06/04/09

PC041-1

Comment: The North interchange that is supposed to be cut out needs to be put back in the budget and put in place during the initial phase of construction as it was originally planned. It is imperative to have the truck traffic removed from the local highways here. This interchange is access to the AES Power Plant. It does not directly benefit Petersburg, so we are not really getting 2 exchanges. This one being left out will continue to cripple this community and will never happen if it doesn't go in during the first phase. Stimulus, bailout, taxes or whatever means needs to be used to get this back in place.

Response: See response to comment LG01-2.

PC042 Dennis and Brenda Arnold

06/04/09

PC042-1

Comment: We are against I-69 being built. We own 94 acres of farmland in its path. This ground was purchased for a source of income for our retirement and place for our boys to build homes. You can not replace the income and value of land by purchasing our ground. It is priceless.

Response: Please refer to the response for comment PC008-1.

PC042-2

Comment: Map 8 – Our 27 acres will be cut in a diagonal. It fronts Co Rd 750N. We expect all of that land to be replaced. You will landlock one corner and the other piece left will be a triangle.

Response: Please refer to the response for comment PC008-1.

PC042-3

Comment: Map 7 -You will landlock all 67 acres that we own by your overpass. This land has frontage on Co. Rd. 650N (Twin Oaks Rd.). No, we cannot access our land from Co Rd 600N. Our land fronts the gas road that is not a county road. It is a road locked by gate, plus we couldn't get equipment through it. When talking with your people at the last meeting they did not realize this 67 acres would be landlocked.

Response: Please refer to the response to comment PC008-1.



PC042-4

Comment: We feel I-69 is a waste of our tax dollars. We do not see it bringing any industry to our county, we will be left in a worse shape than we are now. It will leave our family without retirement money we were counting on. We have been planning for retirement for years and losing this farm land will lower our standard of living.

Response: Local economic development officials in the Section 2 project area express their support for I-69 as an important economic development initiative. See comment LG01. See also response to comment PC040-3. Please see response to comment PC103-1 regarding fair compensation to property owners.

PC043 Jerry Merriman

06/05/09

PC043-1

Comment: It is time to put the brakes on the I-69 project and focus on the real transportation needs of the people of Indiana. Unless Indiana wants to wait for a crisis before dealing with the finite supply and increasing expense for fossil fuels, and the increasing costs for maintaining our existing roads, we need to begin planning for the state's transportation future NOW. I urge you to consider the following points: 1. The cost of I-69 has more than doubled to at least \$4 billion. InDOT must do a new benefit cost analysis, including all current and complete costs.

Response: Please refer to PC033-1 response regarding benefit-cost analysis.

PC043-2

Comment: 2. Design and construction materials have been cheapened. InDOT must give true reports of the long term cost of operation and maintenance.

Response: Please refer to PC033-3 regarding operation and maintenance costs.

PC043-3

Comment: 3. Relatively few jobs will be created, which will not offset the damages and job loss to our communities, and the destruction of forests and farm land.

Response: Please see response to comment PC040-3 regarding the economic benefits of the I-69 project.



Section 2—Final Environmental Impact Statement

PC043-4

Comment: 4. Many local roads will be closed and some interchanges may be dropped. This contradicts the key goal of the project to increase accessibility.

Response: Please refer to response to comment PC037-4 response regarding accessibility.

PC043-5

Comment: 5. Public transit must be considered as an alternative to more highways.

Response: Please refer to PC040-5 response regarding public transit alternatives.

PC043-6

Comment: 6. The majority of Indiana's citizens have made it clear that they are opposed to I-69. It's time for the state to listen!

Response: Comment noted.

PC044 Kathi Guffy

06/06/09

PC044-1

Comment: It's deplorable that I-69 is still being thought of in these economic times. Worse still is that it's going through some of the most valuable farm land and ecosystems when following I-70 makes more sense. I know it has to do with greed. Greed from the big contracting companies and government. We don't need another road, we have plenty. It will destroy us in Martinsville.

Response: Please refer to the response to comment PC004-1 regarding Tier 1 Alternative 1 (via I-70). The response to PC033-4 and Section 5.4 of the FEIS address farmland impacts.

PC045 Tim Wilson

06/06/09

PC045-1

Comment: I strongly oppose the continued construction of I-69. Hoosiers do not want it, especially those who live in the region who will most adversely affected by its construction. It is time that the governor and the state LISTEN to us instead of trying to ram it down our throats, because, in their infinite wisdom, they know better. This new construction will adversely impact farmland, forest and other habitat and will result in new development at interchanges, which will only add to the negative, destructive effects.

Response: Please refer to response to comment PC033-4 regarding forest and farmland impacts. Please see response to comment PC 040-3 regarding the economic benefits of the I-69 project.



Section 2—Final Environmental Impact Statement

PC045-2

Comment: Very few jobs of any value will be created along its route and will otherwise disrupt small community life.

Response: Please see response to comment PC 040-3 regarding the economic benefits of the I-69 project.

PC045-3

Comment: Additionally, the cost to build I-69 has doubled and will likely continue to rise in the future; plus INDOT has failed to provide a true accounting of what costs for I-69 maintenance would be.

Response: Please refer to the responses provided to comments PC033-3 regarding maintenance costs and PC033-1 regarding project costs.

PC045-4

Comment: I also strongly object to the channeling of federal funds, intended for enhancing energy conservation, efficiency, etc., to this project. Indiana would be better served by using these funds to create a viable, public transportation upon already existing corridors. Again, I strongly oppose this project. It is exactly the wrong direction Indiana should be headed at this time.

Response: Comment noted.

PC046 David Coyte

06/06/09

PC046-1

Comment: Since the I-69 project was conceived the world has gone through a revolution. Energy prices, highway maintenance costs and climate considerations have dramatically impacted our understanding of our needs and priorities. New highway construction has dropped significantly in the revised list of new priorities. The data that justified this project is now obsolete and the project itself may be a detriment to a sustainable future rather than a compliment. The Federal Government's interest in alternative transportation investments is obvious and dramatic. The goals for the Federal Surface and Transportation Policy and Planning Act of 2009, as set out in a May 2009 press release from Sen. Frank Lautenberg, focus on a new investment paradigm that marginalizes new road construction relative to more efficient and equitable transportation alternatives. The investment by Indiana currently envisioned will have decreasing utility and funding as the new paradigm takes hold. Federal law has a contingency for such outdated projects. It is called a Supplemental EIS. The supplemental EIS is called for when the conditions which supported a project, or the specific plans for a project have changed. In this case the conditions have definitely changed. Energy prices, our economic health, changing needs regarding the mobility of citizens and demand for reduced greenhouse gas emissions have flipped our national priorities, economic and personal needs. The assumptions that supported the earlier analysis are obsolete. Indiana needs to back off this project and conduct a Supplemental EIS that incorporates the new Federal goals for energy and maintenance efficiencies, improved access and safety, and reduced climate



stated goals. INDOT needs to drop safety as one of its goals or go back to planning for less dangerous roads.

Response: Please refer to PC033-3 response regarding considerations to reduce costs. Appendix S to this FEIS, *Median Width and Safety*, provides a comprehensive analysis of peer-reviewed research regarding the relationship between median width and safety on rural freeways. It concluded that there is little, if any, incremental safety benefit for providing medians on rural freeways which are wider than 60 feet. All portions of Section 2 will be designed with medians which are at least 60 feet in width.

PC047-3

Comment: The scale of the global economy probably exceeds the Earth's capacity to sustain quality living for future generations (See Herman Daly (including his article in "Scientific American" from roughly 2005 or 2006), and Jared Diamond's "Collapse: Why Societies Choose to Fail or Succeed," or Meadows' "Limits to Growth: The 30-Year Update"). Extending I-69 would contribute to undesirable ecological overshoot. - The notion that growth is inevitable invites disaster. Instead we need sustainable development, which is improvement without growth.

Response: Comment noted.

PC047-4

Comment: Three cost-benefit analyses have weighed in against the project. That fact alone qualifies the project as a boondoggle. The analyses were created by Evan Bayh (then a governor and now a U.S. senator), an IU professor, and a partnership that included Hoosier Environmental Council and Citizens for Appropriate Rural Roads. Probably none of those reports even weighed in on the importance of ecosystem services, nor endangered species. They definitely did not weigh in on the project's contributions to global warming.

Response: Please refer to PC033-1 response regarding benefit-cost analysis.

PC047-5

Comment: A stated purpose of this project is to support the North American Free Trade Agreement, a treaty which is highly antagonistic to environmental and labor protections. I find that Indiana can be very sufficient with the raw materials and manufacturing that it has at hand. Also, I find that imposition on the far away parts of the finite ecosystem is seriously harmful and objectionable. For example, at this time indigenous people in Peru are struggling to protect their part of the tropical rainforest from exploitation by energy companies that were given license by Peru's national government to extract oil in the indigenous people's land. This conflict involves a real or potential free trade treaty with the USA. This kind of imposition is not worth supporting, and likewise NAFTA is not worthy of support. National gain at foreigners' net expense must not happen. There are no compelling repercussions from the federal government if the State of Indiana does not support NAFTA by pulling out of the project to extend I-69.

Response: The Congress designated support of the North American Free Trade Agreement (NAFTA) as one purpose for designating the route for the national I-69 project. See Tier



Section 2—Final Environmental Impact Statement

Response: See response to comment LG01-2.

PC049 Sam Flenner 06/08/09

PC049-1

Comment: Due to the increasing costs of building I-69, I oppose any and all further construction. The project can not possibly bring the alleged economic activity.

Response: Please refer to PC033-1 response regarding project costs and response to comment PC040-3 that addresses the economic benefits of the I-69 project.

PC049-2

Comment: The elimination of interchanges and the cheapening of structural integrity will only reduce access and increase maintenance costs far above the already unacceptable standards.

Response: Please refer to response to comment PC033-3 regarding maintenance costs and response to comment PC037-4 regarding access provided by the project.

PC049-3

Comment: I call for INDOT to cancel all activities presently underway to use my hard earned tax dollars to upgrade existing roads and improve mass transit.

Response: Please refer to the response provided for PC040-5 regarding public transit and PC095-34 for information about maintenance of existing roads.

PC050 Maureen Forrest 06/08/09

PC050-1

Comment: Building a new terrain I-69 is WAY too expensive and inefficient for Indiana's transportation needs.

Response: Please refer to the response provided to PC033-1 for information relating to the cost of the project.

PC050-2

Comment: Indiana needs a mass transit system not more cheaply made throw out the rule book highways.

Response: Please refer to the PC040-5 response provided regarding mass transit.

PC050-3

Comment: Again, as an Indiana native and resident most my life I do not want a new terrain I-69.

Response: Comment noted.



PC051 Andy Knott

06/08/09

PC051-1

Comment: The new-terrain I-69 proposal has always been more expensive than alternatives involving upgrading existing transportation infrastructure. The cost of the new-terrain route has more than doubled to at least \$4 billion. INDOT has never conducted a credible cost/benefit analysis of the I-69 project. Critiques of past cost/benefit analyses have proven that the new-terrain route would not be economically viable. INDOT must conduct an honest cost/benefit analysis so that taxpayers understand the true fiscal impact of this project.

Response: Please refer to the responses to comments PC033-1 regarding benefit-cost analysis and PC004-1 regarding the Tier 1 Alternative 1.

PC051-2

Comment: INDOT's estimates of long-term costs of operations and maintenance are underestimated. INDOT must revise these estimates to give citizens the true cost of the new-terrain I-69.

Response: Please refer to the response provided for PC033-3 regarding maintenance costs.

PC051-3

Comment: The number of jobs estimated to be created is small and would not offset job losses to communities on the Common Sense route of upgrading US 41 and I-70 if the new-terrain route is built. I urge INDOT to fix the roads we have and choose the Common Sense US 41/I-70 route.

Response: Please refer to response to comment PC040-3 regarding the economic benefits of the I-69 project.

PC052 Susan Pratt

06/08/09

PC052-1

Comment: Building I-69 is a mistake. We do not need this road. Rather we need to repair and upgrade our existing bridges and roads.

Response: See response to comment PC095-34 regarding upgrade and maintenance of existing roads.

PC053 John Smith

06/08/09

PC053-1

Comment: The Federally mandated study of I-69 should be scientific in methodology and is not meeting this requirement.



Section 2—Final Environmental Impact Statement

This I-69 study has proved one thing clearly. It is not a ~~—study~~, but is instead a political document at best a ~~—report~~ using vast data collection and design resources to create the impression of a ~~—study~~.

~~—STUDY~~ as used in the definition of ~~—ENVIRONMENTAL IMPACT STUDY~~ or ~~—EIS~~ has meaning. It is a term of science as well as law and requires the use of scientific method and principles of logic. The results of this study should be as sure as those that lead to a rocket on the launch pad for some far away knowable target. The result should be predictable and the ones desired by the ~~—study if built~~. This EIS suffers from ~~—conclusion driven analysis of data~~, VERY significant manipulation of data, fragmentation, and blatant illogical conclusions from facts contained in the study. This INDOT ~~—study~~ has become a lifelong cash cow for those whose only goal is to forward the hope of the building of an interstate at any cost to and through Bloomington from Evansville.

Response: The content and scope of FHWA NEPA documents are governed by FHWA's regulations (23 CFR Part 771) and CEQ regulations (40 CFR Part 1500). CEQ regulations require an EIS to be prepared "using an inter-disciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts. The disciplines of the preparers shall be appropriate to the scope and issues identified in the scoping process." 40 C.F.R. 1502.6. The DEIS for Section 2 was prepared by an inter-disciplinary team which includes expert engineers, biologists, historians, transportation planners as well as professionals in other scientific and social disciplines. A list of preparers of the document can be found in Chapter 9 of the DEIS.

The "scientific method" is one of several tools needed to assess major transportation projects under NEPA. For example, to assess the potential water quality impacts from increased runoff from added impervious surfaces, data were collected on the estimated areas of impervious surfaces within the drainage basins covering Section 2. Through analysis of this data, it was determined that in all cases the impervious areas would be well less than 10%, considered a threshold for impact from prior studies (see Section 5.24.3). NEPA also requires analysis and study of social, cultural and historic features that are part of the human environment within the project study area. Strict use of standard scientific methodology (such as experiments, repeatability, etc.) may be appropriate for some aspects of an EIS, however, it is simply not the sole analytical method needed to produce an EIS that meets NEPA requirements. NEPA requires federal agencies to use a variety of tools to assess the environmental impacts of major federal projects.

PC053-2

Comment: Documents obtained by Open Door request compared to data in Tier-1 prove calculations of numbers of vehicles for use of this proposed interstate have been manipulated downward by 1/3rd to 1/2 for much if not all of the Indiana Study area. This is a complete failure of Scientific Method! Any action taken on this proposal without addressing this issue has as little chance of predictable results as does a rocket that would have the fuel carrying capacity reduced by said amounts for no other reason than cost of the project! In fact if there is one prediction that could be made in either case is the hoped for result will not be coming without vast ~~—if the fiasco~~ funding in the future. I have received by ~~—OpenDoor~~ request for public information the raw data used in the



Section 2—Final Environmental Impact Statement

development of this EIS from the Indiana Department of Transportation (INDOT). That information documented that the number of vehicles predicted to use I-69 has been SIGNIFICANTLY manipulated mid study. I made this request because it was obvious in Tier-II the infrastructure that was planned was less than shown through out Tier-I. Engineering principles required more infrastructures for the volume of traffic predicted in Tier-I to provide enough benefit to justify the expense. Even then in the Tier-I EIS comparison to “no build” this study concluded:

When this population growth is taken into account, we find that the real disposable income per capita for the build alternatives does not differ significantly from the 2025 forecast for the no build alternative. From The I-69 Evansville-to-Indianapolis Study Tier 1 Draft Environmental Impact Statement Technical Report 6.7.4, "Economic Impact Summary Report," p. 37 It is clear that as the assumed number of vehicles per day use of this highway is now reduced to a fraction of the calculations in Tier-I, the benefit would be so reduced that the costs which also have increased just as significantly could not possibly be assumed to be justified as compared to “Nobuild” or earlier disposed of considerations of mass transport or alternative lower cost upgrades of existing infrastructure.

Response: The comment about disposable per capita income was addressed in the Tier 1 FEIS. See Tier 1 FEIS, Volume IV, Part A, pp. 101 – 102. The forecasted travel volumes on I-69 have not changed significantly since Tier 1. The Tier 1 total daily forecast year travel volumes for 2025 were 24,990 south of the SR 61 interchange at Petersburg, and were 23,650 south of the US 50 interchange at Washington. By comparison, the Tier 2 forecasted volumes in year 2030 (shown on Table 5.6-1 of the FEIS) for the same sections were 27,220 and 23,590, respectively. While the Tier 2 traffic forecasts use more detailed network and traffic analysis zones than the Tier 1 study, the forecasts are relatively consistent and similar.

The comment about “infrastructures” is not clear. However, it should be pointed out that the Tier 2 studies describe more infrastructure in more detail than the Tier 1 studies. Two examples are described here. The Tier 1 study did not provide for any access roads outside of the right-of-way of I-69; by comparison, each Tier 2 study describes many such access roads. The Tier 1 study simply specified a 10-acre footprint for each interchange and did not attempt to identify any design details; the Tier 2 studies provide detailed footprint and ramp configurations.

PC053-3

Comment: In closing, I send examples of other costly errors. These similar errors predict what will be the most likely outcome if this EIS is allowed to continue down it’s political rather than scientific path. Paying the price of human error.

By Christianson, Rich
 Publication: Wood & Wood Products
 Date: Friday, October 1 1999

Two recent world’s apart catastrophes cast a dark shadow in the light of some of modern man’s most remarkable achievements. These events serve as a sobering reminder that as man stretches his ability to harness the forces of nature and physics, the heights to which



Section 2—Final Environmental Impact Statement

his technological advances. On Sept. 30, three presumably well-trained operators at a Japanese uranium processing plant committed a blunder that would make Homer Simpson blush. While the exact cause of the mishap is under official investigation, initial news reports indicate that the workers flagrantly disregarded safety procedures in taking an ill-fated shortcut to hasten the uranium purification process. As unbelievable as it sounds, the workers reportedly bypassed a complex filtering system and instead used a common cleaning bucket to pour a liquid uranium mixture into a settling basin. Compounding their acute error in judgment, the workers mixed too much uranium together, triggering a chain reaction. Thousands of people were evacuated from around the plant as a result of radiation leaks caused by the accident. The three workers said to be responsible were hospitalized for severe radiation poisoning and hopefully will live to one day tell the world about what possessed them to act so recklessly.

Lost in Space

On the same day of Japan's worst-ever nuclear mishap, NASA officials announced with no small degree of humility that human error was responsible for the loss of its Mars Climate Orbiter. The \$125 million spacecraft had vanished a week earlier as it approached Mars. According to an internal review team at NASA's Jet Propulsion Laboratory, miscommunication between engineers of Lockheed Martin Corp., which built the spacecraft, and NASA scientists led to the costly disaster. The team's preliminary conclusion is that Lockheed provided NASA with figures on the Mars probe's thrust in poundal-seconds, an English unit. NASA scientists, however, assumed the supplied numbers were in newton-seconds, a metric measure. The spacecraft was knocked off course some 60 miles as a result of the bad math wrought by metric/English confusion. Meanwhile, even as NASA tried to determine how such a simple yet fatal mistake eluded its fine-tooth-comb system of checks and balances, the space agency remained uncertain as to whether the doomed spacecraft crashed onto Mars, burned up in the planet's atmosphere or was orbiting the sun.

Meanwhile, Back on Earth

Of course, not all mistakes are influenced by a momentary lapse of good judgment; many are cruised by oversight, fatigue or deadline pressure. After all, what company has never been burned for failing to practice the credo measure twice, cut once? As we put more and more of our faith in technology, let us not lose sight of the need of the human element and the need for training, retraining and accountable supervision.

Response: Comment noted.

PC053-4

Comment: My closing remarks:

This study if allowed to continue will have failed its most basic requirement, to be a study! It must at a minimum return to Tier 1 and address the purpose and need issue one last time with the downward calculations of use. Or more honestly, it needs to come to the only logical conclusion the study has proved that building I-69 is not cost effective at this time.

**Section 2—Final Environmental Impact Statement**

consultant overseeing all of the study and even in that case, I would doubt that any other has gone door to door as widely as me.

Response: Evaluation of the potential effects of I-69 on the Patoka River National Wildlife Refuge, and the Patoka Bridges Historic District located within this area have been documented in the DEIS, including both visual and audible impacts beyond the highway footprint. As a part of the Section 106 process, evaluation of historic and archaeological resources and impact to these resources has been conducted, including extensive noise and visual impact assessments. Based on these studies and coordination with the review agencies and Consulting Parties involved in the Section 106 process, mitigation measures have been incorporated into the project to assure that the impacts to the resources in this area are adequately addressed. These elements include visual screening between the I-69 bridge and the Patoka Bridges Historic District, as well as development of educational and interpretive material associated with the National Register Historic District.

In the Tier 1 FEIS for this project, consideration was given to the possible existence of a rural historic landscape within the general Patoka Bottoms area. In a letter dated August 27, 2003 to Dr. Edith Sarra, the Indiana SHPO stated, “we believe that there are resources in the Patoka Bottoms, namely the bridges and a section of CR 300W, as well as a segment of the Wabash and Erie Canal, that are eligible for listing in the Nation Register but their significance does not extend to the larger Bottoms area. We do not believe that there are sufficient resources associated with agriculture, settlement, or ethnic history that define a rural historic landscape.” See p. 5-115 of FEIS. SHPO’s letter is included in the Tier 1 FEIS, Appendix P.

PC055-2

Comment: I have been advised not to make my religious comments because I will not be taken seriously. It is my right to Freedom of Religion and I am offended by I-69 on Religious grounds. I am Shinto. I have traveled to Japan seven times and in doing so I have each time discovered and experienced Shinto holy places. I have found there my religion, the only religion that has ever worked for me. I believe all religions include aspects of Shinto without realizing this fact. I have witnessed at the Catholic funeral of my mother in law. I think all but those who ignore the natural world and the beauty of nature have some sense of what it is to be Shinto. So my point is, in 2002 when I was distributing maps of I-69, I received a call from the late Julia Carson’s office. I talked to Julia Carson’s chief of staff for perhaps as long as 1/2 hour in my vehicle stopped in what I learned later was the historic district between the two iron bridges in the Patoka Wildlife Area and just south of the failed Houchins Ditch. As the conversation ended I had the revelation that I was in one the holiest of Shinto places that I have ever experienced in the USA. One can feel these places. The fact that the Wabash Erie Canal that cost thousands of humans their lives (one for every 6th (sic) of the canals distance from lake Erie to Evansville) had a town Dongola perhaps 1/8th mile away and the fact of this being a crossing point of the Underground Railway for northbound slaves fulfills the importance of the spirits of the ancestors that is part of the Shinto Faith.

Response: Within the context of this EIS, Mr. Smith has provided a comment which ties the Patoka Bridges Historic District to his individual Shinto faith. As part of the EIS’s cultural studies, the Patoka Bridges Historic District has been recognized as a site significant not



Section 2—Final Environmental Impact Statement

in the area of religion, but in the areas of transportation, engineering, social history, and ethnic history, per its National Register registration in 2005.

The religious significance of a site, whether it is a building, structure, or object, is generally excluded from National Register eligibility. National Register Bulletin No. 15 states that “[a] religious property requires justification on architectural, artistic, or historic grounds to avoid any appearance of judgment by government about the validity of any religion or belief. Historic significance for a religious property cannot be established on the merits of a religious doctrine, but rather, for architectural or artistic values or for important historic or cultural forces that the property represents. A religious property’s significance under Criterion A, B, C, or D must be judged in purely secular terms. A religious group may, in some cases, be considered a cultural group whose activities are significant in areas broader than religious history.” Within the context of this National Register guidance, we find no evidence that those of the Shinto faith have an established tie to this site.

Even looking at the Shinto faith in its broadest possible context, the NR makes it clear that it “is not the appropriate vehicle for recognizing cultural values that are purely intangible, nor is there legal authority to address them under Section 106 unless they are somehow related to a historic property.” Therefore, while respectful of Mr. Smith’s comment, the affects of the undertaking upon the Patoka Bridges Historic District must be judged sole in terms of cultural values that have a tangible link to the historic property.

PC055-3

Comment: As for the Archaeological importance of this area, Dongola provides a unique opportunity to study a very select time in Southern Indiana USA history by digging for the relics undoubtedly lying under the area that would be I-69. It is highly unique that a population inhabited a concise piece of land for a very short time, as the Wabash Erie canal was a boom/bust development/ ghost town here. This area needs scientific study before the resources hidden beneath the soil would be lost forever to human knowledge.

Response: As part of the Section 106 investigations, project archaeologists conducted a Phase Ia archaeological survey for the area of potential effects (APE) for Section 2 of I-69. Details of this study can be found in Appendix F of the FEIS, in the *Management Summary, Section 106, Archaeological Investigations, Section 2*, which can be found within Appendix E to Appendix F of the FEIS. The survey documented in that report identified a section of the Wabash and Erie Canal as one of the sites within the APE. That site (12Gi1168) was investigated and the portion with the area of potential effects of the Section 2 project was determined to be not eligible for the National Register. The SHPO concurred with this evaluation in their letter of July 24, 2009.

PC055-4

Comment: So two the federally recognized a “HISTORIC DISTRICT” including the two Iron Bridges would be significantly and negatively impacted by reasons of visual and sound impact. This area should be avoided for this reason.

Response: Potential impacts to the Patoka Bridges Historic District are discussed in Section 5.13.4 of the FEIS. Substantial efforts were made to reduce impacts of the Preferred alternative

**Section 2—Final Environmental Impact Statement**

on the District. These measures to minimize harm to the District and mitigation measures adopted are discussed in Appendix O and Section 5.13.5 of the FEIS. In their letter of June 26, 2009, the State Historic Preservation Officer stated that they “agree with the conclusions in the FEIS ...regarding the impacts that this project will have on those historic resources.” The Memorandum of Agreement with the State Historic Preservation Officer discusses the measures further. See Appendix F of the FEIS.

PC055-5

Comment: I before have proposed the historic nature of the highest point of the Wabash and Erie Canal. I believe those who are making decisions today are missing the importance of the constructions of dirt that are clearly observable today in this area of the Ropp farm and the nationally recognized boondoggle project the Wabash and Erie Canal. As I pointed out in comments made during Tier-1 of this study, one book that honors every mile of the Wabash and Erie Canal had it’s only explanation mark when it pointed to the fact that one can clearly observe the blueprint cutaway of what the Wabash Erie Canal was from this dirt construct that now has 150 year old trees growing in it. I think our current historical resource managers fail to see what is there made by humans with shovels and ox pulled wheel barrels in the mid 1850, the time of Abraham Lincoln. Few areas are so well documented as part of the underground railway for slaves escaping north. This area is highly desirable for protection for this reason. Experts on this subject must be consulted quickly and in depth study included here. Much of the documentation can be found in the Library at Oakland City. This area is so rich and so important in so many ways, it should not be harmed for a project that many would argue is a all to close repeat of the prior transportation boondoggle the Wabash and Erie Canal.

Response: As a part of the Section 106 process, project historians have evaluated all of the elements of the Wabash and Erie Canal within the I-69 Area of Potential Effect. While no National Register eligible sites associated with the Wabash and Erie Canal will be affected by the project, a portion of well preserved canal embankment, including the south abutment for the Patoka River Aqueduct, has been preserved as a part of I-69 mitigation efforts through acquisition and preservation via incorporation into the Patoka River National Wildlife Refuge.

PC055-6

Comment: I have placed a map and the significant features of this area at:

1. The Ropp farm. The line here marks the earthen levees that border bottom-land fields on the farm. Well-maintained since their construction in 1946, the levees regulate flood water and drainage with the help of a stationary electric (formerly diesel engine powered) pump. The nearly 300 acre farm includes all land inside the levees, but also the land south to Houchins Ditch and east to include 4A, as well as land north of that. The Ropp farm is farmed by the Pflug family.
2. This line follows Houchins Ditch, part of a 17 mile section of new channel created for the Patoka River and completed in 1924. The county-funded dredging project began in 1917 and sparked controversy among landowners along the Patoka in both Pike and Gibson Counties. Two barges, one moving east from Wheeling, the other

**Section 2—Final Environmental Impact Statement**

west from Winslow, met near this point as the project was nearing may still be found. (See ? below.)

3. Remains of the massive embankments that carried the W&E Canal across the Patoka bottoms are in good shape through here. Solid line indicates the presence of Canal embankments that are still in good shape. Broken lines mark areas where the Canal path is no longer visible.
4. Bill McCoy, manager of the Patoka River National Wildlife Refuge, delivered an offer to purchase to Bill Hughes day(s) before he passed away. Hughes' heirs returned the offer unopened. Current owners names?
 - 4A. The Ropp bottoms, part of the Ropp farm. Section in purple marks land used for cultivation. The section near and above the Patoka River South Fork (original Patoka River channel) is wooded wetland. Value approximately \$1200 per acre. Photos of the bridges are in the COUNT US! Gallery Text regarding our efforts to protect this area is linked here. More maps of this area. The Patoka River National Wildlife Refuge and Management Area. All features in Red are currently under consideration as resources to be included in a Rural Historic District nomination to the National Register of Historic Places.
5. Off the map north is the Ropp farmstead. Logan Public Cemetery (a.k.a. Simpson Cemetery) is just northwest of the Ropp farmstead. Graves of seven children and grandchildren of Underground Railroad "conductor," Bazil Simpson.
6. The northernmost bridge (Pike County #81) was built to cross Houchins Ditch in 1924. It is a metal camelback through-truss bridge.
7. The southernmost bridge (Pike County #246) was completed in 1884, to replace a wooden covered bridge. It is a pinned, Pratt through-truss bridge made of wrought and cast iron. This bridge marks the northern edge of the former village of Dongola, a once-thriving canal town with more than a dozen streets, a school and several commercial buildings. The village was also a center of Underground Railroad activity.
8. Site of the W& E Canal's Patoka River aqueduct. The Canal embankments are still about 30' above water level through this area and in excellent condition.
9. Completed in 1936, Hwy. 57 was constructed on top of the Canal from this point to the top of the map. The berm and towpath were pushed into the Canal bed to fill the prism, and create a raised bed for the highway. The highway is still 20 feet above water level here. At the point where the Canal turns veers off to the southwest of the highway there is an historical marker that is planted in the middle of the Canal prism. The marker is approximately 10 feet above the highway bed, on ground that would have been under 4-1/2 feet of water in 1853. Highway 57 crosses Houchins Ditch and the Patoka River South Fork on two bridges built at the time of highway construction in the 1930s, but upgraded in 1996. They are not under consideration as potential historical resources.
 - A. The Patoka National Wildlife Refuge owns what is shown in the yellowish color of "A". This is shown on all of the mapping we have seen of The Tier 1 EIS, but when



PC065 James Simmons

06/11/09

P065-1

Comment: A new terrain I-69 through southern Indiana is a very bad idea that needs to be re-considered. If this highway is really needed it should employ existing roadways like I-70 west to Terra Haute and Indiana 41 south to Evansville. Every mile of new roadway constructed is also another mile of roadway to maintain. Many of the roadways and bridges in Indiana are currently in poor shape and need repairs/upgrading. Please let's not build new roads when we should be spending that money maintaining what we already have. The people of Indiana have clearly said they do not want this new highway yet those in power continue to forge ahead with plans to build it anyway. This new terrain interstate is not needed or wanted. Please listen to the citizens on this matter and move towards an alternative to a new terrain interstate through the least developed part of the state.

Response: Please refer to the response to comment PC004-1.

PC066 Margaret Ward

06/11/09

PC066-1

Comment: We can improve our current highways, save lives AND save money by using current highways for I 69 e.g. IN 37.

Response: The corridor selected in Tier 1, Alternative 3C, uses SR 37. Tier 2 Sections 5 and 6 use the footprint of existing SR 37 between Bloomington and Indianapolis.

PC066-2

Comment: What is the purpose of destroying park land?

Response: See response to comment PC059-1, regarding the history of joint development of I-69 and the Patoka National Wildlife Refuge. As the references cited show, this coordination has precluded direct impacts to any portion of the Refuge.

PC066-3

Comment: Why do we have so much reluctance from Mitch Daniels to move away from the deterioration of our planet and maintaining our green spaces?

Response: Comment noted.

PC067 Devonia Stein

06/11/09

PC067-1

Comment: I am a native of Evansville. I grew up there and have family still there. I cannot believe how angry this project makes. It is a lovely drive from Bloomington to Evansville on existing roads. It will not help industry along the way. It will save hardly any time and



be will incredibly destructive and wasteful of taxpayers' money. The best solution is I-70 to highway 41 which is already a four lane highway. Is this being done just because of Crane? I can't figure it out, but I am sure that a lot of land speculators will probably win the day and take the rest of us to the cleaners. When will we learn!!! This is insane.

Response: Please refer to the response provided in PC004-1.

PC068 Mark Beckman 06/12/09

PC068-1

Comment: Please conclude your review of the I-69 project ASAP. This project has been delayed long enough. We need the jobs and economic development that will result from the construction of this new highway.

Response: Comment noted.

PC069 Mary Ellen Gadski 06/12/09

PC069-1

Comment: Please use all of your skills to re-route the new I-69 to spare the Patoka River National Wildlife Refuge. In this day and age, it seems impossible that we could be sacrificing a wildlife refuge for a new section of interstate. I am opposed to the new I-69 altogether, but particularly outraged that it is going through the refuge and impacting the White River as well. This seems like 1960s mentality!

Response: See response to comment PC059-1, regarding the history of joint development of I-69 and the Patoka National Wildlife Refuge.

The new crossing of the White River will be designed to completely bridge the entire width of the river and its banks, along with a portion of the floodplain. Mitigation efforts related to the crossing of the East Fork of the White River are discussed in Section 7.3.12 of the FEIS.

PC070 John Gibson 06/12/09

PC070-1

Comment: I recently drove to Evansville on Hwy. 37 to 50 to 231 to I-64. It was beautiful. I kept asking "what's the hurry?" Why spend billions and cut up the countryside to save a few minutes? Enjoy the natural beauty of Indiana. I came home to Indianapolis via 41 and I-70. Perfectly good roads. Again, there is something insane about a new terrain I-69. Please stop this project.

Response: Please refer to the response provided in PC004-1.



PC071 Tom Hougham

06/12/09

PC071-1

Comment: The costs of Sections 1-3 of the project have at least doubled since the Final Environmental Impact Study (FEIS) was released in 2003. While the costs have doubled the presumed benefits remain the same or have declined.

Response: Please refer to the response provided in PC033-1 relative to costs and cost control.

PC071-2

Comment: Since the release of the FEIS there have been major changes in the design that will impact the presumed benefits of the highway. The design of some interchanges has been downgraded to a cheaper standard. Instead of concrete, the pavement will be asphalt. Asphalt has a shorter usable life span than concrete. Deferring projects until later means they will cost more when they are built. Using asphalt instead of concrete increases the long-term operation and maintenance costs. Using cheaper materials means they will have to be upgraded sooner. Using lower standard interchanges may result in more accidents and deaths.

Response: See response to comment PC033-3 regarding paving materials and roadway design criteria.

PC071-3

Comment: 4500 acres of farmland will be taken. Some of this is the best agricultural land in the state. While much of the world is starving, Indiana is paving over prime farmland. The value of farmland will increase in the future.

Response: Farmland impacts are discussed in Section 5.4 of the FEIS. Within Section 2, approximately 1,200 acres of farmland will be acquired.

PC071-4

Comment: Building more major highways will result in a continuing and even greater dependence on carbon emitting fossil fuels. Indiana is going to be left behind with its overemphasis on highways. The money spent on I-69 would be better spent on alternatives to highways like mass transit systems. All in all continuing with I-69 is a mistake.

Response: Please see response to comment PC03-21 regarding carbon emissions, and response to comment PC040-05 regarding mass transit systems.

PC072 Mary McDonald

06/12/09

PC072-1

Comment: I would like to add my voice to those who feel that the I 69 road should NOT be built. It diminishes our natural world, in a multitude of ways, and the road could be revised along



Section 2—Final Environmental Impact Statement

the current north-south route. Could Indiana be a state that preserves its natural beauty, PLEASE?

Response: We assume the “north-south” route refers to the Tier 1 US 41/I-70 alternative. Please refer to the response provided in PC004-1 regarding this alternative.

PC073 Donna McCarty 06/12/09

PC073-1

Comment: I am strongly opposed to routing I-69 through the Patoka National Wildlife Refuge. Indiana has precious few natural areas of this quality and to sacrifice any of it to an interstate highway is appalling.

Response: See response to comment PC059-1, regarding the history of joint development of I-69 and the Patoka National Wildlife Refuge.

PC074 Debra Lloyd 06/13/09

PC074-1

Comment: 1) The cost is \$3.1 billion which the state does not have and cannot afford;

Response: Please refer to the response provided to PC033-1.

PC074-2

Comment: 2) There is a perfectly good highway - S.R. 41 nearby that that could be upgraded;

Response: Please refer to the response provided in PC004-1.

PC074-3

Comment: 3) The proposed new terrain route would cut through the heart of Patoka River National Wildlife Refuge, one of the most significant bottomland hardwood forests remaining in the Midwest. It is located within the historically important north-south flyway of the Wabash River Basin. This river bottoms refuge is strategically located to provide important resting, feeding, and nesting habitat for migratory waterfowl, shorebirds, and neotropical songbirds. Please do not build a new terrain I-69.

Response: See response to comment PC059-1, regarding the history of joint development of I-69 and the Patoka National Wildlife Refuge. The Bird Survey (See Appendix N) identified 128 different bird species in the Patoka River area. The joint development activities with the Refuge will safeguard and enhance its role in providing habitat for these birds.



Section 2—Final Environmental Impact Statement

Response: Please see response to comment PC033-4.

PC078-2

Comment: I-69 is being proposed as a NAFTA highway running from Canada to Mexico. It is being built as a trade corridor for the movement of large numbers of trucks. NAFTA is obsolete. It has cost the U.S. many thousands of jobs and now those jobs are leaving Mexico and going overseas. There is no need for this highway. Many goods are moved more efficiently by train. Building more major highways will result in a continuing and even greater dependence on carbon emitting fossil fuels. Due to global climate change, this will be counterproductive. If carbon caps become a reality, which is likely, Indiana, with all its highways, would be at a competitive disadvantage in attracting new businesses.

Response: Please refer to the responses provided to comments PC047-5 regarding the North American Free Trade Agreement (NAFTA), PC031-2 regarding rail as an alternative to I-69, and PC03-21 regarding carbon emissions.

PC078-3

Comment: Many states are now planning and preparing to build public transit systems involving light rail, buses and bikeways. Indiana is going to be left behind with its overemphasis on highways. The money spent on I-69 would be better spent on alternatives to highways.

Response: Please refer to the response about mass transit provided in PC040-5.

PC079 Steve Witwer 06/14/09

PC079-1

Comment: The I69 extension is too expensive. The governments do not have the finding (sic) and it is not needed. Lastly, it is environmentally destructive.

Response: Please refer to the response provided in PC033-1.

PC080 Kathy Slaughter 06/14/09

PC080-1

Comment: The route from Evansville to Indianapolis needs to avoid cutting through Patoka River Wildlife Refuge. If an interstate slices through it, then how is it still a refuge? As a daughter of southern Indiana, I think the I-69 extension is overdue. Please don't damage our natural heritage to shorten the drive by five minutes!

Response: See response to comment PC059-1, regarding the history of joint development of I-69 and the Patoka National Wildlife Refuge.



PC081 Linda Richardson

06/15/09

PC081-1

Comment: I have farm property which is in Greene County. The I-69 highway cuts right through the heart of our family farm. There is already a route from Indianapolis to Evansville. I have driven this route multiple times. We don't have to build another highway and destroy more farm land, people's homes and disturb the ecological balance of nature that exists in these properties. Improve the highways we already have in place. Be responsible with our dollars. If for no other reason than fiscal responsibility, it is madness during this time of economic upheaval to push forward on this project.

Response: Please refer to the response provided in PC033-4 relative to farmland impacts. Note that the Section 2 project is not located in Greene County.

PC082 Mike Lodato

06/01/09

PC082-1

Comment My name is Mike Lodato. That's spelled L-o-d-a-t-o. I live at 925 Park Plaza Drive, Evansville, IN 47715. I have a question about the Environmental Impact Statement for Segment 2. And my question is I wanted to make a comment about the Environmental Impact Statement and the environmental planning for this Segment, but I want to know when the period for that... the time period for that closes. That is to say, when does the period close for final comment on Section 2 of I-69? That's my question. Thank you. Bye.

Response from David Goffinet, Tier 2 PMC staff.

Thursday, June 4, 2009: Left message on Mr. Lodato's answering machine.

Friday, June 5, 2009: Received return call from Mr. Lodato. He asked for the deadlines for the closing of the Section 2 and Section 3 FEIS comment periods. I provided both deadlines. Mr. Lodato was surprised they were closing so soon, especially Section 3. I indicated the comment periods opened on February 6th. Mr. Lodato noted he was in favor of the project, but that he would like to see some substantial commitments to protecting Eastern Box Turtles during construction. Mr. Lodato was appreciative of the return message and the information provided during the conversation.

Response: Accommodations for wildlife crossings have been incorporated into the planning for I-69 and coordinated with IDNR. See section 5.18.4 of the FEIS for a discussion of wildlife mitigation measures including wildlife crossings. Coordination with IDNR regarding potential impacts to the eastern box turtle during construction of I-69 is ongoing and development of additional protocols are under development.

PC083 Linda Downer

06/16/09

PC083-1

Comment: Please don't waste our monetary resources to fund a highway that disturbs miles and miles of forest ecology that is being wasted away incrementally year after year. The much less expensive alternative down the I-40 corridor makes sense.



Section 2—Final Environmental Impact Statement

Response: Please refer to the response provided in PC004-1 relative to the Tier 1 selection. The alternative corridor studied and rejected in the Tier 1 EIS utilized US 41 and I-70, not I-40. See response to comment PC033-4 regarding forest impacts.

PC084 Catherine Snyder 06/16/09

PC084-1

Comment: The proposed Section 2 of I-69 will knife through the heart of the Patoka River National Wildlife Refuge, as well as cross the east fork of the White River. I feel that this is too great of an environmental impact to ignore. Please reconsider this route. Thank you.

Response: See response to comment PC059-1, regarding the history of joint development of I-69 and the Patoka National Wildlife Refuge, and response to comment PC069-1 regarding the crossing of the White River.

PC085 Cindy Ridao 06/17/09

PC085-1

Comment: Construction on I69 should stop. How can we support building a new interstate that doesn't meet Federal regulations?

Response: Any I-69 highway alternative constructed will meet all INDOT and FHWA standards for interstate highways. All planning and environmental studies will satisfy the National Environmental Policy Act (NEPA), as well as other applicable federal laws and regulations.

PC085-2

Comment: How can we support a direct route from Evansville to Indianapolis without any exits in our communities? What's the benefit to us. We do not support continuing construction of I69.

Response: Four interchanges with the local road system are included in the Preferred alternative for Section 2, and a fifth is located just south of Section 2, at SR 64 near Oakland City. The four interchanges within Section 2 are the SR 61/SR 56 interchanges, just southeast of Petersburg, the North Pike interchange, approximately 3 miles northeast of Petersburg, the South Daviess County interchange, and the US 50 interchange, on the southeast side of Washington. While construction of the North Pike and South Daviess interchanges is deferred in the near term, access to I-69 will be available with the initial construction in both Petersburg and Washington. See response to comment LG01-2 for additional information regarding deferred interchanges.

PC086 Charles Barr 06/18/09

PC086-1

Comment: I read with interest the article in the June 17 issue of The Press Dispatch regarding the I69 interchange at Blackburn Road in Pike County. I am the School Resource Officer for



Section 2—Final Environmental Impact Statement

the Pike County School Corporation. I frequently travel this road during the time when Bus Route 11 is traveling Highway 57. This route encompasses Highway 57 from the northern part of Pike County to Petersburg. It is extremely dangerous for the bus and passengers, not to mention those students who must cross Highway 57. I cannot recall a week during the 2008-2009 school year that some incident with a coal truck did not occur. It's the very nature of the beast when the sheer number of coal trucks using Highway 57 is considered. I strongly urge the construction of the Blackburn Road interchange in Pike County to lessen the likelihood of a serious bus related accident in this area.

Response: See response to comment LG01-2

PC087 John Risley 06/19/09

PC087-1

Comment: I am a 46-year resident of Fort Wayne, but grew up in Pike County. I hope someday to travel I-69 from Fort Wayne to the exit north of Petersburg -- and I don't mean in Daviess County. I find it astonishing that there is even debate about the need to have that exit built.

Response: See response to comment LG01-2

PC088 Mary Horton 06/21/09

PC088-1

Comment: We are opposed to the I-69 extension for many reasons—environmental, costs, and the loss of rural areas so important to this state. The majority of Hoosiers are opposed to the extension, Please listen to the voters. Use the alternate solution for the good of Indiana

Response: Comment noted.

PC089 Loren & Virginia Richardson 06/24/09

PC089-1

Comment: Due to the heavy truck traffic to the power plants, the north Petersburg exit is necessary to get these trucks coming thru downtown Petersburg from Hwy 61 and 57 and the Washington area..Thank You (remove the exit to Petersburg if you have to)

Response: See response to comment LG01-2

PC090 Leslie Flanigan 06/26/09

PC090-1

Comment: I am against the route 2 new terrain I-69. The expense of building a new route far outweighs the benefits. In addition, the environmental impact on both humans and animals will be significant in regards to water and air quality. The fact is, Indiana is a



Section 2—Final Environmental Impact Statement

small state and can only handle so much pollution before the excess begins negatively affecting human health. Thank you!

Response: Please see Sections 5.9 and 5.19 of the FEIS regarding impacts of the Section 2 project to air and water resources, and steps to avoid, minimize and mitigate any impacts.

PC091 **Jess Gwinn**

06/26/09

PC091-1

Comment: **GENERAL COMMENTS:**

Any and all previously submitted comments by myself or CARR for the Tier 1, Final Environmental Impact Statement (FEIS) (2002) are to be included as comments on this FEIS as well. Also include as our submitted comments on the Tier 2, Section 2, our comments for the 1996 FEIS, and the 2002 FEIS. Include as part of my comments, the comments submitted by HEC, Bill & Jan Boyd, and CARR.

Response: The comments cited by Mr./Mrs. Boyd, Citizens for Appropriate Rural Roads (CARR), and the Hoosier Environmental Council (HEC) and responses thereto are presented elsewhere in this document. See Comments PC095, PC096, PC098, PC003 and PC003a. All comments submitted on the Tier 1 EIS were responded to in the Tier 1 FEIS, and are not addressed further in this document. The 1996 DEIS for the Evansville-to-Bloomington highway has been withdrawn, as was documented in the January 5, 2000 *Notice of Intent* (NOI) in the Federal Register for the I-69 Tier 1 Environmental Impact Statement. As the NOI stated, with reference to the 1996 DEIS, ~~Based~~ upon comments received on the DEIS, the scope and termini of the proposed action are hereby being expanded to include the entire corridor between Indianapolis and Evansville, Indiana.”

PC091-2

Comment: **SPECIFIC COMMENTS:**

The FEIS does not mention the potential impact of White Nose Syndrome (WNS) to the state and federally threatened Indiana Bat (IB). WNS was first discovered in New York in 2006. By the winter of 2008/2009, just three years after its discovery, WNS had spread throughout most of New England and as far south and west as western Virginia not far from the border with Kentucky. Within the bat infected hibernacula, mortality has been as high as 90 to 100%. The species that are most at risk are those that aggregate in large numbers and in close quarters in over wintering hibernacula. The IB has already been adversely affected by WNS when infected. An estimated 10% of the world wide population of IB were in New York prior to the advent WNS. Most of these IB are now dead. An estimated 60 to 85% of the world wide population hibernate in as few as 8 or 9 caves. Indiana caves harbor an estimated 45% of the world population of IB. If WNS reaches any of the small number of caves that host significant numbers of IB, the world wide population could be devastated. The Biological Opinion (BO) contained within the EIS merely states that the construction of the I-69 preferred alternative will not cause the extinction of the IB. However, this BO was prepared and published before the advent of WNS and its effects upon the IB was widely known. The effect of WNS on the major IB hibernacula is unknown. If however WNS does indeed reach any of these hibernacula the result to the world wide population of the IB would be potentially devastating. With these considerations the EIS and BO both need to be revised to reflect the latest information on

**Section 2—Final Environmental Impact Statement**

this rapidly expanding threat to the survival of the IB. The effects of the construction of the preferred alternative previously may not have caused the extinction of the IB but with the advent of WNS, the same cannot be said. Any more negative impacts on the IB populations beyond those of a potential WNS epidemic cannot be tolerated.

Response: Please see response to comment PC037-7.

PC091-3

Comment: The methodology for the "Generalized Pedestrian Surveys" for flora and fauna was never fully described. Who were these pedestrians? What was their training? Where and when did they do their surveys? How were the surveys carried out? The only birds protected by the Migratory Bird Treaty Act (MBTA) observed during these "Generalized Pedestrian Surveys" were American Robin, Blue Jay, Red Winged Blackbird, Northern Cardinal, Red Tailed Hawk, and Ruby Throated Hummingbird. The assertion that only these six MBTA species were observed is ludicrous. Any average citizen could have identified many more species with little effort. The only conclusion that can be drawn from this complete lack of data is that a disingenuous attempt was made to document the existence of species protected by the MBTA. No faith can be placed in any of the data claimed in these surveys.

Response: A pedestrian survey is a walking survey to provide baseline biological data. The pedestrian surveys for this study were conducted by environmental scientists and biologists. See FEIS Chapter 9 for a list of their credentials. Pedestrian surveys document more easily observable characteristics of a study area. The list of bird species noticed during pedestrian surveys was not meant to imply that comprehensive or exhaustive surveys were completed. The objective of mentioning the bird species was to note that birds subject to the Migratory Bird Treaty Act are present in the study area. In addition to the species observed during the pedestrian surveys, a bird survey was conducted in the Patoka River Basin which identified 128 bird species in 39 families. This is cited in Section 5.17.3, under the heading of Bird Survey. For more details, see Appendix N, *Bird Survey*.

PC091-4

Comment: Likewise, the surveys for state endangered species and species of special concern raise serious doubts about the attention to detail used to carry out the surveys. The mere fact that none of the species of flora and fauna on these lists was found during the surveys is preposterous. If the same lax methodology as the "Generalized Pedestrian Surveys" was utilized then it is understandable that none of these species was found. When the EIS states that many of the species could be found within the preferred build alternative, how is it that none were found? The only conclusion that can be drawn is that these species were not diligently searched for, making this entire section of the EIS worthless. The only state endangered species that were found were the bat species that were captured during the mist netting surveys. Obviously when a directed effort was made to find state endangered species (or species of special concern) then they were actually found in significant numbers. Why were not similar efforts made to document the existence of any of the other state listed species? One can only conclude that the existence of any of the other species was not deemed worthy of the expense in conducting true scientifically valid searches. Without valid data, these sections of the EIS are meaningless.



Section 2—Final Environmental Impact Statement

Response: Please refer to response provided in PC091-3. A number of species-specific surveys *were* conducted (in addition to the generalized pedestrian surveys). Section 5.17.2 gives specific details about these surveys, which include:

- *Amphibian, reptile, and mammal survey.* It was conducted in the Patoka bottoms, in four separate sessions.
- *Bird survey in the Patoka River area.* See Appendix N, *Bird Survey*.
- *Indiana bat mist netting.* Conducted in the summer of 2004 and 2005.
- *Protected species botanical survey.* In addition to a pedestrian survey through the entire 29-mile corridor, a more detailed survey was conducted through about two miles of the Patoka bottoms. It was conducted at two different seasons of the year.
- *Fish and mussel survey.*
- *Terrestrial crayfish survey.*

PC091-5

Comment: Mitigation efforts to offset the damage done by construction of the preferred alternative cannot almost by definition compensate for the damage itself. An average 300 foot wide corridor built through various habitats cannot be mitigated via offsite purchases, etc. Once the damage is done it cannot be undone. The environmental impacts to the corridor and region are measurable and mostly irreversible. Any attempts at mitigation are merely window dressing to give the appearance of no net negative effects which is patently false as can be proven by numerous studies on past mitigation attempts.

Response: Wetland impacts are being mitigated at a ratio of 2 to 1 or more, while upland forest impacts will be mitigated at a ratio of 3 to 1. Details of the mitigation commitments can be found in Chapter 7 of the FEIS. These commitments include provisions for monitoring the success of mitigation measures for years after they are implemented.

PC091-6

Comment: CONCLUSION: The methodologies used in this EIS are highly questionable. Many factors were either very poorly studied or not considered at all. New information relating to the health of Indiana Bat populations has become available since the publication of the Biological Opinion and need to be addressed.

Response: Please refer to response provided in PC037-7.

PC092 **Melanie Howes**

06/26/09

PC092-1

Comment: Pike County needs the northern off-ramp at the IPL plant due to the fact that coal truck traffic is horrible. I live on one of the roads that if this off ramp is built would stop all of these trucks. They go by our elementary school.

Response: See response to comment LG01-2.



PC093 Andy Heuring

06/26/09

PC093-1

Comment: As a fourth generation business owner in Pike County and Petersburg I have not seen anything as important to our economy and well-being as the development of I-69. It can be a wonderful thing for Petersburg and Pike County. However if INDOT continues with the plans to not build the northern Pike County interchange, I-69 will be a disaster for Pike County. INDOT's stated goals in their own EIS is to improve connectivity and safety. The original design with the interchange at Highway 61 and the north Pike County interchange accomplish these goals. However INDOT's decision to save \$30 million by deferring the north Pike and southern Daviess County interchanges does not accomplish these goals. Indianapolis Power and Light (The largest power plant owned by AES) and Hoosier Energy are the destination of more than 700 million tons of coal a year. A large percentage of that is trucked in. Consequently more than 1,000 coal trucks a day go through Petersburg. With the north Pike County interchange the vast majority of these trucks could use I-69. However without the northern Pike County interchange these trucks will be forced to rumble along Highway 61 (Ninth St.) in the heart of Petersburg past the Elementary school crossing and the intersection where school buses ingress and egress the elementary school each day. Once past the school crossing the trucks then come to the center of Petersburg at the intersection of Highway 57 and 61 and proceed north on Highway 57 to the power plants. It is such an important issue Daviess County and Washington city officials have determined the north Pike County interchange vital to them and the region. So much so they have authored resolutions informing INDOT they view the northern Pike County interchange so important they are withdrawing their support for the southern Daviess County interchange and putting the support behind the northern Pike County interchange. It seems wasteful to spend \$700 million on a highway that doesn't accomplish its design goals. The approximate cost of the northern Pike interchange is about \$15 million. The effect of not building the northern Pike County interchange will be devastating to Petersburg. Instead of being a boost to Petersburg I-69 will be detrimental by taking the car traffic out of Petersburg and dumping the coal truck traffic into Petersburg. Along with being a safety hazard it will also cause an increase in Indianapolis residents electric bills. The IPL plant provides most of Indianapolis electricity. By not building the northern interchange shipping costs of coal for decades will be more expensive than necessary. It is difficult to believe designers of I-69 can justify building a 4,400 foot long bridge in the Patoka River bottoms so it lessens the aesthetic impact on the wildlife refuge. But they can not justify building an interchange that's omission will have a devastating impact upon a whole region's residents.

Response: See response to comment LG01-2. Also, the bridge across the Patoka bottoms represents a Tier 1 mitigation commitment needed to protect many plant and animal species in a very environmentally sensitive area. At this point, I-69 crosses the Patoka National Wildlife Refuge. This routing and necessary mitigation measures were determined in a joint development process with the U.S. Fish and Wildlife Service dating back more than 20 years. See Appendix U, *I-69 and Patoka River National Wildlife Refuge – History of Joint Development*.



Section 2—Final Environmental Impact Statement

PC094 Ric Ritchison 06/29/09

PC094-1

Comment: It doesn't matter what we say you bastards are going to build a road that we don't need, don't want, can't afford and tears the hell out of our beautiful southern IN...redoing the train tracks would be too smart for Hoosiers, and too hard for you to build!

Response: Efforts to avoid and minimize environmental impacts are discussed in Chapter 5 of the DEIS. Please refer to the response provided in PC031-2 relative to rail options.

PC095 William Boyd 6/29/09 (received)

PC095-1

Comment: Land Use in Central Indiana (LUCI) land use **model** originally simulated future patterns of *urban development* for 44 counties in Central Indiana. Then it was extended to be the LUC12 Indiana statewide land use model. Why is or has modeling been used from a primarily Urban setting and attempted to be applied to a rural highway such as in this study?

<http://www.blainc.com/traveldemandmodelinq>.

As part of the second phase of this 142-mile new corridor, BLA developed a highly disaggregated subarea model to serve as a basis for long-range traffic forecasts and to input to microsimulation models. This 180-mile subarea TransCAD model was fully integrated with Indiana Statewide Travel Demand Model to provide performance measures for alternative interchange access locations/designs, collector-distributors, etc. at various places along the planned corridor. This subarea model - which in turn is further disaggregated to a Paramics microsimulation platform - contains over 4,300 zones and virtually the accurate peak-hour loadings for autos, freight and non-freight trucks.

But here's a problem; when you combine complicated proprietary software with extremely large and complex files and spread it across a variety of users ranging from programmers to planners and with vastly different levels of experience, how can you ensure accurate results? What validation methods are employed to verify the validity of the output? File conversions from one database to another often result in errors. With the models used being subdivided multiple times, imported and exported between the numerous modeling programs, errors in data conversion have a high probability of being incorrect

Response: When the forecast year for the Indiana Statewide Travel Demand Model (ISTDM) was advanced to the forecast year of 2030 from the forecast year of 2025 in 2004 and completed in March 2005 (as ISTDM version 4), the expansion of the Land Use in Central Indiana (LUCI) land use model to all of the state had not been fully completed. INDOT is still in the process of integrating the LUCI land use model into the ISTDM today. Thus, the LUCI land use model was not used to allocate growth in the March 2005 version of ISTDM used as the foundation for the I-69 Corridor Travel Demand Model.



The Indiana Statewide Travel Demand Model (ISTDM), the I-69 Corridor Travel Demand Model, and the three micro-simulation traffic models were developed in a systematic way by the same senior travel modelers, and were each validated by comparing travel model assignments to actual traffic counts. The I-69 Corridor Travel Demand Model is nested inside the ISTDM, both using the TransCAD travel demand model software platform. To generate a traffic assignment for the I-69 Corridor, the ISTDM is first run to generate external-external trips (both trip-ends outside the I-69 Corridor geographic area) and external-internal trips (one trip-end outside the I-69 Corridor and the other trip-end inside the I-69 Corridor) that feed into the I-69 Corridor Travel Demand Model. Then, the I-69 Corridor model is run to generate traffic assignments for the I-69 Corridor. The trip production and attraction, roadway speed-capacity, travel distribution, travel assignment and modal split modules of the two models are the same. Further, the roadway characteristics (e.g., number of lanes, lane width, posted speeds) and the trip generation variables (socio-economic databases) are consistent between the ISTDM and the I-69 Corridor model.

For example, the socio-economic variables (used in trip generation) of the I-69 Corridor travel analysis zones aggregate to the ISTDM travel analysis zones. While the micro-simulation models use the PARAMICS software platform, the I-69 Corridor Travel Demand Model provides the external-external and external-internal trips that feed into the smaller geographic area of each micro-simulation models. While the micro-simulation has additional data fields associated with the traffic operations of intersections, it also has roadway characteristic and trip generation variable data fields that are in common with the I-69 Corridor model. Thus, the socio-economic variables of the micro-simulation travel analysis zones aggregate to the I-69 Corridor travel analysis zones. Because of the integrated development of the three levels of travel models and the validation of each of each of the models, we are confident that the travel models produce consistent traffic assignments.

In brief, the validation of each of the three travel models involves a comparison of assigned traffic volumes to actual traffic counts for the base year of 2000. A number of validation statistics are used to calibrate the travel model to best replicate existing traffic counts including (but not limited to):

- Ratio of traffic assignments to traffic counts in major traffic corridors.
- Percent root mean square error by over 10 traffic count ranges.
- Ratio of vehicles miles of travel for traffic assignment to traffic count by area type and roadway functional class.

While the ISTDM and I-69 Corridor models use daily traffic counts for validation, the micro-simulation model validation model uses counts for the morning and evening peak-hours.

Finally, detailed modeling networks and files were provided in Tier 1 of I-69 to those who requested them. There have been no such requests in Tier 2.

PC095-2

Comment: Microsimulation analysis is being carried out on the segments of I-69 that will serve heavily urbanized areas, specifically in Bloomington, Martinsville, and Indianapolis. In



Section 2—Final Environmental Impact Statement

these three areas, questions concerning access, frontage roads, roadway and interchange design, and traffic operations are addressed. These "build" microsimulation models feature detailed network, 3D environment and terrain, vehicle-actuated signalized intersections, mix vehicle fleet composition, etc. All models are calibrated for the base year with extensive mainline counts and turning movement volumes. Video footage from main intersections is compared visually with the animations resulting from the simulation. Peak-period microsimulation is then used for the heavily developed portions of the corridor to assess the operational advantages and disadvantages of alternative concepts. Both freeway sections and major signalized intersections at the crossroads are simulated with animation. Performance measures include levels of service, average system speed, total vehicle-hours of delay, variability of delay, traffic flow density on mainlines and cross roads, queue lengths and associated delays, incremental delays, number of weaving movements related to each interchange design, etc.

The modeling has been so modified that any results have to be questioned A person wishing to comment to this FEIS are not given the data necessary to fully evaluate the output of the modeling. We have no way to validate any of the findings. I am requesting both INDOT and FHWA provide all raw data to the commenting public and withhold any further action until all data can be reviewed for accuracy and applicability. This section of the study is related to a very rural environment INDOT, BLA and their consultants are not making an animated cartoon here, this is supposed to study the effects of this proposed high way on the rural environment. Video footage and incorporation into simulation animations cannot be used to determine the effects on the local travel habits of the rural residents.

Application software is most often weakly implemented. Full and thorough testing of any and all changes or modifications must be documented and proven before using the software in a production mode. Controls for the testing must be in-place to ensure the software application and any modifications are reliable. The study mentions in a several instances where the Modeling software was modified to include certain criteria. Were the modifications fully tested to ensure accurate results? Companies often make mistakes that leave their databases vulnerable. How secure was the modeling data as it was passed between the consultants of the study? It is a well-known fact that even the slightest, insignificant software change can bring down the most robust network or software application. Where the modifications made so that the result INDOT desired would be accomplished? As mentioned in the Smart Mobility study, the charts and figures used can be manipulated to look greater than they really are. The full study is included as part of these comments and is to be placed into the project record.

[http://www.state.in.us/files/memorandum\(1\).pdf](http://www.state.in.us/files/memorandum(1).pdf)

Response: First, there was no micro-simulation traffic simulation done for Section 2 of I-69 because of its rural character. The results of these micro-simulations have no effect on the traffic assignments in Section 2. The micro-simulation traffic models for Bloomington, Martinsville, and Indianapolis were individually validated to traffic counts in their individual geographic area being simulated.

Second, there appears to be confusion concerning the purpose of the video footage and the animation resulting from the micro-simulation model. The video cameras were used to record the turning movements, vehicle types and stacking at each signalized



Section 2—Final Environmental Impact Statement

intersection for input into the micro-simulation traffic model for peak-hour traffic operations replication. For example, the number of vehicles turning during the peak hour at an interchange is compared to the number actually observed by video cameras.

By contrast, the traffic flow animation is an output of the micro-simulation traffic model that helps one visualize the movement of traffic in the geographic area being simulated. Thus, the video camera footage is not modified by the micro-simulation model to create a computer generated image of traffic flow, akin to an animated cartoon.

All travel models were validated to existing traffic counts. Thus, any modification to the original software was appropriately validated. All databases for the travel models resided within the servers of a single consultant – BLA. BLA was the only consultant that prepared the travel models and traffic forecasts. The BLA server has a firewall that is as secure as any financial institution. Moreover, there is nothing to be gained financially by breaking into the BLA server.

Any modifications made to the software of the travel models were to improve their performance in replicating traffic counts in the travel model validation process. Once a travel model is validated for the base year, future year networks and socio-economic databases are input into the travel model to generate future year traffic forecasts. Thus, the validated travel model tool remains the same when future year traffic is forecasted.

Finally, detailed modeling networks and files were provided in Tier 1 of I-69 to those who requested them. There have been no such requests in Tier 2.

PC095-3

Comment: **B. NETWORK DATA**

INDOT's new Road Inventory Data for year 2000 (RID 2000) was attached to the upgraded model network. The attachment was accomplished by means of TransCAD's JOINIFILL functions using a unique field (DRK) that is common to both the RID 2000 database and the model network. The links that were not attached were identified and manually matched. Main RID 2000 attributes incorporated in the model network includes: Lanes, lane widths, Shoulders, shoulder widths, Medians, when present, and median width, Access control types, Total traffic and truck count data, and Functional classifications.

As stated above, "links that were not attached were identified and manually matched". Again, what level of expertise was used in making the manual attachments and was any data filtered by this manual method?

Response: Manual matching was done where the geographic coordinates failed to properly connect the data to the roadway network. Personnel with bachelor or higher degrees in engineering, geography and planning performed this work. In most instances of matching failures, the data geographic coordinates did not fall onto the adjacent roadway network; thus, the data link need only be shifted slightly to fall onto the roadway.



Section 2—Final Environmental Impact Statement

PC095-4

Comment: **VIII. MODEL COMPONENTS**
A. TRIP GENERATION

Trip generation models of the I-69 ISTDM consisted of trip production and trip attraction models developed by trip purpose. Four person and auto trip purposes were analyzed: home-based work, home based other, non-home-based, and long purpose trips. Trip production models were estimated using cross classification techniques, while trip attraction models were estimated using regression techniques. Trip production trip rates were linked to household size and auto ownership by zone. Trip attraction rates were specified as a function of employment by zone. Models were developed using the 1995 Indiana Household Survey dataset, which included only households within Indiana. Trip generation procedures for the long purpose trips were developed for Indiana-to-Indiana trips only. Long purpose trip tables external to Indiana were taken from the Corridor 18 Model dataset.

The data shows that very few trips outside of the immediate area are taken by a majority of the residents. There is very little difference over existing travel conditions today, thus proving the proposed I-69 simply is not necessary. In 2008 air-service between Indianapolis and Evansville was established, only to be discontinued due to low passenger numbers. There is no great need for a large majority of the population to travel between Evansville and Indianapolis, or even Bloomington for that matter. Residents of the counties affected by Section 2 primarily will travel to either Washington (IN), Vincennes, or Evansville to meet whatever needs those cities offer. Travel to other larger cities, such as Indianapolis, is not a great need.

Response: The improvement of personal accessibility for Southwest Indiana residents was demonstrated in the I-69 Tier 1 FEIS. This was a Tier 1 core goal that was *in addition* to the goal of improving the transportation linkage between Evansville and Indianapolis. There is extensive documentation of the improvement in personal accessibility for shorter trips in Section 2.3.1.2 of the *I-69 Evansville to Indianapolis Tier 1 FEIS*.

It is obvious that people make more shorter-length trips than longer-length trips. However, there also are large travel volumes between major destinations which are at some distance between each other. For example, the Tier 1 FEIS documented (Section 6.3.1, p. 6-19) that in the year 2025, an estimated **11,200 trips each day** will be made between Evansville and Indianapolis. Literally *millions* of travelers annually will save 30 minutes on a one-way trip between Evansville and Indianapolis.

PC095-5

Comment: **4. Trip Distribution Outputs and Results**

The calibrated friction factors and K-factors were input, along with the trip productions and attractions and travel times and distances, into the gravity model application runs for each trip purpose. This step resulted in the development of production and attraction trip matrices in TransCAD format. **Table 11** compares the resulting trip lengths to observed trip lengths by purpose for the final, congested gravity models. The person trip tables generated from this process were inputs into the mode choice step.



Table 11. Average Trip Lengths by Purpose: Observed versus Esti

Trip Purpose	Observed Average Travel Time (min)	Estimated Average Travel Time (min)	% Difference
			Target +/- 5%
Home-Based Work	20.11	20.15	0.2%
Home-Based Other	14.56	14.53	-0.2%
Non-Home-Based	14.41	14.82	2.8%
Long	127.70	121.93	-4.5%

WAB>>DOES THIS MEAN THE AVERAGE PERSON WILL ONLY TRAVEL ON I-69 FOR 20 MINUTES? IF SO, EXISTING ROAD WAYS ARE MORE THAN ADEQUATE FOR THE TRIP LENGTH AND DISTANCE.

Table 12. Observed Mode Shares by Area Type and Trip Purpose

Trip Purpose	Mode	Urban	Suburban	Rural
Auto		93.8%	99.7%	98.1%
HBW	Bus	1.4%	0.0%	0.0%
	Walk	1.2%	0.3%	1.9%
Bike		3.6%	0.0%	0.0%

Auto		80.3%	80.9%	77.4%
Bus		1.3%	0.2%	0.0%
HBO	School Bus	8.8%	15.7%	16.8%
	Walk	7.4%	2.8%	4.8%
Bike		2.2%	0.5%	1.0%
Auto		97.7%	97.4%	97.0%
NHB	Walk	2.2%	2.6%	3.4%
	Bike	0.1%	0.0%	0.1%

WAB>>RURAL WILL WALK FOR HBW (HOME BASE WORK) AND NOTHING IS NOTED FOR HBO OR NHB??



Table 14 shows the initial constants and coefficients transferred from the California High Speed Rail Study Model and the final bias constant applied during the re-calibration of the upgraded ISTDM.

Does INDOT not have better data available than to reference California? Shouldn't data that more closely represents the residents of the affected counties be utilized?

Table 15. Estimated Daily Transit Trips – Long Trip Purpose

Interchange	Transit Trips	Person Trips	Percent Transit	Target
Indiana to Indiana	14,841	159,541	9.3%	9.4%
Indiana to External Area	7,255	123,195	5.9%	N/A
External Area to Indiana	6,800	120,853	5.6%	N/A
Total Indiana	28,896	403,589	7.2%	N/A

Figure 16 presents the final validated base year network color-coded with daily loaded volumes.

WAB>>SHOWS NO DAILY VOLUME BETWEEN EVN-INDY? The need for this highway is just not supported by the data.

Response: Referring to Table 11 of the *Indiana Statewide Travel Demand Model—Technical Memorandum: Model Update and Validation* (September 2004), the average trip length for the home-based work purpose is about 20 minutes. This trip length is applicable to all trips to work within the entire geographic area of the I-69 corridor, and not to any specific facility such as I-69. Moreover, the home-based work trip purpose is based on a trip distribution curve with some trips less than 20 minutes and some trips greater than 20 minutes. Obviously, longer trips will tend to use higher functional class facilities and are more likely to use I-69. See response to comment PC095-4, which describes how over 11,000 daily trips will be made between Evansville and Indianapolis in the year 2025.

Referring to Table 12, this table shows that a small percentage of the person- trips involve walking for all trip purposes (Home-Based Work, Home-Based Other and None Home-Based trips) in rural areas.

Referring to Table 14, data does not exist for the state of Indiana.

Referring to Table 15, it demonstrates that a certain percentage of long trips to, from, or within Indiana are made by transit. No comment on this table is offered.



Section 2—Final Environmental Impact Statement

Figure 16 shows daily traffic volumes on roadway segments and does not report daily traffic volumes between any one pair of trip ends (or destinations) such as between downtown Evansville and downtown Indianapolis. It reflects a composite of all trips. Moreover, this figure shows traffic volumes in the year 2000 for the roadway network that exists in the year 2000; thus, I-69 (which does not exist in the year 2000) does not appear in this figure. Future year traffic assignments containing I-69 do show daily traffic volumes for I-69.

PC095-6

Comment: WAB>REGARDING THE USE OF QUANTM..SEE:
Downsides include the lack of ability to look at interchanges ... as the software is limited to a linear project only.

WAB>QUANTM WAS USED AFTER PROJECT DATA WAS FILTERED BY ISTM MODELLING.

Quantum and the other "modeling" software have been to heavily modified to be considered reliable in supporting this study.

Response: There is no connection whatsoever between the QUANTM modeling and the transportation demand modeling (ISTEM), other than the fact that they both use computers. QUANTM is a highway design and impact evaluation software that uses as input the topographic mapping of the area, mapping of key environmental resources, such as wetlands and streams, and unit costs for major construction items, such as earthwork and pavement. Using a supercomputer, it evaluates hundreds of alignment possibilities, and identifies the best few, from a cost and impact standpoint, which are then refined and evaluated in the normal way. Its principal advantage is the speed with which it can develop and analyze hundreds of alternatives, a task that would take hundreds of engineer-hours if not performed on a supercomputer. Projected traffic volumes are not an input to QUANTM. The fact that QUANTM is not used to evaluate the interchanges is not a "downside"; it simply means that interchange design and impact evaluation is performed using standard highway design and impact evaluation software.

PC095-7

Comment: ***The fact that an addendum was issued is a real indicator that there are errors in the data. The issuance of an addendum also supports the fact that the study was pushed out the door too fast, and that the General public should be given adequate time to review ALL the data. A period of 6 months to one full year is not to long a time to allow for such a review.***

Response: SAFETEA-LU provides that the maximum comment period for a Draft EIS generally should be no more than 60 days. Due to the fact that the Section 2 and 3 DEISs were under review at the same time, the comment period for each was doubled, to 120 days. Following the issuance of revisions to the Section 2 DEIS during that review period, an additional review period extending 45 days beyond the issuance date of the revision was then granted. Total review time for the Section 2 DEIS was more than 140 days.



Section 2—Final Environmental Impact Statement

PC095-8

Comment: Chap 3.2.2 (pg 1-108) Public involvement-Newsletter-how many issues were sent? Outreach meetings and CAC's. *Too few meetings and very selective about who was appointed Meetings with local officials and CofC's far outnumber '@public meetings'. Yet INDOT in this study claims that the public has actively participated in the study. Where are all the comments that were received at the few OPEN public meetings that were held? No transcript is provided in the study data, only vague references to adjustments being made 'as a result of public comments'. The MAJORITY of the public that commented were opposed to the highway, period Where are those comments and how have they been incorporated into the study.*

Response: The CACs were organized to provide a broad representation of the community through local community representatives, county representatives, churches, emergency service personnel, school districts, economic development representatives, law enforcement and farm bureaus. All were included and participated in the Section 2 CAC. The meeting minutes of each of the CACs are posted on the project website. Chapter 11 in the FEIS summarizes all of the public involvement activities conducted within Section 2. Section 11.2 describes key issues that were raised by the public and how they were considered in the study. The project office for Section 2 has been open for five years and over 800 visitors have met one-on-one with project staff. Please refer to Section 11.3.1 of the FEIS to see a listing of a summary of all of the Section 2 Public Outreach activities. All comments, both verbal and written, from the March 19, 2009 public hearing are included in this Volume III of the FEIS. In addition, all written comments, whether provided at public meetings, at the project office, or sent in hard copy or electronically to the project office, are part of the project record. Section 11.2.1 of this FEIS, *Issues Raised Prior to the DEIS*, summarizes the input received during this time, including at public meetings.

PC095-9

Comment: Chap3 pg 14, below:
IDNR and USEPA offered multiple comments. IDNR recommended preferred alternatives in the various subsections of the Section 2 corridor. IDNR also noted that the -Patoka River National Wildlife Refuge (NWR) crossing must be designed to not drain storm water runoff directly into the wetlands, but to contain and channel it towards the end of the bridges, where it should then be adequately treated to remove sediment and salts before being allowed to enter the Patoka River NWR. IDNR stated that -Road traffic noise and artificial light have a documented negative effect on a variety of wildlife. Appropriate mitigation measures should be implemented **WAB>> WERE THE MULTIPLE QUESTIONS ANSWERED? Not found in this FEIS document. Where are they? There are a multitude of unanswered questions by IDNR, FWS, and the general public. Why have ALL of these questions been addressed in full and complete statements?**

INDOT DESIGN MANUAL: FOUND AT>

<http://www.in.gov/dot/div/contracts/standards/dm/english/index.html>

8-8.03 Hardship and Protective Buying of Right of Way

Federal regulation 23 CFR 77 1.1 17(d)(12) provides for the acquisition of land for hardship or protective purposes for a particular parcel or a limited number of parcels.



Section 2—Final Environmental Impact Statement

Where the imminent development of land would preclude further transportation use, protective acquisition is permitted. Advance acquisition is permitted only where the acquisition will not limit the evaluation of alternatives which may be required in the NEPA process. The Office of Public Hearings will assure that all property owners are contacted, made aware of INDOT's reasons for early acquisition of their property, and informed of the availability of the Categorical Exclusion environmental document concerning the proposed right-of-way acquisition. Property acquisition may proceed once the Office of Public Hearings certifies that the contacts have been completed, thereby satisfying the public involvement requirement.

8-8.07 Public-Hearing Transcript

With respect to resolution of hearing comments, it is not considered Responsive to reply with statements such as, "*It is not part of the Scope,* " or, "*It will be looked into.*" An explanation must be given. Yet INDOT, BLA and the study authors have not answered the inquires of affected agencies and the general public. No resolution, as noted above, has been put forth in this study. As such, this study must be halted, updated with inquires fully and completely responded to, the presented in an open manner for responsible public comment.

Response: With respect to the IDNR recommendations regarding a preferred alternative in each of the nine subsections of Section 2, these were each addressed specifically in the DEIS document for each of the subsections. See, for example, Section 6.2.1.1, last sentence, on page 6-5 of the DEIS. In most cases, the recommendations of the IDNR were followed. In those instances where another alternative was designated as the preferred, the reasons for preferring the other alternative are specifically given. See, for example, Section 6.2.1.3 in the FEIS document.

With respect to IDNR comments regarding drainage of stormwater from the bridge over the Patoka River floodplain in the vicinity of the Patoka River National Wildlife Refuge, INDOT has committed to collection and treatment of all runoff from the bridges crossing the Patoka Bottoms, see Section 5.19.2.4 of this FEIS. See also Section 7.2 of this FEIS under heading *Bridging of Floodplains*. These measures (which commenter suggests to control runoff from the bridge through the Patoka River National Wildlife Refuge) were described in the DEIS for this project, and are repeated in the FEIS.

Regarding potential noise impacts on wildlife, the potential for impacts is acknowledged (see Section 5.18.3, page 5-296, in the DEIS), see response to comment AS01-10. Also note Sections 5.7.3 and 7.3.6 of this FEIS, which states that other at the US 50 interchange, it is not anticipated that roadway lighting will be used. Also, see response to comment AS 01-10 regarding noise and light impacts upon wildlife.

All comments made on the DEIS document, either in person at the public hearing or in writing afterwards during the comment period, are presented in this Volume III of the FEIS, and responses to all substantive comments are included here also.

Commenter cites a portion of the Indiana Design Manual under Chapter 8: Public Involvement Procedures entitled 8-8.03 Hardship and Protective Buying of Right of Way. He does not provide any direct comment to this citation. We acknowledge the Hardship and Protective Buying of Right of Way as outlined in the Indiana Design Manual has been followed throughout this project. No properties have been pursued in Section 2



under either INDOT's Hardship Acquisition Policy or its Protective Buying Policy at this time.

PC095-10

Comment: In EISs it states that at least some of the economic projections depend on the completion of the entire project, Indy to Evans. (E.g. traffic projections and expected safety improvements.) This points out the flaw in having "segments of independent utility". If the benefits will not be realized by the affected communities until the entire project is completed, then INDOT, BLA and the consultants must explain in full detail how this section supports its "Independent Utility" claim, when existing local roads are meeting those needs today?

Response: See response to comment PC03-3.

PC095-11

Comment: The Texas portion of this project has been scaled back and will use mostly, or all, existing roadways. Other states along Corridor 18 have realized the value of using existing roadways. INDOT should come to this mind-set that the US41/I70 alternative is the wisest choice.

Response: Please see response to comment PC004-1.

PC095-12

Comment: This a political project unsupported by transportation needs. One should reference the low numbers of projected vehicle miles between Indy and Evansville. I want to cite the earlier Donohue Study that was dismissed without good reasons. Since the Donohue Study is in INDOT's possession, I wish to have it repeated as a part of these comments.

Response: The Tier 1 FEIS showed (Section 6.3.1) that in the forecast year (which was 2025 in the Tier 1 study) that approximately 11,200 vehicle trips will be made every day between Evansville and Indianapolis. Each one-way trip between these two cities is over 140 miles long, so that the vehicle miles of travel daily between Evansville and Indianapolis is very large (over 1.5 million vehicle miles of travel *daily*).

The Southwest Indiana Highway Feasibility Study (commonly known as the "Donahue Study", after the name of the lead consultant on the project) is described in Chapter 1 of the Tier 1 FEIS (see Section 1.1). It is one of approximately a dozen studies conducted between 1944 and 1998 which addressed the need for an additional major highway in Southwest Indiana. These studies were cited to illustrate, among other things, that proposals for a new, major north-south highway in Southwest Indiana have been considered for more than half a century, and that over time these proposals focused more specifically on an Evansville-to-Indianapolis highway.

The analyses and data in the Donahue study are informative from an historic perspective. More recent Tier 1 and Tier 2 studies for the I-69, Evansville-to-Indianapolis project use the most current data and technical tools available.



PC095-13

Comment: I also think it is appropriate to mention that this is a highway being built in support of NAFTA--one of its 3 core goals? NAFTA has lost most of its importance by now. In fact, much of the job loss experienced by this area, and the State in general is a direct affect of NAFTA. Continuing with this highway will only further aggravate the economic conditions. It will NOT bring the economic growth the study attempts to prove.

Response: Please see response to comment PC047-5.

PC095-14

Comment: More highways are not the solution to our transportation problems; they are the in large part the cause of it. Mass transit is the solution for Indiana to be considered a 21 st Century state. Fiber optic highways are the way to attracting economic development in all of our communities.

Response: Please refer to response provided to PC040-5 relative to mass transit. While fiber optic technology is an important part of 21st century infrastructure, consideration of such technology is not one of the goals of the I-69 project.

PC095-15

Comment: I and many other Hoosiers that have participated in, and followed, the alleged INDOT process of route selection for I-69> have long been opposed to the 3c corridor route selection. Alternative 1 (US41/I-70) is the only way to go because: There is hardly any opposition to I-69 Alternative 1 in this state. Major cities of Terre Haute and Vincennes want it and need it as the poorest areas of Indiana Existing cities and townships will be minimally affected, except for positive economics of bringing more traffic through their upgraded roadway. It would save thousands of acres of farms (Indiana business's) and forest land. It would make a fine start to future upgrading of the northern balance of US41 to the Michigan border. It would end 20 years of controversy about I-69 routing Crane Navel Warfare Center likely won't get "BRACKED" during the next round of base closings due to encroachment. It is only a mere 12 minutes longer drive than route 3c, and half as expensive to build and much less environmentally destructive, AND we have the \$700 million cost to build it in the bank NOW! Since there were never any legislative field hearings for the I-69 extension as there recently were for the ICC and Illiana, LOTS of citizen input was NEVER TAKEN INTO ACCOUNT or COUNTED. We asked many times for that type of democracy, but it was previously NEVER ALLOWED to us in this state.

INDOT should be directed to take the money they have, and build I-69 along I-70/US41. Doing so would bring this long standing project to completion faster, and at far less cost. The remaining Major Moves money could then be put to work in communities all across the state, not just in one small area.

Response: Please refer to the response to PC004-1.



Section 2—Final Environmental Impact Statement

PC095-16

Comment: I believe highways are one of the biggest threats small farmers today. We need protection from our own government. Recent editorials in Farm World have spoken to this, yet we continue to let our legislators have their way with our land and way of life. Proponents of the new terrain route are hoping that if they can get it start, the state will be forced to come up with the remaining money -- give them an inch and they'll take a mile.

Response: Please see response to comment PC033-4 regarding farmland impacts.

PC095-17

Comment: It is fiscally irresponsible to earmark 10% of INDOT's two year budget for a single highway – especially when it forces us to either end that highway in a rural cornfield or find some way to come up with \$3,881,000,000 additional tax dollars. Which highway projects needed in the rest of the state will have to be sacrificed so that the I-69 boondoggle can be built? All of the INDOT's Major Moves money will be gone in just a few short years from now. Let's spend the gas tax and stimulus money wisely so that we can make the needed upgrades and repairs to our existing roadways. Revenues from gas taxes have shown to not support maintaining the roads we have, yet alone being able to build new.

INDOT & the Governor need to bring some reality to building I-69 by using the fiscally responsible. Common Sense route of I-70 / US 41. Don't spend 10% of INDOT's budget to build less than 3% of the route and put Hoosiers on the hook for the rest. INDOT has already submitted and withdrawn a request to have this project studied as a tolled highway. Proving that INDOT does not know where funding will come from. Kentucky recently approved tolling to fund the I-69 bridge. How will INDOT incorporate tolling into this project and ensure the findings are still valid? Tolling will come along with this highway. As such the benefits will be non-existent.

Response: All six sections of I-69 are included in INDOT's adopted Long Range Plan (June, 2007). Funding for Tier 2 Sections 1 through 3 is provided by the proceeds from the Indiana Toll Road Lease (the "Major Moves" program). Tier 2 Sections 4 through 6 are identified as being built with innovative funding. Innovative funding is described in Chapter 11 of the Plan (see http://www.in.gov/indot/files/11_planning.pdf).

Please refer to the response provided to PC004-1 regarding I-70/US41 route.

PC095-18

Comment: MASS TRANSIT:
In an era of high gas prices, highway and airport congestion, and shrinking rural transportation choices, America needs better passenger rail service now more than ever. Perhaps with Federal funding for rail, rather than for highways, Indiana could be convinced to move towards being a 21st century state by building rail mass transit systems. The citizens of this state need leadership in convincing INDOT to use sparse federal dollars more wisely by building I-69 along the common-sense route of I-70/US41 and allotting more funds for rail transportation systems. Indiana must get aboard if federal legislation to create a Midwest rapid rail system is to meet with the success it



Section 2—Final Environmental Impact Statement

deserves. If some trains run far from filled, the same can be said of stretches of Indiana's interstate highways. If subsidies are an issue, they're a much larger issue with asphalt than rail. If overall economic benefit is considered, the savings in fuel, travel time and air quality should carry the day.

Response: Please refer to the response provided to PC031-2 relative to rail transportation.

PC095-19

Comment: *Community Planning:*

Of the five categories listed in the "toolbox" not one mentions Environmental plans. It is not until you get deeper into the website that there is any mention of environmental items. *Some of the communities listed are far-off the proposed I-69 that it will not have any positive impact on those communities; this is just a bribe for buy-in of local politicians. "Community planning in this area is to plant more corn in CRP acres. *Did they include a formula or "tool" to determine how much extra diesel fuel communities will use to reach ground that is cut-off! *Grant program is designed to protect natural resources; best way to do that is not build it! Every problem listed is created by this project (I-69)

At one particular public meeting for the Community Planning Grants, INDOT representatives noted that some of the grant requests they would need to "fudge on a little" to get them approvable. Does that mean INDOT will be passing out taxpayer funds under false pretenses? *Only 16 of 60 "tools" are available ... this program is not ready to roll out. Many of the communities receiving Planning Grant monies are far removed from the proposed project. So what is the reasoning behind the planning grants, when the highway is now where near and of no benefit to the community?

Response: The purpose of the I-69 Community Planning Program (CPP) is to establish a regional strategy for providing resources to local communities (cities, towns and counties) to assist them to manage the growth and economic development associated with I-69. This program was one of a number of major mitigation commitment established in the Tier 1 project between the DEIS and FEIS, at the particular encouragement of resource agencies, environmental organizations, and the public. See Tier 1 FEIS, Section 7.2, p. 7-1. The CPP had its origins in USEPA's request for an assessment of state, regional or local regulations which would protect sensitive resources, such as karst and forest features. See Tier 1 FEIS, Section 11.2.2.6, pp. 11-13, (under heading *Land Use Controls*).

The program is a two-phase effort. Phase 1 included a regional planning assessment and development of regional planning strategies and resources for the entire I-69 corridor area, the development of a set of model community planning tools, and establishment of the framework that has been used for the Phase 2 implementation of the program. Phase 2 provided actual planning grants to local communities for preparation of local plans. Mr. Boyd's comments are directed primarily at two specific pieces of this program: the list of grant-eligible communities and the I-69 Planning Toolbox.

Thirty-one communities (cities, towns and counties) were identified as eligible for grants through the CPP. Communities were identified for a variety of reasons including, but not limited to, lack of previous planning efforts, proximity to the identified corridor, proximity to unique environmental features, and likelihood for future growth stimulated

**Section 2—Final Environmental Impact Statement**

by the new interstate (which can occur throughout the project area). Those cities and towns identified as eligible for grants are: Bedford, Bloomfield, Bloomington, Ellettsville, Evansville, Greenwood, Indianapolis, Linton, Loogootee, Martinsville, Mooresville, Oakland City, Petersburg, Princeton, Spencer, Vincennes, and Washington. Counties eligible for grants are: Daviess, Dubois, Gibson, Greene, Johnson, Knox, Lawrence, Martin, Monroe, Morgan, Owen, Pike, Vanderburgh, and Warrick. Thirty of the thirty-one eligible entities applied for and were awarded \$50,000 grants.

The I-69 Planning Toolbox is complete and available for any user at <http://www.in.gov/indot/div/projects/i69planningtoolbox/index.html>. The toolbox is organized around five basic planning issues:

- Protecting Natural Resources
- Encouraging Economic Development
- Managing Transportation and Infrastructure Impacts
- Directing Development and Growth
- Increasing Local Fundamental Planning Capacity

Contained within each basic planning issue is a number of planning tools that communities can implement to address each planning issue. In Mr. Boyd's comments he specifically states that —Of the five categories listed in the "toolbox" not one mentions Environmental plans." However, the first basic planning issue, Protecting Natural Resources, contains 13 tools a community can implement to assist in protecting natural resources. The tools identified include:

- Land Ownership and Conservation Easements
- Hillside / Steep Slope Protection
- Open Space Planning
- Scenic Viewshed Planning
- Tree Protection Ordinance
- Forest Protection
- Agricultural Land Preservation
- Stream Corridor Protection
- Wetland Protection
- Watershed Protection
- Groundwater / Wellhead Protection
- Karst Landscape Preservation
- Biodiversity / Habitat Protection

There are also several planning tools found under the other four basic planning issues that have a significant component directed at environmental concerns, such as:

- Agriculture Development Plans
- Agriculture and Nature Tourism Plans
- Comprehensive Plans
- Land Use Plans
- Cluster Development Plans
- Landscape Overlay Plans



Section 2—Final Environmental Impact Statement

- Area-wide Bicycle and Pedestrian Plans

Communities who have participated have found the I-69 Planning Toolbox is a valuable resource for communities throughout the corridor, as well as the rest of the state, to guide their planning efforts in a manner that is respectful of the careful coexistence of man and the environment.

PC095-20

Comment: Table 3-5,3-6 simply cannot be correct. Travel times/miles 249-250?? To Evn, Bton, Indy?? Pg 93/108. What is being indicated here, or is this an error in the data?

Response: Table 3-5 show the summation of distances from each of the origin cities in the first column to three most typical destination cities (Evansville, Bloomington, and Indianapolis) for the No-Build scenario (using the current roadway network) and for each of the four different interchange scenarios if I-69 is built. For example, from Washington to Evansville, Bloomington and Indianapolis (the summation of all three trips) is 224 miles on the current (No Build) highway network, but would be 223 miles on I-69 with any of the Build alternative interchange scenarios, an overall savings of 1 mile. Table 3-6 presents the travel time differences, rather than distance differences, for the same combination of trips. Thus, for the prior example of Washington, the three trips would take a total of 251 minutes on the current highway network, but would require only a total of 227 to 229 minutes for the I-69 Build alternatives, an overall savings of 22 to 24 minutes.

PC095-21

Comment: **3.3.1.2 Congestion**

Check this section and comment. Check service levels today vs table, the LOS for the local communities does not support anything more that upgrading and improving the existing local roads. By improving the local roads, safety will be enhanced, further negating the purported benefit of the proposed project. In reality, safety on Interstate highways is no better than improved local roads. Due to higher speeds on interstate highways, deaths are often greater than existing State highways that have improvements. From a genera safety perspective, if individual drivers operated their vehicles in a responsible manner, traffic accidents and related deaths would become nonexistent. People are more often the problem than the roadway.

Response: The commenter begins by citing the analysis of congestion in Section 3.3.1.2, but does not offer specific comments. This section shows that I-69 provides a significant reduction in congestion in the project area. Overall congestion levels in the study are reduced by 18 – 21%, and are reduced by one-half or more in Gibson and Pike counties. See Table 3-10 in this FEIS.

The assertion that interstate highways are no safer than other roads is not correct. Accident rates on interstate highways are substantially lower than on other highways (see Table 2-1 in this FEIS). As the commenter notes, driver behavior is an important factor in highway safety. However, facility design is also a very important contributor to highway safety. Table 2-1 documents that drivers on interstate highways (with their higher levels of design standards for horizontal and vertical alignments, grade separations

**Section 2—Final Environmental Impact Statement**

from all other traffic movements, medians to separate traffic in opposite directions, clear zones, and other safety features) have two to four times fewer crashes on a per vehicle mile basis than drivers using two-lane roads.

PC095-22**Comment: Agriculture Proving Resistant to Global Economic Downturn**

SUGAR LAND--June 24,2009--Researched by Industrial Info Resources (Sugar Land, Texas)-- According to research released this month by the Organization for Economic Co-operation and Development (OECD) (Paris, France), the worldwide agriculture market appears resilient to the global economic downturn affecting almost all other sectors of the economy. THE OECD attributes the resistance to a recent history of relatively high incomes and the general income-independent demand for food. Food production, prices and accessibility continue to be important global political topics, appearing on the agendas of many recent high-level summits, including the first annual G8 Agricultural Ministerial, which was held in April of this year.

The report predicts moderately stable activity in the food market "as long as economic recovery begins within 2-3 years." Historically beef, pork, dairy and similar livestock products are first affected by changes in incomes, while other staple products such as cereals and grains maintain steadier demand through economic contractions. While prices for these products have not risen significantly, reduced consumer incomes will drive demand for more economical alternatives such as poultry. Current food prices have fallen from peaks in early 2008, but the organization notes possible price volatility is still of concern. Income changes have a "proportionately greater impact in low income countries ... where food consumption forms a larger part of household budgets," the report stated. Among cereals, maize prices historically respond most quickly to lower gross domestic products because of the crop's substantial application as an animal feed.

<http://www.sustainabletable.org/issues/familyfarms/>

Given the worlds need for adequate food supplies, why continue with this project as it will remove valuable, productive agriculture products from the worlds supply? The loss of income to the local economy is not factored into the study. When both direct losses (those as a result of direct loss of ground) and indirect losses (additional land taken out of production as a result of in-accessibility, viability, etc.) the financial impact to the communities is tremendous. Where is this cost impact figured into the study? Adequate fertile land is a basic resource for all productive Agricultural Systems.

The existence of family farms also guarantees the preservation of green space within the community. Unfortunately, once a family farm is forced out of business, the farmland is often sold for development, and the quality land and soil for farming are lost. Independent family farms play a vital role in rural economies. In addition to providing jobs to local people, family farmers also help support small businesses by purchasing goods and services within their communities. The loss of family farms means the loss of local credit or banks that understand and support the rural community.

The number of farmers under the age of 25 has decreased 50% in the last 10 years! What once was an occupation thought to be unskilled by many, (even though it wasn't), has become a very technical job. Yet these farming jobs are not counted among the technical

**Section 2—Final Environmental Impact Statement**

jobs currently within the community. If anyone reading this eats daily, then you are involved in farming and should work to protect our remaining family farms. More than 65% of the consumers in the United States say they want their food produced by family farmers, not industrial agriculture. The increasing demand for family-farm-identified food has emerged from a context of food scares and public-health concerns, from the devastation of factory farming and from the sad human toll of the loss of family farmers in their communities. The small farmer and shopkeeper in the affected rural communities have made important contributions to the independent nature of this area. Their disappearance is leading to a decline in rural cultural diversity while society becomes increasingly urban.

As a result of this project, there is also *a significant loss of local jobs and money that typically stays in the local economy.*

A number of people have voiced the concern that this demographic shift is contributing to the loss of small farm ethics and cultural richness and represents the loss of an important sector of the region.

Family farmers in Indiana, as well as the United States are under extreme economic pressure and thousands are pushed off their land every year. This crisis in every farming community is threatening the very existence of the family farm. Family farmers are being forced out of business at an alarming rate. As family farms are forced out, the quality of our food, our environment and our food security is in danger. Independent family farmers are the pillars of their communities. They grow high quality food, are active in civic life, and are essential to the economic vitality of their hometowns. As stewards of the land, family farmers work to protect the soil, air, water, and biodiversity in addition to producing high-quality, healthy food for everyone.

During the past few decades, the price of oil and energy has become substantially more intertwined with the agricultural market. Production costs such as automated harvesting, industrialized processing and shipping are dependent on energy prices. The growing bio-fuels industry, in addition, affects the rates for several agricultural products including maize.

The 2008-2009 publication marks the fifth joint effort of the OECD and the Food and Agriculture Organization of the United Nations in researching the global agricultural outlook. Both organizations call for "domestic agricultural development through targeted policies such as infrastructure investment, establishing effective research and development systems, and providing incentives for sustainable use of soil and water."

Response: Please see response to comment PC033-4.

PC095-23

Comment: Everyone wants safer roads. Unfortunately, bigger is not always safer. Redesigning dangerous intersections and adding passing lanes can improve safety without building a major new highway and disrupting the rural character of a majority of the highways now serving the area. The only way to make a trip shorter is by going faster. Is that going to improve safety along the highway? Faster is not safer. Going faster also burns more gas,



Section 2—Final Environmental Impact Statement

not less. Does it make sense to spend billions of tax dollars, while taking away money from local municipal jobs and schools, to save a few minutes per trip?

Response: Accident rates are substantially lower on multilane, divided interstate highways than they are on two-lane, undivided highways, even with the additions of passing lanes and intersection improvements. See Table 2-1 in this FEIS. Because the accident *rates* are lower, and more travelers use the interstate highways rather than the less-safe undivided highways, the actual reductions in the absolute *number* of accidents is even greater. Total accidents in the Section 2 study area are reduced, even though the construction of I-69 attracts large volumes of traffic from outside the six-county study area. See Table 3-11 in the FEIS.

PC095-24

Comment: Air Pollution
Along with the visible dirt, grime and litter that will result from building this proposed project. The air quality along highway corridors has been proven to negatively affect human health. A staggering 56% of cancer causing and hazardous air pollutants come from cars and trucks (Source: EPA).

Response: The project in Section 2 satisfies all air quality conformity requirements. See Section 5.9, *Air Quality*. In addition, see also response to comment AF02-11.

PC095-25

Comment: Water Quality
The quality of surface and ground water (from wells that are the source of our drinking water) will undoubtedly be affected as a direct impact of this proposed highway. This project will increase storm water runoff and can become a significant non-point source of pollution, yet the study fails to address this impact.

Response: Impacts to water quality from highway drainage and storm water runoff is discussed in Section 5.19.2.3 in the FEIS, and mitigation measures are addressed in Section 5.19.2.4. Additional mitigation measures related to maintaining water quality are discussed in Section 7.3.14 of the FEIS.

PC095-26

Comment: Noise Pollution
Construction and it's higher speed limit will increase the level of road noise. INDOT has not offered any plans for noise abatement caused by this new road. A bigger road will make a bigger noise.

Response: Noise impacts from the new highway are discussed in Section 5.10.3 of the FEIS, and noise abatement and mitigation measures are discussed in Sections 5.10.4 and 7.3.3 of the FEIS.



Section 2—Final Environmental Impact Statement
PC095-27**Comment:** Quality of Life

People usually live in rural areas because they want to enjoy a less noisy, less dirty and less crowded quality of life. A bigger highway with more traffic means more noise, dirtier air and less of everything we live here for.

Response: The Preferred Alternative will increase noise levels in some rural areas in the immediate vicinity of the new alignment. However, other local highways will experience lower noise levels since large traffic volumes (especially truck traffic) will now use I-69. See response to comment PC03-69 for documentation of significant reductions in forecasted traffic volumes on SR 57. Table 3-12 in Section 3.3.1.3 of the FEIS shows the projected changes in truck traffic on key local roads in the Section 2 area.

PC095-28**Comment:** **Attach Indiana Environmental Report:**

Economic growth and development?

Big roads with excess capacity do not create local economic growth or opportunity. They do create minimum wage jobs at gas stations, convenience stores, fast food restaurants and big box retailers who locate at major intersections or freeway exits. They are seldom locally owned and the profits from these operations end up somewhere else. Traffic zips along, bypassing local businesses and small town business districts.

As manufacturers relocate their operations from this region, as well as the entire state, to other parts of the world, few say that a lack of adequate transportation (highways) is a main reason. What they do say is that a lower cost of wages and lower taxes are needed for them to remain competitive.

Response: While interstate highways of themselves do not create long-term economic growth, they are considered by development professionals as essential to attracting major new developments, especially in key industries. This was addressed in the Tier 1 FEIS Appendix EE, *Relationship between Interstates and Economic Development*. The summary of this document stated:

- Transportation infrastructure supports economic performance across the broad scope of industries in the United States.
- Highway investment leads to economic growth by lowering production costs in nearly all industries.
- For certain types of industries, access to higher levels of facilities (including interstate highways and other types of four-lane divided facilities with at least partial access control) are considered essential.
- The relationship between Interstate highway access and manufacturing is particularly strong. This is important, given the large role that manufacturing has in Indiana's economy.
- Growing trends in just-in-time delivery and use of large regional warehousing centers is a significant part of this trend.
- While high quality highways are an important or even necessary component to support a wide variety of industries, highways alone will not guarantee economic success to a region. Other factors (e.g., an educated work force, labor costs, state and local government policies) also are important in attracting and retaining businesses.



Section 2—Final Environmental Impact Statement

- Investment in higher-level facilities (interstate highways and other National Highway System routes) appears to have a closer relationship with economic growth than other types of highway investment.
- Within Indiana, I-64 and I-69 in northeast Indiana are held out as specific examples of interstate highways, which were key factors in economic development in areas which they serve.

The Pike County Economic Growth and Development Council is on record in support of I-69; see comment number LG01 above. Other government officials and business people have made similar statements of support.

PC095-29

Comment: The project in this study *offered* by INDOT *does not significantly decrease distances* between roads or towns, yet they claim the project will produce shorter trips and less fuel consumption. How is this supported by this study? The data is lacking and not provided in this report. The general public needs to be able to review and analyze all the raw data that supports this study. We have not been given that opportunity to date.

Response: They key advantages accessibility improvements offered by I-69 are in shorter travel times to major destinations. Table 3-6 in this FEIS illustrates the significant travel time savings throughout the Section 2 project area to major travel destinations such as Evansville, Bloomington, and Indianapolis. The FEIS also acknowledges that energy consumption within the project area will increase, due in large part to traffic diverted from outside of the project area. See Section 5.25, *Energy Impacts*.

PC095-30

Comment: **Core Goals:**
The Purpose and Needs section does not supply sufficient justification for the preferred alternative, or the project as a whole.

[Reference Chapter 2.1.1 ,Goal 11- *Improve the transportation linkage between Evansville and Indianapolis*. The need for this improvement has not been firmly established. Alternate routes are available, such as US411170 or 1-641165. Both provide safe and reliable linkage with the added benefit of being immediately available. The time of travel is reasonable. The US411170 has the added benefit of delivering linkage for business to the Indianapolis International Airport and the economic opportunities afforded with such a facility, thus meeting Goal 5.

[Reference Chapter 2.1.1, Goal 21 Discussion of "personal accessibility"> As defined by Merriam-Webster, accessibility means "providing access or capable of being reached". This project fails to meet that definition since it will offer only limited access for the residents and will cut-off a number of existing roads, thus making access to the existing local business more difficult. The data provided in the study does not address the negative impacts to the local citizenry by simply ignoring the fact that it will be harder for them to get access to basic services and needs.

Response: Section 2.1.1 restates the purpose and need goals established in Tier 1. See Tier 1 FEIS, Chapter 2, *Purpose and Need* for more details. These Tier 1 goals are restated to serve as

**Section 2—Final Environmental Impact Statement**

the basis for localized goals for Tier 2 sections. The Tier 1 goals and the Tier 1 decision they supported will not be restudied or revised in Tier 2 studies. See response to comment 037-4 regarding local access in the vicinity of I-69.

PC095-31

Comment: Regarding National I-69 Goals [goals 8 &9] - the data is outdated and no longer applicable. The section in this study is but one small part of the entire proposed NAFTA highway from Canada to Mexico. What is the role this highway segment within the larger project? The modeling for this project assumes the entire project is completed. How likely is this entire project to be completed, when will it be completed and what will it cost? All of these questions need to be answered to determine the feasibility of building Section 3 (sic). Texas has already dropped plans for a new terrain I-69 in Texas because of citizen opposition and spiraling construction and fuel costs. Other states have elected to utilize existing highways as part of the national I-69. In some cases the only expenditure put forth by states is by new signage. INDOT must be directed to at the very least consider and adopt the US41/I70 routing. Even the NAFTA agreement itself is now being questioned, having failed to provide the benefits it was projected to provide. This study and the entire project itself should at the very least be re-evaluated or put on the shelf until the global economies stabilize and the future needs of a NAFTA corridor can be clearly defined.

Response: The Tier 1 goals and the Tier 1 decision they supported will not be restudied or revised in Tier 2 studies. See response to comment PC047-5 regarding the relationship of this project and the North American Free Trade Agreement (NAFTA). It is beyond the scope of this project to address the current status or exact timing of the National I-69 project in other states.

PC095-32

Comment: The models used and other data referenced in this Study extend are at least a decade old and are based on past performance. The past is now a poor predictor of the future of transportation needs. The transportation needs for the U.S. as well as Indiana has changed dramatically since the FEIS was released in 2003. This FEIS is completely out-of-date in terms of the economic viability of highway building. High fuel prices will continue to rise over the life of the project. This will have major impacts on transportation needs and the ability to pay for transportation projects. There is also a much greater understanding of the value of farmland and forests. The world has changed and analysis of transportation projects needs to reflect these changes. The models used for this FEIS need to be updated. INDOT has used more current information in other studies that have been and currently are in progress. Current data is available within INDOT's own files and should be incorporated into this study. The costs of this project have skyrocketed and will continue to rise. This is clearly shown by the updated cost estimates for Sections 1,2 and 3. Extrapolating from these estimates indicates the cost will reach, conservatively, \$4-5 billion for the Evansville to Indianapolis section alone. Attempts to cut this cost by cheapening the project and delaying or cutting out some structures will change the project in ways that affect the economic outcomes. This all argues a complete re-evaluation of the entire EIS. The models and assumptions used for this FEIS certainly are out of date and are therefore invalid.

**Section 2—Final Environmental Impact Statement**

Response: The traffic forecasts provided in this study use the most current version of the Indiana Statewide Travel Demand Model (ISTDM). See FEIS Section 3.1.2. Project costs are provided using the most recent bid data on actual INDOT construction projects. The most recent INDOT construction bid data were reviewed during June and July of 2009. Based upon this review, the construction costs methods used in the DEIS were updated in the FEIS. This review also considered the most recent information (year 2008) available from Purdue University regarding the value of farmland. See Appendix C, *Cost Estimation Methodology*, for details regarding procedures to estimate both construction costs and right-of-way costs. See response to comment PC03-64 regarding fuel costs and traffic forecasts.

PC095-33

Comment: Reference Chapter 2.2.2- *"A State law passed in 1991 directed INDOT to designate a system of Commerce Corridors that would serve the State's major economic centers and to specify levels of service to be achieved by highways designated as Commerce Corridors."* A list of criteria is noted. Relating to the very first bullet point a disturbing new development has come to light, not only this project, but the INDOT's overall transportation plan, is a very public statement by Governor Daniels that INDOT should *"throw out the rule book"* for construction guidelines in an attempt to cut costs for this project. How does INDOT propose to achieve *"Upper level design standards"* while at the same time building this project as cheaply as possible? The concept being desired by the Governor and INDOT is not compatible with the desired goal. This has national as well as statewide ramifications if it were to be attempted. At what point are the studies done for this project simply no longer applicable? Is INDOT going to throw out the federal rules for building I-69? If so what parts are going to be tossed out? This could turn out to be a substantially different project than was addressed in the FEIS and would violate all established guidelines. This is simply unacceptable and possibly illegal. The public has a right to know what INDOT intends to build and be afforded the opportunity to submit comments. This study makes vague statements which are difficult to comment on. How can meaningful comments be submitted to vague generalities? This study along with the entire project should be sent back to Tier I at a minimum, if not abandoned in whole.

Response: Governor Daniels is committed to building the road at the least cost to taxpayers, with the least environmental impact, and in the least amount of time possible. He has directed INDOT to abide by all applicable federal rules but to explore new and better ways to complete the project. As Governor Daniels has said, —Don't be prisoners to the way things have always been done." With that direction, INDOT is pursuing ideas for I-69 construction that would result in the road being built quickly, less expensively, and with less intrusion on the land. All state and federal laws and regulations will still apply and will be followed. As described in Section 5.1, the range of design criteria considered for this project will conform to all requirements of the Indiana Design Manual.

PC095-34

Comment: Other significant risk factors to proceeding with this study and the project are significant climate and environmental factors, price volatility, and INDOT'S aging infrastructure. This last item has serious budget requirements, which INDOT can not meet today. When



Section 2—Final Environmental Impact Statement

the operating costs of this project are factored in, the burden becomes overwhelming. This study does not fully address operational costs, let alone include factors just noted.

Response: The current INDOT Long Range Plan provides for significant expenditures to preserve the existing highway network. See the June 2007, INDOT Long Range Plan, (<http://www.in.gov/indot/3085.htm>) Table 11-6, which shows that in the 10 years after the period of Major Moves Expenditures (2016 – 2025) 59% of INDOT’s expenditures are forecasted to be for system preservation, with 41% forecasted for system expansion. INDOT is committed to maintaining its existing transportation system, as well as providing for the needs of a growing population and economy. In addition, the Tier 1 FEIS documented that the purpose and need for the project required the construction of a new interstate highway, and could not be accomplished by upgrades or improvements to existing local roads.

PC095-35

Comment: INDOT, their consultants and governmental leaders have a responsibility to the State to provide a full and complete analysis of this project. That analysis should be as a whole unit, not segmented. Segmenting fails to acknowledge the cumulative affects by this project.

Response: Tier 2 NEPA studies are conducted on sections of independent utility that were established in the Tier 1 Record of Decision. For additional information about tiering, please see response to comment PC03-3.

PC095-36

Comment: **Personal Accessibility Analysis (sec. 2.3.2)**

Personal accessibility can be affected by a number of factors including:

- An individual's own mobility;
- By the physical disposition of destinations relative to the individual;
- By the availability of means of transport;
- Or by a combination of the three.

The study applies an artificial need of the local residents to be able to get to an interstate highway. This need is merely stated, but not defined, as to why access to an interstate highway is necessary to the residents of the affected communities.

The choice of appraisal technique for any individual decision needs to be of an accuracy appropriate to each individuals particular situation, with the resources devoted to the analysis being commensurate with the scale of the circumstances. Analysis to support effective and accurate decision making will usually benefit from a more rigorous multi-criteria framework approach used by the process. The study data provided simply does not go into detail or provide a basis for the resultant outcome.

Accessibility analysis can become complex and confusing if the question being asked is not identified and clearly defined at the start of the study. It is important for all analyses to define problems clearly, gather the required supporting information and involve all affected stakeholders. Consistent and rigorous techniques can assist in building consensus between various stakeholders. Measures of accessibility have different values in different



Section 2—Final Environmental Impact Statement

areas. All the available opportunities must take into account a measure of deterrence related to how easily opportunities can be reached. This study applies urban solutions to rural residents. An obvious flaw in the study

Deterrent Features may include:

- Time
- Cost-what someone is willing to invest in the travel
- Distance to destination

These are decisions that affect both the perceptions of travel and consequently influence real behavioral patterns when making transportation decisions. In considering the results of an accessibility analysis it should be remembered that the measures are intended to give only a general indication of levels of accessibility. They are though of assistance in identifying practical solutions and delivering transportation solutions that will be of real benefit to the public it is intended to serve. Study authors should establish 'accessibility profiles' for sites taking into account the appropriate considerations for the area being evaluated. The profiles should reflect the range of areas served, likely quality of service and result in relative indicators of accessibility for different solutions. The attractiveness of an available transportation opportunity must represent some value as a transportation choice in terms of time or cost.

Response: Please see response to comment PC037-4 regarding Tier 1 and Tier 2 analyses of accessibility.

The Tier 1 FEIS recommended certain county roads for closure. Section 5.3.2.2 of the Section 2 DEIS discusses efforts made to address community impacts, including access issues. A variety of means were used to assess which local roads were to remain open. These include various public outreach efforts, a staffed project office, small-group meetings, Public Information Meetings, business surveys, a project website, field inventory, and comments from concerned farmers. This input was used to identify the importance of individual roads and to determine whether they would remain open (via an overpass) or would be terminated. Area residents were involved in the access decision process. The results of their input are detailed in Section 11.2 of this FEIS. Neighborhoods and community cohesion are discussed in Section 4.2.1.

The Tier 2 project in Section 2 provides for a significant increase in local accessibility, compared to assumptions in Tier 1 studies. See response to comment PC095-38.

PC095-37

Comment: **Independent Utility:**

Project study data does not offer information as to how this section is supported as an independent section. This individual section (Section 3) (sic) of the I-69 project does not have "independent utility" as required by the FEIS. The proposed I-69 project is an international truck corridor stretching from Canada to Mexico. Without all the other sections in place this small part of the project in SW Indiana serves little purpose and does not justify its cost of \$399 million for 25.3 miles. A statement in this FEIS states: "*... all traffic modeling conducted for the I-69 Evansville-to-Indianapolis project takes into account that all these projects will be constructed.*" This section does not have independent utility and all sections must be built to conform to the economic models.

**Section 2—Final Environmental Impact Statement**

Without them all, none work as planned. No data in this study supports a determination that this section serves any need. The current means of travelling to communities in this section are more than adequate to meet the needs of its residents.

Response: Please see response to comment PC 03-3 regarding determination of Tier 2 sections of independent utility.

PC095-38

Comment: As noted in Federal Register: April 29,2004 (Volume 69, Number 83): "Interchange location and design, access to abutting properties, and location of grade separations with intersecting roads will be determined in the Tier 2 EISs."

Yet interchanges are noted as "potential", with no detail. A number of grade separations have been removed from the project. The removal of interchanges and grade separations creates serious impacts on the communities, creating added hardships for those residing in the areas. This further diminishes any support data in this study. These changes from the Tier 1 ROD will create negative impacts for local communities. Section 3 (sic) does not have independent utility. The study states the U.S. 231 interchange will be deferred until the westernmost portion of Section 4 is completed. This interchange is an integral part of the plan for I-69. Without it in place the plans for economic development will not work. This means that the completion of Section 3 depends on the completion of Section 4. Therefore, Section 3, as now planned, does not have independent utility as required by the FEIS.

Response: The Tier 1 ROD determined the following regarding Tier 2 studies, —KeyTier 2 issues for each section will include interchange location and design; access to abutting properties; and location of grade separations with intersecting roads.” (Tier 1 ROD, Section 2.3.4). While the Tier 1 FEIS made certain assumptions about interchanges, grade separations and access treatments for purposes of comparing Tier 1 alternatives, decisions about interchanges, access and grade separations were reserved for Tier 2 studies.

The Tier 1 FEIS assumes three interchanges within Section 2 between SR 64 and US 50. The Section 2 Tier 2 FEIS also shows three interchanges between SR 64 and US 50. While INDOT intends to defer immediate construction of two of the interchanges, those interchanges remain part of the preferred alternative and will be constructed at some point in the future when funding is available. The Tier 1 FEIS proposed a total of 17 grade separations with existing local roads within Section 2; a total of 20 grade separations are now proposed in the Tier 2 FEIS. In addition, more than two dozen local service roads are proposed as part of the project in Tier 2 (see Table 5.3-3); *none* were proposed in Tier 1. The preferred alternative in Tier 2 provides significantly more local accessibility than the Tier 1 assumptions.

The numbers and locations of interchanges and overpasses for the local road system were discussed thoroughly throughout the Tier 2 process, with resource agencies, the Citizen Advisory Committee, and the general public. For the interchanges, these deliberations and the resulting recommendations are documented in this FEIS in Sections 3.2.2.3, 3.4.3 and 6.2.1.10. The evaluation and resulting recommendations regarding overpasses is presented in Section 5.6.3.2 of the FEIS. The portion of the above comment relating to



Section 3 and US 231, located within Section 3, is addressed in the Section 3 FEIS document.

PC095-39

Comment: Drainage:

This study offers no hint of how INDOT plans to address the multitude of drainage issues that will impact the project area. Nor are any Engineers Report data included. As the project moves further north, the runoff will have harsh impacts on this section as well as sections further south. Storm water run-off impacts will have a cumulative, yet these impacts have not been addressed. Studies on other projects have included this data. Why has it been omitted from this study?

Response: Several specific comments regarding local drainage issues have been provided as comments on the DEIS (see PC012-01, PC014-01, PC032-01 and PC098-19). Each of these comments will be considered in design to ensure that roadway design adequately addresses all drainage issues.

See response to comment PC095-25 regarding consideration of stormwater runoff.

PC095-40

Comment: The issue of FHWA's responsibility for borrow (sic) material sources under Section 106 has long been a point of debate between FHWA and the ACHP (Council). In late 1987, FHWA issued guidance governing the applicability of Section 106 to borrow and disposal sites. The policy stated that Section 106 requirements only applied when the borrow site was specified in project planning or when borrow material was economically available at a limited number of locations. The guidance essentially treated borrow material as a product, like steel girders, rather than a site-specific resource. However, in the view of the Council and of the courts, such arguments do not alter the fact that borrow activities carried out as a result of federally assisted highway construction can contribute to the loss of significant historic resources. This study makes no reference to where borrow materials will be sourced and what effects the taking of borrow materials may have.

Response: It is not INDOT's policy to identify sources of borrow material for the following reasons:

- INDOT has no legal authority to *mandate* that specific properties be used for a transportation purpose unless it can be established that this property is *required* for the project, and that none other will serve the purpose.
- Borrow can be a significant portion of the cost of a project. Allowing contractors to secure borrow/fill in an economical manner will serve to minimize project costs. Identifying potential borrow sites, on the other hand, would tend to increase costs.

Contractors must comply with all permitting requirements for borrow locations, and follow other applicable INDOT *Standard Specifications*, including identifying and avoiding or mitigating impacts at borrow/disposal sites that contain wetlands or archaeological resources. *Special Provisions* will include prohibiting tree clearing from April 1 to September 30 within the Summer Action Area of the Indiana bats, as identified in the revised Tier 1 BO; and prohibiting the filling or other damaging of wetlands



outside the construction limits. (Please see the FEIS subsection 5.12.2.7 *Borrow Sites/Waste Disposal* for additional discussion of borrow sites.)

PC095-41

Comment: **PUBLIC PARTICIPATION:**

INDOT has conducted their "public comments" in a heavy-handed, self-serving, public-be-damned agency that knows no bounds as they run roughshod over the citizens of Indiana. When over 94% of the public has expressed a desire to No-build or use of the US41/I70 routing, it is quite apparent that INDOT has not intention of acting upon the desire of the taxpayers and citizens of the state. We the people of Indiana prefer choices rather than bullying from our government. In this spirit, I continue to support the alternate common-sense route, which has many more advantages, while still connecting the citizens of SW Indiana to an interstate system as called for in the Purpose and Need Statement.

Response: Please see response to comment PC004-1 regarding Tier 1 Alternative 1.

Chapter 11 of the Tier 1 FEIS (<http://deis.i69indyevn.org/FEIS/index.html>) details the public comments which were incorporated into the Tier 1 study. This comment addresses a Tier 1 issue and requires no further response in this Tier 2 document.

PC095-42

Comment: It is painfully clear from the information in this study that the affected communities do not want this project. But I don't think it's going to play on the minds of the people making the long-term decisions, both INDOT and FHWA. This mind-set must change and the study revised to reflect the full impact of public comments.

Response: The elected County Commissioners of both Pike (comment LG12) and Daviess (Comment LG07) counties and the elected mayors of Petersburg (comments LG03 and LG09) and Washington (comment LG10) all submitted either verbal or written comments in support of the Preferred Alternative presented in the FEIS. There were no comments submitted in opposition to the Preferred Alternatives from any official representatives of any of the communities within Section 2.

PC095-43

Comment: While the study implies there was considerable input from the Citizen Advisory Councils, the reality is that INDOT and their consultants have yet to address many of the comments and concerns voiced by the citizen members of the CAC. A full review of all the meeting minutes is warranted as well as addressing all of the concerns.

Response: It is assumed that this comment refers to the Community Advisory Committee (CAC) input. The CAC meeting minutes were posted on the project website after each meeting since the first one in 2004. They can still be reviewed on the project website. The CAC meeting summaries have also been added to the FEIS as Appendix W. Each summarizes questions asked and answers provided at the meetings. At the last meeting of the CAC, in March 2009, there were no unresolved issues raised.



PC098 W. A. Boyd

03/19/09

PC098-1

Comment: Well, first of all, I want to start off on the cost. The cost of this entire project needs to be looked at and understood by the general public. Going to be over \$4 billion. Now, that's a big pill to swallow. INDOT doesn't have enough money to build the first section that they want. That's why we're hearing in the discussions about, well, they may defer this interchange. They may defer that. And, Folks, they just want to get payment down. That's all they want to do. They're not interested in your economic development. They're not interested in providing jobs. They just want to lay pavement.

Response: See response to comment PC033-1.

PC098-2

Comment: Now, I came here tonight thinking I was coming to a public meeting, but what I've seen so far is a dance. You've danced around what you're going to do. Are we going to build this? Well we might not. We might something else. Just if you've got a draft statement, tell us what you are going to do, not what you might do. How can we evaluate a plan if you don't have--if you don't state what you intend to do? You give us 57 different alternatives to look at.

Response: In the Draft EIS document and in displays at the public hearing (where this oral comment was submitted), the Preferred alternative was clearly indicated. The only major issue presented at the hearing was the timing of the construction of the two interchanges at North Pike County and South Daviess County. It was indicated at the hearing that construction of these two interchanges could be deferred to a later time.

PC098-3

Comment: The maintenance cost, we can't afford to keep the roads in good conditions that we have today. That's why we have some of the problems that we do. The existing roads are crumbling. Counties are desperate to repair the roads that they have from the floods and just the general disrepair the roads are in. The bridges are in the same condition. We can't afford this highway.

Response: Please refer to the response to PC095-34.

PC098-4

Comment: The farms being taken, you know, this is prime agricultural land down here. With food safety being a big concern anymore, we need to keep our food local, take care of local people.

Response: Please refer to the response to PC033-4.



Section 2—Final Environmental Impact Statement

PC098-5

Comment: The roads being closed, we've already addressed that. How are you going to take care of emergency services for roads that are cut off?

Response: Emergency responders, local highway departments, and county commissioners were involved in the access decision process to ensure proper emergency access. The results of their input are detailed in Section 11.2 of the FEIS.

PC098-6

Comment: You're going to build it cheaper. If you look at the--what's in the study, you just want to build it cheap to get pavement down, and a cheap road is going to fall apart before it's even finished. Now, I see I have the red light. I would like to come back after everybody else has their chance to get their comments and complete my list of comments, if I may.

Response: Please refer to response provided to PC033-3 relative to pavement.

PC098-7

Comment: (Following are comments provided by Mr. Boyd to the Court Reporter following the formal presentations)

MR. W.A. BOYD: Okay. Where I left off, the food safety, farms are much more valuable than any road. We have to have food. We don't need this road. If the road is closed, we--that increases the dangers to the public. In the event of an emergency, emergency vehicles cannot get to someone whose road has been cut off, or if they have to take a long way around. You heard the gentleman talk about the length of time it would take to get an emergency response crew onto I-69. That's--you know, that's--you're putting the citizens of the county at risk when you cut off these roads, and you're putting this highway in.

Response: Please refer to the response provided to PC098-5

PC098-8

Comment: The Section 106 study was done too fast and glossed over too much. Most of the 106 Studies was a drive-by, no investigation into homes as to the history behind homes, the histories behind the farmsteads. So the 106 Study needs to be done in further detail to capture all the historical impacts that will happen because of this project.

Response: The methodologies employed in the detailed surveys of historic resources within the area of potential effects are described in detail in the *Historic Properties Report*, see Appendix F, sub-Appendix E of this FEIS. That report and the other reports prepared in completing the Section 106 process have been reviewed and accepted by the Indiana State Historic Preservation Officer.

PC098-9

Comment: They want to build it cheap, which increases our maintenance cost. The interchanges, that's been discussed. How does eliminating interchanges increase personal access? This



Section 2—Final Environmental Impact Statement

interstate says it wants to increase personal accessibility. Personal accessibility to what? To Indianapolis? To Evansville? People need--in the community need personal access to their community. They don't need to get--personal access, I believe, in the document is defined as access to an interstate highway, but I believe most people in the community don't really need to get access to an interstate highway. It's just a--not a need in a community. We need to develop local communities and not build roads that take people out of the community.

Response: Please refer to response to comment PC037-4.

PC098-10

Comment: Now, this is an old study. It needs to be gone through again. It's been sitting on a shelf for quite some time and only recently dusted off and brought out. So this needs to be done.

Response: The Draft EIS document was published in February 2009 (with a Revised DEIS published in April 2009). All data directly relevant to the comparison of alternatives were reviewed and (as needed) updated within the several months immediately prior to publication.

PC098-11

Comment: Another core goal was economic development. But if you drive on any major interstate through this state of which we have plenty, the small communities that were bypassed by interstate highways are dead. Small communities that even have an interchange outside of town are dead. They might get sprawl maybe around the interchange, but it won't be a local business. It won't support local families. The money leaves I think on the radio station, "The Bullet," they talk about local money stays local. And this interstate will take people out of town, not into town. The gentleman spoke about the number of roads, take the traffic off of--off of the highways. Well, how many of those trucks are coming to serve local needs? I don't believe that information is accounted for in the study. Again, it's--it's a missed data that's in the study.

Response: Please see response to comment PC040-3. Note that while the Tier 1 project had several goals related to economic development, none of them was a core goal.

PC098-12

Comment: The--you say you take public comments, but then what? What do you do with those comments? When we have over 94 percent of people who commented on this highway in the Tier 1 opposed this project or desperately wanted 70/41; but were those taken into--given--I believe that the--your comment was that full and equal weight 94 percent of the people say 70/41, and where is that consideration? Where is that consideration? It's just not here.

Response: Please see response to comment PC004-1.



PC098-13

Comment: Now, the length of time for comments. I touched on this. This is a huge document. And the amount of time that we have to read that document, study it, research it is totally inadequate. We need at least as much time to research what's in the document as BLA and Jacobs and all the others have taken to develop this study. We have to do our research to make sure that the facts that you have are correct, and many of them border on being full and complete statements.

Response: See response to comment PC095-7.

PC098-14

Comment: Now, we asked—Citizens for Appropriate Rural Roads asked for time to make a presentation here, a power point presentation, and we were denied that request to make a formal presentation for the public.

Response: Citizens for Appropriate Rural Roads asked to make a 20-minute power point presentation as part of the public hearing presentation program. INDOT evaluated that request, and determined that it was appropriate to continue its longstanding practice of limiting all public testimony to two minutes. CARR was offered the opportunity to set up its presentation at a display table in the open house portion of the public hearing. This decision was conveyed to CARR in INDOT's letter to Thomas Tokarski of CARR on March 4, 2009.

PC098-15

Comment: Now, what the communities need are not another interstate highway, not another highway. We need the highways that we have fixed up. That would take care of a lot of the accidents that we have on local roads because part of the problem is because you don't maintain the roads that we have. So you're going to build another road to get people out of town faster, and our local roads are just going to continue to crumble and be put at the back of the list, the back of the list and never get repaired, which will increase the susceptibility of accidents for local people. This highway is doing nothing for the local community and every community along the way. You are not helping the local communities at all.

Response: Please refer to the response to PC095-34.

PC098-16

Comment: If you wanted to help local communities, move toward rail transit. That's a 21st Century mode of transportation. These farming communities, these small communities, rural communities were built when the railroads came through, and they can thrive once again given the opportunity with rail transit. It can be done. Many other communities, other states are devoting more and more money to mass transit. We need mass transit for all our rural communities.

Response: Please refer to the response that was provided to PC031-2 regarding rail transportation, and PC040-5 regarding public transportation.



PC098-17

Comment: Now, if I could go back to the size of the document, most rural communities do not have the luxury of having high-speed bandwidth lines to their homes. They're lucky if they're on dial-up. You cannot download this document from the web site on a dial-up, and so people don't have ready access to even read the document. The offices that you've had here have been limited hours for quite some time, which, you know, makes it even more difficult for people who want to come look at the documents and study the documents; makes it more difficult for them to make comments. So you're not really accepting public comments and acting on those public comments. You're merely going through the motions because that's what the law says, and you have to comply with the law.

Response: Printed copies of the DEIS were available for viewing in several locations throughout the Section 2 area, as listed on page 10-6 of the document. These included the Oakland City-Columbia Township Public Library, the Pike County Library in Petersburg and Winslow, the Washington Carnegie Public Library and the Vincennes District office of INDOT. This was in addition to the document availability in the Section 2 project office, which was open during regular business hours, five days a week up until the public hearing and then four days a week following the public hearing.

PC098-18

Comment: Now, other INDOT studies include things such as engineer's report that is not in this document. There's nothing that speaks to where the fill material will come from. You're going to build this roadway up three to four feet above grade. Where is all the fill material going to come? How much more farmland are you going to take to get that fill material? And what impact is that going to have to this community? You're going to take more farm ground out of production, more money out of people's pockets.

Response: Please see response to comment PC095-40 regarding borrow material, and comment PC033-4 regarding agricultural impacts.

PC098-19

Comment: Also, in looking over the document, I did not see where there was any drainage impacts. And we all know from the flood from last year wiped out many, many, many county roads. The counties are struggling to get back in some kind of shape. But I don't see any--in the study anywhere where it says what impact this highway will have on drainage problems to the communities. You're going to build this highway down through the middle of a lot of prime farmland, and you're going to prevent proper drainage so the crops cannot flourish as they need to. Drainage is a huge issue and has not been addressed. If it's in the document, it doesn't--it doesn't fully address the impacts, and that needs to be done. So I'm sure I've got a lot of other comments. I don't have them with me. I didn't--I tried to take notes as you went through your power point presentation. I will submit those comments, and I thank you for the opportunity to make the rest of my scribbled notes here as public comment.

Response: The new highway facilities will be properly designed so that they do not create drainage problems for either the communities or the adjacent agricultural land.

**PC099** **Jeanne Melchior****03/19/09****PC099-1**

Comment: I live in Dubois County, and this highway is not going to be going through my property; however, I oppose this wasteful project that I'm going to be paying for with my tax dollars even though it won't have benefits for anyone that justified the outrageous price tag. In addition, my grandchildren are going to be paying for this highway, and that's outrageous. For close to 20 years the majority of the people have opposed this project, but it keeps going on study after study, and it's always higher priced. It won't bring jobs.

Response: See comment PC033-1 regarding project costs, and PC040-3 regarding the economic benefits of the project..

PC099-2

Comment: It won't increase prosperity, and it won't improve the quality of life anywhere. It will simply destroy a whole lot of farmland and forestland and will be deleterious to numerous small communities and neighborhoods along the route. Enough already. Let's save farms and forests, which we need a lot more than another new highway. Lots of the roads and bridges that are desperately in need of repair now, and let's repair those instead of building a new road. Any growth in southern Indiana will not be positive. Thank you.

Response: Please refer to response to comment PC033-4 regarding farmland and forest impacts. Please see response to comment PC095-34 regarding upkeep of existing roads.

PC100 **Brian Garvey****03/19/09****PC100-1**

Comment: Hi, I'm Brian Garvey from southwest Monroe County for 20 years. CARR, Citizens for Appropriate Rural Roads, they've been coming to these public meetings and saying, fix the roads we have. Use our money and fix the roads that we have. I think it becomes very clear today that this is an old dinosaur. This thing started back in the '70s, and it will do everything but slice your bread. We know today that this thing is a hoax, but it keeps people in money and people in power in money. It's not about local economies. It's about Indianapolis, and it's about Evansville. It's about a plan that started back in the '60s that has died. "Build it, and they will come." And I don't believe responsible, fiscal use of our dollars, just dollars and cents, I'm not going to walk up and hug any tree. Dollars and cents, bang for the buck. The people have to use two-lane roads. What's going to happen when all that money is funneled into this? What happens to our two-lanes roads, our bridges? So the notion that this is somehow going to help positive, local communities is baloney. Are we going to sit here and believe that they studied 500 options for you guys? I don't think so. And I'm not faulting these people personally. They're part of a machine that is corrupt, broken; but yet, we're funneling money into this thing. The majority of our money is going into this one project. It's insanity. It used to be a bad idea. Now it has graduated to the level of insanity. So one option that hasn't been brought up tonight is the option of end it now. Just end it and get on with the real business of economic development and safe roads in Indiana. Thank you.



Section 2—Final Environmental Impact Statement

Response: Please see response to comment PC095-34 regarding maintenance and upkeep of existing roads. The Tier 1 FEIS determined that the No-Build alternative did not address the purpose and need for this project.

PC101 Sarah Combellick-Bidney 03/19/09

PC101-1

Comment: I know that it takes a lot of--I don't know--you have to be a certain type of person to actually come up to a microphone, and not everybody who has something to say tonight is actually coming up to this microphone. So I just talked to a few of you beforehand, and I asked you if you had anything that you wanted me to add; but I only have two minutes, so I'm just going to say my main point, which is they are going through the process--you guys are doing your jobs, and you're going through the process, and you're asking us for our input. And you're not able to do anything in response to that except for follow the process and tell us that you've listened. But they won't listen to our comments. They can't. They can't change the plans based on our comments. They're not going to. And the most important thing that we can do--and I just plead with you, all of the landowners here, if you get an offer from the State, contest that offer, and you're in all likelihood going to get more money if you contest that offer. And you should also consider joining CARR, Citizens for Appropriate Rural Roads, or something, at least getting their information, learning about information because you deserve it. And the other most--I think probably even more important than everything I just said is that you should talk to each other because a lot of the rural families in the state are, you know, against this, and they don't talk to each other. And if you do, you'll be a lot stronger, and I encourage you to do that.

Response: Comment noted.

PC102 Sandra Tokarski 03/19/09

PC102-1

Comment: My voice is loud enough. Everybody can hear me without any trouble. We've been doing this a long time. I urge any of you who are concerned about the highway and want to work with us to help to stop this waste of our tax dollars and our farmland, we have a table out in the other room. Indiana ranks 10th in the nation in interstate highway density, 6th in total road density; yet, its economy is no better and in some ways is worse than the nation as a whole. One more highway is not going to fix the problems that we have here in Indiana. They're not going to fix the problems that you have here in Pike County. Isn't going to happen. Speak up. Tell your elected officials: Use our transportation tax dollars wisely; protect our farmland. The thing that's so scary about this is that these beautiful rural counties of Gibson, Pike, and Daviess, are under the gun right now or under the bulldozer nearly. The northern counties, Morgan County, Monroe County and Greene County, those counties have really stood up, and I urge you all to do that as well. Don't be paved over. You can make a difference. Thank you.

Response: Comment noted.



PC103 Alex Smith

03/19/09

PC103-1

Comment: Thank you. Well, again, I'm facing people here because honestly I'm more interested in talking to you that came out to the meeting than talking to representatives of INDOT. I mean, essentially, what seems to be happening, they're saying that this is your opportunity to tell them your experiences and to help them move this project along. I think language similar to that was used. And my suspicion is the reason that people are mostly here is because a lot of people are losing lands to this or know people who are losing land to it. And while I'm personally from up in Section 4 in Monroe County, so I'm not going to be directly affected right away by this here in Section 2; but I do--I mean, from what I've seen, it seems that people can either just say that this is a done deal, and we're going to accept it; or people can talk to one another. And I'm echoing some stuff that's already been said, but people need to talk to one another about this. I mean, I've talked to a lot of folks down in Section 1 last summer. And basically, they were getting individuals a loan, giving them a low-ball offer and just sort of running them over, and so I'm trying to make sure that they didn't realize that there were other people in the same situation. So you can make this much easier for INDOT, or you can make it much harder depending on whether you think this is the right thing for your area. And as Sarah was saying, there are a lot of ways that individuals can make it so that this project doesn't actually happen so that it's just too expensive. So thank you. But, again, talk to one another. Talk to CARR, but most importantly, talk to one another.

Response: All right of way acquisitions for I-69 will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 49 CFR (Code of Federal Regulations) 24. Per this act, Just Compensation will be required for persons whose property is acquired for public use. Just Compensation may not be less than the amount established in an approved appraisal report as the fair market value of the property.

PC104 Thomas Tokarski

03/19/09

PC104-1

Comment: I-69 is driven by the same forces and ways of thinking that caused the economic crisis this country is in now: ignorance, arrogance and greed. They want your land, so they promise you pie in the sky. And your homes and farms and community will be lost forever, and there will be no bail out. As has already been stated, Indiana is varicose with highways. Yet, it now has an unemployment rate of 9.2 percent, one of the highest in the nations. Amazingly, some people are responding--some people's response to this is oh, well, we just need another highway. This is beyond irresponsibility. It is foolishness. This is a NAFTA highway. NAFTA is a failure. I-69 promoters say it is being built to give you better access. Access to what? The violent drug wars that are now ripping Mexico apart? Thousands of acres of good farmland will be paved over. That will hurt you more than another highway could ever help you. There is starvation around the world. Paving farmland is not only economically wasteful; it is immoral. Once you paved your land, you can never get it back. If a tornado caused all the destruction that this highway will, 400 homes lost, 125 businesses, thousands of acres of productive farmland and forests, every politician would be clambering to help you. Many of those

**Section 2—Final Environmental Impact Statement**

same politicians now clamber for I-69 and the destruction of your community and your future. I-69 is nothing less than an unnatural disaster. You don't have to take this. You should not cooperate with INDOT. They cannot be trusted. Refuse their offers to buy your hand. Take them to court. Encourage your neighbors to do the same. If enough people just say, no, this disaster will not go any further. If you deal with the devil, you're going to get burned; and you have a choice. You can resist and protect yourself and your fellows citizens and your future. Don't give up. It's now up to you. Thank you.

Response: See response to comments PC047-5 (regarding the North American Free Trade Agreement (NAFTA)), PC033-4 (regarding agricultural and forest impacts), and PC103-1 (regarding right-of-way acquisition).

PC105 **Suzanne Mittenthal** **03/19/09**

PC105-1

Comment: Okay. I had a long drive down here. It's beautiful country. I'm from Martinsville in Morgan County to warn you of the harm this project will do to other areas as well as yours. You may not have heard much of Martinsville except we went through the flood last year, and I lost part of my house, my car--I lost my house because of flooding up there. You heard about that. Well, I sat there when the city council in Martinsville voted against the project after an impassioned speech by the city engineer there who explained how this was going to be like a dam in the middle of the city there to divide the community, and it will destroy, go within just a few hundred yards of the main school and the whole historic downtown. But that was before they even really had seen a 100-year flood in recent-- in real people's memories. So it's not just here. You have--maybe we all have responsibility to everyone else you know. I think there was a small change made in an approach from over the White River 67--67 that bought off the council a bit, but I believe the engineer still opposed, and that was a very last-minute, questionable decision they made, and that was before the flood of June. Another thing, you've heard that the--this might bring economic development. Well, friends of mine who are very conservative folks warned me; I-65 went through Edinburgh where they live, and they've promised them all kinds of economic development. They said it was 20 years before even a gas station--additional gas station was built near there. Don't believe those stories from the tooth fairy. You don't have another set of teeth, or farms, to go back in once they've paved it. Thank you. Those are ghosts. Beware of them. Thank you.

Response: Please see response to comment PC040-3 regarding economic development. Martinsville is in Section 6 of the I-69 project.

PC106 **Carrie Dillon** **03/19/09**

PC106-1

Comment: Hello. My name is Carrie Dillon, and I am a resident here in Pike County. This highway will take our farm and our home. I am opposed to this highway; and I am very concerned as to who is going to help us move, who is going to help us relocate, find a different place to live. How are we going to find the money or get the money to do so? And not just my family, but there are a lot of elderly people, and I'd like to know how they are also going to be relocated; if we are given fair market value for our homes and our property. And if



they are living in a 100-year-old farmhouse or something like that, how are they going to be able to afford a new place to live? And I think that the government, INDOT, whoever it may be, they really need to come out, talk to the families. Instead of just telling us what the environmental impacts are and what the, you know, road is going to do to the land, I think we need to know what the road is going to do to families. And I think we need to know what the road and the reconstruction and the moving, you know, the right of way, all of that, we need to know because it's not just about waiting for somebody to come and knock on your door and offer you money for your house and your farm. It's-- we need to know. We need to plan. You guys are taking, what, 20, 30 years to try to build this? We need time, too. We need time to plan what we're going to do. Thank you.

Response: Please see response to comment PC103-1 regarding right-of-way acquisition and Just Compensation.

PC107 Dan Mitchell 03/19/09

PC107-1

Comment: I am Dan Mitchell. And since I first heard of this project, maybe 22 years ago--I don't know--I've been struggling to control my temper, and I will continue to do so. I drove down from Indianapolis. I gave up a half a day of work to be here. In my case that's about \$100 that I gave up to be here, but I can see I stand to lose a whole bunch more if this project is not stopped. And I'm going to devote every effort I can devote to stopping this. This is my land. We're talking about carving it up for no good reason. Now, none of this environmental impact would have been necessary, this impact statement that we've sat and listened to, none of this would have been necessary if we built the highway on--following I-70 down to Terre Haute and down 41. I don't know--I was never asked my opinion on this. It's never--to my knowledge it has never come up for a vote. I feel there should be a vote in the state, a referendum, to decide, you know, if-- maybe if we're going to build this at all; or if so, where it should be built. I want to quote the voice of experience. A wise man once said in a gold rush the only person that makes any money is the guy that sells the shovel. Thank you for listening.

Response: Please see response to comment PC004-1

PC108 Thomas Kendall 03/19/09

PC108-1

Comment: Tom Kendall, an old, dumb farmer from up in Daviess County. I've got one question to ask these gentlemen here. The people in Kentucky, you go into the state at Evansville. Right as you go in, on the road that goes in, I-69, future routes. You go all the way through Kentucky. Future route of I-69. Why are they so much smarter than we are if they can build it in that, and we got to have all this farmland torn up to build ours?

Response: Various alternatives using existing highways was examined thoroughly in the Tier 1 analysis. Over one-third of the Tier 1 selected alternative uses an existing highway (SR 37).



Section 2—Final Environmental Impact Statement**PC109 Judy Schell****03/19/09****PC109-1**

Comment: My name is Judy Schell. I live on the north end of Petersburg where they're talking about eliminating all this stuff. Some people are losing one home. My family is losing five. My mother has heard about this project for 20 years. She's now 94. Her home is going to be taken. My situation being is I'm wondering about the offer of money and the uprooting of my mother. I had heard that they were going to pay us according to how many years we had lived in a home. Whether or not that's right, I don't know. But we're going to have five here that we're going to have to move us out of. And in 1978 I came home from Whirlpool at work, and there were two people in my yard. And they were for INDOT-- or from--they were realtors. They'd been sent there to buy a road into the power plant, that passing lane. And I didn't know nothing about it until I come home, and they was standing there. So I would hope there would be more respect this time; that they will come to us respectfully. And also, I was told you can't stop progress at that time, and I understand that's true. If you turn down your first offer, you better take the second one because my neighbors didn't, and they took less than the first offer. Thank you.

Response: Please see response to comment PC103-1 regarding right-of-way purchases and Just Compensation. INDOT will provide advanced written notice before entering private property to conduct surveys or other project-related activities.

PC110 Chris Clymer**03/19/09****PC110-1**

Comment: Yes, my name is Chris Clymer. I'm from Washington, Indiana. I'd first like to state that from the beginning of this project, I've been to other meetings, and I was originally against it where it comes from about 300 yards from my house. It takes up my brother's new house. It takes up my grandmother. It takes up my uncle, and it comes 50 feet from my dad's front porch.

Response: Comment noted.

PC110-2

Comment: On the second hand, if this highway is going to be built, one of the reasons they've been pushing this highway is safety. And I'm a firefighter for 11 years for the City of Washington Fire Department and a volunteer for Veale Township that serves from the river bridge to about three miles north where this highway is going to go. We need that south exit. The problem is Veale Fire Department would have to drive all the way to Antioch Church if we had an accident on this highway. That's going to be about a 35-minute response time from the time we get paged to get somebody and get them cut out of a car. I don't know if you've ever been sitting in a car with metal sticking in your leg and body, but it's very important. The second part of it is a lot of the transfers from the Daviess Community Hospital go to Evansville. They'd have to take those patients in sometimes critical states all the way to Antioch and then south. With that south interchange, they could go south out of town and go ahead and go to Evansville. You're really putting the public's life and safety in jeopardy by not building that south



Section 2—Final Environmental Impact Statement

interchange in Washington. Like I say, it really irks me because the reason you're saying you're building this is for safety or to put people safely between Indianapolis and Evansville and our communities; but yet, you're doing away with these two interchanges, so I really have a hard time that you are doing it for safety. So I would hope you prove that you're listening to us, what little comments that we have about trying to put these on and help our communities.

Response: Through cooperative service agreements, EMT responders who are closest to the interchanges could agree to handle emergencies along the interstate, rather than those providers in whose territory the interstate is located, but who might not be located near an interchange providing access to the interstate. For transfers from Daviess Community Hospital in Washington, there will be an interchange at US 50 on the east side of Washington that will provide much quicker access to Evansville than is currently available.

PC111 James Dickerson 03/19/09

PC111-1

Comment: Hello. My name is James Dickerson. I'm from Pike County. You stated earlier that you were going to go ahead and acquisition the land for the north exchange. If you're going to acquisition it, and you're going to draw it in the picture, and you're going to save about \$3 million is all you're going to save, why not put it in now because five years from now it's going to cost you three times that much to come back? If you've been in any kind of construction work, it's easier to do as you go than come back and lick your calf over. And I think this interchange north of Petersburg needs to go in. Thank you.

Response: At the present time, INDOT intends to defer construction of the North Pike and South Daviess interchanges until additional funding is available. It is estimated that deferral of the North Pike interchange will reduce the initial construction cost by approximately \$18.6 – 19.9 million, and deferral of the South Daviess interchange will reduce the initial construction cost by approximately \$13.5 – 14.5 million. See FEIS Section 6.2.1.10 for details.

PC112 Verdain Miley 03/19/09

PC112-1

Comment: I'm Verdain Miley. I live in Petersburg. This highway is not going to affect me directly. I don't have no land. I do a lot of driving for a courier service. I drive to Evansville back and forth every day. There's so much traffic, especially going of a morning early. You know, it takes close to an hour most of the time from Petersburg to the north edge of Evansville. I'm in the minority it sounds like here, but I fully support I-69.

Response: Comment noted.

PC112-2

Comment: I do think that the north exit-entrance, whatever, section that maybe has been scrubbed should be reconsidered. And, you know, I think, what, \$3 million approximately is



what's going to be saved if the south Daviess exit and the north Pike is rejected or whatever, you know. With the way, you know, government is spending money these days, what's another \$3 million? I say put it on there, you know. We've got government officials say they're looking for change and going to make change. Let's see the change really happen around this part of the country. Change for the better, and I thank you all for taking the time to listen to the public comment. Thank you.

Response: See response to comment LG01-2

PC113 Robert Riesenbeck 03/19/09

PC113-1

Comment: If you can't build it right, don't build it. If you're going to cut out stuff that's going to do something, and you say promise economic growth; but then you cut the jugular vein by not putting the accesses in, you're going to make it safer for people without the interchanges and stuff, you make it less safe for people. You know, you can't have it both ways. You can't really say one thing and actually mean something else. Either build it right. If you don't have the money, don't build it, you know. You just got to make your mind up. Don't lie to the people.

Response: See response to comment LG01-2

PC113-2

Comment: We've been lied to by other things. The Wildlife Refuge was going to be an economic boost to the county. I haven't seen anything. I think there was one bait shop opened, and it's closed. So, you know, your projections on economic growth, sometimes they just don't pan out. Look good on paper, but, you know--I went to a hog raising thing. They said if I fed this feed there, I could raise nine and a half pigs. You can't raise a half a pig.

Response: Please refer to the response provided to PC040-3 regarding economic benefits of the project.

PC114 Tess Cook 02/6/09

PC114-1

Comment: I-69 Hotline Transcription
Message Received on Friday, February 6, 2009 at 2:23pm:
—My name is Tess Cook my address is [REDACTED] my cell is [REDACTED] I would like someone, uh, from your office to call me. I am very interested in knowing if, uh, during the environmental impact studies for Tier 2, and I suppose you will be doing other Tier studies as well as time comes along, of rather or not reptile wildlife was considered, in particular the eastern box turtles. I know of a project in Maryland of where the highway department was responsible for building a super —it" fence along the route and people went in with dogs and with training of course and removed box turtles from the path of destruction. I was hoping that something like this could happen in Indiana, southern Indiana as well. So please give me a call. Again my number is [REDACTED]



Section 2—Final Environmental Impact Statement

Response: See Response to Comment PC116-1.

PC115 Tess Cook

02/6/09

PC115-1

Comment: I am in the process of putting together an advisory board of environmentalists, biologists and concern citizens to draft and present a proposal to the Indiana Department of Transportation to conserve eastern box turtles along the path of I-69 that may contain prime box turtle habitat. I have already contacted members of the HSUS, US Fish and Wildlife, State Fish and Wildlife department, Indiana University, Purdue University, and the Indiana Department of Natural Resources. I would like to address the issue with you or someone at INDOT to see if provisions have been made, or could be made to preserve box turtles along certain sections of I-69. I have included a PDF attachment of an article from the Humane Society of the US's Jan/Feb 2009 issue about a box turtle conservation project when road construction impacted box turtles in Maryland. In most highway projects, the contractors must erect a silt barrier. If the contractor is asked to place a stronger barrier called a "super slit barrier", turtles can be found and placed on the other side and will not be able to head right back into the path of road construction. It could even be possible to suggest suitable under the highway conduits in areas where box turtles might be prone to cross the road in greater numbers, for example, if the highway cuts one area off from wetlands or a stream. The Indiana Department of Natural Resources could be use this opportunity to determine box turtle demographics in southern Indiana as a reason to allow temporary handling. The approv

Response: See Response to Comment PC 116-1. Note – the email (sent to another state agency) which was forwarded to INDOT appears to be missing text at the end of the email. Attempts to locate the missing text were unsuccessful.

PC116 Tess Cook

01/30/09

PC116-1 *Note: The following comment was submitted to Kate Smith, of the Indiana Department of Natural Resources, Division of Fish & Wildlife, Wildlife Diversity Section, and forwarded to INDOT.*

Comment: Dear Ms. Smith,
Thank you for your reply. I am relieved to know that the impact of I-69 on eastern box turtles and their ecology has been a concern of the Division of Fish and Wildlife. I know about the good work that has been done to preserve box turtles in the wild, and how collection has been prohibited since 2004. The reason for this regulation is the knowledge that removal of even a few adult, breeding age box turtles can cause a decline in a local population. I hope this consideration will be extended to the turtles in the path of I-69 when construction begins in area where box turtles are present. I hope to set up an advisory board of conservation entities, university researchers and field experts who can provide recommendations and be of service to IDOT and the Indiana Division of Fish and Wildlife. If permission to remove box turtles from the path of road construction occurs, it could mean higher survival rates for box turtles left in the remaining habitat. It is my opinion and those in the Maryland project, that every box turtle saved lent good press to the road project and insured the state's mission to protect and preserve wild box turtles. In Maryland's case each box turtle found was permanently marked, measured, and

**Section 2—Final Environmental Impact Statement**

information about the location, relative age, sex and condition of the turtle was taken. The turtle would then be placed on the side of the silt fence with the most remaining undisturbed habitat. The information collected can be used in population density studies, gender demographic studies, even future studies to see if highways actually do affect turtle populations. The expense of setting up the studier "super slit fence" can absorbed on behalf of the research value of the project, or passed onto the road contractors as part of the bidding process. I would be grateful if you would inform me what must be done to get permission. It is never too early to begin this process, regardless of whether we know exactly where the Interstate will be placed. Once contractors have been selected they need guidelines about their role in protecting box turtles. There are volunteers ready to be trained if a turtle removal project can be approved. I would be happy if the you, or someone from the DNR can be part of the advisory board as your input would be invaluable to the rescue mission if it can be approved.

Sincerely,
Tess Cook

Response: Through coordination with IDNR, INDOT has evaluated box turtle records and habitats impacted by I-69 in Section 2 for their probability of encountering box turtles. This effort has been completed as an initial step in addressing concerns relative to potential impacts on the box turtle identified by IDNR through our coordination efforts. Based on this evaluation, two areas within Section 2 have been identified where additional efforts may be appropriate during construction to further minimize impacts to box turtles. Current mitigation commitments for Section 2 include several identified wildlife crossings which have been identified in consultation with IDNR. These will accommodate box turtle movement across the highway. Additional diversion structures may be able to further accommodate box turtle movement across the highway via other planned hydraulic structures which will be included. These elements will be further evaluated as a part of the final design of the highway.

While potential relocation efforts during construction are currently being evaluated relative to potential project schedules and contract details, it is not anticipated that volunteers would be utilized for these efforts. Current coordination with IDNR has identified that INDOT and IDNR staff will conduct any needed relocation efforts. The final details of these efforts are still being coordinated with IDNR.

This comment originally was sent to Ms. Kate Smith, Chief of the Wildlife Diversity Section in the Indiana Department of Natural Resources. It was forwarded to INDOT for its consideration in this project.



Table 2: Postcards Received	
PCD Number	Commenter Name
001	Robert Abel
002	Johna Allen
003	Julio Alonso
004	Kelly R. Anderson
005	Merry Anderson
006	Kevin Andrews
007	Bill Bailey
008	Moraima A Bailey
009	Cheryl Baumgart
010	Deborah Beaver
011	Elizabeth Beaver
012	Wayne Blackwell
013	Robert & Lois Boruff
014	Robert Bracken
015	Dan Clark
016	Virginia B Clark
017	Sean Crinnigan
018	Dana Davis
019	Michelle Day
020	Travis Deal
021	Albert B. Dean, Jr
022	Amy Deitchley
023	Janet Dieterlen
024	Paul Dieterlen
025	Kathleen Dobie
026	Levi Draper
027	Arthur R. Edelstein
028	Denise Ellshoff
029	Rita L. Englum
030	Robert Englum
031	Kathy Fite
032	Tom Fitzgerald
033	Dan Fortune
034	Stephanie Fulford
035	Angela Gaston
036	Paul Gaston
037	Vivian Gladden
038	Dick & Donna Goddard
039	Vickie Goens
040	Marilyn Greenwood



Section 2—Final Environmental Impact Statement

PCD Number	Commenter Name
041	Dan Grill
042	Charles Haley
043	Weir Hall
044	Denice Harris
045	Mary Harris
046	J.A. Hartenfeld
047	Beth Hayes
048	Kristen Heitman
049	Susan Henry
050	Cheryl Hoerter
051	Kelsey Hopkins
052	Meredith Hull
053	Celeste Jameson
054	Jeni Jenkins
055	John Johnston
056	B Jones
057	Richard & Marguerite Kadlec
058	Brian Kaplan
059	Kasey Hedrick
060	Brian Kautz
061	Nicole Ketter
062	Natalie Killeen
063	David Kingsworthy
064	Chelsea Klumpp
065	Dan Kraner
066	Mary Kay Kheiss
067	LeAnn Lipe
068	Leslie Lipman
069	Federico Lomelin
070	Susan Lomelin
071	Dorothy Mack
072	Bill Mankiewicz
073	Ashley Marlow
074	Antonia Matthew
075	Andrea McCarthy
076	Melissa Meils
077	Sally Middendorf
078	William A Miller
079	Jason Moore
080	William Moore
081	Kelsey Morgan



Section 2—Final Environmental Impact Statement

PCD Number	Commenter Name
082	Misty Mullens
083	Patricia Murphy Pizzo
084	Tim Murray
085	David Najar
086	June Naugle
087	Cassandra Perry
088	E.D. Pfendler
089	Steph Pfendler
090	Greg Piens
091	Carlene and James Quinn
092	Brenda and John Reed
093	Janel Rogers
094	Raymond Rust
095	Michael Ryan
096	Walter L. Sadler
097	Dr. Edith Sarra
098	Ken Sauer
099	William Scott
100	Ann Segraves
101	Alice Schloss
102	Mark Schmitt
103	Donald Shroeder
104	Misty Shanks
105	Kelly Smith
106	Ryan Smoot
107	Brenda Sowders
108	Lois Sprague
109	Dan Stanley
110	Tyler Stout
111	Bruce Thompson
112	Heather Thompson
113	Lauren Tinsley
114	Vonda S. Tyler
115	Michelle Unrue
116	Julia Wacker
117	Jane Walden
118	Michael Weeks
119	Tracy Whelan
120	Phil Wilmore
121	Steve Witwer
122	Heather Wyekoff



Section 2—Final Environmental Impact Statement

PCD Number	Commenter Name
123	Merri Young
124	Dave Abram
125	Annette Alpert
126	Brittany Ancelet
127	John R Anthony
128	Marian Armstrong
129	Christopher and Okcha Atwood
130	Susan Hollis Bassett
131	John C Baumhauer
132	Tammy Behrman
133	Maryellen Bieder and Robert Bieder
134	David and Mariann Bishop
135	Barbara Bonchek
136	E K Brambtell
137	Denise Breeden-Ost
138	John P. Brennan
139	Jon B. Broderick
140	Nancy Diane Brooks
141	Janice Browning
142	Clark Buchner
143	Greg Buck
144	Roy and Jackie Burns
145	Patrick Burtch
146	Cathy Caldie
147	Missie Carrigan
148	David Chattin
149	Sarah Clevenger
150	Amber Collins
151	Susan Coulter
152	David L. Cox
153	Martha L. Crouch
154	Patricia Cummings and Sam Frushour
155	Summer Curry
156	Roger A. Daniel
157	Doug and Susan Davis
158	Mary Faye de Hebreard
159	Ashok Desai
160	Nancy Dickinson
161	David E.Dodrill
162	Gordon Dornick
163	Mary Ann Dunfee



Section 2—Final Environmental Impact Statement

PCD Number	Commenter Name
164	Andrew Durkin
165	Eve Earley
166	Julie Farris
167	M.A. Feitler
168	James and Peggy Flickinger
169	Tom Flynn
170	Gregory Foote
171	Ann M. Foster Hughes
172	Nancy Fraker
173	Anne Fraker
174	Indra Frank
175	Sarah Elizabeth Frey
176	Robert S. Fulk
177	Laura Furst
178	Katherine A Gagne
179	Kathy Gardner
180	Constantine Gianikos
181	Mary G. Girard
182	Sarah Glass
183	Thomas Glass
184	Tom Glastras
185	Linda Greene
186	Nick Greven
187	Jacqueline Griffin
188	Jeri Gros
189	Rick Gross
190	Sherri Gruber
191	Joe Quinn
192	Leif Hagglund
193	Joanne Hamilton
194	Jeffrey F Hartsman
195	Ronald D Hedlund
196	Jane A Henderson
197	Brian Hendrickson
198	Dan & Shawn Henline
199	Betty Hollifield
200	Janet A Hollis
201	Hoosier Hikers Council
202	Judson M Horning
203	Mary Howard
204	Debbie Hubbard



Section 2—Final Environmental Impact Statement

PCD Number	Commenter Name
205	M. Joan Hughes
206	Jennifer S Jackson
207	Tom Jochim
208	Beatrice Jones
209	Oliver & Holly Joy
210	Clarke Kahlo
211	Stephanie Kane
212	Steven D. Keith
213	Pam & Bryan Kienitz
214	Philip. J Kline
215	Dennis & Susan Knapczyk
216	David & Elizabeth Kramer
217	Lisa Kuhn
218	Joyce Lakey
219	James Larner
220	Jeanne Leimkuhler
221	Jeff & Heidi Leisz
222	Don Lichtenberg
223	John Anthony Maag
224	Eric MacDougall
225	Jonna MacDougall
226	Christine Matheu
227	Leah Helen May
228	Cookie McKenney
229	Carol Pander McMurray
230	Julie Melchior
231	Ashley Miller
232	Jeffrey R. Miller
233	Suzanne Mittenthal
234	Cheryl & David Moeller
235	Beverly Moore
236	Janet & Homer Montgomery
237	Suzanne Mudge
238	Patrick J. Munson
239	Elizabeth Najar
240	Thomas R. Newby
241	Otto Neyhouse
242	Nicholas W. Noe
243	Wayne M. Ormes
244	Jane Parry
245	Mr. & Mrs John Pelton



Section 2—Final Environmental Impact Statement

PCD Number	Commenter Name
246	Parker Pengilly
247	James R. Pennell
248	James H. Pennington
249	Frank Petty
250	Jim Plant
251	Carol Polsgroue
252	Patricia Powell
253	Debra Raddatz
254	Anna Rees
255	Sylvia Reichel
256	Marietta Reinhold
257	Jim & Carol Rice
258	Lu Richmond
259	Veronica Ries
260	Jerard G. Ruff
261	Jill Rushworth
262	Sarah Ryterband
263	Susan Sammis
264	Michael Sanders
265	Jack R. Saylor
266	Paul W. Schmitt
267	Jim Silberstein
268	Lorraine Sirucek
269	Carole Smith
270	John P. Stambaugh
271	Ric Stephan
272	David Stilley
273	Sharon Storms
274	Stephen D Suthard
275	Sura Gail Tala
276	James A Thom
277	Jinny Thompson
278	Berniece Tirmenstein
279	Ricky Tungate
280	Terry Usrey
281	Mark Vermillion
282	Shawna Vertrees
283	Janet Vondersaar
284	Nell Weatherwax
285	Jacqueline Whaley
286	David Lee Wickliff Jr



PCD Number	Commenter Name
287	Lisa Wilson
288	Phil and Lisa Wisniewski
289	Natalie Wrubel
290	Charles Yeager
291	Phyllis Zimmerman
292	Anonymous

PCD124 Dave Abram 05/06/09

PCD124-1

Comment: Another highway cannot be the best solutions for our problems of the future that you guys can come up with. Think railroads.

Response: Please refer to response PC031-2.

PCD125 L. Annette Alpert MD 05/15/09

PCD125-1

Comment: Please don't mess with our Hoosier Heritage and rural ways. I am a born Chicagoan – I love IN!

Response: Comment noted.

PCD126 Brittany Ancelet 05/05/09

PCD126-1

Comment: Fix the roads we have, please!

Response: Please refer to response PC095-34 regarding maintenance of existing roads.

PCD127 John R. Anthony Cinco de Mayo 09

PCD127-1

Comment: Please, we must save GREEN we have left and this project is cost prohibitive.

Response: Please refer to the response to comment PC031-1.

PCD128 Marian Armstrong 05/06/09



PCD128-1

Comment: An honest report of why “they” selected the proposed route instead of 41 from Terre Haute.

Response: Please refer to response to comment PC004-1.

PCD129 Christopher and Okcha Atwood 05/09/09

PCD129-1

Comment: Railroads please; proven to be the most efficient and reliable. Thanks.

Response: Please refer to response PC031-2 for response on rail options.

PCD130 Susan Hollis Bassett 05/09/09

PCD130-1

Comment: Too much land will be lost. Too little time will be gained.

Response: Land use and farmland impacts are discussed in Sections 5.3 and 5.4, respectively, of the FEIS. Transportation benefits are discussed in Section 3.3 of the FEIS.

PCD131 John C. Baumhauer, Jr. 05/10/09

PCD131-1

Comment: Farmland is one of Indiana’s remaining financial strengths –let’s not destroy that!

Response: Please refer to response to comment PC033-4.

PCD132 Tammy Behrman 05/07/09

PCD132-1

Comment: Public Transit must be considered as an alternative. Greenspace preservation! Hoosiers don’t want I-69. Listen!

Response: Please refer to response to PC040-5 regarding public transit.

PCD133 Maryellen Bieder and Robert Bieder 05/05/09

PCD133-1

Comment: I-69 does not constitute a responsible use of taxpayers money. It is unnecessary, wasteful and destructive. Use alternatives.

Response Comment noted.



PCD134 David and Mariann Bishop 05/06/09

PCD134-1

Comment: Public transit is needed.

Response: Please refer to response to PC040-5 regarding public transit.

PCD135 Barbara Bonchek 05/07/09

PCD135-1

Comment: Please develop the railway system.

Response: Please refer to response to PC031-2 regarding rail alternatives.

PCD136 E.K. Bramblett 04/25/09

PCD136-1

Comment: Stop blowing \$ I don't have to tax.

Response: Comment noted.

PCD137 Denise Breeden-Ost 05/06/09

PCD137-1

Comment: New-terrain I-69 is an inexcusable waste of Indiana's natural & financial resources.

Response: Please refer to response to comment PC031-1 regarding environmental impacts of this project.

PCD138 John P. Brennan 04/25/09

PCD138-1

Comment: Particularly in our current economy – it doesn't make economic sense.

Response: Comment noted.

PCD139 John B. Broderick 05/06/09

PCD139-1

Comment: The present economic landscape presents a fleeting opportunity to access the present and future —al" costs of the I-69 boondoggle! Don't miss your last chance!!

Response: Please see response to comment PC033-1 regarding project costs.



PCD140 Nancy Diane Brooks 05/21/09

PCD140-1

Comment: Don't build the NAFTA Highway & lie to Feds in the process!

Response: Please see response to comment PC047-5 regarding the North American Free Trade Agreement (NAFTA).

PCD141 Janice Browning 05/08/09

PCD141-1

Comment: Taking land away from people who chose to live on the outskirts of town so people can travel faster and use our resources up is just WRONG!

Response: Comment noted.

PCD142 Clark Buchner 05/06/09

PCD142-1

Comment: I don't want I-69 in Tennessee, and I would appreciate your listening to the voices in Indiana who oppose this road.

Response: Comment noted.

PCD143 Greg Buck 04/25/09

PCD143-1

Comment: Meet real needs instead of creating boondoggles.

Response: Comment noted.

PCD144 Roy and Jackie Burns 05/05/09

PCD144-1

Comment: We are watching, the special interests, politics, and greed involved in the the I-69 project!

Response: Comment noted.

PCD145 Patrick Burtch 04/25/09

PCD145-1

Comment: Spend more money on mass transit options. No need to spend billions more on highways.



Section 2—Final Environmental Impact Statement

Response: Please refer to the response to PC040-5 regarding public transit.

PCD146 Cathy Caldie 05/08/09

PCD146-1

Comment: Spent too much on planning. Damage to environment and clean water not worth it. Existing roads (Hwy. 41) would be more sensible and cost effective.

Response: Please refer to the PC031-1 response regarding environmental stewardship of this project and the PC004-1 response regarding the Tier 1 route decision.

PCD147 Missie Carrigan 05/13/09

PCD147-1

Comment: Ask Corporate America to help fix the roads we have!

Response: Please refer to the PC095034 response regarding maintaining existing roads.

PCD148 David Chattin 04/24/09

PCD148-1

Comment: We can listen to our higher self. This project is for greed not need. I grew up in S.W. Indiana.

Response: Comment noted.

PCD149 Dr. Sarah Clevenger none provided

PCD149-1

Comment: Listen to the voice of the people. Promote democracy.

Response: Comment noted.

PCD150 Amber Collins 04/25/09

PCD150-1

Comment: There are other options to pursue rather than this highway. Spend the \$ (we don't have yet) elsewhere.

Response: Comment noted.



PCD151 Susan Coulter 05/06/09

PCD151-1

Comment: Indiana does not have the money to build this. The main purpose of this is to build up certain proponents egos.

Response: Comment noted.

PCD152 David L. Cox 05/15/09

PCD152-1

Comment: Residents in Monroe and surrounding counties have clearly opposed I-69 coming through their backyards for years. That should be reason enough for not building it, but if there's more needed we need a rail system between Bloomington and Indianapolis not more highway. Look for the future and it's clear.

Response: Please refer to the PC031-2 response regarding rail alternatives.

PCD153 Martha L. Crouch 05/14/09

PCD153-1

Comment: We do not need a new superhighway.

Response: Comment noted.

PCD154 Patricia Cummings and Sam Frushour 05/07/09

PCD154-1

Comment: Destroying farms, small towns and forest for a few jobs for the construction industry is not a fair trade for the cost.

Response: Please refer to the PC033-4 response regarding farmland impacts and to the PC040-3 response regarding the economic benefits of the project.

PCD155 Summer Curry 04/25/09

PCD155-1

Comment: I think this will change the economic impact in Indiana. If we do it we need mass transit instead of construction.

Response: Please refer to the PC040-5 regarding mass transit.



PCD156 Roger A. Daniel 05/23/09

PCD156-1

Comment: Don't build a new I-69!

Response: Comment noted.

PCD157 Doug and Susan Davis 05/06/09

PCD157-1

Comment: We do not need this highway!

Response: Comment noted.

PCD158 Mary Faye de Hebreard 04/25/09

PCD158-1

Comment: Dumb idea to build 69 – use the roads we already have. Wasting money for this is stupid.

Response: Comment noted.

PCD159 Ashok Desai 05/09/09

PCD159-1

Comment: US41 & I-70 is the most cost effective alternative in my opinion.

Response: Please refer to response PC004-1

PCD160 Nancy Dickinson 04/29/09

PCD160-1

Comment: Bypass around commercial section of 41 south of Terre Haute would be cheaper and save farmland.

Response: Please refer to the PC004-1 response.

PCD161 David E. Dodrill 05/06/09

PCD161-1

Comment: Please be honest with the citizens of Indiana. The cost/benefit analysis doesn't justify the new I-69 highway. There will be no new jobs except construction jobs.

Response: Please refer to response to comment PC033-1 regarding benefit-cost analysis. Please see response to comment PC040-3 regarding the permanent economic benefits of this project.



PCD162 **Gordon Dornick** **05/28/09**

PCD162-1

Comment: Keep foreign countries and foreign companies out of Indiana highway ownership and management!

Response: Comment noted.

PCD163 **Mary Ann Dunfee** **05/05/09**

PCD163-1

Comment: Any road construction should not place undue and permanent costs on local governments and residents nor should it cause damage to the wildlife habitats.

Response: Comment noted. Impacts to wildlife are discussed in Section 5.18 of this FEIS.

PCD164 **Andrew Durkin** **05/06/09**

PCD164-1

Comment: This is not the sort of stimulus we need. It is wasteful and unnecessary.

Response: Comment noted.

PCD165 **Eve Earley** **06/03/09**

PCD165-1

Comment: Save family farms. Save Hoosier farms.

Response Please refer to response to comment PC033-4 regarding agricultural impacts.

PCD166 **Julie Farris** **05/05/09**

PCD166-1

Comment: No No No Build!!!

Response: Comment noted.

PCD167 **Mary Anna Feitler** **05/08/09**

PCD167-1

Comment: Too many folks will be inconvenienced and pay more to have this construction go as proposed by INDOT and Daniels.

Response: Comment noted.



PCD168 James and Peggy Flickinger 05/08/09

PCD168-1

Comment: I-69 the express ride for dope from Mexico to United States and Canada. Compound access for East-West travel in southern-northern-counties and townships.

Response: There is no evidence that drug-related crime (or other forms of crime) will be impacted by the presence of a new highway.

PCD169 Tom Flynn 05/18/09

PCD169-1

Comment: I prefer the no-build option, but if you must please use 41/70. It just makes sense.

Response: Please refer to the PC004-1 response.

PCD170 Gregory Foote 05/07/09

PCD170-1

Comment: An ill-conceived and contrived expenditure, also detrimental to the human habitats.

Response: Comment noted.

PCD171 Ann M. Foster Hughes 05/07/09

PCD171-1

Comment: It is unnecessary to cut a swath through the loveliest part of our state. Leave it beautiful, no highway!

Response: Comment noted.

PCD172 Nancy Fraker 04/25/09

PCD172-1

Comment: Why waste money, trees and land to save 15 minutes?

Response: Please refer to response PC031-1 and Section 5 of the FEIS for information on environmental stewardship.

PCD173 Anne Fraker 05/06/09

PCD173-1

Comment: We need clean, safe, reliable public transport! i.e. trains. We can't continue our old ways – cars, roads, more roads.



- Response:** Please refer to the response provided to PC031-2 regarding rail transportation.
- PCD174** **Indra Frank** **05/05/09**
- PCD174-1**
- Comment:** Instead of spending billions of dollars for an unnecessary highway. I would prefer that more of Indiana's transportation dollars be spent for public transit.
- Response:** Please refer to the response provided to PC040-5 regarding public transit.
- PCD175** **Sarah Elizabeth Frey** **05/06/09**
- PCD175-1**
- Comment:** I believe the action INDOT can take is to provide Mass/or Public Transit.
- Response:** Please refer to the response provided to PC040-5 regarding mass transit.
- PCD176** **Robert S. Fulk** **05/05/09**
- PCD176-1**
- Comment:** Dear Sir, Please do not support I-69, it will be a waste of land, and money.
- Response:** Comment noted.
- PCD177** **Laura Furst** **04/25/09**
- PCD177-1**
- Comment:** There are other ways to get to Southern Indiana. We must focus on environmental methods.
- Response:** Please refer to the response provided to PC031-1 on environmental stewardship.
- PCD178** **Katherine A. Gagne'** **04/25/09**
- PCD178-1**
- Comment:** Need a sustainable and long term focus – short term outlook not viable in longrun.
- Response:** Comment noted.
- PCD179** **Kathy Gardner** **05/05/09**
- PCD179-1**
- Comment:** Fixing the roads we have will not put family farms on the cutting block.



Section 2—Final Environmental Impact Statement

Response: Please refer to the response provided to PC033-4 referring to farmland impacts. The response provided to PC095-34 discusses maintenance of existing roads.

PCD180 Constantine Gianikos 05/09/09

PCD180-1

Comment: New terrain I-69 is an unmitigated environmental/and economic disaster and is not wanted by the people of Indiana.

Response: Please refer to PC031-1 for response regarding environmental stewardship, and to PC040-3 regarding long-term economic benefits of the project.

PCD181 Mary G. Girard 05/05/09

PCD181-1

Comment: No I-69

Response: Comment noted.

PCD182 Sarah Glass 04/27/09

PCD182-1

Comment: IN 67/IN 57 bed would be most suitable route.

Response: Please refer to PCD183-1 regarding Tier 1 Alternative 4A, 4B and 4C.

PCD183 Thomas Glass 04/27/09

PCD183-1

Comment: IN 67/IN 57 bed would be most suitable route

Response: The Tier 1 study considered three alternatives (Alternatives 4A, 4B and 4C) which used the routing described in this comment. Two of them (Alternatives 4B and 4C) were preferred alternatives in the Tier 1 DEIS. For a discussion of why neither Alternative 4B nor 4C were selected, see Tier 1 FEIS, Section 6.4.2, pp. 6-45f.

PCD184 Tom Glastras 05/11/09

PCD184-1

Comment: Overall destruction and waste far surpass the benefit of extending I-69.

Response: Comment noted.



PCD185 Linda Greene 05/06/09

PCD185-1

Comment: The plan to build a new-terrain I-69 is nothing short of insane, as is the plan to spend money on it in these hard times.

Response: Comment noted.

PCD186 Nick Greven 04/27/09

PCD186-1

Comment: If we are going to build transportation services, make it trains.

Response: Please refer to the PC031-2 response regarding rail transportation.

PCD187 Jacqueline Griffin 05/14/09

PCD187-1

Comment: Please consider all the above, especially the second one. Also, with our bad economy and uncertainty, we cannot afford it. Plus we do not need this.

Response: Comment noted.

PCD188 Jeri Gros 04/25/09

PCD188-1

Comment: Have the courage to do the right thing and protect our beautiful state.

Response: Comment noted.

PCD189 Rick Gross 04/25/09

PCD189-1

Comment: Don't destroy farmland.

Response: Please refer to the response provided to PC033-4 regarding agricultural impacts.

PCD190 Sherri Gruber 04/25/09

PCD190-1

Comment: We do not need to build any more new roads. We need mass transit – don't destroy any more land.

Response: Please refer to the PC040-5 regarding mass transit.



PCD191 Joe Gwinn none provided

PCD191-1

Comment: This is nothing more than a way to placate unions and steer money to the powers that be. I vote!!!

Response: Comment noted.

PCD192 Leif Hagglund 05/14/09

PCD192-1

Comment: The cost benefit analysis for I-69 is a joke. Environmental costs have been minimized (or overlooked) and economic benefits maximized to support your preferences.

Response: Please refer to the response provided to PC033-1 regarding benefit-cost analysis, and the response to comment PC031-1 regarding environmental stewardship.

PCD193 Joanne Hamilton 04/27/09

PCD193-1

Comment: I can't believe Indiana is still pursuing this horrendously expensive and wasteful project. When will we come to our senses?

Response: Comment noted.

PCD194 Jeffrey Hartsman 05/06/09

PCD194-1

Comment: My business is restoring vintage automobiles, so I am not at all against good roads. But the new-terrain I-69 is an unnecessary disaster!

Response: Comment noted.

PCD195 Ronald D. Hedlund 05/05/09

PCD195-1

Comment: Indiana is broke! Spend no more unnecessary money! We taxpayers are hurting!

Response: Comment noted.

PCD196 Jane A. Henderson 05/11/09

PCD196-1



Section 2—Final Environmental Impact Statement

Comment: Bad for the Farmers! This highway is a boondoggle to put in the pockets of the construction lobby! And they give it to Gov. Daniels.

Response: Please refer to the response to PC033-4 regarding agricultural impacts.

PCD197 Brian Hendrickson 05/06/09

PCD197-1

Comment: It makes a lot more sense, —Cål me crazy”. But it’s my belief you fix your existing roads.

Response: Please refer to response to PC095-34 regarding maintenance of existing roads.

PCD198 Dan and Shawn Henline 05/05/09

PCD198-1

Comment: Can we not say this and get through? Fix what we have!!

Response: Please refer to response to PC095-34 regarding maintenance of existing roads.

PCD199 Betty Hollifield 05/11/09

PCD199-1

Comment: Government has no money of its own. Taxpayers are unemployed. We need no more roads. Fix what we have.

Response: Please refer to the response to PC095-34 regarding maintenance of existing roads.

PCD200 Janet A. Hollis 06/02/09

PCD200-1

Comment: Do not destroy farms and forests for a road we don’t need! And don’t waste taxpayers money!

Response: Please refer to the response to comment PC033-4 regarding agricultural and forest impacts.

PCD201 Hoosier Hikers Council 05/07/09

PCD201-1

Comment: I-69 through karst forest and would be the biggest AVOIDABLE environmental disaster of this century.

Response: There is no karst in Section 2. See FEIS, Section 5.21.



PCD202 Judson M. Horning 05/05/09

PCD202-1

Comment: Our state budget cannot withstand a speculative wasting of funds.

Response: Comment noted.

PCD203 Mary Howard 05/08/09

PCD203-1

Comment: Use your engineering skill to preserve our state – upgrade US 41.

Response: Please refer to the PC004-1 response regarding Tier 1 Alternative 1.

PCD204 Debbie Hubbard 06/15/09

PCD204-1

Comment: We do not have the money for the original estimated costs let alone the overrun costs (as we are seeing in Sec. 1) and I don't think it's being built to gov't spec. What's up with that???!!!!

Response: Please refer to the responses provided to PCO33-1 regarding project costs, and to PC033-3 and PC095-33 regarding highway design standards.

PCD205 M. Joan Hughes 05/06/09

PCD205-1

Comment: Get real. This thing is an albatross hung around our necks.

Response: Comment noted.

PCD206 Jennifer S. Jackson 04/25/09

PCD206-1

Comment: Save it, don't pave it.

Response: Comment noted.

PCD207 Tom Jochim 05/11/09

PCD207-1

Comment: Please stop this hugh waste of money.

Response: Comment noted.



PCD208	Beatrice Jones	05/06/09
PCD208-1		
Comment:	& Fix (good)!	
Response:	Comment noted.	
PCD209	Oliver and Holly Joy	05/07/09
PCD209-1		
Comment:	Eliminate wasteful & unnecessary spending!	
Response:	Comment noted.	
PCD210	Clarke Kahlo	05/20/09
PCD210-1		
Comment:	Cut-corners (as Mitch Daniels recently urged) and so-called —blue-engineering” will not justify or ameliorate this immensely wasteful and destructive planned boondoggle. Indiana is in dire straits and this new road will only exacerbate. Mr. Daniels, dump this idiocy. It’s another old-school —remedy” for a non-problem and a recipe for more taxpayer and community impoverishment.	
Response:	Please see response to comment PC095-33.	
PCD211	Stephanie Kane	05/09/09
PCD211-1		
Comment:	Stop the trickery! Stop the new road!	
Response:	Comment noted.	
PCD212	Steven D. Keith	05/22/09
PCD212-1		
Comment:	We need to preserve our farmland.	
Response:	Please refer to the response to PC033-4 regarding farmland impacts.	
PCD213	Pam and Bryan Kienitz	05/16/09
PCD213-1		
Comment:	We do not need a new road. Fix US 41 & I-70!	



Response: Please refer to the PC004-1 response Tier 1 Alternative 1.

PCD214 Philip J. Kline 05/22/09

PCD214-1

Comment: New-terrain I-69 is a terrible waste of money, farmland, forests and watershed. It is socially, environmentally & economically destructive in so many ways. Our great-grandchildren will curse us for I-69, if “~~no~~ terrain” is used.

Response: Please refer to response to comment PC031-1 regarding environmental stewardship and response to comment PC033-4 regarding agricultural and forest impacts.

PCD215 Dennis and Susan Knapczyk 05/08/09

PCD215-1

Comment: The new highway would be a big waste of money that could be used to improve rail transportation.

Response: Please refer to the response to PC031-2 regarding rail options.

PCD216 David and Elizabeth Kramer 05/07/09

PCD216-1

Comment: Isn't it time we started to be honest with the citizens who pay the bills. You should listen to the talk at some of the “~~ca~~ parties”. It would be good to straighten up and consider others before some of these plans are put into motion. They could cause severe and bodily harm.

Response: Comment noted.

PCD217 Lisa Kuhn 04/25/09

PCD217-1

Comment: I don't support the I-69 invest the money into mass transit.

Response: Please refer to the response to PC040-5 regarding mass transit.

PCD218 Joyce Lakey 05/07/09

PCD218-1

Comment: Cost has doubled and project is not worth it!

Response: Please refer to the response provided to PC033-1 project costs.



PCD219 James Larner 04/25/09

PCD219-1

Comment: Stop building I-69.

Response: Comment noted.

PCD220 Jeanne Leumkuhler 05/28/09

PCD220-1

Comment: We need to focus on high speed rail as an alternative to highways.

Response: Please refer to the response provided to PC031-2 regarding rail options.

PCD221 Jeff and Heidi Leisz 05/05/09

PCD221-1

Comment: I-69 is a waste of taxpayers money! We do not want or need I-69.

Response: Comment noted.

PCD222 Don Lichtenberg 05/06/09

PCD222-1

Comment: Please use the money for public transit, which is a forward-looking alternative.

Response: Please refer to the response to PC040-5 regarding public transit.

PCD223 John Anthony Maag 04/27/09

PCD223-1

Comment: We should invest in energy efficient environmental friendly freight and passenger rail instead.

Response: Please refer to the response to PC031-2 regarding rail options.

PCD224 Eric MacDougall 04/25/09

PCD224-1

Comment: US 41 to I-70 will work fine.

Response: Please refer to the response to PC004-1 regarding Tier 1 Alternative 1.



PCD225 Jonna MacDougall 04/25/09

PCD225-1

Comment: Mass transit would be nice.

Response: Please refer to the response to PC040-5 regarding mass transit.

PCD226 Christine Matheu 05/11/09

PCD226-1

Comment: I-69 is not wanted!

Response: Comment noted.

PCD227 Leah Helen May 05/08/09

PCD227-1

Comment: Mass transit, not more roads!

Response: Please refer to the response to PC040-5 regarding mass transit.

PCD228 Cookie McKinney 04/25/09

PCD228-1

Comment: No more roads!

Response: Comment noted.

PCD229 Carol Pender McMurray 04/25/09

PCD229-1

Comment: Why can't we have a subway? So, how many millions have already been spent; so why do we need it now.

Response: Please refer to the response to PC040-5 regarding public transit.

PCD230 Julie Melchior 06/08/09

PCD230-1

Comment: Our future transportation needs are in a state of flux. This project needs to be delayed.

Response: Comment noted..



PCD231 Ashley Miller 04/25/09

PCD231-1

Comment: Mass transit.

Response: Please refer to the response to PC040-531-2 mass transit.

PCD232 Jeffrey R. Miller 05/18/09

PCD232-1

Comment: Refurbish and enhance our existing infrastructure. Building a highway from scratch in a recession is wasteful!

Response: Please refer to the PC095-34 response about maintenance of existing roads.

PCD233 Suzanne Mittenthal 05/09/09

PCD233-1

Comment: It's so much more expensive now, we don't have the money for this. And all it will do is help take jobs to Mexico!

Response: Please refer to the response provided to PC033-1 regarding project costs.

PCD234 Cheryl and David Moeller 05/05/09

PCD234-1

Comment: I am sure costs have doubled to \$4 billion. What jobs will be created?

Response: Please refer to the response to PC033-1 regarding project costs and the response to PC040-3 regarding the long-term economic benefits of the project.

PCD235 Beverly Moore 05/06/09

PCD235-1

Comment: Use some common sense, and save money in the long run.

Response: Comment noted.

PCD236 Janet and Homer Montgomery 05/06/09

PCD236-1

Comment: Mitch – stop shoving I-69 down our throats. We do not want it! You are already decimating our land and forests!



Response: Please see response to comment PC 033-4 regarding agricultural and forest impacts.

PCD237 **Suzanne Mudge** **05/08/09**

PCD237-1

Comment: We need alternatives to building more highways. Our local roads are also sorely in need of repair. Using an outdated I-69 cost analysis is inherently dishonest. We need to spend the money on alternative options such as improving our public transit system.

Response: Please refer to the PC033-9 response about maintenance of existing roads, the PC033-1 response about project costs, and the PC040-5 response about public transit.

PCD238 **Patrick J. Munson** **06/01/09**

PCD238-1

Comment: The cost estimate for the I-69 boondoggle has now doubled. With a bypass in SE Terre Haute (US41/I70) I-69 is not needed.

Response: Please refer to the PC004-1 response regarding Tier 1 Alternative 1 and to the PC033-1 response regarding project costs.

PCD239 **Elizabeth Najjar** **04/25/09**

PCD239-1

Comment: Look for routing that causes the least disruption.

Response: Please see response to comment PC031-1 regarding environmental stewardship.

PCD240 **Thomas R. Newby** **05/11/09**

PCD240-1

Comment: Outrageous that with air pollution and global warming issues, we are blowing our budget on highways.

Response: Please see response to PC03-21 regarding climate change.

PCD241 **Otto Neyhouse** **05/11/09**

PCD241-1

Comment: I-69 destroys too much farm ground. We don't need roads – we need rail service. Rail carries more people, uses less land and space and provides safer travel.

Response: Please refer to the PC033-4 response for farmland impacts, and the PC031-2 response regarding rail options.



PCD242	Nicholas W. Noe	05/21/09
PCD242-1		
Comment:	I-69 is another pork barrel project that will only benefit the city of Evansville.	
Response:	Comment noted.	
PCD243	Wayne Ormes	05/06/09
PCD243-1		
Comment:	There has to be a better way if you would only look for it. Please look for it.	
Response:	Comment noted.	
PCD244	Jane Parry	05/05/09
PCD244-1		
Comment:	Increase public transit. Fix the roads we have. Don't ruin Southern Indiana.	
Response:	Please refer to the PC095-34 response about maintenance of existing roads, and see the PC040-5 response regarding public transit.	
PCD245	Mr. and Mrs. John Pelton	05/08/09
PCD245-1		
Comment:	Public transit must be considered. Improve railroads and & reduce truck traffic.	
Response:	Please refer to PC040-5 response about public transit and PC031-2 response regarding rail options.	
PCD246	Parker Pengilly	05/12/09
PCD246-1		
Comment:	A new road will not benefit residents but only truck traffic.	
Response:	Comment noted.	
PCD247	James R. Pennell	05/21/09
PCD247-1		
Comment:	Fix what we have, and don't destroy thousands of acres of pristine land and forest.	
Response:	Please refer to the PC095-34 response about maintenance of existing roads, and to the PC033-4 response regarding forest impacts.	



PCD248 John Pennington 05/06/09

PCD248-1

Comment: This road cost too much, and is not needed!

Response: Please refer to the response to PC033-1 regarding project cost.

PCD249 Frank Petty 05/09/09

PCD249-1

Comment: The cost of I-69 far outweighs the benefits!

Response: Please refer to response PC033-1 regarding project cost.

PCD250 Jim Plant 04/25/09

PCD250-1

Comment: Please consider mass transit alternatives.

Response: Please refer to response PC040-5 regarding public transit.

PCD251 Carol Polsgroue 05/21/09

PCD251-1

Comment: If you do build I-69, use an existing highway as the roadway.

Response: Comment noted. Over one-third of the Tier 1 selected alternative uses existing SR 37. Sections 5 and 6 of the I-69 project are upgrades of an existing highway.

PCD252 Patricia Powell 05/08/09

PCD252-1

Comment: Make Highway 37 4 lanes South of Mitchell to I-64. If need to get to the south area.

Response: Comment noted. For a summary of preliminary routes considered in the Tier 1 study, see Tier 1 FEIS, Section 3.2, pp. 3-9ff.

PCD253 Debra Raddatz 05/06/09

PCD253-1

Comment: I live, work, and pay taxes here and you are destroying the beauty of my home for the benefit of strangers and special interest groups.

Response: Comment noted.



PCD254 Anna Rees 04/25/09

PCD254-1

Comment: Indiana’s economy will NOT benefit from losing our precious farmland! Let the farmers keep their livelihood!

Response: Please refer to PC033-4 for response on farmland impacts, and to PC040-3 regarding long-term economic benefits of the project.

PCD255 Sylvia Reichel 04/25/09

PCD255-1

Comment: In these difficult economic times, this seems a foolish thing to do. With the newspaper article last week, we should all be embarrassed about Indiana’s ranking.

Response: Comment noted.

PCD256 Marietta Reinhold 05/07/09

PCD256-1

Comment: Stop this waste of money. You have cheapened the project to push it through & the maintenance costs will be outrageous. Stop I-69

Response: Please refer to the response provided to PC033-3 regarding the project design criteria and maintenance costs.

PCD257 Jim and Carol Rice 05/08/09

PCD257-1

Comment: It is shameful that people like you go against the wishes of the people, take their home and lands – and spend their own money to do it!

Response: Comment noted.

PCD257-2 Remember what goes around comes around!

Response: Comment noted.

PCD258 Lu Richmond 05/20/09

PCD258-1

Comment: The state is not promoting public transit use and development by doing this.

Response: Please refer to the response to PC040-5 regarding public transit and refer to the response to PC040-3 regarding long-term economic benefits of the project.



PCD259 **Veronica Ries and Tom Moor** **06/02/09**

PCD259-1

Comment: The costs of I-69 have skyrocketed – this highway is not needed & the few jobs it will create are not worth the damage & job loss to the communities affected.

Response: Please refer to the responses to PC033-1 regarding project costs and PC040-3 regarding the long-term economic benefits of the project.

PCD260 **Jerard G. Ruff, M.D.** **Cinco de Mayo**

PCD260-1

Comment: I'm not planning to hold my breath waiting for INDOT to do an **HONEST** i-69 evaluation.

Response: Comment noted.

PCD260-2

Comment: Bless CARR, the Tokarskis, & Spiderman for their heroic efforts to do the right thing.

Response: Comment noted.

PCD261 **Jill Rushworth** **04/25/09**

PCD261-1

Comment: Save the Land. No more taxes.

Response: Comment noted.

PCD262 **Dr. Sarah Ryterband** **06/03/09**

PCD262-1

Comment: Stop the wholesale destruction of S. IN. We can't afford I-69 socially, financially, ecologically, agriculturally. US-41/I-70 cost 15 minutes vs millions of \$ & priceless karst, farmland, & communities.

Response: Please refer to PC033-4 for a response on farmland impacts. The PC004-1 response addresses Tier 1 Alternative 1.

PCD263 **Susan A. Sammis** **06/06/09**

PCD263-1

Comment: Public transit must be considered as an alternative to more highways. Hoosiers do not want or need I-69. It's time for the state to listen.



Section 2—Final Environmental Impact Statement

Response: Please refer to the response to PC040-5 regarding public transit.

PCD264 Michael Sanders 04/25/09

PCD264-1

Comment: Mass transit would be very important part of making Indianapolis more sustainable.

Response: Please refer to the response to PC040-5 regarding public transit.

PCD265 Jack R. Saylor none provided

PCD265-1

Comment: Public transit must be considered as an alternative to more highways!

Response: Please refer to the response to PC040-5 regarding public transit.

PCD266 Paul W. Schmitt 05/06/09

PCD266-1

Comment: This is a backward-looking project. Expressways are so 20th Century. I prefer rail alternatives.

Response: Please refer to the response to PC031-2 regarding rail transit.

PCD267 Jim Silberstein 05/05/09

PCD267-1

Comment: New highways made sense in 1950. Haven't we learned anything since.

Response: Comment noted.

PCD268 Lorraine Sirucek 05/20/09

PCD268-1

Comment: The underground carst, streams & caves must be considered and studied in this area through the Department of Natural Resources before any kind of highway is started. The Geology Dept. at IU has this info – and it will be a disaster!!

Response: Section 2 does not contain any karst features. Karst studies will be an important part of the project in Sections 4 and 5.



PCD269 **Carole Smith** **05/14/09**

PCD269-1

Comment: Too costly to continue with current project.

Response: Please refer to the response provided to PC033-1 regarding project costs.

PCD269-2

Comment: Most citizens of the state do not want this.

Response: Comment noted.

PCD269-3

Comment: Not environmentally sound!

Response: Please refer to the response to comment PC031-1 regarding environmental stewardship.

PCD270 **John P. Stambaugh** **none provided**

PCD270-1

Comment: What a big joke. Give us a break.

Response: Comment noted.

PCD271 **Ric Stephan** **05/11/09**

PCD271-1

Comment: We do not want I69.

Response: Comment noted.

PCD272 **David Stilley** **04/25/09**

PCD272-1

Comment: Please help save Indiana's natural heritage for future generations!

Response: Comment noted.

PCD273 **Sharon Storms** **04/25/09**

PCD273-1

Comment: Listen to the people.



Response: Comment noted.

PCD274 Stephen D. Suthard

05/05/09

PCD274-1

Comment: No benefit extra taxpayer cost.

Response: Please refer to PC033-1 regarding project costs.

PCD274-2

Comment: An elevated road bed across the White River will further impede flood waters upstream ask Elenora in Westphalia.

Response: The preferred alternative includes a bridge across a substantial portion of the East Fork White River floodplain rather than an earthen embankment, and will be designed so that there will be no increase in flood elevations due to construction of I-69.

PCD274-3

Comment: Stupid is as stupid does.

Response: Comment noted.

PCD275 Sura Gail Tala

05/06/09

PCD275-1

Comment: Stop this road – it is too destructive and too expensive!

Response: Comment noted.

PCD276 James A. Thom

PCD276-1

Comment: An honest analysis would show that building any interstate highway at this time would be irresponsibly stupid and pointless. QUIT!

Response: Comment noted.

PCD277 Jinny Thompson

05/08/09

PCD277-1

Comment: It is absurd that in this time when we are considering our carbon footprints that you are still beating this dead horse.

Response: Please see response to comment PC03-21 regarding carbon emissions.



PCD277-2

Comment: We need rail rehabilitation, not more trucks from Mexico.

Response: Please refer to the response to PC031-2 regarding rail transportation.

PCD278 Berniece Tirmenstein

05/04/09

PCD278-1

Comment: Public transit must be considered as an alternative to more highways the way I see it.

Response: Please refer to the response to PC040-5 regarding public transportation.

PCD278-2

Comment: Cost of I-69 has more than doubled to at least \$4 billion. INDOT should be required to do a new benefit cost analysis study – all current & complete costs. To use construction & design that is cheaper is bad. INDOT must give true reports of operation and maintenance long term.

Response: Please see responses to comment PC033-1 regarding construction costs and benefit-cost analysis, comment PC033-3 regarding construction materials, design criteria and maintenance costs.

PCD278-3

Comment: Save our forests, wetlands & farms.

Response: Please see response to comment PC033-4 regarding impacts to farmland and forests.

PCD279 Ricky Tungate

05/05/09

PCD279-1

Comment: I see no benefits, all the major jobs in Blmgtm are gone. Just a fast track for more drugs/crime.

Response: Please see response to comment PCD168 regarding crime and drug abuse. Please see response to comment PC040-3 regarding long-term economic benefits of the project.

PCD280 Terrie Usrey

05/12/09

PCD280-1

Comment: I do not support building I-69. The state does not have the funds.

Response: Comment noted.



PCD281 Mark Vermillion 05/11/09

PCD281-1

Comment: Many local roads will be closed by this project and some interchanges dropped. Public transit must be considered as an alternative to more highways.

Response: Please refer to the response to PC095-36 regarding closure of local roads and the response to PC040-5 regarding public transit.

PCD282 Shawna Vertrees 04/23/09

PCD282-1

Comment: It's so much cheaper to follow the roads we have don't be a moron.

Response: Comment noted.

PCD283 Janet Vondersaar 04/25/09

PCD283-1

Comment: Light Rail! Yes!! Stop the Pork! Feed the hungry. Affordable Healthcare for all.

Response: Please refer to the response to PC040-5 regarding public transit (light rail).

PCD284 Nell Weatherwax Story Theatre 05/06/09

PCD284-1

Comment: The I-69 new terrain is an outdated idea. We don't need it. End this project now!

Response: Comment noted.

PCD285 Jacqueline Whaley 05/11/09

PCD285-1

Comment: Stop wasting tax payers money! Its been 20 years already do something or abolish the project.

Response: Comment noted.



Section 2—Final Environmental Impact Statement

PCD286 David Lee Wickliff, Jr. 200 (sic)

PCD286-1

Comment: This road can be built around farmlands not through them. If you ~~take~~ rather steal with that bogus right of way rule may you lose your job. You're taking away a farmer's living with this ~~NECESSARY~~ I-69.

Response: Please refer to PC033-4 for a response regarding farmland impacts.

PCD287 Lisa Wilson 04/25/09

PCD287-1

Comment: Think long-term for my kids – the environment needs us!

Response: Please refer to the response to comment PC031-1 regarding environmental stewardship.

PCD288 Phil and Karen Wisniewski 05/06/09

PCD288-1

Comment: Save our land & money.

Response: Comment noted.

PCD289 Natalie Wrubel none provided

PCD289-1

Comment: We need to repair our bridges and build mass transit facilities instead of wasting money on I-69.

Response: Please refer to the response to PC095-34 regarding maintaining existing facilities and to PC040-5 regarding mass transit.

PCD290 Charles E. Yeager 5/07/09

PCD290-1

Comment: Estimated costs of I-69 have doubled to +/- \$4 Billion. We need a new INDEPENDENT study to get true costs.

Response: Please refer to the response provided to PCO33-1 regarding project costs.

PCD290-2

Comment: Many local roads will be closed, farms will be split where excellent land will be difficult or impossible to access.



Section 2—Final Environmental Impact Statement

Response: Please see responses to comments PC033-4 regarding agricultural impacts and PC095-36 regarding local road closures.

PCD290-3

Comment: We need to look at GREEN public transportation, not more fuel emitting highways.

Response: Please refer to the response to PC040-5 regarding public transportation.

PCD291 Phyllis Zimmerman 04/25/09

PCD291-1

Comment: Please, please, don't waste our money on this Boondoggle!!!!

Response: Comment noted.

PCD292 Anonymous (Evansville, IN) none provided

PCD292-1

Comment: Upgrade Railroads

Response: Please refer to response to PC031-2 regarding rail options.



PART A

ADDENDUM

**Additional Comments Regarding Agency Review of
Comments and Responses Document**

On November 20, 2009, a draft of the C/R document was submitted for review and consideration to the following federal and state agencies: USEPA, USFWS, USACE, IDNR, and IDEM. Of these, only IDNR and IDEM provided comments on the C/R document. Their comments are included on the following page.



December 7, 2009
Jason Randolph
IDEM

Comment: IDEM has no feedback.

December 10, 2009
Patricia Clune
IDNR

Comment: I just made tow comments agreeing with the Alternatives suggested by you. No big deal. Sorry for the delay.

Reference Response to Comment AS01-3:

Alternative A is preferred over B and should be acceptable if proper space is provided for the movement of wildlife through the culvert at the unnamed tributary to Pride's Creek.

Reference Response to Comment AS01-4:

Alternative A is acceptable.

December 10, 2009
Mike Grovak
Chief, Transit Planning and Economics
Bernardin, Lochmueller & Associates, Inc.

Comment: Thanks for your feedback. Would like to clarify the two comments. Are the two edits you provided (on comments AS01-3 and AS01-4) intended to indicate that IDNR concurs with the response provided? Both use the term "acceptable" to describe Alternative A in a subsection where IDNR (for part of Subsection 3 and all of Subsection 8) stated a preference for Alternative B I its comment letter on the DEIS.

December 11, 2009
Patricia Clune
IDNR

Comment: Yes, we concur with the response provided.